

Section 32 RMA report of the Auckland Unitary Plan

Audit

Harrison Grierson and NZIER report to the Ministry for the Environment
November 2013

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Key points

The Proposed Auckland Unitary Plan (PAUP) Section 32 (s32) evaluation is the first to be completed under the 2013 Resource Management Act (RMA) reforms. The sampled topic reports have been audited under criteria developed by the Ministry for the Environment (MfE) and in consultation with Auckland Council.

The purpose of the audit was to determine how well the s32 evaluation complies with the RMA.

This key points section goes through each of the eight general areas of the audit. For each area, we summarise those elements of the s32 evaluation that worked well and those elements where further analysis or information could assist.

The following comments are based on a sample of 15 (of 50) topic reports which make up the s32 report.

General quality

Areas that worked well

- nearly all topic papers are free of jargon and acronyms and were written in plain English
- most of the sampled topic reports were structured in a way that the “informed reader” could understand. Some had good cross referencing to sections within the s32 Report and to the relevant section of the PAUP
- sampled topic reports set out the information required to understand and evaluate the proposed provisions.

Areas where further analysis or information could assist

- in the majority of sampled topic reports reviewed there was a lack of comprehensive analysis of alternatives. The focus on the preferred option and the cursory development of other options (other than the status quo) suggested that the preferred option had been decided upon prior to the evaluation
- signposting to background reports and to the s32 Report Part 1 at times was not well done
- consultation and decision making sections of sampled topic reports describe procedure and outcomes (more variably). However it is not clear how these processes influence the options chosen, decisions taken and the s32 evaluation
- the s32 evaluation is topic based (not structured to the PAUP), because of this, it is difficult for the informed reader to find the answers to specific questions about the plan. Most readers will not examine the entire s32 evaluation. They will be looking for the explanations to specific elements of the PAUP, therefore the ability to find the s32 analysis on some provisions of the PAUP is unlikely to be easy

- there was an absence of a glossary, which would have been useful particularly in relation to the topic reports examining issues of importance to Māori.

Scale and significance

Areas that worked well

- the topic report template ensured that a section on “Significance of this Subject” is included in each topic report
- the s32 Report Part 1 identified a single criterion (degree of shift from the status quo) to be used in determining those matters of significance, which are to be addressed in detail. The sampled topic reports apply this criterion relatively consistently
- the topic report template ensured that effects-based considerations were also identified in the explanation of the significance of the subject.

Areas where further analysis or information could assist

- there is no upfront summary of those matters considered of significance and those matters considered to be minor
- there is no specific explanation in the sampled topic reports as to why provisions not addressed are considered to be of minor significance, which has meant that it is difficult to assess the s32 Evaluation Report in relation to audit criterion 2.3
- there are no clear links between the descriptions of the status quo provisions and the determination of significance. This is most obvious for provisions not addressed in specific topic reports
- the scale of the effects of provisions, for example their geographic extent, is not explicitly considered
- when determining significance, sampled topic reports do not consistently and transparently consider environmental, economic, social and cultural effects; many make no reference to quantifiable demographic and economic information that could help establish the scale, significance and distribution of issues which proposed provisions are intended to remedy.

Objectives

Areas that worked well

- the evaluation of objectives is undertaken under a consistent set of four (sometimes five) headings, which align with good practice
- the consistent use of these headings has meant that the evaluation of the objectives consistently links to appropriate resource management issues and intended outcomes
- the achievability of the objectives is consistently addressed, again reflecting the use of common headings

- the appropriateness of the objectives is linked to elements of Part 2 of the RMA.

Areas where further analysis or information could assist

- while the evaluation of the appropriateness of objectives is commonly linked to elements of Part 2, the sampled topic reports are less consistent providing an explicit “broad overall judgment” against Part 2
- while broad achievability is addressed consistently, there is variable analysis against specific Council powers under s30 and 31 of the RMA
- there is no evidence in the sampled topic reports that the results from the analysis of provisions has been used to re-evaluate the appropriateness of objectives.

Appropriateness of options

Areas that worked well

- some sampled topic papers identify 3 or 4 credible options
- the topic papers tend to describe the status quo reasonably well.

Areas where further analysis or information could assist

- in a number of sampled papers the range of options identified is limited, options are not well fleshed out or an option is included that appears unrealistic and therefore arguably not an option
- the topic papers are variable in their description of how consultation was undertaken in relation to the evaluation of options, and many could do more to demonstrate how consultation was used to develop options and dispel the inference that options were not responsive to consultation
- the options identified tend to be “broad level” and in some circumstances the evaluation of more detailed options appears warranted
- the s32 evaluation does not provide information that confirms that provisions not addressed in the sampled topic reports have in fact been rolled over (i.e. no change from the status quo), and does not explain the rationale for the decision to roll over these provisions.

Evaluation of options / provisions

Areas that worked well

- the sampled topic reports satisfactorily evaluate the provisions against the scope of objectives
- sampled topic reports outline the decision making process, including political working party, PAUP and the final Council signoff for notification.

Aspects where further analysis or information could assist

- some sampled topic reports did not clearly identify or acknowledge that the costs and benefits would be experienced by different recipients

- the assessment of efficiency and effectiveness is variable
- no consistent methodology emerged for determining whether it was practicable to quantify or monetise effects. The decision not to quantify or monetise often rested on a bold assertion without substantiation
- evaluation of effectiveness and efficiency was based mainly on assertions that are not referenced in the evidence base
- sampled topic reports tend not to describe the content provided to the decision makers or limitations or gaps in the content provided to decision makers
- sampled topic reports very rarely identify the value of the costs and benefits, and very limited justification of the assertions. There are some limited exceptions (example of costs of preparing design statements relative to the status quo).
- multi-criteria analysis appears to have been used but is not explicit in the sampled topic reports
- in some cases the provisions evaluated in different sampled topic reports seek to implement the same objectives. The topic reports sampled do not provide information on whether the combination of these provisions represents the most appropriate way to achieve the objectives.

National Environmental Standards (NES)

- Council has confirmed that in no instances do they seek to be more restrictive than an NES. Therefore it is not possible to evaluate the s32 report against this criterion (see section 1.4.2 p10 Section 32 Report Part 1).

Sufficiency of information

Areas that worked well

- there are some instances where the lack of information or insufficient information is recognised.

Areas where further analysis or information could assist

- it was common to include assertions that information is sufficient. However, these assertions tend not to be justified and in some instances appear contrary to other comments that indicate insufficiencies or uncertainties of information (e.g. statements that they are unable to quantify or monetise costs and benefits are not recognised as limitation)
- there is very little in the sampled topic reports about how the uncertainties and limitations were referred to decision makers
- sampled topic reports tend to cover risk of acting or not acting, but this is in relation to the provisions (i.e. the risk of not including the preferred provision) rather than in relation to uncertain or insufficient information.

Summary of reasons

Areas that worked well

- the sampled topic reports all include a summary of reasons (i.e. conclusions), and some also have sections that address the overall rationale at other places within the report.

Areas where further analysis or information could assist

- the content of the summary of reasons was variable
- there was a lack of clarity in how technical reports and consultation was presented to decision makers
- it was clear in some cases that consultation had an influence on decision makers, but the impact of consultation was not clearly spelt out.

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1. Introduction

The purpose of this report is to audit the Resource Management Act (RMA) Section 32 Evaluation Report of the Proposed Auckland Unitary Plan (containing the s32 Report Part 1 and associated sampled topic reports, appendices and references).

The Proposed Auckland Unitary Plan is the first plan to require a s32 evaluation under the 2013 RMA amendments. It replaces:

- the Regional Policy Statement (RPS)
- four regional plans
- eight district plans.

Given the size and significance of Auckland, the PAUP will have a significant macro and micro economic impact on New Zealand. This includes job creation and development, housing affordability, and international and domestic business competitiveness. Ensuring that it meets the standards intended by the Act and pointing to places where the s32 process could be improved is important not only for Auckland but also for other councils going through similar processes.

New sections have been added to the RMA Act that require an audit of the evaluation report on the proposed Auckland Unitary Plan. This report presents the results of that audit, which has been undertaken in accordance with criteria developed by the Ministry for the Environment (MfE) in consultation with the Auckland Council. The focus of the audit is on:

- the quality of the s32 report
- codifying best practice for future s32 analysis.

Importantly, this audit is not about the merits of the PAUP or its provisions. The legislation requires an audit of the approach taken, and rigour of the s32 report prepared in conjunction with the PAUP.

In this regard, the focus of the audit will be to determine whether Council's approach and method for the s32 evaluation is appropriate.

1.1. Context

1.1.1. Resource Management Act (RMA) reform

Section 32 of the RMA requires that an evaluation accompany a policy statement, plan change, plan, regulation, or standard. This should assess¹:

- the appropriateness of objectives in achieving the purpose of the RMA
- the appropriateness of policies and methods (provisions) in achieving the objectives in terms of their efficiency and effectiveness.

As part of the Government's reforms to streamline and simplify the RMA, a review of s32 has been undertaken. This review has identified limitations in the quality of practice under s32. In this regard, the Report of the Minister for the Environment's Technical Advisory Group (February 2009) stated that:

While the practice varies between councils (some perform well and others less so), advice to the TAG indicated that overall this section is not achieving its objective. As currently operated, s.32 is in all too many cases driving officials to produce voluminous reports that are not only costly, but also fail to make the expected contribution to ensuring the on-going efficiency and effectiveness of the process.²

Variability in practice was also highlighted in a subsequent report undertaken as part of the review of s32³. The conclusions of this report note that:

... it appears clear that in relation to how s32 is implemented practices vary. The council interviews, in particular, confirm this and this variation is reflected in the differences in costs attributed to the s32 process. While it does not automatically follow that variation equates to poor practice, the interview respondents themselves recognise that in some instances their evaluations would not be considered 'best practice'.

Given this variability in s32 practice, phase two of the government's RMA reforms has examined s32 and introduced (in 2013) changes to this section of the Act. At present these only apply to the proposed Auckland Council's Unitary Plan process, but they will apply nationwide from December 2013. It is understood that government's purpose for the changes is to codify "best practice" into s32 and thereby raise performance across the country. In particular, the amendments to s32 are intended to place greater emphasis on quantitative assessment of costs and benefits (where practicable) and on the need to consider regional economic impact and opportunity costs. At the same time the changes are also intended to clarify that the detail of the s32 evaluation could be commensurate with the scale and significance of the environmental effects of the provisions.

¹ <http://www.mfe.govt.nz/publications/rma/rma-amendment-act-factsheets-2013/factsheet-6.pdf>

² The Report of the Minister for the Environment's Technical Advisory Group, February 2009, p15.

³ Harrison Grierson (2010), Review of Section 32 of the Resource Management Act 1991, Stage 1 – Problem Definition

1.1.2. Audit purpose and requirements

The requirements of the audit are set out in Appendix A.

The Local Government (Auckland Transitional Provisions) Amendment Act does not identify the purpose of the audit. However, a high level objective of the audit is to:

To provide an independent quality audit of the Auckland Council's section 32 evaluation report for the Auckland Unitary Plan, having particular regard to the following matters:

- *the extent to which the evaluation report complies with the statutory requirements of section 32 of the RMA as amended by the Resource Management Amendment Act 2013*
- *the extent to which the documentation identifies the evidence and supporting information and presents the analysis, that has been used by decision makers in their development of the Unitary Plan.*

(MfE 2013 Audit criteria see Appendix B)

1.1.3. Timing

The process for the first proposed Auckland Unitary Plan is a one-off process governed by the Local Government (Auckland Transitional Provisions) Act (LGATPA). The purpose of this Act is to provide transitional arrangements for the operation of the Auckland Unitary Council and other local authorities affected by the reorganisation.

The PAUP development and changes to the RMA occurred at the same time. Therefore it is expected that some retrofitting and reformulation of the s32 report occurred. While this is to be expected, the changes in the RMA are not radical shifts of direction in relation to what s32 evaluation could comprise. The 2013 amendments to the Act are focused on placing more emphasis on the costs and benefits of effects, economic growth and employment opportunities and quantification. In this respect, the criteria development by MfE and in consultation with the Auckland Council have been signalled for some time and their content should not have surprised participants in the PAUP process.

2. Description of approach

2.1. Audit criteria

The audit criteria are outlined below. They are divided into the following parts:

- general criteria relating to the section 32 evaluation report
- criteria relating to the statutory requirements of section 32.

The criteria relating to the statutory requirements of section 32 are made up of the following parts:

- scale and significance

- appropriateness of objectives to achieve the purpose of the Act
- appropriateness of provisions to achieve the objectives (options)
- appropriateness of provisions to achieve the objectives (efficiency and effectiveness)
- restrictions greater than a NES
- sufficiency of information and risk
- summary of reasons.

Note that the criteria should be read as a whole i.e. they are not meant to represent a linear, step-by-step process. For example, the statutory requirement to consider the scale and significance should not necessarily be viewed as the first step of the section 32 audit evaluation.

A brief description of the basis for the criteria, and its relevant part in the legislation is provided in Table 1. Further information on the criteria is set out in Appendix B.

Table 1 Section 32 Evaluation Report Audit Criteria

Statutory Requirement	Criteria
General quality criteria	<p>1.1. The evaluation report is communicated in plain English, with minimal use of jargon and any technical terms explained</p> <p>1.2. The evaluation report identifies what information was used in undertaking the evaluation</p> <p>1.3. The evaluation report is structured in a way that is easy to understand and helpful to the reader</p> <p>1.4. The material contained in the evaluation report is concisely presented with minimal duplication, appropriate use of tables and diagrams, and references to more detailed evidence or source material, to help manage the length</p> <p>1.5. The evaluation report clearly identifies what consultation was undertaken, with whom</p> <p>1.6. The evaluation report identifies how information provided through the consultation was presented to decision makers and how it informed the evaluation process.</p>
Scale and significance (s32)(1)(c)	<p>2.1. The evaluation report identifies the process and the underlying assumptions (e.g. demographic, economic) used for determining the scale and significance of effect(s) anticipated from the implementation of a provision.</p> <p>2.2. The process used for determining the scale and significance of effect(s) has been applied consistently in the evaluation report or the reasons for the inconsistency are clearly explained.</p> <p>2.3. The evaluation report identifies the processes and underlying assumptions used to confirm those provisions that are deemed to be of minor significance / scale such that they are not further addressed in the evaluation report.</p>
Appropriateness of objectives to achieve	<p>3.1. The evaluation report links the objective with a resource management issue that must be resolved to promote the</p>

<p>the purpose of the Act (s32)(1)(a)</p>	<p>purpose of the RMA.</p> <p>3.2 The evaluation report links the objective with its intended outcome and confirms that the outcomes are achievable and within the council's powers under s30 & 31 of the RMA</p> <p>3.3 The evaluation report articulates the overall broad judgment under Part 2 as to appropriateness of the adopted objectives, including any feedback from the consideration of methods</p>
<p>Appropriateness of provisions to achieve the objectives (options) (s32)(1)(b)</p>	<p>4.1 The range of options considered for a provision is proportionate to the scale and significance of the proposal (or provision within that proposal)</p> <p>4.2 Where a proposal (or provision within that proposal) has been deemed to be of a scale and / or significance such that options need to be considered:</p> <p>4.2.1 The range of options considered extends beyond a simplistic binary of status quo versus change</p> <p>4.2.2 The range of options includes existing provisions or an appropriate range of provisions to reflect the status quo</p> <p>4.2.3 The evaluation report details what consultation was undertaken in relation to the development and/or evaluation of options (including alternatives identified through consultation processes)</p> <p>4.3 Where a choice has been made to roll over or to change an existing provision, the rationale for that choice is explained</p>
<p>Appropriateness of provisions to achieve the objectives (efficiency and effectiveness) (s32)(1)(b)(i)(ii)(iii) And (s32)(2)(a)(i)(ii) And (s32)(2)(b)</p>	<p>5.1 The assessment of the appropriateness of provisions to achieve the objectives has responded to the full scope of an objective</p> <p>5.2 The assessment of the efficiency and effectiveness of provisions is proportionate to the scale and significance of the proposal (or provision) being evaluated</p> <p>5.3 Where the evaluation report has identified that a proposal (or provision within that proposal) is significant there is a comprehensive and transparent disclosure of the costs and benefits arising from both the provision and other reasonably practicable options.</p> <p>5.4 Where the evaluation report provides an assessment of the benefits and costs the "recipients" of such benefits and costs are also identified.</p> <p>5.5 The evaluation report transparently identifies the information provided (including technical and consultation inputs) to decision makers on the consideration of environment, economic, social and cultural effects that were anticipated, including effects on employment and economic growth or forfeited effects</p> <p>5.6 The evaluation report identifies any limitations in information or information gaps that were identified to decision makers and records the implications of this on the decision making</p>

	<p>process</p> <p>5.7 The evaluation report identifies the methodology used for determining whether it is practicable to quantify and/or monetise the costs and benefits</p> <p>5.8 The evaluation report identifies the valuation methodologies used where benefits and costs have been monetized</p> <p>5.9 The methodologies have been applied transparently and consistently across the evaluation report, with the reasons for any inconsistencies identified</p> <p>5.10 The evaluation report is transparent on how monetised benefits and costs have been presented to decision makers (e.g. any “calibration” or weighting against quantitative and qualitative assessments).</p> <p>5.11 Where benefits and costs have not been quantified, they are qualitatively evaluated and the basis for those qualitative assessments is described</p>
Restrictions greater than a NES (s32)(3)	<p>6.1 Where a greater restriction is imposed, the evaluation report includes sufficient documentation of the analysis and rationale to justify the decision made</p>
Sufficiency of information and risk (s32)(2)(c)	<p>7.1 The evaluation report has a consistent approach for identifying whether information was considered sufficient or certain for proposals (or provisions) and clearly identifies where decision makers made decisions on proposals or provisions with uncertain or insufficient information</p> <p>7.2 Where the evaluation report identifies that there was uncertain or insufficient information for decision makers, there is transparent documentation of the risks that were considered in acting or not acting on decision</p>
Summary of reasons (32)(1)(b)(iii)	<p>8.1 The summary of reasons identifies the rationale to support the decision made (e.g. why is it the most appropriate way of achieving the objective).</p> <p>8.2 The conclusions clearly identify the analysis process and information provided to decision makers (including technical reporting and consultation inputs)</p>

2.2. Assumptions about the audience

The following assumptions are made when assessing papers:

- the audience for the s32 evaluation and audit is the “informed reader”. This person is not a technical expert but is able to understand non-technical language and find their way around a well-structured document
- stakeholders and interested parties are typically busy, so they value short and clear papers that allow them to minimise time spent reading

- issues covered by the various papers vary greatly in scale and scope, and as this affects priorities there is value in indicating the size and span of the issue (scale and significance)
- the paper needs just enough context to be stand-alone; it should not assume that the audience is “in the know” or has long experience with the issue
- it is valuable to show broad underlying structures and connections to other topic reports and the plan for each topic report since many papers are interrelated.

2.3. Approach to sampling

The goal of the audit is to determine whether the proposed Auckland Unitary Plan s32 analysis complies with the Act and to suggest ways it could be improved. No matter how competent we are or how sophisticated our approach is, there is a risk that material in the s32 evaluation will be too extensive to make reviewing each paper practicable given time and resources. Responses to that risk include allocating more people (and resources) to the review, which has its own risks for co-ordination and consistency of effort, or else concentrating examination on a sample of the papers.

To accomplish this goal, we have chosen a representative sample or cross-section of the various types of papers with a focus on the main issues that have been identified as important by MfE and Auckland Council. In setting up the criteria we have looked at the:

- resources available
- time restrictions under which the audit must be finished
- tools available
- characteristics of the populations (the 50 papers) to be sampled.

With these constraints in mind, we have examined a number of (7) randomly selected topic reports to check for consistency of approach, and selected a sample of (8) other topic reports that exhibit one or many of the following characteristics:

- the issues addressed in the topic report impact across a broad range of social, environmental, economic and cultural values
- the issue has wider cross cutting significance, as identified in the s32 Report Part 1 for the proposed Auckland Unitary Plan p7 (30th September 2013)
- issues that the public expressed particular concern about through the submissions process for the proposed Auckland Unitary Plan
- issues that impact on many Auckland communities (inclusiveness)
- issues that are significant to tangata whenua
- issues that impose standards in excess of a National Environmental Standards (NES).

Eight papers have been selected to cover the bullet points set out above.⁴ The non-random selection included:

- urban form and land supply (selected for: scale and significance, wider cross cutting significance, public concern, significance to tangata whenua, and impact on Auckland inclusiveness)
- rural urban boundary location (selected for: scale and significance, wider cross cutting significance, public concern, significance to tangata whenua, and impact on Auckland inclusiveness)
- residential zones (selected for: scale and significance, wider cross cutting significance public concern and impact on Auckland inclusiveness)
- business (selected for: scale and significance, wider cross cutting significance, and impact on Auckland inclusiveness)
- business building form and design (selected for: scale and significance, wider cross cutting significance and impact on Auckland inclusiveness)
- Mana Whenua cultural heritage (selected for: significance to tangata whenua)
- treaty settlements (selected for: significance to tangata whenua)
- strategic transport corridor (selected for: wider cross cutting significance).

The random selection was made by selecting the last two digits between 01 and 50 in a column of random number tables and matching these to the section numbers in the s32 Report Part 1. Randomly chosen papers include:

- building heights
- design statements
- Māori and natural resources
- future urban zone
- crossings on arterial roads
- air quality buffers – heavy industry
- intermittent streams and riparian margins.

As well as these 15 topics, the introductory s32 Report Part 1 has also been reviewed.

2.4. Rating criteria

Each topic report is assessed against the assessment criteria stipulated by the Ministry for the Environment.

The assessments are based on previous experience working with council plans, NZIER's policy review experience⁵ and our understanding of the standard expected by the Ministry.

For each individual criterion, a sampled topic report is given shading based on the following approach:

⁴ Note that the random sample of papers occurred first so those papers that were significant and randomly picked are not included in the non-random sample.

⁵ NZIER reviews approximately 400 papers for 21 agencies annually to assess their quality.

Table 2 Interpreting individual rating

Rating	Interpretation
	Insufficient information
	Has significant risk
	Borderline: does the job but with risks
	Adequate to excellent
	Not applicable

Source: NZIER

Through its assessment process, the audit highlights areas where sampled topic reports have a degree of risk. This is incorporated into the rating. By risk we mean where:

- the compliance with the RMA is not clear or the topic report does not demonstrate compliance with the RMA
- the sampled topic report does not demonstrate the linkage between information and evidence used to assist decision makers in their development of the PAUP.

Each of the reports selected in the sample were separately reviewed by two team members. These individual assessments were then compared and an agreed evaluation reached.

2.5. Limitations of the audit

2.5.1. The sample does not reflect all papers

The main risk is that the 15 papers sampled do not fully represent the 50 papers that are part of the s32 analysis. For two reasons this risk has been minimised:

- the coverage of s32 papers was wide with most the significant issues included in the audit
- the issues kept reoccurring in the papers reviewed i.e. a pattern emerged that showed relatively consistent strengths and weaknesses – no matter what the scale or significance of the topic report.

2.5.2. Key appendices may have been overlooked

As a starting point, the audit has taken the stance of an informed reader. On that basis, it has been assumed that the reader would rely on key references and appendices for the document being sign-posted (e.g. to guide the reader to this additional information). If sign-posting is missing, then it is reasonable to assume that this information would be overlooked by an informed reader. On this basis, it is recognised that if key references and appendices are not clearly sign-posted in the s32 report, they may be overlooked (or identified as an information gap) in the sample audit that has been undertaken.

3. Overview and results

The PAUP s32 evaluation report is made up of three elements.

The **first element** is the s32 Report Part 1. This provides an overview of the PAUP development process and how this relates to the requirements of s32. In particular, section 1.2 sets out the broad approach taken in the specific topic reports. This includes direction on the determination of significance (see section 4.2 for more on this), outlines how the specific topic reports relate to each other and recognises that the s32 Evaluation Report is a snapshot at the time of the PAUP's notification and that the evaluation will evolve as the process proceeds and more information is obtained.

The s32 Report Part 1 also identifies the importance of the Auckland Plan to the PAUP and describes key elements of it (see the Glossary in Appendix D).

Finally, the s32 Report Part 1 outlines the process for the development of the PAUP, how draft provisions were tested and the consultation completed. These sections are important as they form the basis of the s32 evaluation for those matters not deemed of sufficient significance to warrant detailed evaluation through a topic report.

The **second element** of the PAUP s32 evaluation report is the 50 topic reports. These provide relatively detailed evaluations of the selected provisions against the requirements of s32.

The **third element** of the PAUP s32 evaluation report is the numerous appendices. These are linked to either the s32 Report Part 1 or to a topic report. However, some appendices are relevant to multiple topic reports. These appendices provide some background information of relevance to the evaluation within the topic report.

In the following sections the audit goes through each of the eight general areas set out in the criteria (see Appendix B). For each criterion, we summarise the areas that worked well and the areas that could be improved.

3.1. General quality

3.1.1. Description and context

The focus of the general quality criteria is the machinery of the process: communication, information, paper structure and readability, and consultation and its role in the decision making process.

The criteria 1.1 to 1.6 (set out in Table 1) are aimed at ensuring that the sampled topic reports:

- provide adequate details on how well the paper is communicated
- provide adequate details on the evidence that the evaluation report is based
- are structured well and helpful to the reader
- set out the supporting information for the evidence, including tables and diagrams, with good signposts to appendices

- reference other important material and present it concisely (i.e. with minimal duplication)
- clearly identify what consultation was undertaken and with whom
- identify how information provided through the consultation process was presented to decision makers and how it informed the evaluation process.

3.1.2. Audit observations

Nearly all of the topic papers were free of jargon and acronyms and were written in plain English. Good examples of this in topic papers were Air Quality Buffers – Heavy Industry, the Rural Urban Boundary Location, and Urban Form and Land Supply. For the most part acronyms were well explained.

There was an absence of glossaries either in the overview paper (s32 Report Part 1) or the sampled topic reports. These would have been particularly useful in the cultural topic papers reviewed (Mana Whenua – Cultural Heritage, Treaty Settlements and Māori and Natural Resources).

Most of the sampled topic reports were structured in a way that readers could understand e.g. the Building Heights topic report followed a logical sequence through the requirements of the s32 evaluation. Sampled topic reports were concise providing adequate coverage (e.g. the Intermittent Streams and Riparian Margins topic report) and other topic reports had useful cross referencing (e.g. the Business topic report).

The evaluation of information detailed in the sampled topic reports was satisfactory, although in many cases the preferred option was identified early in the report. This combined with the lack of information on alternatives (other than the status quo) meant that the reader had little to compare the preferred option to.

The above observation appears to indicate that the preferred option had been decided upon prior to the evaluation set out in the topic report e.g. in the Future Urban Zone and Strategic Transport Corridor Zone topic papers set out and describe the preferred objectives, policies and rules before any analysis is provided as to why it is the preferred option. Also many of the sampled topic reports had not fleshed out the alternatives to the same degree as the preferred option and the status quo e.g. Design Statements.

The absence of signposting was an issue in most sampled topic reports e.g. the topic report Design Statements set out the information and analysis relied upon for the evaluation (see criterion 1.3). The information seems appropriate and the appendices provide further detail. However, the topic report did not identify that the analysis referred to is contained in the appendices. In many instances, the signposting to the background reports and to the s32 Report Part 1 is not well done.

The consultation and decision making sections of the sampled topic reports do describe processes and outcomes. However it is unclear how these processes influence the s32 evaluation, or how decision making was influenced by the s32 evaluation.

A considerable amount of consultation has been undertaken. All papers had reasonably good descriptions of what consultation was undertaken and by whom e.g. the Strategic Transport Corridor Zone and the Rural Urban Boundary Location topic

papers both clearly state which parties were consulted. However the sampled topic reports do not clearly set out how this impacted on provisions or their evaluation under s32 e.g. the Urban Form and Land Supply and Building Height topic reports.

The auditors have examined the s32 Report in a way that most readers are unlikely to do. That is, while our starting point for the audit is to complete a full review of the relevant topic report and then, as necessary, refer back to the PAUP provisions, most readers are likely to approach the s32 Evaluation Report having reviewed the PAUP and be in search of supporting information for PAUP provisions of interest.

To provide some gauge on how “user friendly” the s32 Evaluation Report would be for most users, a planner (considered an informed reader) not involved in the audit was asked to select 2 sections of the PAUP and then attempt to find the relevant part of s32 Report.⁶

The results of this test showed that it was not straightforward to identify which part of the s32 Evaluation Report was relevant to the PAUP provisions selected. The main reason for this was that there is no clear provisions index, or document map, which shows readers of the PAUP which sections of the s32 Evaluation Report are relevant to the provisions they are interested in.

3.2. Scale and significance

3.2.1. Description and context

Section 32 requires Auckland Council to prepare an evaluation report which contains⁷:

...a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.

The audit criteria relating to this requirement (2.1 to 2.3) seek to ensure that Auckland Council’s evaluation report has:

- identified the process and underlying assumptions used for determining scale and significance of effects anticipated from the implementation of the provisions
- either applied this process consistently or explained inconsistencies
- identified the process and underlying assumptions for determining provisions are of minor significance / scale such that they are not further addressed in the evaluation report.

These criteria are intended to ensure that the evaluation report sets out an approach for determining the significance and scale of the environmental effects of provisions and applies this consistently.

⁶ It is acknowledged that there are significant limitations to this approach, particularly the limited number of Plan sections selected.

⁷ Resource Management Act s31(1) (c)

3.2.2. Audit observations

Scale

In the topic reports sampled the scale of effects does not appear to have been explicitly addressed (criterion 2.1 -2.3).

For the purposes of s32 we understand the intended meaning of the word scale to be “relative dimensions or degree”⁸. There are numerous aspects of the PAUP for which scale (large or small) is of relevance to their environmental, economic, social or cultural effects. Examples of this are the extent of intermittent streams and riparian margins, arterial roads and land impacted by the provisions evaluated in the Treaty Settlements topic report. Yet this has not been addressed in the sampled topic reports.

Scale may also be of relevance to the matters not specifically addressed in the sampled topic reports. However, given the limited information provided on these issues it is not possible to determine how scale of effects was considered, if at all, in the decision not to incorporate the matter within a topic report.

Matters of significance/minor significance

In considering audit criteria 2.1-2.3, it is important to note that Auckland Council’s s32 Report Part 1 sets out a s32-wide approach to determining the “significance” of provisions in section 1.2.1. The s32 Report Part 1 identifies that the degree of change from the status quo, or legacy provisions, has been used by Council as the determinant of significance. In this regard, the s32 evaluation report is “*targeted at those provisions where a significant policy shift has occurred from the current operative plans policy approach(es)*”.⁹

Council considers this approach to be consistent with s32(1)(c).¹⁰

In taking this approach Council appears to rely on the fact that existing provisions have already been through a Schedule 1 RMA process, have therefore already been tested against the RMA, and have effects which have been determined to be appropriate.

The s32 Report Part 1 report also states that:

*Where objectives and provisions continue with a management regime that has similar outcomes and effects to those currently in place, their evaluation is encompassed within sections 1.6-1.8 of this report.*¹¹

Sections 1.6-1.8 of the s32 Report Part 1 set out the overall approach taken by Council to the “Development of the Unitary Plan”, “Monitoring, Effectiveness of Environmental Controls and Feedback Loops” and “Consultation and Engagement”.

The information contained in these sections is of relevance to a s32 evaluation. In this regard it sets out the overall process followed by Council in developing the PAUP, including the policy evaluation process that it followed and the consultation

⁸ The Oxford Encyclopaedic English Dictionary (1991)

⁹ See third to last paragraph on page 4 of the Part 1 s32 Report.

¹⁰ See second to last paragraph of page 4 of the Part 1 s32 Report.

¹¹ See third paragraph on page 5 of the Part 1 s32 Report.

undertaken. The description provided is also linked to more detailed background reports such as the broad “direction-setting” papers (Appendices 3.0.1-3.0.4) and the Issues Papers (Appendices 3.0.16 and 3.0.17).

The approach taken by Council to the matter of “significance” and the detail of the s32 evaluation report is a pragmatic approach, i.e. we can understand why Council has taken this approach given the breadth of issues addressed by the PAUP.

However, there are risks with the approach taken and elements that could be improved upon:

- Council’s apparent reliance on previous evaluations appears not to take account of the recent s32 changes intended to improve practice. This approach also appears to assume that changes in Auckland’s environmental, economic, social and cultural context do not justify a review of the provisions. However, there is no explicit evaluation of this
- the legacy provisions are contained within multiple resource management documents. In this context, it would appear likely that it is not always possible to make a simple judgement on the degree to which the proposed approach is consistent with all legacy provisions. For those provisions not subject to sampled topic reports, readers of the PAUP can only make assumptions about how Council has reached its conclusion regarding the degree of shift from the status quo. Further, where sampled topic reports are provided there are not always clear connections within those reports between the descriptions of the status quo and the determination of significance
- for those PAUP provisions not covered by a topic report there is no specific explanation of the reasons why this approach is commensurate with the significance of the subject matter. As noted, the s32 Report Part 1 states that for these matters sections 1.6-1.8 are relevant. However these sections of the s32 Report Part 1 provide a description of the overall approach to PAUP development rather than information specific to the different PAUP provisions (or groups of provisions)
- given the information in the s32 Evaluation Report, it is not possible to determine whether the matters that have not been covered by specific sampled topic reports should have been covered. This uncertainty has made it difficult to assess compliance with audit criteria 2.3 – i.e. the processes and assumptions used to confirm provisions that are deemed to be of minor significance. It would have been of value to include within the s32 Evaluation Report a document (perhaps a table) that explicitly identifies the PAUP provisions and those parts of the s32 evaluation report that are relevant to them. It could also discuss the reasons that specific matters were not addressed in sampled topic reports. Such a document would have usefully been included upfront in the s32 Report Part 1.

Consistency of application within sampled topic reports

In accordance with the Council’s template each sampled topic report includes a specific section on the “Significance of this Subject”.

As already noted Auckland Council has identified the “degree of shift from the status quo” as the key criterion to be applied in determining scale and significance of the environmental effects of provisions.

This criterion is regularly identified in the sampled topic reports in describing the significance of the subject matter of the topic report. For examples of this see section 2.3 of the Business topic report, section 1.3 of the Māori and Natural Resources topic report and section 1.3 of the Intermittent Streams and Riparian Margins topic report. It is noted however that this approach is not consistent in all sampled topic reports, see e.g. the Rural Urban Boundary topic report. Where this criterion has not been applied the topic report does not explain this inconsistency.

Finally, it is noted that most sampled topic reports relate the significance of the subject matter to some environmental, economic, social or cultural effects (as well as to the significance of the shift from the status quo). This approach follows the Auckland Council topic report template (Appendix 3.0.24), but is not addressed in the s32 Report Part 1. These effects-based assessments of significance are not applied under a pre-determined method, or at least there is no method for their application set out in the s32 Report Part 1. It would have been helpful for the s32 Report Part 1 report to have done this (see criterion 2.2). Notwithstanding the lack of explicit method, where effects considerations are applied (e.g. Business topic report) they tend to be appropriate considerations.

3.3. Objectives

3.3.1. Description and context

The audit criteria relating to the evaluation of Objectives (3.1-3.3) seek to ensure that Auckland Council’s evaluation report has:

- linked the objectives with the relevant resource management issue that needs to be resolved
- linked the objectives to the intended outcome
- confirmed that the provisions are achievable and within Council’s powers under s30 and s31 of the RMA
- articulated a broad overall judgement under Part 2 of the RMA, in relation to the appropriateness of the objectives
- incorporated feedback from the consideration of provisions into the broad overall judgement against Part 2, RMA.

3.3.2. Audit observations

The evaluation of objectives in the sampled topic reports is undertaken consistently under four headings, being relevance, usefulness, achievability & reasonableness, e.g. Residential topic report. These align with guidance material available on the “Quality Planning” website. A fifth heading is sometimes used, being “legacy”. Discussion under this heading relates to the existing provisions under the legacy plans.

The four headings are not used in all sampled topic reports (e.g. Intermittent Streams & Riparian Margins topic report), and in these instances the reasons for the inconsistency is not explained.

The relative consistency in the application of these headings, and the relevance of these headings to the audit criteria, has meant the sampled topic reports tend to satisfactorily address the matters set out in audit criteria 3.1-3.3.

This is particularly the case with regard to “relevance” to the resource management issue, although a more explicit link between the section addressing the evaluation of objectives and the one describing the resource management issue would have been helpful to the reader. The evaluation of objectives tends also to be linked to the outcome sought. This linking is perhaps a reflection of the outcomes-based approach that Council has taken to the development of the PAUP objectives. However, the sampled topic reports would be more consistent with the audit criterion if the link between the objectives and the outcomes was made more explicit in the evaluation.

Most sampled topic reports address the achievability of the objectives (see criterion 3.2). Those sampled topic reports that have been identified as only partially fulfilling this requirement have tended not to relate achievability explicitly to Council’s functions (e.g. topic reports Business Building Form and Design, and Māori and Natural Resources).

The performance of the sampled topic reports is most variable against the third criterion in this section (see criterion 3.3). There are two elements to this assessment.

- First, while the objectives covered in the sampled topic reports are linked to elements of Part 2 RMA, the analysis sometimes does not take the form of a broad overall judgement against Part 2. Examples of this are the Treaty Settlements and Design Statements topic reports. These reports do address quite specific matters, which are therefore more relevant to certain elements of Part 2. However an overall broad judgement could still have been made and/or more clearly described and explained.
- The second element relates to whether feedback from the evaluation of provisions was used in the evaluation of the Objectives. There is no clear evidence of this having occurred in the sampled topic reports, i.e. no topic report shows evidence that objectives (outcomes) were re-considered based the results of the evaluation of rules or policies.

3.4. Appropriateness of options

3.4.1. Description and context

This set of audit criteria aimed to assess the appropriateness of provisions to achieve the objectives as required in s32(1)(b), with due consideration of reasonably practical options for meeting objectives, their effectiveness and efficiency, and the reasons for deciding on the preferred provisions. Specifically these criteria examine whether:

- the range of options considered is more than a binary choice between status quo and change, and is proportionate to the scale and significance of proposals or provisions contained within them
- the evaluation reports details on consultation undertaken in development and/or evaluation of options
- the evaluation explains the rationale of choices made to roll over or change existing provisions.

3.4.2. Audit observations

The topic reports examined in this audit met these criteria to varying degrees. Across the 15 sampled topic reports there was variation:

- in coverage of high-level regional provisions, although more detailed coverage of operational policies and provisions
- in the number of options considered in the evaluation
- in the way in which the options were formulated and compared.

Differences in the evaluation papers' topic areas explain some of the variation, but some variation also reflects different authorship as well as inconsistency in how the evaluations were undertaken.

Usually the sampled topic reports included three or four options for a provision, including the status quo and the preferred option for change. But sometimes the number of options was very large, as in the topic report on Residential Zones where the legacy provisions of previous councils were examined and changed into a more coherent set across the combined Auckland area (see criterion 4.1). But there were also some cases where only a binary choice was examined, such as the evaluation of provisions over the beds of intermittent streams, and in one of the objectives in the topic report on Treaty Settlements (see criterion 4.2.1) .

In some of the sampled topic reports the choice is limited not just by the number of options considered but also by the specification of the options themselves. In several topic reports the options consist of status quo, preferred option and a slightly weaker version of what would become the preferred option.

This approach might give the impression that the preferred option had been predetermined and that the third option was not a realistic alternative but one inserted simply to be knocked out by the preferred option.

In the topic report on Design Statements one of the options was to have no provisions at all. This could be argued as not being realistic, given that the topic report had identified an issue to be addressed for resource management purposes.

In another example, the topic report on Air Quality Buffers for Heavy Industry, which aims to protect land for industrial use against encroachment by other land uses that could raise reverse sensitivity constraints, all the options considered were variants on land use zoning, and there was no apparent consideration of alternative means of obtaining similar ends, such as setting standards to be observed by different activities in proximity to industrial sites and the flexibility for them to trade-off entitlements with the operators of those sites.

Some of the topic reports (e.g. Design Standards) evaluated only “broad level” options but did not identify or evaluate alternatives at a more detailed level. In the Design Standards example, more detailed options may have included options under which a more or less extensive range of activities would be subject to the design statement requirements. In other topic reports (e.g. Future Urban Zones) the evaluation confined to lower level policies and provisions, taking as read that the higher level intervention was warranted. While the differences in subject matter may dictate a different emphasis, the differences amongst the sampled topic reports give the impression of gaps.

Evaluations that are more comprehensive, for instance showing that there is a higher level justification within which the detailed provisions are compared, would give greater confidence that a full range of options has been considered in choosing the preferred provisions.

While not an audit criterion, it is of relevance to consider whether the s32 evaluation has considered the full range of non-RMA options. In this regard it is noted that some of the topic reports sampled identify and evaluate non-regulatory methods as part of their assessment of options. Examples of these include the topic reports relating to Business Building Form and Design (TR 2.6) and Design Statements (TR 2.7), both of which identify and evaluate the option of non-regulatory design guidance. However, the identification of non-regulatory options is not consistent amongst the topic reports sampled. For example, a reasonable alternative which could have been assessed in relation to intermittent streams (TR 2.27) could have included non-statutory guidance on the management and retention of intermittent streams. Further few of the sampled papers looked beyond the RMA tools in considering options as alternatives to the proposed provisions, e.g. enabling market-based instruments such as tradable development rights or common law measures such as covenants and easements over property, or use of provisions under other legislation such as the Local Government Act 2002

The sampled topic reports also exhibit variable coverage of the role of consultation in shaping options (see criterion 4.2.3). The topic report on Strategic Transport Corridor explicitly notes the importance of feedback from the New Zealand Transport Agency and TransRail in determining the preferred option, and the topic report on Mana Whenua Cultural Heritage is also explicit on the influence of iwi on the development of options. Other topic reports where consultation feedback is explicitly acknowledged in the development of options are those on the Rural-Urban Boundary and on Building Heights. More often the sampled topic reports simply describe the consultation process in more or less detail, without demonstrating what influence, if any, that consultation had on the option development. For instance the topic reports on Business Building Form and Design, and on Design Statements say little about the consultation process and how Council incorporated feedback into the development of provisions or conveyed that feedback to Council decision-makers.

For those matters addressed in topic reports the s32 evaluation generally provides a satisfactory rationale for the decision to change from the status quo. However for those matters not covered in topic reports the s32 evaluation does not provide information which confirms that the proposed provisions are in fact just a roll over of existing provisions (i.e. no change to the legacy provisions). Consequently, the s32 evaluation also does not provide a rationale for the decision to the roll over these provisions (criterion 4.3).

3.5. Evaluation of options / provisions

3.5.1. Description and context

This set of audit criteria aimed to assess the effectiveness and efficiency of provisions to achieve the objectives as required in s32(1)(b)(i)(ii)(iii), s32(2)(a)(i)(ii) and s32(2)(b). More specifically these criteria examine such matters as whether:

- there is comprehensive and transparent disclosure of costs and benefits arising from both the proposed provision and other reasonably practicable options, which also identifies the “recipients” of such benefits and costs
- the evaluation report transparently identifies the information provided to decision makers on anticipated consideration of environment, economic, social, and cultural effects, including for employment and economic growth, and identifies any limitations and information gaps and implications for the decision making process
- the evaluation explains the method used for determining the practicability of quantifying and/or monetising costs and benefits,
- the evaluation identifies any monetary valuation methods used and applies them transparently and consistently, with explanation for any inconsistencies
- the evaluation report is transparent on how monetised benefits and costs have been presented to decision makers, and explains the basis for qualitative assessments of those costs and benefits that have not been quantified.

3.5.2. Audit observations

Across the 15 topic reports examined in this audit there is variable reporting of costs and benefits of proposed provisions (see criterion 5.3). Although differences in the evaluation papers’ topic areas and the ease of quantifying effects from their proposed provisions explain some of the variation, the differences also reflect different authorship and inconsistency in how the various evaluations were undertaken. The sampled topic reports have different strengths and weaknesses, and no single topic report stands out highly across all the cost benefit criteria (5.1-5.11 inclusive) used in this audit.

All sampled topic reports attempted to identify costs and benefits of their proposals. Some were comprehensive, such as the topic report on Business Building Form and Design; others were less complete or displayed some confusion regarding the costs and benefits of what was proposed. For instance, some sampled topic reports such as those on Future Urban Zones and Mana Whenua Cultural Heritage, described as a benefit the simple alignment of a provision with an intended outcome or high level objective. While this is necessary, it is not on its own sufficient to demonstrate a real expected benefit from the proposed provisions.

Some sampled topic reports missed clearly identifiable costs and benefits. For instance, the topic report on Treaty Settlements includes among its provisions a requirement for Cultural Impact Assessments. However the evaluation of this

requirement omits the cost of conducting such assessments. Similarly, the topic report on Strategic Transport Corridors identifies no costs for Council for its preferred option, even though it recognises that it may result in consenting of interim activities and rezoning at a later date.

The identification of the “recipients” of costs and benefits is also highly variable across the sampled topic reports (see criterion 5.4). The topic report on Mana Whenua Cultural Heritage goes to great lengths to clearly distinguish where effects fall, but this is not matched by most of the evaluation topic reports. The topic report on urban form has a similar breakdown of the distribution of effects, but in background documents rather than in the s32 evaluation topic report. The topic report on Business provides a breakdown only of its preferred option, not of its alternatives; the topic report on Future Urban Zones looks at the distribution of costs only, not of benefits. Other topic reports, such as that on Residential Zones, provide no indication of where costs and benefits land.

Nearly all sampled topic reports fail to quantify the effects of their proposed provisions and alternatives (criterion 5.7). The topic on Design Statements is a rare exception in attempting a partial monetary valuation (criterion 5.8).

Furthermore, there is no evidence in the s32 Report that Council has provided guidance to the topic report authors regarding when it would be “practicable” to quantify or monetise costs and benefits. Given the scale of this s32, such guidance would have been helpful and usefully included in s32 Report Part 1.

Basic scaling of issues that provisions are intended to address is not provided, even when it can be easily determined: for instance the extent of a problem with Treaty Settlements, defined in terms of the number of properties likely to be affected by the provision (or by failing to create a provision) is not identified. The topic report on the Rural Urban Boundary only quantifies some costs and benefits around the problem and its proposed solution, and the details of such quantification are in supporting documentation, not in the evaluation topic report.

In the absence of valuation the assessment of effectiveness and efficiency relies on qualitative approaches. The basis for such approaches is not consistently explained across topic reports (see criterion 5.11). Some topic reports, such as those on Treaty Settlements and Crossings on Arterial Roads simply assert that benefits exceed costs in the long term without giving any explanation or basis for how that conclusion was reached. The topic report on Mana Whenua Cultural Heritage concludes that its proposed provisions are efficient because they align with objectives, but that is necessary but not sufficient to demonstrate that the long term value of benefits exceed their costs.

Other topic reports appear to have used a multi-criteria analysis approach in weighting costs and benefits in a non-monetary way, although they do not refer to recognised multi-criteria analysis techniques in so doing. The topic report on Urban Form refers to a multi-criteria analysis described in some detail in background documents, but such robust work is not reflected in the s32 evaluation topic report.

Most sampled topic reports attempt to outline the s32 decision-making process, identifying particular consultation rounds and participants such as the Political Working Party, but they give little detail about the content of what was passed to decision makers, when key changes were made to proposed provisions or what

where the main influences (such as plan effectiveness, costs and benefits, or risks) on such changes being made.

Most sampled topic reports conclude there is sufficient information on which to base a decision, despite not having quantified or valued the costs and benefits identified in their evaluations. The reasons for this conclusion are not consistently explained across topic reports (see criterion 7.1).

Finally it is of note that the topic report approach makes it difficult for the reader to understand the combined appropriateness of provisions that implement the same objectives. In this regard, it is noted that some of the topic reports sampled evaluate provisions which implement that same objectives. An example of this is the Business Building Form and Design, and Design Statements topic reports. Both of these topic reports address RPS objective 2.2.2 on quality built environment. Despite this there is no explicit consideration as to whether the combined effect of the provisions influences the evaluation of their appropriateness. It is acknowledged that the topic reports do signpost related topic reports. However there is not direction connection between, for example, the benefits and costs of the provisions in one topic report to those in another.

3.6. National Environmental Standards (NES)

The areas where NES are in force include:

- air quality standards
- sources of human drinking water
- telecommunications facilities
- electricity transmission
- assessing and managing contaminants in soil to protect human health.

The s32 Report Part 1 p9 informs the reader that “...*The proposed Unitary Plan implements the NES as they stand and does not seek to vary these standards.*” The NES part of the criteria (criterion 6.1) therefore does not apply when applied to the proposed Auckland Unitary Plan.

3.7. Sufficiency of information

3.7.1. Description and context

Criteria 7.1 and 7.2 seek to assess information uncertainties and insufficiencies and associated risks of acting or not acting.

This includes:

- does the s32 report have a consistent approach for identifying whether information was sufficient
- does the topic report identify where decision makers made decisions on proposals or provisions with uncertain or insufficient information
- where information was uncertain, does the topic report have transparent documentation of the risks considered in acting or not acting on a decision.

The focus of these criteria (refer s32(1)(b)(iii) of the RMA) is on identifying the risks and uncertainty in a consistent fashion and ensuring that decision makers are aware of these risks and uncertainties when making the decisions.

3.7.2. Audit observations

Limitations and sufficiency of information are not addressed well in the sampled topic reports e.g. topic reports on Air Quality Buffers (heavy industry) do not identify instances where the information relied on is incomplete or uncertain (see criterion 7.1). Other topic reports such as Design Statements and Rural Urban Boundary Location assert that information was sufficient while acknowledging monetisation of costs and benefits is difficult.

It is common in the sampled topic reports to include an assertion that the information is sufficient and then not justify or support the statement e.g. the Strategic Transport Corridor Zone and Māori and Natural Resources topic reports. There is very little back-up for these assertions (e.g. by referring to references or appendices).

There is very little in many sampled topic reports on the uncertainties and limitations of the options presented. This is particularly so of the preferred option to be addressed e.g. Crossing of Arterial Roads topic report only provide a general assertion that the information was sufficient.

There are a few topic reports where a lack of information is recognised. These include Future Urban Zone and Business Building Form and Design topic reports.

Sampled topic reports tend to cover risk of acting or not acting, but this is in relation to the provisions (i.e. the risk of not including the preferred provision) rather than in relation to uncertain or insufficient information. Where risks are addressed e.g. the Building Heights, Rural Urban Boundary Location, and Business topic report, they tend to be addressed lightly. It is unclear from the sampled topic reports whether decision makers were briefed on the risks and uncertainties (see criterion 7.2).

3.8. Summary of reasons

3.8.1. Description and context

A summary of reasons is required for deciding upon the preferred provisions under s32(1)(b)(iii). The summary of reasons sets out the:

- rationale for the decisions made (why is this the most appropriate way of achieving the objectives)
- the analysis process and information provided to the decision makers (this could include references to technical reports, appendices, and consulting inputs).

3.8.2. Audit observations

The topic reports all included a summary of reasons (in the conclusions section) and some also had sections that addressed the overall rationale in other places within the document (see criterion 8.1). For example, the Mana Whenua cultural heritage paper documents the decision process well. It illustrates how the process began, documents the several rounds of consultation and political workshops, and the reworking of the proposal prior to the final options being agreed upon.

Other sampled topic reports were more variable e.g. Building Heights, Residential Zones, Business Building Form and Design, Treaty Settlements, and Strategic Transport Corridor topic reports all have patchy summary information on how the analysis process and information were provided to decision makers.

A number of the reports include reference to the decision making process, consultation, and technical reports used as background but it is unclear how these filtered through to decision makers e.g. the Future Urban Zone topic report sets out a summary of reasons where no alternatives were considered for the policies. It appears that the initial political workshops drove the higher level policy direction which is then not evaluated against any part of the s32 analysis.

In many cases a great deal of consultation has taken place that has had an impact on decision makers (see criterion 8.2). But in nearly all cases it is very unclear as to how this occurred since it is not spelt out in the topic report e.g. Building Heights and Business Building Form and Design Topic reports did not clearly identify the analysis and consultation process. In the case of the Building Heights topic report, it only tells the reader that there was strong opposition to initial proposals.

3.9. Summary

Table 3 sets out the summary of the audit ratings. The ratings approach is set out in Table 2.

Table 3 Evaluation summary broken down by individual criteria

Statutory requirement	Identifier	Rural urban boundary location	Urban form & land supply	Residential zones	Business	Building heights	Business building form & design	Design statements	Treaty settlements	Mana Whenua cultural heritage	Māori & natural resources	Future urban zone	Strategic transport corridor	Crossing on arterial roads	Air quality buffers	Intermittent streams
General quality criteria	1.1															
	1.2															
	1.3															
	1.4															
	1.5															
	1.6															
Scale and significance	2.1															
	2.2															
	2.3															
Appropriateness of objectives to achieve the purpose of the Act	3.1															
	3.2															
	3.3															
Appropriateness of provisions to achieve the objectives (options)	4.1															
	4.2.1															
	4.2.2															
	4.2.3															
	4.3															
Appropriateness of provisions to achieve the objectives (efficiency and effectiveness)	5.1															
	5.2															
	5.3															
	5.4															
	5.5															
	5.6															
	5.7															
	5.8															
	5.9															
	5.1															
	5.11															
Restrictions greater than a NES	6.1															
Sufficiency of information and risk	7.1															
	7.2															
Summary of reasons	8.1															
	8.2															

Key:

Adequate	Borderline	Has risks	Insufficient information	Not applicable
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Source: NZIER

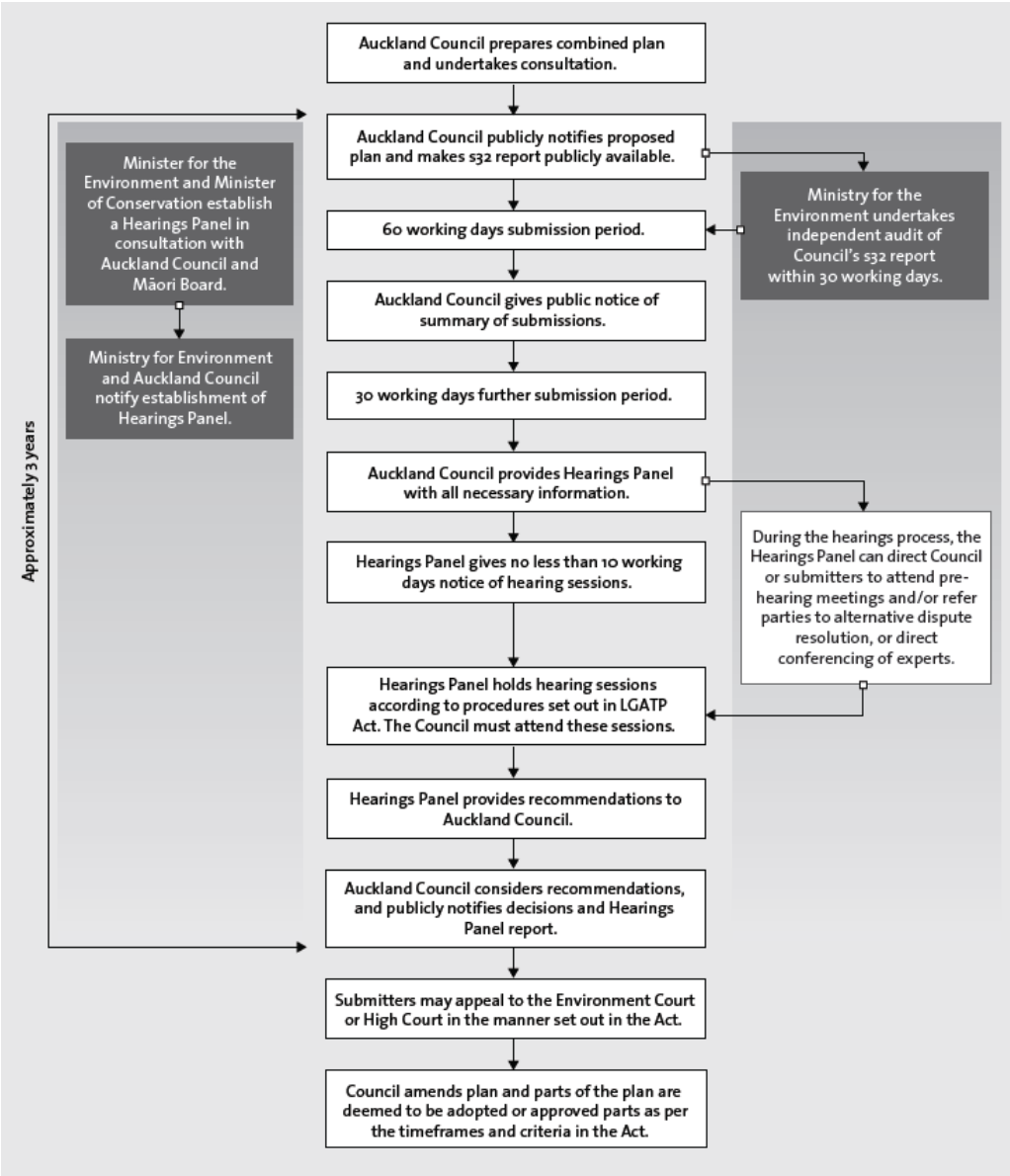
Appendix A Requirements

The mechanics of the plan development and main audit requirements include:

- an evaluation report must be prepared under s32 of the RMA
- the Ministry must audit the report, or have the report audited, against criteria that have been:
 - determined by the Ministry after consultation with the Auckland Council
 - specified in a written notice from the chief executive of the Ministry to the Auckland Council
- the Ministry (MfE) must prepare an audit report, or have one prepared, and electronically provide it to the Auckland Council as soon as practicable, but no later than 30 working days after the day on which the Ministry received the s32 report for auditing
- the Auckland Council must make the audit report available for public inspection as soon as practicable after receiving it.

The following diagram shows the steps in the process for developing the proposed Auckland Unitary Plan and where the audit fits in that process. The process applies only to the first proposed Auckland Unitary Plan. For all subsequent plans and plan changes, the process will follow the RMA.

Figure 1 Streamlined process for Auckland’s first combined PUAP



Source: Ministry for the Environment Resource Management Amendments 2013 Fact Sheet 4 p2

Appendix B Criteria for the audit of Auckland Council's Section 32 evaluation report

B.1 Purpose

This document outlines the draft section 32 evaluation report audit criteria, required as part of the streamlined process for developing the first proposed Auckland Unitary Plan. The draft audit criteria have been prepared by the Ministry for the Environment for consultation with the Auckland Council.

B.2 Background

Section 126 of the Local Government (Auckland Transitional Provisional) Amendment Act 2013 introduces the requirement that the Ministry for the Environment undertake an audit of the Auckland Council's section 32 evaluation report prepared for the first combined PAUP.

The Ministry must audit the evaluation report being prepared by the Auckland Council under the amended section 32, against criteria that have been—

- determined by the Ministry after consultation with the Auckland Council; and
- specified in a written notice from the chief executive of the Ministry to the Auckland Council.

Section 32 of the Resource Management Act (RMA) requires any person developing a policy or regulatory instrument under the RMA to carry out an evaluation of the appropriateness, alternatives, costs and benefits of what is proposed.

The purpose of the s32 evaluation report is to inform both submitters and decision-makers by detailing the policy analysis undertaken by the Council in making their decisions on the PAUP. A section 32 evaluation report should demonstrate how resource management outcomes are to be achieved, and how plan provisions are targeted at achieving the purpose of the RMA by the most appropriate methods.

Section 70 of the Resource Management Amendment Act introduces new requirements for the consideration of alternatives, benefits and costs in Section 32 evaluations. These include the anticipated economic effects of the proposed standard, statement, regulation, or plan being evaluated. In particular, the evaluation must assess the extent to which –

- other reasonably practicable options for achieving the objectives of the proposal are identified
- the efficiency and effectiveness of the provisions (rules and methods) proposed to achieve the objectives of the proposal have been assessed

- the reasons for deciding on the provisions of the proposal have been summarised
- the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal have been identified, assessed, and (if practicable) quantified. This should include the opportunities for economic growth and employment that are anticipated to be provided or reduced
- the level of detail required in an evaluation report corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

B.3 Objective of audit criteria

The Local Government (Auckland Transitional Provisions) Amendment Act does not identify the objective of the audit. However, in considering appropriate criteria for the section 32 report, the Ministry has developed a high level objective which seeks to capture the intent of the audit:

To provide an independent quality audit of the Auckland Council's section 32 evaluation report for the Auckland Unitary Plan, having particular regard to the following matters:

- *the extent to which the evaluation report complies with the statutory requirements of section 32 of the RMA as amended by the Resource Management Amendment Act 2013*
- *the extent to which the documentation identifies the evidence and supporting information and presents the analysis, that has been used by decision makers in their development of the Unitary Plan*

B.4 Use of criteria and audit outputs

It is anticipated that the criteria for the audit will:

- provide improved clarity about the necessary level of detail and information required in a s32 evaluation report when documenting decision making processes
- assist in identifying areas where the evidence base for decision making processes could be strengthened (e.g. for the subsequent hearing process)
- provide guidance to Auckland Council (and others) on the style and quality of section 32 reports intended by the existing and new legislation (e.g. what represents good practice).

The audit will ensure there is sufficient transparency about how value judgments were reached in the report. Comments on the content of both the PAUP itself and the judgments made and recorded within the s32 evaluation report will be outside the scope of the audit, the role of which is not to substitute itself for the Hearings Panel.

B.5 Basis for the criteria

A brief description of the basis for the criteria is outlined below.

B.5.1 General criteria relating to the section 32 report

The Ministry has developed general criteria based on the Quality Assurance Criteria for Regulatory Impact Statements. These criteria apply across the section 32 evaluation report and are intended to ensure the evaluation report adequately details and presents the evidence, supporting information and process of analysis.

B.5.2 Criteria relating to the statutory requirements of section 32¹²

The following criteria should be read as a whole. The order of the criteria do not correspond with the order of the provisions within section 32 as amended by the Resource Management Amendment Act 2013.

Scale and significance

The evaluation report contains a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal (refer s32(1)(c))

It is recognised the output of any section 32 analysis is an overall broad value judgement as to whether a proposed objective and supporting provision is the most appropriate means to promote the sustainable management of natural and physical resources (the purpose of the Resource Management Act). The new amendments require that in making these decisions, the level of information detail (e.g. technical information and/or consultation feedback) required to inform decision makers will be commensurate with the scale and significance of the potential effects of different proposals (and provisions within proposals) of the PAUP. The criteria seek to ensure that a consistent process for determining the scale and significance of proposals is applied and that this application is demonstrated in the section 32 report.

Appropriateness of objectives to achieve the purpose of the Act

The evaluation report must examine the extent to which the PAUP's objectives are the most appropriate way of achieve the purpose of the RMA (refer s32(1)(a)).

Appropriateness of provisions to achieve the objectives (options)

The evaluation report must examine whether the provisions (policies, rules and other methods) are the most appropriate way of achieving the objectives by identifying other reasonably practicable options for achieving the objectives: (refer s32(1)(b)(i)). Included in the assessment of options, if a proposal will amend an existing standard, statement, regulation or plan, the examination under section (1)(b) must examine the provisions of both the proposal and the existing standard, statement, regulation or plan.

¹² The audit criteria outlined are framed in the context of the statutory requirement arising from the new section 32 as amended by the Resource Management Amendment Act 2013

Appropriateness of provisions to achieve the objectives (efficiency and effectiveness)

The evaluation report must assess the efficiency and effectiveness of the provisions in achieving the objectives (refer s32(1)(b)(ii))

The assessment must identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for (refer s32(2)(a)) —

- economic growth that are anticipated to be provided or reduced; and
- employment that are anticipated to be provided or reduced; (refer s32(2)(a)(ii))
- If practicable, the evaluation report must quantify the benefits and costs referred to (refer s32(2)(b)).

Restrictions greater than a NES

If the proposal will impose a greater prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of the region or district that is the subject of the evaluation (refer s32(4)).

Sufficiency of information and risk

The evaluation report must assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions (refer s32(2)(c)).

Summary of reasons

The evaluation report must provide a summary of the reasons for deciding on the provisions (refer s32(1)(b)(iii)).

Appendix C Topic report evaluation

The following tables set out our evaluation of each of the 15 topic reports audited. They follow the audit criteria provided by the Ministry.

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Key:

Adequate

Borderline

Has risks

Insufficient
information

Not
applicable

C.1 Rural urban boundary location (s32 report 01)

C.1.1 Description

The subject matter of this s32 topic report is the rural urban boundary (RUB), specifically its location.

The subject matter in the topic report is closely related to that covered in the urban form and land supply topic report. In particular, the urban form and land supply report covers the RPS objectives and policies which the RUB implements. The RUB report does not cover objectives and policies itself, it is limited to only a single method of implementation. Also it does not cover the quality of the urban development within the boundary.

In assessing the costs and benefits of the RUB, the topic report sets out the impact on Part 2 matters and also the regional policy statement resource management issues

C.1.2 Context

Table 4 Rural urban boundary location

Statutory requirement	Identifier	Mark	Context
General quality criteria	1.1		Relatively free from acronyms, jargon and written in plain English. There is the odd acronym not explained (e.g. NorSGA p63 para 5 and missing references p63 para 5 and p78 Economic effects second box first bullet). The status of some of the supporting appendices is also in doubt. Some are still in draft (e.g. 3.2.22) and some have track changes embedded in the draft (e.g. 3.2.16)
	1.2		The development of the RUB is relatively clear but understanding the underlying assumptions is less so. There is no specific link between individual statements of fact and their source e.g. within each assessment of alternatives there are numerous statements of fact, conclusions of significance etc. which are not directly linked to a specific supporting report. As a standalone document better use of signposting would have helped the reader e.g. understanding the split between existing (70%) and greenfield (30%-40%) housing developments. No clear statement that signals costs have not been calculated is included in the paper.
	1.3		Because the topic report covers only one provision it does not require a complex report structure. Splitting up the RUB geographically also makes sense, and also helps the reader since they are likely to be interested in only one region. Better lay out of the various cluster proposals would have helped the reader navigate through the document. This included better use of tables to understand what information they had and what they didn't, comparable headings of the same type face between each cluster analysis, and summary tables could have been better laid out.
	1.4		Comments on tables above are relevant. There is some duplication around consultation. While the report is long, because of the focus on individual areas, this is expected. The level of detail is appropriate to the level of complexity and significance of the provisions.
	1.5		A lot of consultation took place. The topic report explains who was consulted and what they were consulted about. A clear summary of the feedback is also included in the report. The consultation sections and the feedback by interested parties give a better understanding about how alternatives came about and the trade-offs between each alternative.
	1.6		We can see how consultation informed the evaluation process but it is less clear how it informed the decisions that were made. This is

Statutory requirement	Identifier	Mark	Context
			poorly described.
Scale and significance	2.1		The context for the report and the background logistics are well set out. The size and detail of the paper suggests a lot of work has gone into preparing the ground work examining the suitability of the chosen greenfield sites. There is no reference to any overall process or criteria for assessing significance contained in part 1 s32 report.
	2.2		Comments above are relevant. The limitation of this topic report is the evaluation of scale and significance is not clearly set against criteria established for the entire s32 report.
	2.3		Insufficient information due to general approach taken in most topic reports and the overall s32 evaluation that only significant matters are addressed.
Appropriateness of objectives to achieve the purpose of the Act	3.1		No objectives are stated in this report; however the purpose of the proposal is to address the objectives in the urban form and land supply topic report. The objectives stated in that topic report are audited separately.
	3.2		
	3.3		
Appropriateness of provisions to achieve the objectives	4.1		The range of options is well covered with numerous alternative RUB locations considered.
	4.2.1		The options are numerous and therefore cover most alternatives.
	4.2.2		The range of options are well explained and includes the status quo boundary (i.e. the Metropolitan Urban Limit or MUL).
	4.2.3		The range of options are consulted and reported on in some detail. The consultation has also helped mould the options. Consultation has helped identify the trade-offs that have to made. It is less clear how consultation has been used to value the costs and benefits.
	4.3		The choices have been clearly explained; however the tables could have been better signposted to benefit the reader.
Appropriateness of provisions to achieve the objectives (efficiency and effectiveness)	5.1		When the this topic report is compared to the objectives in the Urban Form and Land Supply topic report the full scope of those objectives appears covered, except in relation to the urban form requirement which are out of scope of this topic report. However, this topic report does not directly link to the objectives in the Urban Form and Land Supply topic report.
	5.2		This report is not about the merits of the RUB but its location. Therefore, the effectiveness of the RUB as a general mechanism is not addressed in this topic report. It is addressed in the Urban Form and Land Supply topic report. This report is effective in determining where development can happen subject to high level RMA criteria and further detailed work.
	5.3		The topic report is comprehensive; however there are some consistency issues e.g. the approach to the tables in the various sections is different. Also, within table it is not clear whether terms like small, moderate or strong are applied in a consistent fashion. However the full range of costs and benefits are identified with some costs quantified.
	5.4		Different elements of the environment as a recipient of costs and benefits are identified e.g. indigenous biodiversity. However, different recipients within the community of costs and benefits are not well identified. Some cultural costs and benefits are identified particularly in relation to Maori. There is no discussion about who pays and who benefits from the development of infrastructure.
	5.5		The evaluation topic report provides detailed information on the four well-beings. We assume this has been passed on to decision makers (as per the Section 32 part 1 report p16) however the topic report does not signal this.
	5.6		No limitations identified. Further only four of the reports (3.2.8, 3.2.10, 3.2.14 and 3.2.15) which underpin this topic report had explicit sections identifying limitations associated with their reports.

Statutory requirement	Identifier	Mark	Context
	5.7		The evaluation topic report does not discuss why some costs and benefits have been quantified and others not. Therefore, no methodology has been identified. Quantification is also very limited in the supporting reports. Typically these reports quote other reports e.g. 3.1.14 although the limitations of this approach are well flagged in the report.
	5.8		The topic report does not identify the methodology used to monetise costs or the reports where this information has been sourced.
	5.9		The methodology is not set out so transparency cannot be assessed (insufficient information).
	5.10		There is limited use of monetised costs and benefits and limited description on how any information was presented to decision makers and therefore it is not possible to conclude that the topic report is transparent on these matters.
	5.11		The qualitative assessments are well described. A number of those costs and benefits are supported by detailed reports but not well signposted in the topic document.
Restrictions greater than a NES	6.1		n/a
Sufficiency of information and risk	7.1		There is no criteria or consistent approach to determining whether the information was sufficient. The topic report does not reference insufficiencies or uncertainties. There are broad references on p61 to uncertainties and sufficiencies but no criteria are provided or description of how the decisions makers were informed of those criteria. However, it is acknowledge further detailed work is required and will be undertaken later in the process.
	7.2		There is no mention of risks and uncertainties apart from an acknowledgement that further work is required (e.g. as on p135 of the topic report).
Summary of reasons	8.1		There is a summary of reasons at the end of the 3 main RUB areas. This broadly describes the choices made and why particular locations for the RUB have been selected. At the end of the topic report (151 onwards) there is an assessment against Part 2 of the RMA. However, the report identifies areas added and removed by the plan committee but does not explain the reasons for those decisions.
	8.2		The conclusions do summarise the broad conclusions of the analysis, however there is little information on how this was presented to decision makers.

Source: NZIER and HG

C.1.3 Overall observations

Areas that worked well:

- the s32 topic report and associated appendices show that a large volume of work has been undertaken to investigate the potential RUB areas. The RUB topic report is strong in relation to the identification of options for the location of the RUB
- possible alternative locations are considered in some detail. The topic report also provides a strong qualitative evaluation of the appropriateness of the alternatives, considering a breadth of matters across the four well-beings
- the report is strong with respect to consultation, including how the consultation undertaken informed both the selection of alternative RUB locations and identification of the costs and benefits of those alternatives.

Areas where further analysis or information could assist:

- there are opportunities to improve the topic report with respect to how the consultation was used to assist Council in valuing the costs and benefits of the alternatives
- the topic report could also be further developed in relation to the monetisation of costs and benefits (only a limited number of costs and benefits were monetised in the report), for example it could have better explained:
 - how background research and appendices are referenced in the body of the report
 - the limitations, risks and uncertainty of the information used
- a clearer understanding as to why some areas were ruled in and out of the RUB
- the criteria for the audit anticipate that the topic reports will provide an explanation of how the s32 evaluation was presented to the decision makers. Again this aspect is an area where the RUB topic report could be improved.

C.2 Urban form and land supply (s32 report 02)

C.2.1 Description

The PAUP land supply provisions set out a blueprint for how and where Auckland's residential and business activities are to be housed over the next 30 years. This part of the PAUP is closely aligned with the spatial elements of the PAUP, and its targets for the City's development. The broad aim of the urban form and land supply provisions of the PAUP are to meet the aspirations for a "quality compact city". This is to be achieved in a manner that is co-ordinated and planned, that is centre-based, that ensures sufficient land and redevelopment opportunities exist to meet needs and that is integrated with infrastructure and transport provision.

The key provisions are focussed on ensuring that 70% of the growth occurs inside current urban areas and that a staged, managed approach to the release of new greenfield land occurs. This topic report covers Regional Policy Statement objectives and policies that would establish the broad framework for:

- development capacity and land supply for urban development
- the rural urban boundary (RUB) as growth management tool
- the management of growth around rural and coastal towns and villages
- commercial and industrial growth
- infrastructure and transport provision required to support and sustain Auckland's future.

The report is closely linked to several other topic reports, and these are listed in Section 1.10 of the s32 Report Part 1. Several of these related reports have also been included in this audit.

C.2.2 Context

Table 5 Urban form and land supply

Statutory requirement	Identifier	Mark	Context
General quality criteria	1.1		Free of acronyms and jargon and written in plain English. The odd error occurs e.g. in 2.1.1 Policies p12 point (f) is missing introducing Policy 7. However, no glossary of terms included.
	1.2		<p>The information used is clear but the gaps and underlying assumptions are less so. The report includes sections that outline background research and reports relevant to the topic matter covered. Further footnotes are used to reference statements, particularly in the initial sections of the report. However, later sections are not well referenced or where reports are listed their appendix number is not given.</p> <p>Signposting could have been better set out. In particular, the reference to the explanation as to why the 70% aspirational target for growth occurring inside the current urban area has been chosen is missing. This is crucial since it drives the make-up of the costs and benefits and the reader needs to know in which appendix the discussion is in.</p> <p>The discussion is very "benefits driven" and light on costs. The document does not explain why this is (unlike the introductory document to s32). The reader needs to be made aware of this. Other information is relatively well explained, e.g. the table comparing options (with no heading) p27-33.</p>

Statutory requirement	Identifier	Mark	Context
	1.3		Comments above are relevant here also. Note that the reasons for including the range of objectives in the report is not explained, i.e. the relationship between these provisions is not clearly identified upfront.
	1.4		<p>Given the nature of the matter and its significance, the length of the report appears appropriate. It could be more clearly summarised than the current one-page conclusion, to provide a better take-out message about why the objectives and policies were needed, what alternatives were considered, and what are the main costs and benefits and trade-offs between the options. More detailed material is contained in appendices and not unnecessarily contained in the main report. There is some repetition in the analysis of the objectives. This appears to have been caused by the selection of the criteria for assessing the objectives which overlap, particularly the relevance and usefulness criteria.</p> <p>However, the connection between this document and the introductory s32 document is not made. More diagrams would have been useful e.g. to show how the land supply process and the large amount of work done analysing it fitted together and where feedback occurred. Also, the reference to the 70% aspirational goal of having all new dwellings within the existing urban limit (defined as the MUL) is important but should it have been mentioned 13 times?</p>
	1.5		Consultation with many groups seems to have been extensive. It would have been useful to have seen an explicit example of how consultation impacted on and was used to assist the s32 evaluation or a diagram showing the feedback loops between the PAUP and consultation.
	1.6		It is unclear how the considerable amount of consultation was fed back to decision makers. The report is not clear on how the consultation process was used to assist the s32 evaluation process, i.e. how it was used to identify options, evaluate effectiveness and efficiency, and aid in determining the value of costs and benefits. Conversely, the report does set out how the consultation results were presented to the Council.
Scale and significance	2.1		<p>The background information on demographic trends, the approach taken and the aspirational goals are well set out. Significant work has been done on understanding the problems with other approaches (including the status quo) by the Council and central government. However, some understanding of the size and magnitude of the cost and benefits (however rudimentary and with appropriate caveats) would have useful for the reader.</p> <p>Also, Part 1 s32 establishes the degree of change from the status quo as the criterion for scale and significance. This is not referenced in this report as a factor in determining the significance of the subject matter. Rather in this instance significance has been determined by the importance of the issue in the national context and by the importance placed on it by central government. There is no reference to any overall process or criteria for assessing significance.</p>
	2.2		As above. Unsure, however this is a very big issue and significant resources have been applied although the scale of the costs and benefits has not yet been assessed. This needed to be spelled out more clearly.
	2.3		Insufficient information due to general approach taken in most topic reports and the overall s32 evaluation that only significant matters are addressed.
Appropriateness of objectives to achieve the purpose of the Act	3.1		The report broadly identifies the resource management issue applying to all objectives and policies covered in the report within Section 1.2. Further under each objective “grouping” there is a discussion on relevance which also goes to the subject matter of the resource management issue.
	3.2		The objectives are outcome focussed, which reflects the outcomes matrix approach of the Council to the development of the PAUP. For this reason, in the main, the objectives clearly state the outcome sought, and in some cases this is done by quantifying what is to be achieved. Each set of objectives/policies have clear statements regarding how they relate to Council’s functions. However, the objectives are not well connected to other parts of the s32 process e.g. how did consultation impact on the objectives?

Statutory requirement	Identifier	Mark	Context
	3.3		The evaluation of each set of objectives and policies includes references to Part II of the RMA, although this tends to be undertaken in a very generalised manner. A brief overall assessment of the matters covered in the s32 report, against Part II is included near the end of the report (Section 4 – Conclusion).
Appropriateness of provisions to achieve the objectives	4.1		The assessment of options is undertaken at a higher level (i.e. that of the general approach for the RUB, which is outlined at the objective level) than is anticipated in the criteria. Options for different policy approaches to achieve the objectives are not identified or assessed. This is probably acceptable given the high-level nature of the issue at hand, but it does come with risks that policies that are more appropriate may exist (e.g. more or less strongly worded policy direction). It is noted that the policies will very likely be tested to this level of detail through the submission and hearing process.
	4.2.1		Only one set of policies is presented for each set of objectives. Given that the Council has identified this issue as having significance on a national scale the adequacy of this approach can be questioned.
	4.2.2		The status quo is broadly outlined in relation to the overall approach. The specific policies in the status quo are not identified. Nor are other non-RMA matters that may make up the status quo, e.g. regulation in relation to transport or infrastructure provision.
	4.2.3		Significant consultation has occurred as part of the PAUP development. It is expected that as part of this consultation, feedback was obtained on the policy options covered in this s32 report. However, aside from a description of the consultation undertaken (timing and board nature) the s32 report does not “detail” how this was used in the policy option evaluation process. In other words, it is expected that the information may exist but it is not clear from the s32 report. For example, the evaluations of the 3 alternative approaches considered – the status quo with MUL, the proposed RUB and laissez faire - make statements on costs relating to the provision of infrastructure. These statements are not referenced to feedback from relevant stakeholders as might be expected.
	4.3		The report focuses significantly on the “change” from the existing provisions, and why the proposed provisions are better, from an overall perspective. This does not however occur on a policy subject by policy subject level.
Appropriateness of provisions to achieve the objectives (efficiency and effectiveness)	5.1		The evaluation of the policies does not generally consider whether the full scope of the objectives has been addressed. This is most evident in Section 2.2 – Rural urban growth management tool. Under this topic, there are four objectives and a single policy. There is no assessment of whether this single policy is able to effectively deliver on the objectives. This is undoubtedly the weakest example of the different topics covered. However, while the other topics appear more likely to have covered the full scope of their relevant objectives this is not always clearly assessed.
	5.2		As noted the evaluation of alternatives occurs at a broad approach level. Correspondingly, the more detailed assessment of effectiveness and efficiency also occurs at this level. With regard to each group of policies, there appears to be little correlation between the assessment of effectiveness and efficiency and the significance of the particular policies. Further, as only one option for the policies is presented there are no alternatives evaluated at that level. The assessed ranking is therefore based on the level of analysis done of the overall approach as opposed to each group of policies, and how they relate to the objectives.
	5.3		Comments above apply. The full range of costs and benefits could be identified and compared more clearly.
	5.4		Some attempt in the supporting documentation is made to identify the benefits to various groups (particularly in Appendices 3.1.5a and 3.1.5b) but this is not signposted in the main document. There is no mention as to whom the costs will fall on.
	5.5		Gaps in the information presented to decision makers at each phase of the process are not identified. It is assumed that, given this was an iterative process and that information gathering / research has been on-going throughout, some higher level decisions may have been made in the absence of full information. However, this is not identified specifically in the report. There is a section on information and analysis however, it does not reference this material to the timing of the decision making process.

Statutory requirement	Identifier	Mark	Context
	5.6		Some signposting is required to show where limits of the analysis are discussed. The technical papers produced by the Auckland Council staff also did not have a discussion of study limitations. There does not appear to be any discussion on study imitations that an informed reader could easily access.
	5.7		The methodology for examining costs and benefits is not identified in most instances i.e. in most cases the section 32 report relies on qualitative assessment with implicit multi criteria weighting of effects, which is described in more detail in appendices.
	5.8		Where the costs and benefits are monetised in supporting documents e.g., such as with the MUL (Zheng 2013), the valuation methodologies are well set out. However, there is no discussion on why most of the costs have not been identified (most benefits are identified) and the issues involved in monetisation of costs and benefits.
	5.9		The approach to costs and benefits are only partially transparent i.e. the assumptions and approach to the MUL are well set out. Information on other costs and benefits (and their magnitude) is less consistent.
	5.10		Where costs and benefits have been monetised appropriate limitations and caveats are signalled (e.g. Zheng 2013). However, the overall s32 report does not explain how these limitations were identified to decision-makers.
	5.11		Costs and benefits are assessed qualitatively. However, this has been undertaken in relation to the three overall approaches. The basis for the assessment is principally described around effects on certainty and costs for infrastructure provision, and in one instance with respect to employment and growth and not undermining of local character. Background papers in appendices have a wider perspective on well-being. The multi-criteria analysis used for this purpose is implicit in the report, although well set out in appendices. A lot of work has gone into assessing the options for plan development. While multi-criteria analysis has been used effectively some discussion about its limitations could have been included in the technical documents. Reliance on this could be better signposted in the s32 report. The basis of the assessment of the proposed policies is less well described, which reflects the limited assessment that is undertaken in the report of the policies.
Restrictions greater than a NES	6.1		n/a
Sufficiency of information and risk	7.1		A huge amount of work has gone into this process and this is proportionate to the size of the problem. However, more signposting on where the information gaps were, the limitations of the analysis and the risks involved would have scored the criteria more highly e.g. it is mentioned in the paper that 7 years of “ready to go” land needed to be available. This is mentioned in the “reasonableness” section p11. It could have also be seen as a risk mitigation device because the unevenness of economic growth and the fluctuations in house and land prices.
	7.2		Risks and uncertainty are not addressed or signposted in the document.
Summary of reasons	8.1		The objective is clear and the summary of reasons articulated in a mainly qualitative way.
	8.2		Most of the benefits are well set out and the direction is clear. However, the reader has little understanding of the costs, risks or limitations of the analysis from the conclusion. Throughout the report references to various appendices are well set out.

Source: NZIER and HG

C.3 Residential zones (s32 Report 03)

C.3.1 Description

This topic report relates to the residential zones within the PAUP. The status quo, legacy plans, contains 99 residential zones. The proposed Auckland Unitary Plan provides six residential zones as follows:

- Large Lot
- Rural and Coastal Settlement
- Single House
- Mixed Housing Urban
- Mixed Housing Suburban
- Terrace Housing and Apartment Buildings

The resource management issues that the residential zone provisions in the PAUP seek to address are broadly (summarised from Section 1.2 of the topic report):

- the number and complexity of the 99 residential zones in the status quo regime could be streamlined
- that provisions could provide incentive for the efficient use of residential land close to transport, park, amenities and with existing infrastructure
- checks and balances in the regulation of residential activities should be in keeping with the effects of the activity
- provision for growth could be balanced with the need to retain local amenity, natural environment values and recognise and maintain special character.

C.3.2 Context

Table 6 Residential zones

Statutory requirement	Identifier	Mark	Context
General quality criteria	1.1		Generally free of acronyms, jargon and is written in plain English. Most acronyms are explained in the text before they are used. Planning terminology is well explained. No glossary of terms has been included, but possibly not needed.
	1.2		Section 1.6 of the topic report sets out the supply capacity information used to inform decisions on the residential zones. It notes that no technical reports underpin this information. The Appendices (all various Acts of Parliament) are of limited use in assisting in the evaluation of the topic report.
	1.3		The topic report details the proposed provisions upfront in Section 1.9, and outlines some of the detailed changes that have been made in response to feedback on the draft. This detailed consideration of rules and standards occurs before the analysis of objectives and policies. It therefore does not follow a logical sequence. Also, some of the heading numbers were confusing e.g. Sections 1.6, 1.9

Statutory requirement	Identifier	Mark	Context
			and 1.10 appear to be mixed up. Section 2 p25 on objectives, policies and rules follows a broadly logical approach.
	1.4		Overall, the report does not have a lot of duplication. However, Section 2.1 (p25) of the topic report begins with an evaluation of Objectives 2.2.1-3. These objectives are also evaluated in the Urban Form and Land Supply topic report. No link is provided to this other assessment nor is there any description of why separate evaluations are required.
	1.5		Section 1.7 of the topic report provides an overview of the consultation undertaken in relation to the subject matter. This notes that consultation was undertaken via stakeholder workshops in 2012, and that the most thorough consultation occurred via the PAUP process. This overview is not explicitly linked to s32 evaluation requirements; however, it is clear that the feedback from the consultation did influence the identification and evaluation of costs and benefits of options.
	1.6		The commentary above is relevant to this criterion also. Furthermore, Section 1.0.4 sets out how the feedback on the draft influenced the decision to split the Mixed Housing zone.
Scale and significance	2.1		Section 1.3 of the topic report broadly discusses the significance of the subject matter covered. It notes that the effects of the provisions influences household wealth, health outcomes, central government policy and neighbourhood amenity. It does not specifically comment on the potential significance of that influence or “effect”. The topic report does not explicitly identify the process by which the significance of effects was determined in this instance. We are also told that the zones will have “subtle cues” (p3 para 2) that will assist the market in understanding the ease of development in various zones. The topic paper would have benefited from an example of what a subtle cue was and how it worked.
	2.2		The scale and significance is not explained in terms of the status quo as per the criteria in the Overall s32 report Part 1 p4.
	2.3		Insufficient information due to general approach taken in most topic reports and the overall s32 evaluation that only significant matters are addressed.
Appropriateness of objectives to achieve the purpose of the Act	3.1		The topic report evaluates objectives against a standard set of headings. These are consistent with those used in other topic reports, although a heading relating to legacy issues is also included in this topic report. The headings relating to relevance and usefulness include commentary broadly relevant to the resource management issue outlined in Section 1.2 of the topic report. However, an explicit reference to the issues in Section 1.2 is not made.
	3.2		Objectives are linked to intended outcomes. This is particularly the case for the zone specific objectives. For example, the Large Lot objectives are outcome based (referenced to spacious character, density appropriate to attributes of the site). The evaluation of the objectives in relation to relevance and usefulness also considers the objectives relative to the broad intent of the zone. The topic report also provides an evaluation of each set of objectives in relation to Council powers and functions (see in particular the commentary under the achievability headings).
	3.3		In some cases Part 2 of the RMA Act is mentioned, however the overall conclusions (p51) do not address Part 2 of the Act.
Appropriateness of provisions to achieve the objectives	4.1		In determining the provisions (particularly the bulk and location rules) for the proposed residential zones, the legacy provisions of the 99 existing zones have been considered. In effect, these legacy or existing provisions provided Council with a large number of options to choose from. This process is very broadly described on p5 of the topic report. This process is also discussed in the analysis of rules and methods for each zone (see for example Section 2.6 on Mixed Housing Urban zone). Section 3 of the topic report also sets out high level alternatives to the preferred zone approach (6 zones). There is only one set of policies identified for every objective.

Statutory requirement	Identifier	Mark	Context
	4.2.1		Refer to commentary in criterion 4.1. The table on p49 represents only a high level overview of options and presents a binary approach.
	4.2.2		The status quo is well set out.
	4.2.3		Consultation has been set out in the topic report to the extent that feedback on the PAUP has been used to identify zone options and influence rule/standard options. Workshops prior to the draft are also likely to have influenced option development.
	4.3		Generally, the topic report sets out the rationale to change provisions from the status quo. The topic report makes it clear that feedback on the PAUP has had an important role in the finalisation of the proposed provisions (preferred option) – see for example p13 on the Rural and Coastal Settlement zone or p8-9 on the Mixed Housing zones.
Appropriateness of provisions to achieve the objectives (efficiency and effectiveness)	5.1		This is difficult to assess. The assessment of the provisions are rarely linked to the objectives.
	5.2		The evaluation of alternatives occurs at the broadest of levels with the assessments of effectiveness and efficiency occurring at that level as well e.g. as set out the table on p49-50. Under each set of rules (see for example, Section 2.5.2) there is a discussion under the heading of costs and benefits. There seems to be no consistent approach to the evaluation under the costs and benefits heading. There is no attempt to address the costs and benefits in a way that signals the scale and significance of the issue.
	5.3		<p>The topic report does not explicitly differentiate between the significance of provisions within each zone. Generally the disclosure of costs and benefits occurs at a broad level (i.e. not comprehensive – see for example the evaluation of the costs and benefits of the Mixed Housing Suburban zone provisions on p35-36) and several assumptions or conclusions regarding the costs and benefits are not explained (i.e. low transparency). Details of the provisions including activity status, the settings for standards are not explicitly evaluated and could potentially have quite significant costs and benefits. For example, the costs and benefits of the “discretionary activity” status of activities that infringe three or more standards is not addressed (see for example p35). Equally, the use of restricted discretionary status for activities in the Terrace Housing and Apartment Buildings zone is mentioned but the costs and benefits of this choice are not evaluated.</p> <p>The range of costs are identified in the table (p49, although one of the costs seems to be a benefit, bullet point 7). However, there is only a limited discussion of the costs in the text. The benefits are well identified and described (although the last bullet point p50 is confusing). More discussion and references are required in the text for the reader to understand how the benefits and costs have been arrived at.</p>
	5.4		No evaluation has been undertaken to understand who would be the recipients of the costs and benefits or how they will be affected.
	5.5		<p>In some instances the topic report identifies in great detail who has been consulted and where the technical information has been obtained from. However, how this has been conveyed to decision makers is unclear. Discussion on employment is limited to the building of houses in specific areas.</p> <p>On p5 the topic report identifies that an analysis of status quo legacy zones and a proposal to harmonise zones across the city was presented to the Political Working Party in 2012. Refinements of this approach were presented to local boards and councillors in 2013.</p>
	5.6		<p>Limitations are signposted in some areas (e.g. p7 para 2). In other places – such as examining the costs and benefits – the limitations to any analysis or references to the Urban Form and Land Supply topic report are omitted.</p> <p>Section 1.6 of the topic report covers the capacity information / analysis used to inform the decision making process. This identifies the limitations of that capacity information, e.g. it notes inaccuracies that exist due to on-going minor changes in maps and development rules.</p>
	5.7		The topic report does not identify any method to monetise the costs and benefits. There are also no references to background reports

Statutory requirement	Identifier	Mark	Context
			that examine the costs and benefits. The Appendices only reference Acts of Parliament.
	5.8		See Section 5.7.
	5.9		See Section 5.7.
	5.10		See Section 5.7.
	5.11		The table (p49 - 50) identifies the costs and benefits. They are also in the various sections (e.g. Section 2.6.2 which deals with the costs and benefits for each zone). However, most of the statements on costs and benefits are assertions, which are not supported by references. The only exception is the feedback on the PAUP.
Restrictions greater than a NES	6.1		n/a
Sufficiency of information and risk	7.1		A large amount of work has gone into developing the PAUP approach to zoning. The planning approach and the consultations undertaken are well explained. This is also well referenced. However, understanding the magnitude of the costs and benefits require further work for an informed reader to understand why changes should take place. The limitations and risks are only lightly covered and when they are covered they are assertions and sometimes without any back-up (e.g. p50 risk section).
	7.2		Risks are mentioned but lightly covered. Uncertainty is not covered. Uncertainty as regard the capacity analysis is covered off.
Summary of reasons	8.1		It is not obvious that there is a “summary of reasons” provided in the report. The conclusions section on p51 provides some broad overall reasons for the approach taken.
	8.2		The conclusions do not specifically address the analysis process and information provided to decision makers. However, these matters are at least partially covered in other areas of the report (e.g. Sections 1.6 and 1.7).

Source: NZIER and HG

C.3.3 Overall observations

Areas that worked well:

- the report was concisely presented
- the way in which zones have been developed and modelled from the status quo is done in a transparent manner
- the consultation process is well explained, including how this influenced the selection of options and how this was presented to decision makers
- the objectives were evaluated against the outcomes sought for the zones in a clear and concise manner
- the status quo was considered and the rationale for changes from it well set out.

Areas where further analysis or information could assist:

- the costs and benefits have been identified but there is confusion in two cases as to what is a cost and what is a benefit
- there is a lack of supporting references for the development of the costs and benefits or statement to say this has yet to be done

- there is a lack of references to other topic papers and the introduction. More references to the Urban Form and Land Supply topic reports are required
- a number of the costs and benefits are assertions. More work is required to back these up
- simple high level alternatives are evaluated. Only one set of policies for each set of objectives have been considered. No clear reason why the alternatives for the rules have been selected for evaluation
- there is no method for determining where quantification could have occurred and no clear reason why it was not practicable.

C.4 Business (s32 report 04)

C.4.1 Description

This topic report relates to the PAUP provisions associated with the location, extent and appropriateness of the full range of business or commercial activity. It covers the relevant RPS provisions, as well as the provisions of the different business or commercial zones. This includes:

- the need for more business land (covered in the Urban Form and Land Supply topic report)
- the geographic distribution of commercial and industrial activity in the Auckland region. Of particular interest is the degree of commercial activity within centres, identified growth corridors, and other areas
- the importance and scale of specific Auckland centres
- providing for and managing activities within industrial zones to support jobs and industrial growth
- managing scale and the number of business parks and their compatibility with urban form
- managing the form and growth of the centres network, to provide focal points for commercial and community living including:
 - the city centre (subject of the City Centre topic report)
 - built form (subject of the Business Building Form Design report).

C.4.2 Context

Table 7 Business

Statutory requirement	Identifier	Mark	Context
General quality criteria	1.1		The paper is written in plain English and easy to follow. Acronyms were explained but more of an explanation of “Change 6 to the Regional Policy Statement” would have assisted the reader (in the front of the document). No glossary was included.
	1.2		<p>The topic report provides a general description of the information and analysis used for each section. This recognises that some of the information, relating to retail provision, that would have assisted the evaluation of the provisions was not available at the time the report was written. Therefore, while figures from these incomplete reports have been used, there are no detailed appendices that show how these figures were derived. Section 2.6 also recognises that the Capacity for Growth Study (2012) was used to support the evaluation of provisions.</p> <p>This is a well signposted document where explanations can be found (e.g. growth projections, consultations, and decision making can all be found easily in the appendices). The headings from section to section were consistent.</p>
	1.3		<p>The report structure is broadly logical, with the evaluation beginning with the RPS policies and proceeding to the Zone provisions. Notwithstanding, it does at times jump around a little, e.g. Section 2.11.2, addressing RPS policies, also addresses the Identified Growth Corridor provisions from the overlay section of the PAUP.</p> <p>Within its text, the topic report includes clear links to the relevant PAUP provisions being evaluated. Despite the complexity of the PAUP, the reader is able to relatively easily identify the provision being evaluated within the PAUP.</p> <p>Tables and figures are used to help explain the connection of provisions. However, some of the figures showing the connection between provisions (e.g. Figures 2 and 4) do not provide clear links on where to go to find the policies and methods referenced,</p>

Statutory requirement	Identifier	Mark	Context
			particularly those in the far right column (which are assumed to be PAUP rather than RPS provisions). It is also of note that in each 'chapter' of the topic report, the description of the options evaluated are spread over different sections that do not always follow logically from one to another. See e.g. Sections 3.5, 3.9 and 3.12 of Chapter 3 of the topic report.
	1.4		Cross-referencing to other topic reports is done well and what is in scope for this topic report is signalled early. There is little duplication. There is good use of tables to explain the process.
	1.5		The topic report links to an Appendix that summarises the consultation undertaken in relation to business related provisions and who was involved. This includes the identification of feedback on alternative provisions or standards. As noted in Section 4.2.3 this does not specifically go to the identification or evaluation of the alternatives assessed within the topic report.
	1.6		The topic report does not directly address the decision making process. However, a link is provided in each chapter of the topic report to Appendix 3.39.3. This summarises the decision making process, including the broad decisions associated with the preferred option and decisions and direction provided in relation to specific provisions. This Appendix does not clearly detail how the consultation feedback contributed to this decision making process.
Scale and significance	2.1		The topic report specifically addresses the "significance of the subject" for each of the groups of provisions considered. In some instances (see Section 2.3) these broadly acknowledge the criteria for significance established in the Part 1 s32 report (i.e. the degree of shift from the status quo). In all instance these sections identify other reasons (economic and social well-being, potential environmental effects) why the subject matter is significant. Scale has not be addressed.
	2.2		As above, the topic report acknowledges the criteria included in the Part 1 s32 report. However, it also uses other broad criteria for determining the significance of the subject matter. The topic report does not establish a standard methodology for the "other" criteria at the outset.
	2.3		Insufficient information due to general approach taken in most topic reports and the overall s32 evaluation that only significant matters are addressed.
Appropriateness of objectives to achieve the purpose of the Act	3.1		The evaluation of the objectives is clearly linked to the purpose and principles of the Act. While not being specifically linked to the resource management issue identified, the subject matter of the resource management issue are addressed in the evaluation.
	3.2		The topic report explicitly links the objectives with the outcome sought (see for example p44). It also considers whether each objective is achievable in relation to the PAUP. The report does not specifically consider Council functions under Section 30 or Section 31 of the RMA.
	3.3		Each objective is considered in relation to Part 2 of the RMA. This analysis is undertaken relatively thoroughly. It is not clear that this analysis has been informed by feedback from the consideration of methods.
Appropriateness of provisions to achieve the objectives	4.1		There are either three or four options considered for each chapter of the topic report. These broadly cover the status quo, the preferred approach, a more lenient/flexible option and a more restrictive/inflexible option. It is broadly considered that this range is appropriate to the significance of the matters at hand. It is noted that the options are in relation to the approach of policies / methods overall rather than at a more detailed provision level. It is considered that this reflects the practicalities of dealing with such a large and complex set of matters.
	4.2.1		The range of options considered is beyond the simplistic binary of the status quo v change.
	4.2.2		The options consider include the status quo, i.e. the range of policies and methods in the status quo broadly equivalent to the preferred option. However, of the status quo is not detailed.

Statutory requirement	Identifier	Mark	Context
	4.2.3		The topic report does not detail how consultation informed the identification of options. The topic report refers to Appendix 3.39.2. This is a summary of the feedback received from several consultation / workshop sessions with relevance to business activities. As such, it does not directly detail how this consultation related to the development and evaluation of options.
	4.3		An explanation is given for the rationale to roll over and change an existing provision. For example, it is understood that this has been done in the case of the provisions dealing with “enabling economic activity”. See Sections 2.3, 2.5 relating to Change 6 provisions.
Appropriateness of provisions to achieve the objectives (efficiency and effectiveness)	5.1		The assessment of effectiveness of the policies is linked to the subject matter of the objectives. While the scope of the objectives relative to the scope of the policies is not explicitly addressed in some cases (see for example p26-27), in others there is a clear link between the evaluation of policies and the relating objectives (see e.g. p99). Overall, the evaluation provides a general, but consistently clear picture that the policies would fully implement the objectives.
	5.2		The assessment of the preferred option is provided in some detail and considered proportionate to the scale and significance of the material. However, the assessment of the alternative approaches is much less thorough, which appears to make it difficult to determine whether the preferred option is the most appropriate, as Council concludes. See table on p70.
	5.3		There is a comprehensive disclosure of the preferred option. However, the investigation of the alternatives is minimal.
	5.4		There is a comprehensive disclosure of the recipients of the costs and benefits in the preferred option. However, there is little discussion of costs and benefits in the alternatives (including the recipients).
	5.5		This topic report does set out the environmental, economic, social and cultural affects from the preferred option. However, it does not examine these affects for the alternatives. It is not entirely clear how this information was conveyed to decision makers, although Appendix 3.39.3 does indicate that some of the effects were part of the decision making process.
	5.6		In one instance in this topic report limitations were signalled (p13). In all other instances it is argued that there are no limitations (see Section 5.11.5). These statements tend not to be supported. In addition, the appendices set out in a number of cases, the limitations of growth forecasts and floor space forecasts.
	5.7		The topic report does not identify any method to determine whether it is practicable to monetise the costs and benefits.
	5.8		See Section 5.7. The topic report does not identify any methods to monetise the costs and benefits.
	5.9		See Section 5.7.
	5.10		See Section 5.7.
	5.11		The tables in each section identify the costs and benefits in some detail (p23, p50, p70, p86, p99, p113, and p130). However, there is little supporting evidence (e.g. references) that allows the reader to probe the validity of these statements.
Restrictions greater than a NES	6.1		n/a
Sufficiency of information and risk	7.1		See 1.2 above. In addition, each of the sections of the topic report, which consider different grouping of provisions, provides an evaluation of the sufficiency of the supporting information and the risk associated with any information gaps. These are of variable quality. Those dealing with the RPS provisions (Section 2.11.4) appear to indicate that specific thought has been given to the matter, whereas others (such as Section 6.11.5 dealing with the General Business Zone) appear to repeat a standard set of rationale.

Statutory requirement	Identifier	Mark	Context
	7.2		See 1.2 above. In addition, the evaluation tables do provide an evaluation of specific risks, particularly those related to the uncertainties associated with each group of provisions. While the risk sections are variable in quality, generally they provide transparent documentation.
Summary of reasons	8.1		The evaluation of each group of provisions includes a “conclusions” section which summarises the rationale for the selection of the proposed approach, i.e. why it is most appropriate. The detail of these sections is variable (see, for example, Section 2.13 compared with Section 8.13).
	8.2		In the Appendices, Sections 3.39.2 and 3.39.3 summarise the decision making and consultation relevant to business provisions. However, this information is not clearly identified in the chapter conclusions of the topic report.

Source: NZIER and HG

C.4.3 Overall observations

Areas that worked well:

- generally well written, logical, with links to consultation and decision making
- the appropriateness of the criteria is consistent (e.g. measured against relevance, usefulness and achievability. This analysis is thorough and clearly linked to Part 2 of the RMA
- the range of alternative provisions is proportionate to the significance of the issue, although they have not considered alternatives to the detailed provisions
- the assessment of provisions is clearly linked to the objectives and the identification of costs and benefits of the preferred option occurs in some detail
- the limitations of the analysis are identified and some consideration of the risks has been made.

Areas where further analysis or information could assist:

- significance and scale could have been linked to a standard methodology
- the reliance on Appendices (Section 3.39.2 (consultation) and Section 3.39.3 (decision making)) while providing a good summary of the information did not link that information to the s32 process
- the evaluation of the provisions was detailed for the preferred options and status quo but limited for the alternatives
- no consideration seems to have been given to whether or not the costs and benefits could have been monetised or consideration of valuation methods that could have been applied.

C.5 Building heights (s32 report 05)

C.5.1 Description

The Building heights topic paper examines the building height in the business and residential zoned land. However, the City Centre zone is excluded from the analysis since there is little change from the status quo. The general approach is to apply a hierarchy detailing which rules take precedence when there are precincts and overlays e.g.:

- height is managed to maintain strategic infrastructure i.e. airport flight paths where maximum heights apply in underlying zones
- in rural zones the height effects are managed where developments may impact on outstanding natural landscapes
- height is also managed for maintaining the diversity of landscapes and landforms.

The resource management issue addressed is the trade-off between economic development and the sustainable management of natural and physical resources, historic heritage and landscapes.

C.5.2 Context

Table 8 Building heights

Statutory requirement	Identifier	Mark	Context
General quality criteria	1.1		The paper is written in plain English and easy to follow. However, it does contain acronyms (such as ONLs & ONFs) and terms (such as rolling height method) which go unexplained.
	1.2		The information on which the topic report has been based on is not well identified (see Section 1.6). Political input and public consultation are mentioned but how the consultation and political input shaped the height plans is not referenced. The report does not reference any specific background reports which might have explained in more detail the justification for the different heights selected. The appendices to the topic report are the front page of various Acts. Section 1.6 “Information and Analysis” outlines some of the process that was involved in the development of the height provisions; however, no technical reports are referenced as part of this section.
	1.3		The topic report follows a logical structure. The report is broadly structured in a way helpful to the reader. The headings follow a logical sequence through the requirements of the s32 evaluation.
	1.4		The topic report generally avoids repetition. Some repetition does occur as a result of the evaluation of the provisions, however this is minimal.
	1.5		Consultation is mentioned as playing a vital part in the shaping of the provisions. However, the linkages across consultation, the s32 evaluation and decision making are not well explained.
	1.6		The decision making was clearly linked to the consultation. However, how this impacted on the provisions or their evaluation is not well explained.
Scale and significance	2.1		The main criteria set out in the s32 Report Part 1 is only briefly mentioned. Although, Section 1.1 does acknowledge the significance criteria in the s32 Report Part 1 (degree of change from the status quo). The topic report specifically addresses the “significance of the subject” as an issue that trades off economic development with the

Statutory requirement	Identifier	Mark	Context
			views of its citizens. Significance is briefly acknowledged as being important because of the interest of citizens. Section 1.3 identifies reasons (economic and social well-being) why the subject matter is significant.
	2.2		The topic report uses broad criteria, but these are not linked to any s32-wide approach or criteria.
	2.3		Section 1.1 of the topic report specifically notes why some elements of the PAUP relating to height have not be considered in the main body of the report. It relates this to the degree of change relative to the status quo, which is the criterion for significance set out in the s32 Report Part 1. This approach is satisfactory.
Appropriateness of objectives to achieve the purpose of the Act	3.1		The evaluation of the objectives is broadly linked to the matters covered in the resource management issue for the topic report. The resource management issue is the relevance of height to a range of values (see Section 1.2 of the topic report). The evaluation of the objectives is linked to these values as appropriate. The evaluation of the objectives is undertaken in accordance with the standard headings used in a number of the topic reports.
	3.2		The evaluation of the objectives includes only an implied link to the outcomes expected in relation to each objective. The report considers achievability, and in some instances specifically considers Council functions under Sections 30 and 31.
	3.3		The topic report addresses the relevance of each objective evaluated to Part 2 matters. This is generally very brief and is not well supported. It is not clear that the evaluation of methods has informed the evaluation of objectives.
Appropriateness of provisions to achieve the objectives	4.1		Three options are considered at the conclusion of the report. These are very high level (maintain status quo, no provisions and the preferred). These options do not specify higher or lower height limits or less complex combinations of zones, overlay and precinct requirements as might be expected.
	4.2.1		Given that the “no-provision” option is unrealistic, this is in effect a simple comparison of the status quo versus the preferred option.
	4.2.2		The provisions of the status quo are outlined in Section 1.5. However, given that the topic report relates to building heights it might have been expected that some specific information on existing building height standards would have been included in the topic report or an appendix.
	4.2.3		There is no indication that consultation has informed the selection of the three broad options evaluated. It does appear however, that consultation has influenced decisions in relation to the detail of the provisions. However, the feedback received in consultation has not been brought through into the identification and evaluation of options.
	4.3		The choice has been to change from the existing provisions. As the existing provisions are not clearly set out, the rationale for this change is not clear.
Appropriateness of provisions to achieve the objectives (efficiency and effectiveness)	5.1		The effectiveness of the policies and rules is not evaluated in relation to the objectives (within Section 2). The assessment of the effectiveness of the three broad options in Section 3 is also not related to the objectives. The topic report therefore does not evaluate the provisions against the scope of the relevant objectives.
	5.2		Effectiveness and efficiency are explicitly evaluated in relation to the three high level options. However, it is limited in its detail and it seems to be evaluating the current plans as whole rather than the current height provisions e.g. see the table on p32.
	5.3		For each set of preferred policies and rules the nature of some potential costs and benefits are identified. The statements do not include any evaluation of the relative value of these costs or benefits. No alternatives are identified in relation to the specific policies and rules. The assessment of costs and benefits of the alternatives considered in section 3 does not provide a comprehensive evaluation of matters across the four well-beings.
	5.4		The recipients of the costs and benefits are mentioned in passing in a number of sections of the topic report. However, there is no

Statutory requirement	Identifier	Mark	Context
			explicit understanding of who will bear the costs and benefits of each provision.
	5.5		It appears from the topic report that consultation has had a major impact on the PAUP provisions. In the consultation section (Section 1.7 p4 and p5) the topic report sets out a series of workshops and presentations to various committees and concludes with a “specific political direction on height”. The topic report on p3 tells the reader that feedback on the PAUP informed workshops, which refined and moderated proposed heights. However, the topic report does not transparently identify the information used in this decision making process.
	5.6		Risks are set out on p32 in the table, however there is no discussion of risks and limitations elsewhere in the paper. Given the sensitivity of the topic, a fuller fact-based discussion might have been a useful addition.
	5.7		The topic report does not identify any methods used to determine whether it is practicable to monetise the costs and benefits (see for example p9 Section 2.1.3). There is no reference to background reports that examined the costs and benefits. The appendices only reference Acts of Parliament. On p9 Section 2.1.3 first bullet it said: “... <i>this is where</i> [height restrictions in Newmarket] <i>tensions between landscape values and economic development need to be weighed up carefully</i> ”. The reader is given no clue as to how those tensions would be balanced.
	5.8		See Section 5.7. The topic report does not identify any methods to monetise the costs and benefits
	5.9		See Section 5.7.
	5.10		See Section 5.7.
	5.11		The costs and benefits are set out on pages 9,12,14,16,18 21,25,29 31 and in the table on p32. In most cases some costs and benefits are identified; however, the basis for the assessments are not well described (e.g. no references are given to support the assertions made e.g. on p13 the topic report claims that “economic development is enabled to varying extents across Auckland” without any supporting evidence).
Restrictions greater than a NES	6.1		n/a
Sufficiency of information and risk	7.1		Much work has gone into developing the building height issue. The planning approach and consultation process has been explained but not well referenced to other jurisdictions. In many cases, the costs and benefits are set out, again however some of costs and benefits are assertion (e.g. see benefits set out in the table on p32 of the preferred option). There were no criteria set out to show the reader how decisions regarding the sufficiency or certainty of information were made.
	7.2		The risks and limitations are only lightly covered (see Criterion 5.6 for further comment).
Summary of reasons	8.1		The conclusion section (p33) sets out some broad reasons for the approach taken. It appears from this that the policy development process for building heights has involved considering numerous options for height standards. The consideration of options is not set out in the topic report.
	8.2		The conclusions do not specifically deal with or address the analysis process and the information provided to decision makers except to say there was strong opposition to initial proposals. However, this is alluded to in other parts of the document (Sections 1.6 and 1.7).

Source: NZIER and HG

C.5.3 Overall observations

Areas that worked well:

- it is satisfactorily written
- the determination that certain matters such as the City Centre rules do not warrant more detailed evaluation is well linked to the Section 32 Report - Part 1 criteria i.e. the degree of shift from the status quo
- there is consistent use of headings to evaluate the objectives and satisfactory linkage to the resource management issue
- the summary of reasons on p33 sets out the broad rationale for the approach taken and identifies the basis for the decisions made.

Areas where further analysis or information could assist:

- there is a lack of options considered in relation to the provisions
- the evaluation of the provisions is not well supported or detailed
- the report identifies some costs and benefits however the basis for the assessments is not well described
- the topic report does not set out methods for determining whether the costs and benefits can be monetised
- the risks and limitations are only lightly covered
- it is not clear to the reader what information relevant to the s32 evaluation was provided to decision makers.

C.6 Business building form and design (s32 report 06)

C.6.1 Description

This topic report considers how building form and design should be managed within Auckland’s business zones, with a focus on centres.

The key matters addressed are:

- management of height to balance efficient use of space with the need to maintain amenity and significant views
- site intensity limits to ensure the scale and form of development provides adequate light around buildings and, in the case of the city centre, wider community benefits through the use of floor area bonuses
- adaptability of buildings to ensure they are sustainable and can continue to be used past the lifetime of the intended activity
- design matters to enhance pedestrian amenity and connectivity to attract people to the areas; and general building design to assist in the creation of a safe and attractive environment.

One of the resource management issues that the provisions seek to address is the inconsistency of approaches throughout the Auckland legacy plans to manage quality urban growth.

Note that the significant difference in the detail of the evaluation of the RPS and District Plan provisions means that these aspects of the topic report have been audited separately.

C.6.2 Context

Table 9 Business building form and design

Statutory requirement	Identifier	Mark	Context
General quality criteria	1.1		Generally drafted in plain English. However, there are a few exceptions, e.g. the acronym FAR is only explained on p6 but introduced on p2. Consistent headings are also required e.g. Topic 5 p39 starts with an “Overview” heading when other topics start with an “Introduction” heading.
	1.2		The information upon which the topic report relies is clearly identified. However, where the background reports can be found they are not always well signposted, e.g. the list of reports in Section 1.6.4 – it is not clear which are appendices to the topic report and which are not. This makes it more difficult for the reader to access the background information. Linkages to relevant sections of the PAUP are clear.
	1.3		The topic report follows a logical structure, headings are clear. See Criterion 1.1 above.
	1.4		The topic report generally avoids repetition. In particular, it achieves this by including a discussion on the value of good urban design upfront and referring back to this, rather than repeating it in the subsequent sections. Some repetition does however occur because of the evaluation of the preferred option being completed as well as a comparative evaluation of all alternatives e.g. Section 2.3.2 and the corresponding table in Section 3.2.
	1.5		The topic report links to an appendix that summarises the consultation undertaken in relation to business related provisions and who was involved (Appendix 3.39.2). This includes the identification of feedback on alternative provisions or standards. As noted in Criterion 4.2.3 this does not generally go to the identification or evaluation of the alternatives assessed within the topic report.

Statutory requirement	Identifier	Mark	Context		
			Although feedback on different options has been provided in some of the meetings (see pages 6 and 18 of Appendix 3.39.2). This treatment is not consistent.		
	1.6		The topic report does not directly address the decision making process. However, a link is provided to Appendix 3.39.3. This summarises the decision making process, including the broad decisions associated with the preferred option and decisions and direction provided in relation to specific provisions. This Appendix does not however, clearly detail how the consultation feedback contributed to this decision making process. On p12 of the topic report there is a very brief description of how the feedback is used in the decision making process but we are unsure how this happens. An example would have helped the reader understand the process better. Generally, it is not clear in the topic report, or in the Appendix, whether the material in the s32 evaluation was provided to decision makers, and informed by decision makers.		
Scale and significance	2.1		The topic report identifies the underlying assumptions used in determining the significance of business building form and design. These are set out in Section 1.3, and relate to the value of good design and the cost of bad design, which is well canvassed in the report. However, there is no link to the criteria for significance in the s32 Report Part 1 (i.e. the degree of shift from the status quo). Other reasons are identified (economic and social well-being, potential environmental effects) why the subject matter is significant. Scale has not been addressed.		
	2.2		As above, the topic report does not establish criteria included in the s32 Report Part 1 . The topic report does not establish a standard methodology for the “other” criteria at the outset.		
	2.3		The topic report addresses the district plan provisions in significantly greater detail than the RPS provisions. It does not relate this approach to the significance of the two sets of provisions.		
Appropriateness of objectives to achieve the purpose of the Act	3.1		The objectives relating to building form and design are evaluated in two sections. The first dealing with the RPS, the second the district plan. These sections both link back to the resource management issues previously identified. However, this is done implicitly and is not detailed. The RPS evaluation lumps objectives and policies together.		
	3.2		The achievability of the District Plan objectives is addressed. This is not specifically done in relation to the RPS objectives. There is no specific reference to Council’s functions under Section 30 or Section 31 for either the District Plan or RPS provisions.		
	3.3		A satisfactory broad overall judgement against Part 2 of the RMA is made in relation to the RPS and District Plan objectives. It is not clear that this analysis has been informed by feedback from the consideration of methods.		
			Regional Policy Statement (RPS)	District Plan (DP)	
Appropriateness of provisions to achieve the objectives	4.1	RPS	DP	No alternatives to the proposed approach are presented. The status quo is outlined in Section 1.5, but is not evaluated relative to the proposed approach in Section 2.1.	There are between 4 and 6 options considered for each alternative. These broadly cover the status quo, the preferred approach, and other specified options. It is considered that this range is appropriate to the significance of the matters at hand. The options are relatively detailed. It is considered that this reflects the practicalities of dealing with such a complex set of matters.
	4.2.1	RPS	DP	See 4.1	The range of options is well beyond the simplistic binary approach.
4.2.2	RPS	DP	See 4.1.	The options consider include the status quo, i.e. the range of	

Statutory requirement	Identifier	Mark		Context	
					policies and methods in the status quo that are broadly equivalent to the preferred option. All options have enough detail for full consideration of each option.
	4.2.3	RPS	DP	See 4.1.	The topic report does not detail how consultation informed the identification of options. The topic report refers to Appendix 3.39.2. This is a summary of the feedback received from several consultation / workshop sessions with relevance to business activities. As such it does not directly detail how this consultation related to the development and evaluation of options. The first paragraph of Section 2.3.3.5 identifies how feedback from the Property Council informed options for floor-to-floor height. However, this is the only one of this type referenced to consultation identified in the topic report.
	4.3	RPS	DP	The rationale for the choice in relation to the RPS provisions is limited.	The choice made is to change from the existing provisions. This is well explained.
Appropriateness of provisions to achieve the objectives (efficiency and effectiveness)	5.1	RPS	DP	There is no consideration of how the policies of the RPS are appropriate in relation to the objectives. The objectives and policies of the RPS are addressed as a single set of provisions.	The District Plan policies are clearly set against the relevant objectives (e.g. p 21 and 33). There is however no explicit consideration of whether the scope of the policies gives effect to the full scope of the objectives. The summary assessments in sections such as 2.3.3.6 only include broad references to the relevant objectives, and do not specifically comment on the scope of the objectives.
	5.2	RPS	DP	The brief evaluation of the RPS provisions in Section 2.1 of the topic report does not specifically address the effectiveness and efficiency of the provisions.	The assessment of all options is provided in some detail and is considered proportionate to the scale and significance of the material.
	5.3	RPS	DP	The evaluation of costs and benefits of the RPS is not comprehensive. While it refers back to the discussion on the value of good urban design, it does not consider the benefits and costs of the specific provisions in the RPS.	There is a good disclosure of all options. That is the analysis of costs and benefits identifies the nature of costs and benefits to a relatively comprehensive level. However, often the significance and value of those costs and benefits is not assessed e.g. first paragraph on p29. The report acknowledges that the extent of costs is not known (e.g. see last paragraph on page 38).
	5.4	RPS	DP	Recipients of benefits and costs are not addressed.	There is some disclosure of the recipients of the costs and benefits in each option. However, it is not consistent throughout the District Plan evaluation. In some places, the discussion of costs and benefits is hard to follow e.g.p40 -41 which seems to only examine costs.
	5.5			This topic report does set out the nature of the environmental, economic, social and cultural effects of each option. It is not entirely clear how this information was conveyed to decision makers, despite the brief description of the process on p12. Appendix 3.39.3 does indicate that some of the effects were part of the decision making process, however it is not clear from the Appendix that there	

Statutory requirement	Identifier	Mark		Context	
				was a clear discussion of the benefits of the proposed measures relative to their costs (such as increased building costs).	
	5.6	RPS	DP	Information gaps relevant to the RPS provisions are not specifically addressed. However, it is assumed that the discussions relevant to the District Plan also generally apply to the RPS provisions.	Some information limitations and risks are signalled in each of the tables starting on pages 43, 49, 52, 55, and 60. There is also a section on this in each of the 5 topic sections of the topic report (e.g. Section 2.3.4.5).
	5.7			The topic report does not identify any method to determine whether it is practicable to monetise or quantify the costs and benefits.	
	5.8			See Section 5.7. There is no monetisation of costs and benefits.	See Section 5.7. There is no monetisation of costs and benefits.
	5.9			See Section 5.7.	See Section 5.7.
	5.10			See Sections 5.7 and 5.8.	See Section 5.7 and 5.8.
	5.11	RPS	DP	There is an evaluation of the benefits of the RPS provisions, by reference to literature on the value of good design. Costs are not explicitly addressed in the topic report but are addressed in background reports to the topic report, e.g. the MfE publication "The Value of Urban Design".	The text and tables for each provision identify the costs and benefits in some detail (tables starting on pages 43, 49, 52, 55, and 60). There is some supporting evidence from MfE documents (p7) and other jurisdictions (e.g. references to Australian studies p8-9). Generally however there is little to substantiate the conclusions that the benefits of the proposed provisions outweigh the costs as the value (significance) of the costs tends not to be addressed (see e.g. first paragraph on p 32).
Restrictions greater than a NES	6.1			n/a	
Sufficiency of information and risk	7.1			The limitations relevant to the evaluation of the RPS are not specifically identified. With regard to the District Plan, some information limitations and risks are signalled in each of the tables starting on pages 43, 49, 52, 55, and 60. There is also a section of this in each of the 5 topic sections of the topic report (see e.g. Section 2.3.4.5).	
	7.2			The analysis of the District Plan provisions includes the consideration of risks. The tables include direct reference to the risks associated with the unknown costs e.g. risk row for topic 4 on p 60. It is not clear whether these risks were presented to the decision makers.	
Summary of reasons	8.1			Each of the 5 district plan topic areas contain a conclusion section that sets out a "Summary of Assessment". These include reference to the objectives to which they relate. The RPS evaluation is just a summary, but it does not evaluate the appropriateness of provisions against the objectives.	
	8.2			The "Summary of the Assessment" sections do not clearly identify the analysis process or what information was provided to the decisions makers. See also comments in relation to Criteria 5.5, 5.6, 5.10 and 1.6.	

Source: NZIER and HG

C.6.3 Overall observations

Areas that worked well:

- the general quality of the paper is satisfactory (good logical structure, avoids repetition and written in plain English)
- the assessment of the objectives are linked to Part 2 of the RMA and also to the resource management issues
- the District Plan identifies the alternatives in detail
- the District Plan provides a good qualitative assessment of the nature of costs and benefits
- the topic report identifies risks well in relation to the District Plan provisions.

Areas where further analysis or information could assist:

- consultation was not clearly linked to the s32 evaluation (although there was consultation)
- scale and significance was not linked to the criteria in the s32 Report Part 1 nor were criteria specifically set out for this topic report
- there is no justification in terms of significance for why the District Plan provisions are evaluated in such detail relative to the RPS provisions
- overall there is limited evaluation of the RPS provisions
- it is unclear how the s32 evaluation was used to inform the decision making process
- no attempt is made to determine whether it was practicable to quantify costs and benefits.

C.7 Design statements (s32 report 07)

C.7.1 Description

The focus of this topic report is the provisions in the PAUP relating to design statements. A design statement is a document that will accompany a resource consent application for building work in several of the City's zones. Design statements are a tool intended to help Council foster quality urban growth and more specifically:

- high-quality urban living experiences with sufficient amenities
- housing choices to accommodate a diverse population at different life stages
- mixed use, vibrant and coherent high-density centres
- visibility of Auckland's cultural diversity in urban design.

C.7.2 Context

Table 10 Design statements

Statutory requirement	Identifier	Mark	Context
General quality criteria	1.1		The topic report is well written, easy to read and does not contain undue jargon.
	1.2		The information and analysis relied upon for the evaluation is set out in two locations (Sections 1.6 and 5.1). The range of information seems appropriate and the appendices provide further detail on it. Section 1.6 does not identify that the analysis referred to is contained in the appendices. Section 5.1 does do this, but by this point the reader has made their way through the document. Also, p14 includes a summary (2 nd paragraph) of the material contained in Appendix 3.7.3. However, it is not sign posted that it is a summary of an appendix.
	1.3		The report is broadly structured in a way helpful to the reader. The exception is the signposting of appendices (mentioned in Criterion 1.2).
	1.4		The report is relatively concise, while providing adequate coverage of the evaluation. As noted referencing to appendices could be improved.
	1.5		The topic report contains two sections on consultation. These are Sections 1.7 and 5.2. Section 5.2 in particular sets out the consultation undertaken and with who. Note limitations identified in relation to audit criteria 1.6 and 4.2.3 below.
	1.6		The topic report asserts that the subject matter was not subject to any particular political working party decisions. No other reference to the decision making process is identified. Section 5.2, under the heading "Amendments Sought", notes that changes were made to details in response to submissions on the draft PAUP, but does not identify who made these decisions. More information was required to understand why it was not subject to a political working party decision.
Scale and significance	2.1		Section 1.3 of the topic report addresses the significance of the subject. This indirectly assesses the degree of change from the status quo, which is the criterion for significance established in the s32 Report Part 1. It is also addresses the significance of the subject matter to the environmental quality and amenity of Auckland.
	2.2		This report has broadly applied the s32 Report Part 1 criteria. However, it noted later on in the evaluation of the provisions that the effect of the design statements, in terms of cost at least, will not be significant relative to the status quo.

Statutory requirement	Identifier	Mark	Context
	2.3		Insufficient information due to general approach taken in most topic reports and the overall s32 evaluation that only significant matters are addressed.
Appropriateness of objectives to achieve the purpose of the Act	3.1		The evaluation of the relevant RPS objective is broadly, although not explicitly, linked to the resource management objective identified in the topic report. In addition, the topic report (under the heading 'Methods' on p11) identifies Auckland wide, Zone and Precinct objectives that are also relevant to the subject matter. These Objectives are not described or evaluated.
	3.2		The identified RPS objective is linked to the intended outcome, i.e. better design of buildings and places. The achievability of the objective is addressed and is indirectly linked to the Council function, although there is no specific reference to Sections 30 and 31 of the RMA. Again the apparent gap in relation to Auckland wide, Zone and Precinct objectives is of relevance to this rating.
	3.3		This is broadly judged against Part 2 of the RMA, which is of appropriate detail. There is some consideration to the methods of implementation, but no specific statement is made on whether the objective was reviewed in light of evaluation of the methods. Again the apparent gap in relation to Auckland wide, Zone and Precinct objectives is of relevance to this rating.
Appropriateness of provisions to achieve the objectives	4.1		Three high level options are considered (status quo, no statutory requirement, the preferred option). These seem broadly proportionate to the significance of the issue. It may, however, have been appropriate to also consider alternatives to the range of activities or zones covered by the provisions, e.g. an alternative excluding building additions.
	4.2.1		Three options are considered.
	4.2.2		The status quo is one of the options. This is well set out in the topic report (see Section 1.5 in particular).
	4.2.3		The topic report does not provide information on how consultation informed the option selection process. Section 5.2 does note how submissions influenced some detail and also that submissions sought the deletion of the requirement for design statements altogether. Within the evaluation of costs and benefits there are several assertions that could have usefully been "tested" directly with stakeholders, e.g. the assertion on p12 (2 nd to last paragraph) that design statements help applicants/developers to achieve the best value from their projects.
	4.3		The proposed approach represents a change from the status quo. The rationale for this change is well explained.
Appropriateness of provisions to achieve the objectives (efficiency and effectiveness)	5.1		The provisions are assessed in relation to the full scope of the objectives. See in particular Section 2.1.2.
	5.2		The assessment of effectiveness and efficiency is considered appropriate. These matters are addressed in the table in Section 3, and also in the body of the text leading up to the table. See for example, sections under headings "Usefulness" and "Achievability" on page 12, and costs and benefits in Section 2.1.3.
	5.3		The disclosure of costs and benefit is transparent. The costs and benefits of the identified alternatives are also addressed, although in significantly less detail. This is not a significant limitation as the alternatives are all clearly relative to each other and the costs and benefits of the two non-preferred options can be inferred.
	5.4		The recipients of the costs and benefits are identified.
	5.5		The topic report asserts that the subject matter was not subject to any particular political working party decisions. Consequently, there is no description of the information on costs and benefits provided to decision makers.
	5.6		The topic report asserts that the information available was sufficient (see section 2.1.4). It does acknowledge that monetisation of costs is difficult, i.e. a limitation with regard to the information on costs (p 13, last paragraph).
	5.7		The topic report does not identify a methodology for determining whether it is practicable to quantify and monetise costs and

Statutory requirement	Identifier	Mark	Context
			benefits. However, some attempt has been made to monetise some of the costs of the provisions.
	5.8		Some attempt is made at setting up a methodology for monetisation of a portion of the costs. Potentially this shows that it is feasible to examine methods to quantify other elements of the analysis.
	5.9		See Sections 5.7 and 5.8.
	5.10		See Sections 5.7.
	5.11		The topic report provides a qualitative assessment of those costs and benefits that it cannot quantify. This is generally satisfactory; however, in some instances the robustness of this evaluation is limited e.g. the assertion (p13, 4 th paragraph) that design statements will streamline the processing of relevant consent applications, could have been tested / supported by experience elsewhere and/or experience under similar legacy provisions. Also, assertions could have been tested with stakeholders e.g. understanding how stakeholders saw the costs and benefits may have better informed the size of the costs and benefits and the identification of costs and benefits.
Restrictions greater than a NES	6.1		n/a
Sufficiency of information and risk	7.1		As noted, the topic report asserts that the information available was sufficient, see Section 2.1.4. It does however acknowledge that monetisation of costs and benefits is difficult, i.e. a limitation with regard to the information on costs (p13, last paragraph).
	7.2		The risk of acting in light of limited “monetised” costs noted above is not specifically addressed. However, indirectly this matter is addressed through much of the report. Risks more generally are addressed in the table in Section 3.
Summary of reasons	8.1		The conclusion provides a summary of the rationale for the decision to adopt the requirement for design statements. This is satisfactory. It is noted that this does not specifically address Part 2 RMA matters.
	8.2		There is little information on the analysis process and information provided to decision makers. It is assumed that the s32 topic report was presented to the Council committee.

Source: NZIER and HG

C.7.3 Overall observations

Areas that worked well:

- the topic report is well written and easy to follow
- the scale and significance is identified in terms of environmental quality and amenity
- the objectives are linked to the intended outcome, an overall judgment is made against Part 2 of the RMA, and evaluation is broadly linked with resource management objectives
- the status quo is well set out and the alternatives are broadly in line with the significance of the issue. The rationale for the change is well explained
- the provisions are assessed in relation to the full range of the objectives and limitations and risks of the analysis explained.

Areas where further analysis or information could assist:

- no reference on how decision makers were involved in the process is explained
- how consultation informed the s32 process is not set out. This might have been useful in identifying the full range of the costs and benefits and their likely magnitude
- no information is provided on the potential methodologies that could have been used to understand the size of the costs and benefits, although the discussion on p14 on costs is a useful start
- the linkages between consultation, identification of the costs and benefits, and how the costs and benefits might be examined are not well set out in this topic paper.

C.8 Treaty settlements (s32 report 14)

C.8.1 Description

This topic report covers the PAUP provisions that acknowledge Treaty settlements with local iwi. The topic report focuses on two aspects of managing 'Treaty Settlement Land'; how to provide for the relationship of Mana Whenua with Treaty Settlement Land and how to direct development of Treaty Settlement Land.

The key aims of the Treaty settlement provisions are to:

- recognise the implications of Treaty settlements for resource management
- provide for flexible provisions that can recognise future Treaty settlements
- manage the development and use of Treaty Settlement Land.

The report is closely linked to several other s32 reports, and these are listed in Section 1.10 of the Treaty settlements s32 topic report. A number of other s32 topic reports have also been included in this audit.

C.8.2 Context

Table 11 Treaty settlements

Statutory requirement	Identifier	Mark	Context
General quality criteria	1.1		Generally free of jargon and is written in plain English. However, the majority of Māori terms used extensively throughout the topic report are not explained or only partially explained in the text. It would be helpful to refer to a glossary covering Māori terms. Most acronyms used are not explained in the text but they are usually commonly understood abbreviations in a resource management context, i.e. RMA, MfE, RPS. However, given the potentially wide audience of this topic report, a list of commonly used acronyms would also have been useful. No glossary of technical terms has been included, reflecting limited use of technical terms in this topic report, but some unexplained terms remain (e.g. GFA, gross floor area).
	1.2		Some referencing within the text has been done well, i.e. the references to the relevant policies and methods in the PAUP in Sections 2.1, 2.1.1, 2.2 and 2.2.1. In addition, some of the critical documents, such as the iwi planning documents and the Māori Values Supplement, have been included as appendices, which is positive. However, some of the references to the relevant draft Auckland PAUP rules are missing, and descriptions of the proposed rules are confusing due to lack of detail. For example, Section 2.1.2 simply states that Cultural Impact Assessments will be required for developments that affect Treaty Settlement Land, but does not provide the rule reference. Similarly, Section 2.2.2 states that the rules are summarised in Section 1.9 above (there are no rule references in this section) and goes on to briefly describe some of the rules but omits key detail, such as the density of dwellings on Treaty settlement land cannot exceed one dwelling per ha of net site area. The topic report should be a standalone report that includes all information required to make the assessment with reference to background or supporting materials in appendices and links to other web-publications. It is noted that Sections 2.1 and 2.2 describe the relevant RPS objectives as 'Objectives 3 and 4', while Sections 3 and 4 describe them as Objectives 1 and 2, which is confusing for the reader. It is also noted that in Section 3, the descriptions of the proposed Alternatives at the beginning of the two tables transpose the alternative references, i.e. The alternatives for Objective 1 are listed as (1) Preferred and (2) Status quo in the description, but as (1)

Statutory requirement	Identifier	Mark	Context
			Status Quo and (2) Preferred in the table. This error has also been repeated in the second table assessing Objective 2.
	1.3		Headings are not always in a logical order. Final outcomes i.e. preferred objectives are described well before any analysis is provided as to why they are the preferred option. For example, Section 2 sets out the final adopted provisions before the justification is provided in Sections 3. The use of the same sized font and style for all headings and unnumbered sub headings made the topic report more difficult to read.
	1.4		The topic report contains separate assessment sections for Objective 1 and 2. Although this has resulted in some duplication, it is appropriate to assess these objectives separately as they are each given effect to via separate policy and rule packages, which justify separate assessments. Some other minor duplication has occurred, i.e. Sections 1.7 and 5.2; Sections 1.8 and 5.3 a repeated bullet in sub-section "Timeframe" in Section 2.2 and the same text appears in Sections 2.1.1 (referenced to RPS Policy 5) and 2.2.1 (referenced to RPS Policy 6). The cross referencing within the topic report has already been discussed in Criterion 1.2 in this table. The Alternatives table in Section 3 does not have a heading but does provide the opportunity to clearly compare the alternatives.
	1.5		The topic report is clear that some consultation has been undertaken with Mana Whenua. Consultation is discussed in Sections 1.7 and 5.2. These sections detail the consultation process, i.e. iwi workshops, circulation of draft RPS provisions and receipt of written feedback. The topic report consultation sections identified that up to 19 different iwi groups were involved in the consultation but does not identify which groups they were or what contribution their input made to the process. It is also unclear as to whether iwi groups were provided with draft options for policy and rule packages, or whether they were just provided with RPS objectives and policies to review prior to the release of the March 2013 draft.
	1.6		Sections 1.6, 1.7 and 5.2 of the topic report detail when Mana Whenua engagement occurred and the issues that were discussed at each meeting. However, it is not clear whether any of the feedback provided after the initial engagement in March 2012 fed into the development of alternative options as Section 5.3 confirms that the Political Working Party had already decided on Option 3 as early as May 2012 (5 months earlier than the next round of iwi consultation in October 2012). As such, it is difficult to ascertain to what extent the consultation process influenced the drafting of the provisions.
Scale and significance	2.1		Section 1.3 of the topic report is titled "Significance of this Subject", but does not accurately describe the significance of the issue. It mentions that the issue is significant because the PAUP is taking a different approach to the legacy Council documents, but does not explain why the subject matter is significant in the context of the region, or in the context of Council/iwi relations. However, Section 4 does contain a more helpful description of the "significance" of the proposal in relation to social, cultural and economic well-being. The topic report could have been improved by having this assessment at the beginning of the topic report, rather than in the conclusion. The "significance" of the subject could also have been discussed in relation to the number of properties potentially affected by the provisions, i.e. the baseline number of current properties plus up to 50 properties every year until 2020 (Section 1.6 of topic report).
	2.2		It does not appear that a process has been used to determine the scale or significance of issues or effects.
	2.3		Insufficient information due to general approach taken in most topic reports and the overall s32 evaluation that only significant matters are addressed.
Appropriateness of objectives to achieve the purpose of the Act	3.1		Sections 2.1 and 2.2 both include a section after the description of Objectives 3 and 4 that link the purpose of the objective directly to a resource management issue. The "Relevance" sub heading of Sections 2.1 and 2.2 also describes how the proposed objectives give effect to Part 2 of the RMA, in particular Sections 6 and 8.
	3.2		The report does not discuss the outcomes that they expect the objectives to achieve directly. However, the "Timeframe" heading

Statutory requirement	Identifier	Mark	Context
			(which is assumed to be incorrectly labelled) in Section 2.2 states that the success of Objective 4 will be measured by the percentage of Treaty properties that either have resource consent approval for development or are being used in accordance with Mana Whenua aspirations ten years after settlement. The “Achievability-Functions” sub headings in Sections 2.1 and 22 states that the Council can achieve the objectives through the PAUP and their role as a consenting authority, but do not explicitly mention the statutory powers of a unitary authority under Sections 30 and s31 of the RMA.
	3.3		The conclusion in Section 4 of the topic report does not comment on whether the preferred option is the most consistent with the purpose of the RMA and does not justify that the preferred option is the most appropriate by comparing the preferred provisions to the alternative options.
Appropriateness of provisions to achieve the objectives	4.1		An assessment of alternatives has been undertaken for the proposed policy and rule packages relating to the preferred objectives. Three alternative packages are considered for Objective 2 (also referred to as Objective 4 in Section 2.2), but only two options are considered for Objective 1 (also referred to as Objective 3 in Section 2.1).
	4.2.1		The range of options investigated was more than just change vs the status quo for Objective 2, but Objective 1 was only assessed in terms of the preferred policy and rule package vs the status quo. A third alternative could have been the use of a statutory layer for Treaty Settlement Land, plus a requirement to notify relevant iwi authorities when a proposal could affect Treaty Settlement Land, as opposed to a mandatory Cultural Impact Assessment.
	4.2.2		The “status quo” option does not include any comparative provisions as the topic report concludes that there are no existing legacy provisions that provide for Treaty Settlement Land. This means that comparative provisions are not assessed for Objective 1. It is also noted that although Objective 2 is assessed in terms of three alternatives, the third alternative is an extension of the same preferred provisions to cover more land than just “Treaty Settlement Land”. This means that comparative provisions are not assessed for Objective 2 either.
	4.2.3		As previously discussed in Criterion 1.6 above, it is clear that iwi consultation influenced the initial drafting of options, but it is less clear as to whether consultation influenced the choice of ‘Option 3’ as the preferred option. The process for consultation is clearly detailed in Sections 1.6, 1.7 and 5.2.
	4.3		As there are no status quo provisions assessed, no justification in the report has been provided for rolling over or changing existing provisions.
Appropriateness of provisions to achieve the objectives (efficiency and effectiveness)	5.1		The assessment of RPS policies in Sections 2.1.1 and 2.2.1 does demonstrate how the policies will meet the RPS objectives.
	5.2		The efficiency and effectiveness of the proposed policies and rules are assessed in Sections 2.1.3, 2.2.3 and Section 3 of the topic report. The effectiveness of the policies and rules is not assessed comprehensively. Many of the statements in the “Effectiveness” assessments in Sections 2.1.3 and 2.2.3 are simply statements of what the policies and rules will achieve, not how effective they will be compared to other options. There are also statements included in these sections such as “Assumption that Council has accurate data on Treaty Settlement lands and interests” (Section 2.1.3) that are not related to the effectiveness of the provision package and should not be in this section. In terms of how efficient the policies and rules are, the topic report states that the preferred provisions are efficient because the anticipated monetary costs are likely to be small. There is no evidence to support these statements as likely costs of development, including the potential cost of preparing Cultural Impact Assessments has not been investigated. Also, in the alternatives assessment in Section 3 several of the efficiency statements are as simple as “costs outweigh benefits”, with no evidence that this is a true

Statutory requirement	Identifier	Mark	Context
			statement.
	5.3		The costs and benefits associated with each of the proposed provision packages are not transparent and clear, because most of the analysis has been undertaken in relation to the preferred provisions, with very little information provided for the other alternatives. The cost benefit analysis too readily presumes “zero” costs or benefits in relation to some options, where it is quite clear that some costs or benefits have been overlooked. For example, the status quo option for Objective 1 (no provisions in the PAUP to provide for the relationship of Mana Whenua with land acquired under Treaty settlements) states that there are no benefits associated with this option when a clear economic benefit would be reduced compliance costs as the mandatory preparation of Cultural Impact Assessments would not be required.
	5.4		Some of the receivers of the costs and benefits of the assessed options are identified in Section 3. It is identified that the some of the costs and benefits of each option will fall on the Council, Mana Whenua and applicants. However, the majority of the cost benefit analysis does not identify the receivers of the identified costs and benefits.
	5.5		The topic report breaks down the costs and benefits in relation to the potential environmental, economic, social and cultural effects of the options, however there is no evidence of technical analysis of the options. The assessment also appears biased towards the preferred option as the status quo options for both Objectives 1 and 2 states that there will be no benefits at all. At the very least, it could have been identified that there will be economic benefits due to reduced compliance costs for developers (i.e. no requirement for CIA's). It is not clear whether consultation influenced the cost benefit analysis.
	5.6		The topic report does not identify most of the limitations of the data or place caveats on the information relied upon. The only mention of limited information is in the tables in Section 3, which state that information on the resource of land acquired and interests confirmed through Treaty settlements is incomplete because the settlement of historic claims is not completed. The topic report could have emphasised the lack of information available on the likely compliance costs for Council, Mana Whenua and land owners in relation to the preparation of Cultural Impact Assessments, or the uncertainty of how many more dwellings the more permissive Treaty settlement land rules will enable in rural zones where low density residential development is otherwise discouraged.
	5.7		No justification has been provided for why the costs and benefits have not been assigned monetary value. A monetisation exercise could have been undertaken in relation to the potential costs of Cultural Impact Assessments or the potential value of additional dwellings that would be enabled by the more lenient Treaty settlement land provisions on sites with underlying rural zonings etc. It would have been appropriate to include a section in the report justifying why a monetisation exercise had not been considered.
	5.8		None of the benefits and costs have been monetised.
	5.9		No specific methodologies have been used as no monetisation exercise has been used.
	5.10		Not applicable as none of the benefits and costs have been monetised. All comparative assessment has been qualitative.
	5.11		A qualitative cost benefit analysis was completed; however, no explicit weighting was given to either the costs or benefits in the assessment and it concluded the relative costs outweigh the benefits. In the conclusion, the topic report asserts that the (unknown) costs of the provisions are outweighed by the benefit of a decrease in challenges to resource management decisions. Without information on the likely compliance costs, the number of private landholders or developers who may face development constraints or reductions in economic development opportunities as a result of the provisions, it is difficult to assess the reliability of this conclusion.
Restrictions greater than a NES	6.1		n/a

Statutory requirement	Identifier	Mark	Context
Sufficiency of information and risk	7.1		As discussed previously in Criterion 5.6, the topic report does not identify the limitations of the data or place caveats on the information relied upon. As such, it is not clear whether decision makers were aware of any limitations at the time they were making their decisions.
	7.2		The risk of acting and not acting are discussed at multiple points throughout the topic report (Sections 2.1.4, 2.2.4 and 3) and are assessed reasonably comprehensively.
Summary of reasons	8.1		A summary of reasons is contained in Section 4 – Conclusions. It is more than just a list of preferred provisions as it summarises how the preferred option will impact on social, cultural and economic well-being. However, the conclusion could have included a statement outlining why the preferred option is the most appropriate way of achieving the proposed objectives and the overall purpose of Part 2 of the RMA.
	8.2		The decision making process is documented briefly in Sections 1.6, 1.7, 1.8, 5.2 and 5.3. However, the conclusion in Section 4 of the topic report does not describe the analysis process, justify why the preferred option has been chosen over the other alternatives or refer back to information provided to decision makers. The conclusion could be more than a summary of the impacts of the preferred option and a list of the preferred provisions.

Source: NZIER and HG

C.8.3 Overall observations

Areas that work well:

- the consultation process appeared to influence at least the initial scoping of relevant Treaty settlement issues, which demonstrates a feedback loop between consultation and policy formulation
- the description of the issues discussed with iwi at the workshops was helpful to understanding the key concerns that the Treaty settlement objectives, policies and rules would need to address
- some of the key background documents, such as the iwi planning documents, have been included as appendices and are signposted appropriately
- the potential risks of acting and not acting are assessed reasonably comprehensively
- adequate links were made between identified desirable objectives and the resource management issues the objectives are trying to address.

Areas where further analysis or information could assist:

- the assessment of the “significance” of the proposal contained at the beginning of Section 4 could have been used at the front end of the topic report to identify the significance of the issue upfront
- signposting and cross referencing within the topic report could be improved, particularly with respect to the PAUP rule references and internal referencing of objectives within the report;

- more of the background information referenced in the topic report could have been included as appendices, particularly the iwi workshop summary reports
- a glossary of Māori terms used in the topic report could have been included, or reference made to a common glossary for all s32 topic reports
- the untitled summary tables of alternatives in Section 3 could have included a more balanced assessment of costs and benefits that did not under estimate the potential benefits of other alternative options. This would have allowed for a more accurate comparison of alternatives that table as currently written appears to use the preferred option as the counterfactual against which other options are compared, which implies that the preferred option has been pre-judged rather than selected from the option comparison. It would be preferable to compare the options against a do-minimum counterfactual, which is not necessarily a continuation of the status quo
- the topic report could have identified the limitations of the data or placed caveats on the information relied upon. For example, the topic report could have acknowledged the lack of information available on the likely compliance costs for Council, Mana Whenua and land owners in relation to the preparation of Cultural Impact Assessments, or the uncertainty of how many more dwellings the more permissive Treaty settlement land rules will enable in rural zones where low density residential development is otherwise discouraged
- a section justifying why a monetisation exercise had not been undertaken could have been included
- the conclusion of the topic report could be improved by summarising why the preferred option is the most appropriate in terms of giving effect to Part 2 of the RMA and why the preferred option is the most efficient and effective compared to the alternatives.

C.9 Mana Whenua cultural heritage (s32 report 15)

C.9.1 Description

The subject matter of this topic report is the proposed provisions for the protection and enhancement of Mana Whenua cultural heritage. The topic report covers a suite of objectives, policies, methods and rules at the Regional Policy Statement (RPS), regional and district level. This suite of provisions is intended to provide opportunities for Mana Whenua to be the kaitiaki (guardian) of their own cultural heritage at every level of the resource management process.

The key aims of the Mana Whenua cultural heritage provisions are to:

- integrate both regional and district plan provisions to protect Māori cultural heritage sites at both levels
- provide greater protection to Māori cultural heritage sites and landscapes that have already been identified in legacy Council plans
- provide the opportunity for Mana Whenua to identify their own cultural heritage sites and landscapes based on their own criteria and values, as opposed to using other criteria based systems developed for other forms of heritage
- provide opportunities for the identification of more cultural heritage landscapes through non regulatory methods and future plan changes.

The report is closely linked to several other s32 reports, and these are listed in Section 1.10 of the Mana Whenua s32 report. A number of other s32 topic reports have also been included in this audit.

C.9.2 Context

Table 12 Mana Whenua cultural heritage

Statutory requirement	Identifier	Mark	Context
General quality criteria	1.1		Generally free of jargon and is written in plain English. Māori terms are used extensively throughout the topic report and an explanation of some common Māori terms is included upfront in Section 1.1 of the topic report. But it would be helpful to include a glossary covering less familiar Māori terms that are not found in online dictionaries or the MfE's Māori Values Supplement (2010), including the term "Mana Whenua" (which is used extensively throughout the report as if referring to people, rather than the power associated with possession of land). A glossary could also explain acronyms that are not explained in the text, including RMA, NZCPS, NZHPA, NZHPT, CIA and KORA session. No glossary of technical terms has been included, but this may be a reflection of the lack of technical terms used in this topic report.
	1.2		Some referencing within the topic report has been done well, i.e. the references to the directives in the PAUP in Section 1.4, the references to background documents in Sections 1.6 and 5.1 and the iwi management plans in Section 2.1. However, some of the background documents could have been included as appendices. Rule references in Section 2.1.2 would assist with locating the various rules, which give effect to the higher level RPS objectives and policies. Only RPS objectives and policies appear to be referenced, as opposed to the Mana Whenua Overlay objectives and policies in Chapter E5 of the PAUP. It would be helpful to

Statutory requirement	Identifier	Mark	Context
			describe where to find the RPS policies described in Section 2.1.1.
	1.3		<p>Contents section prepared up front, however headings are not always in a logical order. Final outcomes i.e. preferred objectives and policies are described well before any analysis is provided as to why they are the preferred option. For example, Section 1.9 – Proposed Provisions sets out the final adopted provisions before the justification is provided in Sections 3.</p> <p>The cost benefit sections for the proposed policies and rules in Sections 2.1.3 and 2.2.3 are helpfully broken down into environmental, economic, social and cultural sections, which make comparisons between costs and benefits easier to assess.</p>
	1.4		<p>The topic report contains two sections that assess RPS objectives; Section 2.1 assessing Objectives 1, 2 and 3 and Section 2.2 assessing Objectives 3 and 5. These five objectives are all contained in the same RPS section (Chapter B, Section 5.4) and are all focused on Mana Whenua cultural heritage. It is unclear why an assessment of these objectives has been split into two sections, which results in subsequent duplication of the “Relevance”, “Usefulness”, “Achievability”, “Success”, “Reasonableness”, “RPS Policy Assessment” and “Costs/Benefits of Rules and Policies”. It would assist comprehension if all of the RPS objectives were assessed in one go under one set of sub headings.</p> <p>The cross referencing within the topic report has already been discussed in Criterion 1.2 in this table.</p> <p>The alternatives table in Section 3 does not have a heading but does provide the opportunity to clearly compare the alternatives.</p>
	1.5		The topic report is clear that extensive consultation has been undertaken with Mana Whenua. Consultation is discussed in Sections 1.7 and 5.2 and details a range of consultation methods including circulation of draft provisions to iwi groups, discussion and technical workshops; receipt of written feedback and monthly attendances at hui meetings. The topic report consultation sections identified that up to 19 different iwi groups were involved in the consultation but does not identify which groups they were.
	1.6		<p>Section 5.2 of the topic report states that consultation and workshop reports were prepared after technical and hui workshops with iwi groups at various stages in the consultation process. It is not clear whether these reports were presented to Council during the decision making process as they are not named, but workshop reports are listed in the reference documents in Section 5.1. Therefore, it is assumed that the results of the iwi workshops were presented to Council to aid in final decision making on the Mana Whenua cultural heritage provisions.</p> <p>It is also clear from Section 1.6 of the topic report that consultation with iwi directly affected the approach taken, as feedback influenced the decision to make the “Sites and Places of Value to Mana Whenua” a statutory layer as opposed to non-statutory. It appears that this process was iterative, involving multiple rounds of plan revisions and workshops/feedback before arriving at the final set of notified provisions. Two of the options discussed with iwi groups during the consultation period (statutory or non-statutory layer for “Sites and Places of Value to Mana Whenua”) were also considered as part of the alternative assessment.</p>
Scale and significance	2.1		<p>Section 1.3 of the topic report states that the provisions relating to Mana Whenua cultural heritage are “significant” because they are a significant shift away from how the legacy plans dealt with this issue.</p> <p>It is noted that this narrow interpretation of “significance” as only relating to provisions that are a significant departure from the status quo is different to the intention of section 32(1)(c) of the RMA which doesn’t assume that the status quo should be the baseline for assessing what is a significant issue; instead all issues could be identified and the level of detail provided relevant to the scale and significance of identified effects. A more helpful statement of “significance” would discuss the scale or number of sites and landscapes that might be affected by these provisions, the number of iwi and hapu involved or whether this issue is “significant” across the whole Auckland region, or just isolated areas.</p>
	2.2		Aside from a generic reference in Section 1 of the topic report to read the topic report in conjunction with the s32 Report Part 1, there is no other reference to having a consistent approach with other s32 topic reports. However, it is noted that the generic approach of focusing only on ‘significant’ shifts in policy compared to the status quo is consistent with the s32Report Part 1 s32 For comments on

Statutory requirement	Identifier	Mark	Context
			the appropriateness of this approach, see assessment against Criterion 2.1 in this table.
	2.3		Insufficient information due to general approach taken in most topic reports and the overall s32 evaluation that only significant matters are addressed.
Appropriateness of objectives to achieve the purpose of the Act	3.1		Section 1.2 lists an extensive range of resource management issues that need to be addressed by the Mana Whenua cultural heritage provisions. The “Relevance” assessment of the RPS objectives in Sections 2.1 and 2.2 of the topic report links the objectives with the resource management issues they’re trying to address. Specific references are made to Sections 5, 6(e) and (f), 7(a) and (g) and 8 of the Resource Management Act and the topic report details how the proposed objectives give effect to these sections.
	3.2		Sections 2.1 and 2.2 both state that the objectives have been written to achieve outcomes specified in existing iwi planning documents. Examples of the outcomes specified in these iwi planning documents are provided and referenced in the topic report. The “Achievability” sub headings in Sections 2.1 and 2.2 states that the Mana Whenua cultural heritage provisions are within the scope of the Council’s functions as a unitary authority preparing a unitary plan.
	3.3		The conclusion in Section 4 of the topic report judges the suite of Mana Whenua cultural heritage provisions against Part 2 of the RMA, and concludes that the preferred option is the most consistent with the requirements of Part 2.
Appropriateness of provisions to achieve the objectives	4.1		An assessment of alternatives has been undertaken for the suite of regulatory and non-regulatory rules and methods proposed. Although there are only three alternatives considered (and Alternatives 1 and 2 are similar), this is appropriate given the direction provided by the relevant iwi groups during consultation. It is unclear what other practical alternative could have been considered given that iwi were quite specific in their feedback about the issues that needed addressing and how best to achieve this.
	4.2.1		The range of options investigated was more than just change vs the status quo. However, the third option (Alternative 2) is really just a scaled back option of the preferred Alternative 1, as opposed to a different approach. As discussed above in Criterion 4.1, it is unclear what other viable alternative could have been considered given feedback from iwi in consultation.
	4.2.2		The wording of the status quo in the regional and district plan provisions is not provided. The only legacy provisions specifically referred to in the topic report are those of the operative RPS in Section 1.5. The unlabelled Table 1.0 in Section 1.5 demonstrates that all legacy regional and district plans have been considered, but the content of the table is too general and does not provide the reader with a clear impression of how legacy documents dealt with Mana Whenua cultural heritage issues. The “status quo” alternative considered in Section 3 of the topic report does not provide any further information as to the content of the legacy regional and district council plans.
	4.2.3		As previously discussed in Criterion 1.6 above, it is clear from the discussion of the consultation process in the Sections 1.7 and 5.2 of the topic report that drafting of the preferred provisions was an iterative process, influenced by written feedback and workshops with iwi groups. It resulted in the development of Alternatives 1 and 2, with the key difference being whether the places of value to Mana Whenua overlay was developed as a statutory or non-statutory overlay.
	4.3		The topic report notes that existing schedules of “significant” areas or sites to Mana Whenua will be used as the basis for the “Sites and Places of Significance” overlay and that additional information collated from Council GIS data and heritage unit data would be used to create the initial “Sites and Places of Value” overlay. However, because the information on the content of the legacy regional and district plan provisions is brief, it is hard to discern whether any other aspects of the legacy plans are being rolled over or amended.
Appropriateness of provisions to achieve the	5.1		Overall, the provisions are considered appropriate in terms of meeting the objectives, as the chosen tools (overlays, more restrictive activity status for development near sites, more investigation into important sites and improved partnership with Mana Whenua) will result in the RPS objectives being achieved. However, it is noted the Alternatives table in Section 3 simply states that the preferred

Statutory requirement	Identifier	Mark	Context
objectives (efficiency and effectiveness)			Alternative 2 will “achieve the objectives”. It would have been helpful to include some cross referencing in this assessment to link provisions with achieving identified objectives to prove that they are the best option.
	5.2		<p>The efficiency and effectiveness of the proposed policies are assessed in Sections 2.1.2 and 2.2.1 of the topic report. The effectiveness of the policies is assessed with a level of detail appropriate for the significance of the issue being resolved. However, it is noted that the efficiency of the policies relating to RPS Objectives 1, 2 and 3 is assessed only in terms of how it aligns with other policy documents, which doesn’t provide an accurate assessment of how efficient the policies are.</p> <p>The efficiency and effectiveness of the proposed rules is assessed in the untitled table provided in Sections 3 of the report. It is easier to compare the efficiency and effectiveness of the rule options as they are all compared in the same table. The costs and benefits are also compared directly side by side, although the comparison for preferred option is inexplicably incomplete. The range of matters considered in the assessment of “efficiency” seems to be more comprehensive in the table than in the assessment provided in Section 2.1.2.</p>
	5.3		The only provisions assessed in this topic report are those identified as “significant”; all other provisions have not been assessed. The costs and benefits associated with each of the proposed rule options have been identified and have been broken down into environmental, economic, social and cultural to assist with comparative analysis. The opportunity costs for economic development and employment opportunities as a result of applying two new overlays are discussed in Section 2.1.3.
	5.4		The costs and benefits section of the unnamed table in Section 3 provides a breakdown of the parties on whom these cost and benefits will fall. Parties subject to costs and benefits include the Council, Mana Whenua, the wider community and resource users.
	5.5		The topic report is clear that the costs and benefits and the potential environmental, economic, social and cultural effects of the options was primarily informed by the consultation process, as well as a review of literature and best practice (as described in Sections 1.6. and 5.1). However, it would have been helpful to have had some of these documents attached as appendices as opposed to just being listed in the topic report. In particular, copies of the workshop summaries would have been the most valuable appendix.
	5.6		The topic report does not identify the limitations of the data or place caveats on the information relied upon. In particular, the topic report could have acknowledged the lack of information available on the total number of sites likely to be affected by the proposed overlays as not all sites or places of ‘value’ to Mana Whenua have been identified.
	5.7		No justification has been provided for why the costs or benefits have not been assigned monetary value. Although it is apparent that a monetisation exercise would have been difficult given the subject matter involved in this topic, it would have been appropriate to include a section in the report justifying this approach.
	5.8		None of the benefits and costs have been monetised.
	5.9		No specific methodologies have been used as no monetisation exercise has been used.
	5.10		Not applicable as none of the benefits and costs have been monetised. All comparative assessment has been qualitative.
	5.11		<p>A qualitative cost benefit analysis was undertaken using a framework that described both the costs and benefits of the four well-beings (environmental, economic, social or cultural) and on whom the costs and benefits would fall on. However, no explicit weighting exercise was used to compare whether the relative costs outweigh the benefits.</p> <p>The report comes to a strong conclusion that the preferred option results in cumulatively greater long-term benefits than costs, and that associated costs are mainly related to financial costs to Council. Without some indication of the scale and significance of the issue and the number of private landholders who may face constraints on use of their land as a result of the policies, it is difficult to assess the reliability of this conclusion.</p>

Statutory requirement	Identifier	Mark	Context
Restrictions greater than a NES	6.1		n/a
Sufficiency of information and risk	7.1		As discussed previously in Criterion 5.6, the topic report does not identify the limitations of the data or place caveats on the information relied upon. As such, it is not clear whether decision makers were aware of any limitations at the time they were making their decisions.
	7.2		The risk of acting or not acting is discussed at multiple points throughout the topic report (Sections 2.1.4, 2.2.4 and 3). The risks of not acting are further disillusionment of Mana Whenua with the planning process and the Council, risk of further degradation of valuable cultural heritage and a lack of recognition of Mana Whenua cultural heritage within the landscape. The risks of acting in terms of the preferred alternative all relate to reducing the potential to miss key sites and information during the mapping process and potential uncertainty regarding where particular provisions apply. Some of the text in the unnamed table is incomplete in relation to the risks for Alternative 2, which could have been identified and amended prior to release.
Summary of reasons	8.1		A summary of reasons is contained in Section 4 – Conclusions. It is more than just a list of preferred provisions as it clearly summarises how the costs/benefits of options influenced the preferred alternative, how the preferred alternative meets the chosen objectives and the risks identified with the options not chosen. However, an improved weighting exercise could have been undertaken, as opposed to simply stating that the preferred alternative “results in cumulatively greater long term benefits than costs”.
	8.2		The decision making process is reasonably well documented. It is clear how the process began with drafting of options, several rounds of consultation and political workshops and reworking of the proposals before the final options was agreed upon. Sections 1.6, 1.7 and 1.8 in particular detail the decision making process well. The topic report could have been improved by including more of the background documentation described in the report body, as appendices.

Source: NZIER and HG

C.9.3 Overall observations

Areas that work well:

- there was clear articulation of the consultation processes and their influence on the policy approaches that were assessed by the topic report, which demonstrated a feedback loop between consultation and policy formulation
- the cost benefit analysis identified and recognised in qualitative terms that costs and benefits fall on different parties across the community
clear links were made between the outcome statements articulated by Mana Whenua in their existing management plans and how the proposed objectives would achieve these outcomes
- costs and benefits are broken down into environmental, economic, social and cultural sub-headings to assist with comparison between alternatives
- the potential risks associated with acting or not acting were emphasised at various points throughout the document, which provides both Council and the public with justification for implementing a statutory overlay for places of “value”, even though the information on these places is incomplete.

Areas where further analysis or information could assist:

- the topic report needed to articulate the scale and significance of the issues in terms of geographical extent, and the potential reach of proposed policies in its effects on other landowners, their development prospects, and implications for economic development and employment potential
- signposting within the topic report could be improved, particularly in relation to the appendices and the PAUP rule references
- more of the background information referenced in the topic report could have been included as appendices, particularly the iwi workshop summary reports
- a more complete glossary of Māori terms and a list of acronyms used in the topic report could have been included
- more information could have been provided on the status quo provisions to assist with comparing the three alternatives
- the topic report could have identified the limitations of the data or placed caveats on the information relied upon. For example, the topic report could have acknowledged the lack of information available on the total number of sites likely to be affected by the proposed overlays as not all sites or places of “value” to Mana Whenua have been identified
- a section justifying why a monetisation exercise had not been undertaken could have been included.

C.10 Māori and natural resources (s32 report 18)

C.10.1 Description

The subject matter of this topic report is the way the PAUP recognises the special relationship between Māori and natural resources. The topic report primarily focuses on the options for Regional Policy Statement level objectives; there is very little assessment on the alternative policies or rules for addressing the Māori and natural resources relationship at the regional or district planning level.

The key aims of the Māori and natural resources objectives are to:

- integrate the consideration of Mana Whenua values (matauranga and tikanga) in resource management processes and decision making
- recognise Mana Whenua as the experts in identifying Mana Whenua values associated with natural and physical resources
- enable Mana Whenua to be involved in resource management processes relating to natural and physical resources where Mana Whenua values may be affected.

The report is closely linked to several other topic reports, and these are listed in Section 1.10 of the Māori and Natural Resources s32 topic report. A number of other s32 topic reports have also been included in this audit.

C.10.2 Context

Table 13 Māori and natural resources

Statutory requirement	Identifier	Mark	Context
General quality criteria	1.1		Generally free of jargon and is written in plain English. However, the majority of Māori terms used extensively throughout the topic report are not explained or only partially explained in the text, in particular the two key concepts of matauranga and tikanga. It would be helpful to refer to a glossary covering Māori terms. The majority of acronyms used are explained in the text, including NPFM and NZCPS. No glossary of technical terms has been included, but this may be a reflection of the lack of technical terms used in this topic report. More care could have been taken with proof reading the topic report to remove typographical errors.
	1.2		Some referencing within the text has been done well, i.e. the references to the current provisions of the legacy plans in Section 1.5 and the references to background documents in Section 5.1. Also, the critical documents, such as the iwi planning documents and the Landcare Research report, have been included as appendices, which is positive. However, some of the references to sections of the PAUP are misleading; each reference needs to have a (a) Part reference, (b) Chapter Reference and (c) Section reference. For example, Section 4 of the topic report states that the cultural impact assessment rules are found in Part 3, Section 2.7.4, however without the Chapter reference it's not clear where to find the rules.
	1.3		Headings are not always in a logical order. Final outcomes i.e. preferred objectives are described well before any analysis is provided as to why they are the preferred option. For example, Section 2 sets out the final adopted provisions before the justification is provided in Sections 3. It is not clear why the regional and district plan provisions (including objectives, policies and rules) are not mentioned until Section 3.2

Statutory requirement	Identifier	Mark	Context
			and why they have not been included as part of the “Alternative” packages of provisions. They are simply stated for the record and are not assessed, which potentially confuses whether they were considered as part of the s32 exercise described in this topic report.
	1.4		<p>The topic report contains four sections that assess the RPS objectives; Sections 2.1-2.4, each assess one RPS objective. The four assessed objectives are all contained in the same RPS section (Chapter B, Section 5.2) and are all focused on Mana Whenua and their relationship with natural and physical resources. It is unclear why an assessment of these objectives has been split into four separate sections, which results in subsequent duplication of the “Relevance”, “Usefulness”, “Achievability”, “Success”, “Reasonableness”, “RPS Policy Assessment”, “Costs/Benefits of Rules and Policies” and “Adequacy of Information and Risk of Not Acting”. The large amount of duplicated text in each of these sections indicates that the assessment has not been tailored to each objective. It would assist comprehension if all of the RPS objectives were assessed in one go under one set of sub-headings.</p> <p>The cross referencing within the topic report has already been discussed in Criterion 1.2 of this table.</p> <p>The alternatives table in Section 3 does not have a heading but does provide the opportunity to clearly compare the alternatives. The table summarising the regional and district plan provisions in Section 3.2 is helpful, but does not indicate whether the summarised provisions are being assessed as part of the s32 process or are simply being listed for completeness.</p>
	1.5		The topic report is clear that some consultation has been undertaken with Mana Whenua. Consultation is discussed in Section 1.7 and to a lesser extent in Section 5.2. These sections detail the consultation process, i.e. iwi workshops, circulation of draft provisions and receipt of written feedback. The topic report consultation sections identified that up to 19 different iwi groups were involved in the consultation but does not identify which groups they were or what contribution their input made to the process. It also appears that iwi were only shown drafts of RPS provisions, not regional or district plan provisions.
	1.6		<p>Section 5.2 of the topic report states that consultation and workshop reports were prepared after technical and hui workshops with iwi groups at various stages in the consultation process. It is not clear whether these reports were presented to Council during the decision making process as they are not mentioned in the information and analysis or decision making sections of the topic report. They are also not included as appendices so it is difficult to ascertain whether the consultation process influenced the drafting of the provisions.</p> <p>The only evidence of iwi consultation influencing the drafting process is in Section 2.1, where it is stated that Objective 1 was prepared in consultation with Mana Whenua, and in Section 2.2, where it is stated that Objective 2 was drafted to address iwi concerns with ongoing environmental degradation.</p>
Scale and significance	2.1		<p>Section 1.3 of the topic report is titled “Significance of this Subject”, but does not accurately describe the significance of the issue. It mentions that the issue is significant because the PAUP is taking a different approach to the legacy Council documents, but does not explain how the proposed approach is different. It is noted that this narrow interpretation of “significance” is only related to provisions that are a significant departure from the status quo. This is different to the intention of section 32(1)(c) of the RMA which doesn’t assume that the status quo could be the baseline for assessing what is a significant issue; instead all issues need to be identified and the level of detail provided relevant to the scale and significance of identified effects.</p> <p>A more helpful statement of “significance” would discuss the scale or number of applications that might be affected by new provisions for cultural impact assessments, the number of iwi and hapu involved or the extent of environmental degradation.</p>
	2.2		It does not appear that a process has been used to determine the scale or significance of issues or effects.
	2.3		Insufficient information due to general approach taken in most topic reports and the overall s32 evaluation that only significant matters are addressed.
Appropriateness of objectives to	3.1		Section 1.2 lists a range of resource management issues that need to be addressed by the Māori and natural resources provisions. The descriptions of the purpose of the objectives in Sections 2.1-2.4 of the topic report link the objectives with the resource management

Statutory requirement	Identifier	Mark	Context
achieve the purpose of the Act			issues they are trying to address. There are specific references to Part 2 of the Resource Management Act (in particular Sections 6 and 7(a)) and the topic report details how the proposed objectives give effect to these sections.
	3.2		Sections 2.1-2.4 make some links between the proposed objectives and the outcomes they're trying to achieve in the explanation sections. The "Achievability" sub headings in Sections 2.1-2.4 state that the Council can achieve the objectives through the PAUP and their role as a consenting authority, but do not explicitly mention the statutory powers of a unitary authority under s30 and 31..
	3.3		The conclusion in Section 4 of the topic report makes a general comment that the preferred option is the most consistent with the purpose of the RMA, but does not justify this conclusion by comparing the preferred provisions to the alternative options.
Appropriateness of provisions to achieve the objectives	4.1		An assessment of alternatives has been undertaken for the proposed RPS objectives, but no assessment of alternatives has been considered for the regional and district plan objectives, policies or rules. Three alternatives are considered for the RPS objectives, which are considered appropriate for the scale of the issue.
	4.2.1		The range of options investigated was more than just change vs the status quo. It also includes consideration of an entirely different rule regime used by another Regional Council, which provides a good comparison with other regimes outside of the Auckland region.
	4.2.2		The legacy provisions specifically referred to in the topic report are those of the operative RPS, Regional Air Land Water Plan and Coastal Plan in Section 1.5. However, the 'status quo' alternative considered in Section 3 of the topic report only includes the RPS objectives. An assessment of the wording of the status quo of the regional or district plan provisions is not provided.
	4.2.3		As previously discussed in Criterion 1.6 above, there is only minimal evidence that iwi consultation influenced the development of alternatives (Sections 2.1 and 2.2). As the workshop summary reports described in Section 5.2 are not included as appendices, it is difficult to see how the workshop/hui process contributed to the drafting of the proposed provisions.
	4.3		In the unnamed table in Section 3, the topic report states that the assessment in Section 2 confirms that retaining the status quo is not an appropriate approach. It is noted that Section 2 does not address the status quo provisions at all; it simply assesses the appropriateness of the preferred provisions. As such, the topic report does not adequately argue why the preferred provisions are better than the status quo and a clear rationale for this approach is not provided.
Appropriateness of provisions to achieve the objectives (efficiency and effectiveness)	5.1		It is difficult to assess whether the provisions meet the proposed objectives as the majority of relevant provisions (regional and district policies and rules) are not assessed in this topic report. However, the assessment of RPS policies in Sections 2.1-2.4 does demonstrate how the policies will meet the RPS objectives.
	5.2		The assessment of the efficiency and effectiveness of the proposed policies are in Sections 2.1-2.4 of the topic report. The effectiveness of the policies is assessed with a level of detail appropriate for the significance of the issue being resolved. However, it is noted that the efficiency of the policies relating to the RPS objectives is assessed only in terms of how it aligns with other policy documents, which doesn't provide an accurate assessment of how efficient the policies are.
	5.3		<p>The only provisions assessed in this topic report are those identified as "significant"; all other provisions have not been assessed. It is assumed that all RPS policies and regional/district plan policies and rules have not been considered "significant" enough to be assessed through the s32 process.</p> <p>The costs and benefits associated with each of the proposed RPS objective packages are not transparent and clear, partially because the costs and benefits of the preferred option are not included in the comparison table. There are also bold assertions made with no apparent basis for the assertion, i.e. the benefits column for Alternative 3 states that "there are no benefits because the objectives will not provide complete information regarding Mana Whenua values and interests and incorporating those values into Auckland's resource management processes and decision making". As this statement was made in relation to an existing operative set of RPS provisions applying to the Waikato region, it seems overly dismissive to assume that the Alternative 3 approach has <u>no</u> benefits.</p>

Statutory requirement	Identifier	Mark	Context
	5.4		Some of the receivers of the costs and benefits of the assessed options are identified in Section 3. It is identified that the costs and benefits of each option will fall on the Council, Mana Whenua and resource users. However, the costs/benefits assessment of the preferred option occurs in Section 2 and does not identify the receivers of the identified costs and benefits.
	5.5		The topic report does not break down the costs and benefits in relation to the potential environmental, economic, social and cultural effects of the options, although the alternatives table in Section 3 does identify opportunity costs for increased employment.
	5.6		The topic report does not identify the limitations of the data or place caveats on the information relied upon. In particular, the topic report could have emphasised the lack of information available on the likely compliance costs for Council, Mana Whenua and land owners in relation to the preparation of Cultural Impact Assessments.
	5.7		No justification has been provided for why the costs or benefits have not been assigned monetary value. Although it is apparent that a monetisation exercise would have been difficult given the subject matter involved in this topic, it would have been appropriate to include a section in the report justifying this approach.
	5.8		None of the benefits and costs have been monetised.
	5.9		No specific methodologies have been used as no monetisation exercise has been used.
	5.10		Not applicable as none of the benefits and costs have been monetised. All comparative assessment has been qualitative.
	5.11		All of the cost/benefit analysis has been qualitatively assessed; however, no explicit weighting exercise has been explained in comparing whether the relative costs outweigh the benefits. In the conclusion, the topic report asserts that the (unknown) costs of the provisions are outweighed by the benefit of a decrease in challenges to resource management decisions. Without information on the likely compliance costs, the number of private landholders or developers who may face constraints on use of their land or reductions in economic development opportunities as a result of the objectives (and the un-assessed rules relating to the requirements for Cultural Impact Assessments), it is difficult to assess the reliability of this conclusion.
Restrictions greater than a NES	6.1		n/a
Sufficiency of information and risk	7.1		As discussed previously in Criterion 5.6, the topic report does not identify the limitations of the data or place caveats on the information relied upon. As such, it is not clear whether decision makers were aware of any limitations at the time they were making their decisions.
	7.2		The risk of not acting is discussed at multiple points throughout the topic report (Sections 2.1.4, 2.2.4, 2.3.4, 2.4.4 and Section 3). The risks of acting are not discussed at any stage in the topic report.
Summary of reasons	8.1		A summary of reasons is contained in Section 4 – Conclusions. It is more than just a list of preferred provisions as it summarises how the impacts on the four well-beings influenced the conclusion that the preferred option is the most appropriate. However, the concluding statement also introduces new information about the relevant district plan rules relating to Cultural Impact Assessments, which are not assessed as part of an ‘alternatives’ package at any other point in the topic report. It is unclear whether an alternative to requiring Cultural Impact Assessments for a range of resource consents was ever considered as part of the decision making process.
	8.2		The decision making process is documented briefly in Sections 1.6, 1.7, 1.8, 5.2 and 5.3. However, it is not clear how the s32 analysis influenced the decision making process and the extent to which consultation information and other technical documents influenced the final drafting of the preferred option. The topic report could have been improved by describing the feedback loop between consultation and drafting, and including more of the background documentation described in the report body as appendices.

C.10.3 Overall observations

Areas that work well:

- the proposal considered alternative options from local authorities in other regions to guide policy development
- the consultation process appeared to influence the policy approaches that were assessed by the topic report, which demonstrates a moderate feedback loop between consultation and policy formulation
- some of the key background documents, such as the iwi planning documents, have been included as appendices and are signposted appropriately
- adequate links were made between identified desirable outcomes and how the proposed objectives would achieve these outcomes
- the concluding section of the topic report was reasonably comprehensive.

Areas where further analysis or information could assist:

- it would have been more beneficial to the reader if the the scope of this topic report was widened to include more than just alternative RPS objectives. For comparison the relevant regional and district plan policies and rules (particularly the new requirements to provide Cultural Impact Assessments for a wide variety of resource consent applications) should have been assessed against alternatives to ensure that they are the most appropriate provisions to meet the objectives
- a statement of significance could have been included to justify the policy approach for this issue. It could have included a discussion on the scale or number of applications that might be affected by new provisions for Cultural Impact Assessments, the number of iwi and hapu involved or the extent of environmental degradation
- the structure of the report could have been streamlined to avoid duplication of assessment by combining the evaluation of all four preferred objectives into a single section
- signposting within the topic report could be improved, particularly in relation to the Appendices and the PAUP rule references
- more of the background information referenced in the topic report could have been included as appendices, particularly the iwi workshop summary reports
- a glossary of Māori terms used in the topic report could have been included, or reference made to a common glossary for all s32 topic reports
- the untitled summary table of alternatives in Section 3 could include the claimed costs and benefits of the preferred option alongside those of the alternatives, to facilitate comparison and assessment of the different options
- the summary table as currently written appears to use the preferred option as the counterfactual against which other options are compared, which implies that the preferred option has been pre-judged rather than selected from a comparison of the options. It would be preferable to compare the options against a do-minimum counterfactual, which is not necessarily a continuation of the status quo

- the topic report could have identified the limitations of the data or placed caveats on the information relied upon. For example, the topic report could have acknowledged the lack of information available on the likely Council and developer compliance costs associated with the alternative options
- a section justifying why a monetisation exercise had not been undertaken could have been included.

C.11 Future Urban Zone (s32 report 22)

C.11.1 Description

The subject matter of this topic report is the Future Urban Zone. The purpose of the Future Urban Zone is to serve as a “holding zone” for rural land within the Rural Urban Boundary (RUB) that has been identified as suitable for future urban development. The intention is to allow for rural activities to occur in the interim but not to provide for additional subdivision or dwelling construction that might compromise effective planning at a later date. As the Future Urban Zone land is intended to provide adequate greenfield land to supply Auckland in the short to medium term, it is possible that some land areas within the RUB will retain a Future Urban zoning as opposed to a full urban zoning for up to 30 years.

The key aim of the Future Urban Zone is to avoid compromising the future urban use and development of the land until such time as a plan change (and associated structure plan) is prepared and approved. The Future Urban Zone section 32 topic report is primarily focused on the “holding pattern” provisions that apply to the land prior to a plan change being approved, as opposed to how the release of the Future Urban zoned land will occur in a timely and planned manner.

The report is closely linked to several other s32 topic reports, and these are listed in Section 1.10 of the Future Urban Zone s32 topic report. The urban form and land supply s32 topic report has also been included in this audit.

C.11.2 Context

Table 14 Future Urban Zone

Statutory requirement	Identifier	Mark	Context
General quality criteria	1.1		Generally free of acronyms, jargon and is written in plain English. Most acronyms are explained in the text before they are used. No glossary of terms has been included, but this may be a reflection of the lack of technical terms used in this topic report.
	1.2		Internal referencing within the topic report and to other sections of the PAUP is reasonably clear; however, there were no references to the appendices. In particular, a reference to Appendix 3.22.1 would have been helpful in Section 1.5 to explain what was meant by “Future Urban Zone (or equivalent)”. A reference to Appendix 3.22.2 would have also helped in sections that referred to the modelling limitations of the initial lot yield (i.e. Sections 2.2.4, 3.1 and 3.2).
	1.3		Contents section prepared up front; however, headings are not always in a logical order. Final outcomes i.e. preferred objectives and policies are described well before any analysis is provided as to why they are the preferred option. For example, Section 1.9 – Proposed Provisions sets out the final adopted provisions before the justification is provided in Sections 3.1 and 3.2. Some topic headings do not fully reflect the content of their paragraphs, i.e. Section 1.3 – Significance of this Subject focuses on which two policy approaches are “significantly” different to the status quo approach, as opposed to why the Future Urban Zone approach is a “significant” issue in the context of the PAUP.
	1.4		The topic report contained a relatively high level of duplicated material in sections for an assessment of a reasonably narrow topic. Duplicated material include repetition of information and analysis approach (Section 1.6, expanded on in Section 5.1); consultation undertaken (Sections 1.7 and 5.2); and decision making (Sections 1.8 and 5.3). The risks of not acting are also repeated three times in Sections 2.2.4, 3.1 and 3.2. Neither of the alternative tables (in Sections 3.1 and 3.2) have headings. The tables are also lengthy and could have been summarised by cross referencing options rather than repeating the text again.

			It is also noted that the proposed provisions paragraphs (Sections 1.9 and 2.2.2) simply refer to each other for more detail, with neither paragraph providing sufficient detail independently.
	1.5		The topic report is clear that the Future Urban Zone provisions attracted feedback from 58 parties during the draft consultation stage. It is not clear who these parties were or if any parties were contacted specifically to comment on the Future Urban Zone provisions.
	1.6		Section 5.2 of the topic report makes it clear that the activity status of more than one dwelling per site in the Future Urban Zone was amended from Prohibited to Non Complying because of the feedback received. It is evident that the consultation process has influenced the final provisions. However, if a “prohibited” activity status was being considered as a viable option for multiple dwellings on a site, it could have been included as one of the alternatives identified in Section 3.2.
Scale and significance	2.1		<p>Sections 1.2 and 1.3 of the topic report specify that (a) development of Auckland’s 30-year supply of greenfield land is a significant resource management issue, and (b) that only the proposed policies that are significant shifts away from the legacy district planning provisions are considered in the s32 topic reports. The topic report is very specific that only provisions relating to subdivisions and multiple dwellings per site in the Future Urban Zone are “significant” enough to warrant a s32 analysis.</p> <p>It is noted that this narrow interpretation of “significance” as only relating to provisions that are a significant departure from the status quo is at odds with the intention of section 32(1)(c) of the RMA. Section 32(1)(c) doesn’t assume that the status quo could be the baseline for assessing what is a significant issue; instead all issues could be identified and the level of detail provided relevant to the scale and significance of identified effects. This has resulted in a narrow section 32 assessment only on subdivisions and multiple dwelling provisions, as opposed to the whole Future Urban Zone. It is not clear in the report why the other Future Urban Zone provisions have not been assessed.</p>
	2.2		Aside from a generic reference in Section 1 of the topic report to reading the report in conjunction with the s32 Report Part 1, there is no other reference to having a consistent approach with other s32 topic reports. However, it is noted that the generic approach of focusing only on “significant” shifts in policy compared to the status quo is consistent with the s32 Report Part 1. For comments on the appropriateness of this approach, see assessment against Criterion 2.1 in this table.
	2.3		Insufficient information due to general approach taken in most topic reports and the overall s32 evaluation that only significant matters are addressed.
Appropriateness of objectives to achieve the purpose of the Act	3.1		Section 1.2 broadly identifies the comprehensive planning and urban development of Auckland’s greenfield land as the relevant significant RMA issue being addressed by the Future Urban Zone provisions. The link between the proposed objective and achieving the purpose of the RMA (section 5) is clearly made in Section 2.2, albeit under a set of cascading headings ‘Objective – Unitary Plan District Level’; ‘Appropriateness of the Objective’; ‘Relevance’; and then ‘Achieving the Purpose of the Act’. However, the link between the proposed objective and Sections 6, 7 and 8 of the RMA is less clear as the report only includes assertions such as “It is considered that these matters of national importance are recognised and provided for by the objective”.
	3.2		Section 1.8 notes that an outcomes matrix was used as a basis for developing the Future Urban Zone provisions. As such, both Objective 2.3.4 and Objective 4.2 specifically state the outcome they are trying to achieve. The ‘Achievability’ subheading in Section 2.2 explicitly states that the Future Urban Zone provisions are within the scope of Council’s functions as a territorial authority.
	3.3		The only explicit reference to Part 2 of the RMA is at the front end of the topic report (in Section 2.2), although there is a general statement in the conclusion that the proposed provisions are the most appropriate way of achieving the sustainable management purpose of the RMA.
Appropriateness of provisions to achieve the objectives	4.1		<p>An assessment of alternatives has only been undertaken for certain methods (i.e. rules relating to subdivisions and multiple dwellings per site). No alternative policies have been suggested to achieve the identified Objective 4.2 (the only Future Urban Zone specific objective being assessed in this report).</p> <p>The proposed three alternative options for both the subdivision and the multiple dwelling rules are considered appropriate for the scale and significance of the issue.</p>

	4.2.1		The range of options investigated was more than just change vs the status quo. However, as already discussed in relation to Criterion 1.6 of this table, if a “prohibited” activity status was being considered as a viable option for multiple dwellings on a site, some it could have been included as one of the alternatives identified in Section 3.2.
	4.2.2		Each aspect of the “status quo” provisions was assessed as a separate alternative, as well as two new regulatory options per rule.
	4.2.3		Consultation influenced the range of options considered, as detailed in Section 5.2 of the topic report. However, rather than just informing the range of options, it also appears to have removed options from the proposed list (i.e. prohibited activity status for multiple dwellings on a site). It would have been more robust to leave this in as an option rather than discount it prior to the s32 analysis as a result of consultation.
	4.3		The topic report does not comment on aspects of the Future Urban Zone provisions that are not a significant departure from the “status quo”. As such, the report does not address which provisions have been “rolled over” from legacy Council documents, or why that choice was made.
Appropriateness of provisions to achieve the objectives (efficiency and effectiveness)	5.1		Two objectives have been identified as “significant” in relation to the Future Urban Zone; Objective 2.3.4 at an RPS level and Objective 4.2 at a district zone level. All policies and rules assessed in the topic report focus on meeting Objective 4.2, i.e. ensuring future urban development is not compromised by premature subdivision, use and development. The only comments in the topic report relating to achieving Objective 2.3.4 confirm that the Objective will be met by non-statutory methods as opposed to regulatory methods.
	5.2		<p>The efficiency and effectiveness of the proposed policies is assessed in Section 2.2.1 of the topic report. As only three policies are being reviewed, the paragraph assessing the efficiency and effectiveness of the policies is an appropriate length. It is noted that most of the analysis is based on the policies being “effective”; however, as no other alternative policies are proposed it is difficult to determine whether these policies are the most effective option.</p> <p>The efficiency and effectiveness of the proposed rules is assessed in the untitled tables provided in Sections 3.1 and 3.2 of the topic report. It is easier to compare the efficiency and effectiveness of the rule options as they are compared in the same table. The costs and benefits are also compared directly side by side.</p>
	5.3		The only provisions assessed in this topic report are those identified as “significant”; all other provisions have not been assessed. The costs and benefits associated with each of the proposed rule options have been identified, although the descriptions of the costs and benefits and why they have been identified are often not clear. Economic development and employment opportunities are not explicitly considered or recognised.
	5.4		The topic report identifies existing rural activities, Māori freehold title owners and current landowners as the parties who will bear the costs of various options. The topic report also identifies the environmental cost of removing the option to protect ecological areas by providing for more subdivision opportunities. No specific parties are identified as the recipients of the “benefits”, although there are some general references to the benefits associated with developing the land once it has a live urban zoning. None of the costs or benefits are assigned monetary values.
	5.5		It is not clear from the topic report what information has been used to determine the costs and benefits and the potential environmental, economic, social and cultural effects of the options. Sections 3.1 and 3.2 allude to “capacity modelling” and a comparison analysis of status quo provisions, but no signposts are provided to Appendices 3.22.1 and 3.22.2, which contain the relevant background reports.
	5.6		The analysis used to support the proposed provisions appears to be quite basic. The s32 topic report notes that capacity modelling of the Future Urban Zone alternatives is preliminary and will most likely need to be done again once the PAUP provisions are finalised. No signposts are provided in the report to the capacity modelling data in Appendix 3.22.1.
	5.7		Section 2.2.3 of the topic report states that no analysis has been conducted that monetises the costs and benefits of the Future Urban Zone policies and rules. No justification for this approach was provided. Furthermore, the report states in Section 2.2.3 that “it is not considered that the proposed policies have costs and benefits in their own right” and that only the costs and benefits of the rules have

			been considered in detail. This indicates that the cost benefit analysis has not been used effectively to guide the higher level policy direction and has only been used to justify which rules to use once the policy direction had been finalised.
	5.8		The topic report is clear in Section 2.2.3 that none of the benefits and costs have been monetised.
	5.9		No specific methodologies have been used as no monetisation exercise has been used.
	5.10		Not applicable as none of the benefits and costs have been monetised. All comparative assessment has been qualitative.
	5.11		The cost benefit analysis was qualitative, but the basis for assessment is not explicit and based on assertions. Identified costs and benefits are reasonably simplistic and often do not clearly state what the true “cost” or “benefit” is – instead they refer to an outcome and insinuate whether it is positive (benefit) or negative (cost). The opportunity cost of restricting landowners’ ability to develop their land for up to 30 years is rather dismissively termed as a “short-medium term cost”, and the report gives no sense of the relative scale or weight given to the different items identified as benefits and costs.
Restrictions greater than a NES	6.1		n/a
Sufficiency of information and risk	7.1		The topic report identifies that the capacity modelling data is preliminary and will need revisiting once the PAUP provisions are finalised. As such, a limitation of the report is that the final provisions were uncertain at the time of drafting and the modelling used as a basis is not likely to be robust. Also Appendix 3.22.1 which contains the modelling information is not signposted in the report.
	7.2		The risk of acting or not acting is stressed at multiple points throughout the topic report (Sections 2.2.4, 3.1 and 3.2, probably too repetitive). However, it is made clear that there is a significant risk of not acting as the interim development of Future Urban Areas prior to rezoning to “live” urban is likely to compromise the ability to plan the land in a comprehensive manner.
Summary of reasons	8.1		A summary of reasons is contained in Section 4 – Conclusions. This summary is simplistic and only restates preferred options. It could be improved by cross-referencing the sections of the report that supported the preferred provisions.
	8.2		Again, more signposting to other sections of the report would have been helpful, particularly in relation to the preferred objectives and policies. The simplistic approach to the summary of reasons is reflective of the fact that no alternatives were considered for the policies. It appears that the outcomes derived from the initial political workshops drove the higher level policy direction, which was then not evaluated against any part of the s32 analysis.

Source: NZIER and HG

C.11.3 Overall observations

Areas that work well:

- clear scope of topic report – explains from the outset that only two policy approaches are being assessed
- consultation clearly influenced the policy approaches that were assessed by the topic report, which demonstrated a feedback loop between consultation and policy formulation
- a range of rule options were considered, including three options from the legacy Council plans and two new regulatory options
- the potential risks associated with acting or not acting were emphasised at various points throughout the document, which provides both Council and the public with justification for using a precautionary approach
- the parties on which costs are likely to fall have been identified.

Areas where further analysis or information could assist:

- signposting within the topic report could be improved, particularly in relation to the appendices
- more evidence could have been included as to why the remainder of the Future Urban Zone provisions were not being assessed, as opposed to excluding them completely. This ties into the narrow interpretation of what is considered a “significant issue” in the topic report
- the two alternative activity statuses for multiple residential dwellings on a site (prohibited and non-complying) could have both been considered as alternatives in Section 3.2
- other potential policy directions could have been discussed, as opposed to just relying on the outcomes decided through the initial political workshop process
- more work could have been undertaken up front to ensure that the capacity modelling was more robust
- assessment of costs and benefits could be more explicitly framed in terms of:
 - relation to the purpose of the Act, sustainable management and enabling of communities to provide for well-being while observing environmental constraints, which gives direction to the current objective 2.3.4 of development ... in an orderly, timely and planned manner, which is insufficient to demonstrate sustainable management (degradation can also be orderly, timely and planned)
 - distinction between real resource effects - such as the opportunity cost of precluding or deferring the realisation of development value - and aspirational criteria such as consistency with PAUP directives, the resource implications of which are indeterminate and dependent on implementation;
 - the relative scale and significance of effects being listed as costs and benefits, such as the number or area of properties facing opportunity cost from development forgone, the area of Māori freehold title thus affected, and the extent of potential ecological area that would be precluded from protection by the prohibition of subdivision with conditions attached
- quantitative assessment, based on a monetisation methodology, could have been used in some areas to supplement the qualitative assessment provided, for instance in the comparison of current development forgone (762 dwellings) and future development enabled (99,661 dwellings over 30 years) under the current proposed plan, where the value of development is critically dependent on its timing over the long time-frame.

C.12 Strategic Transport Corridor zone (s32 report 41)

C.12.1 Description

The subject matter of this topic report is the application of the Strategic Transport Corridor zone to state highways and rail corridors, although the report does consider alternative options to providing a specific zoning for these corridors. The purpose of the Strategic Transport Corridor zone is to provide for state highways and rail corridors within the Auckland region to be:

- developed and used for a wide range of activities associated with the transportation of people and goods
- used as a single, integrated transport system operated by more than one agency
- used for interim non-transport related activities that do not undermine the future use of the corridor for transport purposes.

The report is closely linked to several other s32 topic reports, and these are listed in Section 1.10 of the Strategic Transport Corridor zone s32 topic report.

C.12.2 Context

Table 15 Strategic Transport Corridor Zone

Statutory requirement	Identifier	Mark	Context
General quality criteria	1.1		Generally free of acronyms, jargon and is written in plain English. Some acronyms are explained in the text before they are used (i.e. Strategic Transport Corridor Zone (STCZ)) but others such as NZTA, BEU and AT are used without an explanation. A glossary of technical terms such as designations and list of acronyms would have been beneficial.
	1.2		Sections 5.1 and 5.2 of the report list all documents and consultation material that was used to inform the s32 evaluation and seven of the listed documents are attached as appendices. However, there is little referencing within the topic report to these documents so it is unclear when these documents have been relied upon. Sections of the PAUP were generally referenced well within the text, particularly at the beginning of Section 2.1. The listing of all relevant RPS level and district level objectives at the beginning of this section set out the scope of the topic report well.
	1.3		Headings are not always in a logical order. Final outcomes i.e. preferred objectives, policies and rules are described well before any analysis is provided as to why they are the preferred option. For example, Section 1.9 – Proposed Provisions sets out the final adopted provisions before the justification is provided in Section 3. There are also several errors that could have been remedied prior to release, including an erroneous footnote on p5 and an incomplete paragraph in Section 2.1.3.
	1.4		The topic report contained minimal duplication of sections as all preferred objectives were assessed as a single package to avoid repetition of assessment. As previously mentioned in relation to Criterion 1.2, referencing within the topic report to information relied upon could be improved (as opposed to just listing all relevant documents at the end of the report).
	1.5		There are two consultation sections in the topic report (Sections 1.7 and 5.2). These sections clearly state which parties were consulted with during the preparation of provisions (KiwiRail, Auckland Transport, NZTA, Auckland Council internal departments) and include a list of personnel who were involved. Copies of provision reviews are included as appendices, which helps the reader to

Statutory requirement	Identifier	Mark	Context
			determine which provisions were amended through the consultation process.
	1.6		It is not clear from the topic report what aspects of the final preferred approach were influenced by the consultation process, but it appears that it may have resulted in a more balanced approach between costs to heavy industry and sensitive activities, as opposed to placing most of the burden on heavy industry. The evidence of this consultation was not provided to the Council or the public as key documents such as the survey data have not been included as appendices.
Scale and significance	2.1		Section 1.3 is titled “Significance of this Subject”, but the wording is an explanation of how the Strategic Transport Corridor zone works, not why strategically managing both motorway and rail corridors together is a significant issue. The topic report assumes that this is an issue that needs addressing because it was raised by both KiwiRail and NZTA during consultation, but no other justification has been provided for the implementation of preferred provisions.
	2.2		Aside from a generic reference in Section 5.3 of the topic report, referring the reader to the “General Decision-making” process part of the s32 report, there is no other reference to having a consistent approach with other s32 topic reports.
	2.3		Insufficient information due to general approach taken in most topic reports and the overall s32 evaluation that only significant matters are addressed.
Appropriateness of objectives to achieve the purpose of the Act	3.1		Section 1.2 identifies that the relevant resource management issues being addressed by the Strategic Transport Corridor zone are the PAUP Issues 1 and 2: enabling quality urban growth and enabling economic well-being. These issues are quite broad and generic, so it is difficult for the reader to determine what ‘transport’ related issues the proposed zone is meant to address. The link between the proposed objectives and achieving the purpose of the RMA (Part 2) is more clearly stated in Section 2.1, with a detailed analysis of how the proposed provisions give effect to Section 5 and recognise and provide for Section 6 matters of the RMA.
	3.2		The objectives are not linked specifically to outcome statements, although the description of the “Strategic Transport Corridor zone” purpose in Section 1.9 does describe the intended outcomes of the zone. In terms of scope of Council’s powers, the “Achievability” sub-section in Section 2.1 of the topic report states that the RPS and District level objectives are consistent with the Council’s powers as both a regional council under s30(1) and a district council under s31(1)(a) and (b) respectively of the RMA.
	3.3		Although the “Achieving the Purpose of the Act” section of the topic report assesses the preferred option against all the sections in Part 2 of the RMA, there is no overall broad judgement made as to whether the preferred option is the <u>most appropriate</u> in terms of meeting the purpose of the Act. The conclusion section of the topic report does not make an overall broad judgement against Part 2 matters and Part 2 is not mentioned in Section 3 – Alternatives.
Appropriateness of provisions to achieve the objectives	4.1		Four potential options have been considered to manage strategic transport corridors in an efficient and effective manner. The number of options considered is appropriate for the scale and significance of the issue, although it is noted that Alternatives 1 and 2 are simply the status quo option split into two parts and implemented on their own. No completely different alternative has been compared against the Preferred Alternative.
	4.2.1		The range of options investigated was more than just change vs the status quo. However, as already discussed in relation to Criterion 4.1 of this table, Alternatives 1 and 2 are simply variations of the status quo provisions as opposed to completely different alternatives in their own right. The topic report presumes that only variants of zoning are feasible without testing them against other options, like preparing an external partnership agreement outside the PAUP between NZTA and KiwiRail.
	4.2.2		The “status quo” provisions in the legacy Council plans (both regional and district) are explained reasonably clearly and are compared against the Preferred option as the “Status quo” and Alternatives 1 and 2.

Statutory requirement	Identifier	Mark	Context
	4.2.3		It is clear that consultation with NZTA and KiwiRail influenced the selection of the Preferred option, as Section 1.7 states that the Strategic Transport Corridor zone was suggested by these parties. It also appears that consultation with Auckland Transport resulted in the proposed zone only being applied to state highways and rail corridors as opposed to the local road network. The contribution of consultation to the final wording of the preferred provisions is also transparent as the attached appendices include comments and revisions of the provisions by external parties.
	4.3		As the preferred option is a completely new zone, no existing provisions are being rolled over or amended. A rationale for change is provided in Section 2.1.2, which argues that a dedicated transport 'zone' provides greater flexibility for the development of corridors outside the scope of existing designations, as well as a more consistent management approach region wide than was achievable under the legacy planning documents.
Appropriateness of provisions to achieve the objectives (efficiency and effectiveness)	5.1		Section 2.1.1 describes how the proposed policies give effect to the proposed objectives. The proposed policies appear to cover the full scope of all RPS and district level objectives assessed, although the links between the policies and objectives could have been described in more detail.
	5.2		<p>The whole topic is identified as being a "significant issue" by virtue of the fact that it has its own topic report. The efficiency and effectiveness of the proposed policies are not assessed specifically, as Section 2.1.1 is more of a description of the policies and how they work as opposed to an efficiency and effectiveness assessment. Also, as no other alternative policies are proposed it is difficult to determine whether the policies are the most effective option.</p> <p>The efficiency and effectiveness of the proposed rules are assessed in the table provided in Section 3 of the topic report. The effectiveness assessment is clear, however the efficiency assessment is only a single line stating whether the costs or the benefits of each alternative have more weight – this efficiency conclusion is not justified by any further assessment. Given that the topic report covers a new zone that will impact on a large number of strategic transport routes across the region, a more detailed efficiency assessment could have been prepared.</p>
	5.3		<p>As discussed previously in the assessment of Criterion 5.2 of this topic report, the whole topic is identified as being a "significant issue" by virtue of the fact that it has its own topic report. However, the description of the scale of potential effects is uneven across alternatives, making it difficult to compare them.</p> <p>The costs and benefits associated with each of the proposed rule options have been identified in the alternatives table in Section 3. The costs are clearly described, i.e. increased consenting costs/risks, the creation of underlying zones not supportive of transport use, the requirement to rezone land etc. The benefits identified include providing for interim land uses, improving certainty, supporting an integrated multi-modal transport system and reducing consenting costs. However, the costs and benefits assessment does not comment on implications for employment opportunities or economic growth and does not specifically identify the environmental, economic, cultural and social costs and benefits of the alternative options (the preferred option is discussed in this manner in Section 2.1.3).</p>
	5.4		The topic report does not specifically identify the recipients of identified costs or benefits, except it is noted that Alternatives 1 and 2 will not support NZTA and KiwiRail's roles as providers of inter-regional connections. No mention is made of potential costs to Council or the private sector.
	5.5		The topic report does not include consideration of economic growth and employment effects and does not identify what information was used to determine the costs and benefits. As stated above in relation to Criterion 5.3, the potential environmental, economic, social and cultural effects of the alternative options are not identified. The only technical advice received on this topic material was legal advice from Brookfields, which is appended to the topic report. It appears that all other decisions were made based on consultation with both internal and external transportation agencies and a review of legacy provisions.

Statutory requirement	Identifier	Mark	Context
	5.6		The topic report identifies that there are mapping deficiencies due to inaccurate designation maps and that there are potential unknown consequences relating to the proposed definition of “Transport Storage Yards”. It is concluded that there is sufficient information on which to support the proposed policies and rules, but it is not clear the extent of the risk associated with the inaccurate mapping.
	5.7		Section 2.1.3 of the topic report states that the description of the costs and benefits is provided in a qualitative rather than a quantitative manner. No justification for this approach has been provided.
	5.8		The topic report is clear in Section 2.1.3 that none of the benefits and costs have been monetised.
	5.9		No specific methodologies have been used as no monetisation exercise has been used.
	5.10		Not applicable as none of the benefits and costs have been monetised. All comparative assessment has been qualitative.
	5.11		A qualitative cost benefit analysis was undertaken. Identified costs and benefits are reasonably simplistic; it is not clear how to weigh up the qualitative assessments against each other, particularly as the comparison table in Section 3 is not broken down into environmental, economic, social and cultural costs and benefits for easy comparison. It would have been helpful to tabulate the expected costs and benefits across options in such a way that highlights the assumptions behind the expectation, for instance identifying effects on NZTA, KiwiRail, Council and third parties in a way that makes it clear whether one option has bigger or smaller effect than others on each of these parties.
Restrictions greater than a NES	6.1		n/a
Sufficiency of information and risk	7.1		The topic report does identify that there is uncertainty around the accuracy of designation mapping and that the implications of the “Transport Storage Yard” definition are unknown. Although there is a general assertion that the information was sufficient to support the proposed provisions, no justification for this reasoning is provided. It is also unclear as to whether the final decision makers were aware of the information deficiencies at the time they decided on the final proposed provisions.
	7.2		The risks of acting or not acting are mentioned in Sections 2.1.4 and 3; however, these are general risks of acting or not acting, rather than risks associated with taking action or not acting on the basis of insufficient information.
Summary of reasons	8.1		A conclusion is provided in Section 4, however it simply states that Alternative 3 is the recommended option and lists the recommended provisions. It does not include a value judgement as to why Alternative 3 is the most appropriate way of achieving the proposed objectives.
	8.2		More signposting to other sections of the report would have been helpful, particularly in relation to the key sections of the report that drove the final conclusions.

Source: NZIER and HG

C.12.3 Overall observations

Areas that work well:

- consultation appeared to influence the policy approaches that were assessed by the topic report and the influence of that consultation was transparent due to the inclusion of review documents as appendices

- the referencing to relevant sections of the PAUP, including exactly where to find the preferred objectives, was helpful to the reader
- the topic report considered more than just the preferred alternative and the status quo
- the topic report was reasonably succinct and did not contain large amounts of repetition.

Areas where further analysis or information could assist:

- signposting within the topic report could be improved, particularly in relation to the appendices and to the sections of the report that the conclusion was based on
- errors (incomplete sentences, incorrect footnotes) could be remedied
- a more comprehensive conclusion could have been prepared, including an overall broad judgement as to whether the preferred option is the most appropriate in terms of meeting the purpose of the Act
- the costs and benefits of the proposed alternatives could have been assessed in terms of the environmental, economic, social and cultural effects. An analysis of the potential employment and economic development opportunity costs and benefits could also be included
- even without a full quantification and monetisation of effects, the cost benefit analysis could be reframed to better highlight the expected future outcomes under the different options, each option's effects on different parties, and the implicit trade-offs in preferring one option over others.

C.13 Crossings on arterial roads (s32 report 42)

C.13.1 Description

The topic report addresses the objectives, policies and rules relating to the provision for vehicle access onto arterial roads. Arterial roads include motorways, strategic, primary and secondary roads. The topic report considers both RPS and District Plan provisions. The topic report considers that the manner in which vehicle access is provided to arterial roads has implications for the issues of enabling quality urban growth and well-being.

C.13.2 Context

Table 16 Crossing on arterial roads

Statutory requirement	Identifier	Mark	Context
General quality criteria	1.1		The paper is written in plain English and easy to follow. Acronyms were explained. Some minor errors include “are outlined in [section] 3.” P14 para 3.
	1.2		The topic report provides a general description of the information and analysis used for each section. It references the appropriate reports (Section 1.6 p4). While links to related background reports are well signposted in Section 5.1, they are not well signposted in Section 1.6. That is the reader is not aware that the two reports mentioned are appendices until the end of the report.
	1.3		The topic report structure is broadly logical, with the evaluation beginning with the RPS policies and proceeding to the zone provisions. The report headings follow the standard Council template. Within its text, the topic report includes clear links to the relevant PAUP provisions being evaluated.
	1.4		The topic report is relatively short, providing adequate coverage of the evaluation. Cross-referencing to other topic reports is done satisfactorily. There is some duplication, particularly in the table on p15.
	1.5		The topic report sets out a brief section on consultation (Section 1.7 p4). Specific feedback is also set out in Sections 1.7 and 5.2. However, the linkages between consultation, the s32 evaluation and decision making is not well explained.
	1.6		There is a brief section on decision-making (Section 1.8 p5). The topic report does not make clear how the consultation feedback contributed to this decision making process. A few more explanatory sentences would have scored this criterion much higher (assuming that decision makers were informed of the consultation outcomes).
Scale and significance	2.1		The topic report addresses the significance of the subject material in Section 1.3. It relates the assessment of significance back to the criteria in the s32 Report Part 1 (being degree of shift from the status quo). It also comments on the relevance of the subject matter to social and economic benefits but does not comment on the significance of these matters. No commentary is made in relation to the “scale” of the effects of the provisions, i.e. how widespread their effect will be. It is considered that this might have been something that would be relevant given the geographic nature of the subject matter, i.e. the distribution of arterial roads.
	2.2		The process for determining the significance of this subject incorporates reference to the criteria set in the s32 Report Part 1 (i.e. degree of change from the status quo). It also incorporated other matters such as the significance and sensitivity of the physical resource involved. These are legitimate considerations, but are not signalled in the approach established in the s32 Report Part 1.
	2.3		The subject matter is identified as being of low to moderate significance. But there is a detailed evaluation of the subject in the topic report.
Appropriateness of	3.1		The evaluation of objectives is thorough and follows the headings consistently used in other topic reports. The relevance of the

Statutory requirement	Identifier	Mark	Context
objectives to achieve the purpose of the Act			objectives to the resource management issues is explicitly addressed. However, the assertion that the objectives address the resource management issue is not supported.
	3.2		The evaluation of the objectives is linked to the intended outcomes, i.e. being an effective, efficient and safe transportation system and quality public spaces / urban development. Achievability and relevance to Council functions are specifically addressed.
	3.3		An overall broad judgement is made in relation to Part 2 of the RMA, and this is relatively well supported.
Appropriateness of provisions to achieve the objectives	4.1		The range of options (4) is considered proportionate to the scale and significance of the proposal. The assessment that it is of low-moderate significance suggests that relative to issues considered to be of greater significance the number of options is high. Note that the option identified in consultation is not considered, nor is there an explanation of why it is not worth evaluating.
	4.2.1		The range of options is well beyond a simplistic binary consideration.
	4.2.2		The status quo is well explained. It may have benefited however from inclusion of specific examples of provisions.
	4.2.3		The topic report does not identify how consultation was used to inform the selection of options or their evaluation. Based on the description in Section 1.7, it in fact appears that a stakeholder identified an alternative (controlled activity status) but this has not been evaluated and no reason is provided regarding why it has not been evaluated.
	4.3		The proposed approach represents a change from the status quo. The rationale for this change is well explained.
Appropriateness of provisions to achieve the objectives (efficiency and effectiveness)	5.1		There is only a brief (and not well-supported) evaluation of whether the option achieved the scope of the objectives in the table in Section 3.
	5.2		The assessment of efficiency relies on the assertion that benefits outweigh the costs in the preferred option. These assertions are not supported by references (see table, preferred option p15). Effectiveness relies on assertions as well (see p15).
	5.3		The disclosure of costs and benefit is not transparent. The topic report identifies the nature of some costs but nothing that addresses the relative magnitude and significance of those costs.
	5.4		The recipients of the costs and benefits are not identified (insufficient information).
	5.5		The topic report asserts that the matter to be addressed was not subject to any particular political working party decisions. Consequently, no information on costs and benefits was provided to decision makers.
	5.6		The topic report asserts that the information available was sufficient (see Section 2.1.4). Yet the provisions will have no measurable effect on economic growth and employment (p14 para 4). However, we are told in Section 1.3 that there are economic benefits and these are detailed in the table on p15.
	5.7		The topic report does not identify a methodology for determining whether it is practicable to quantify and monetise costs and benefits. A simple statement that the costs and benefits are described qualitatively is provided with no explanation why this approach has been chosen.
	5.8		See Section 5.7.
	5.9		See Sections 5.7 and 5.8.
	5.10		See Sections 5.7.
	5.11		The topic report provides a qualitative assessment of costs and benefits. This is generally satisfactory; however, in some instances the robustness of this evaluation is limited e.g. the assertions are made with little back up (see p16 and p17) The costs and benefits could

Statutory requirement	Identifier	Mark	Context
			have been tested by references or supported by experience elsewhere. Also, assertions could have been tested with stakeholders e.g. understanding how stakeholders saw the costs and benefits may have better informed the identification and quantification of the costs and benefits.
Restrictions greater than a NES	6.1		n/a
Sufficiency of information and risk	7.1		As noted, the topic report asserts that the information available was sufficient, see Section 2.1.4. However, it then asserts that these costs and benefits are not measurable. It does identify what those costs and benefits are in the alternative provisions and sets out the risks (although the risks are the same for each alternative except for the preferred option which has no risks, p17).
	7.2		The risk of acting in light of no quantified or monetised costs and benefits is not specifically addressed.
Summary of reasons	8.1		The conclusion provides a summary of the rationale for the decision maker to adopt the requirement for crossings on arterial roads. This is satisfactory. It is noted that this does not specifically address Part 2 RMA matters.
	8.2		There is little information on the analysis process and information provided to decision makers, although the reader is told that the report was presented internally and externally with little comment (Section 1.7 p4 and 5).

Source: NZIER and HG

C.13.3 Overall observations

Areas that worked well:

- the topic report is generally well written, its structure is broadly local (e.g. headings follow standard template) and is easy to read
- the status quo is satisfactorily described
- the evaluation of objectives is thorough and uses the headings consistently as per the other topic reports
- the identification of options is well addressed, possibly more so than required.

Areas where further analysis or information could assist:

- consultation is described but it is not clear how the feedback influenced decision makers or the s32 evaluation
- the evaluation of provisions relies on assertions that tend not to be supported
- no attempt is made to quantify or monetise costs and benefits, and the reasons for this approach are not explained
- the type of costs and benefits are identified but their relative value is not clearly explained
- the risks associated with insufficient or uncertain information are not addressed.

C.14 Air quality buffers – heavy industry (s32 report 45)

C.14.1 Description

The subject matter of this topic report is the provision of air quality buffers around heavy industry. The buffer areas have been introduced to:

- avoid locating incompatible activities next to each other
- minimise reverse sensitivity effects on heavy industry areas
- manage risk around future investment in heavy industry areas and growth of more sensitive areas around existing heavy industry.

The topic report focuses solely on using a buffer distance or setback area as a tool for achieving the air quality outcomes sought. The presumption of the topic report, as outlined in the 'Overview and Purpose' section is that some form of buffer is the most appropriate method for separating heavy industry from sensitive land uses. This has directly influenced the range of options considered and evaluated.

The report is closely linked to several other s32 topic reports, and these are listed in Section 1.10 of the Air quality buffers – heavy industry s32 topic report. Several of these other s32 topic reports have also been included in this audit.

C.14.2 Context

Table 17 Air quality buffers – heavy industry

Statutory requirement	Identifier	Mark	Context
General quality criteria	1.1		Generally free of acronyms, jargon and is written in plain English. Most acronyms are explained in the text before they are used. Planning terminology phrases such as 'reverse sensitivity' are explained in full within the text. No glossary of terms has been included, but this may be a reflection of the lack of technical terms used in this topic report.
	1.2		Internal referencing within the topic report, referencing to expert reports for sources of data and references to other sections of the PAUP are sporadic. In particular, the source of the preferred 500m buffer distance is not referenced once in the topic report, although it is clear from reading Appendix 3.45.2 that the source is the Emission Impossible report. Footnotes have been used in some cases to refer to expert reports where they have been relied upon; however, it would have been helpful if more of these reports had been included as appendices (particularly Cole (2012) and the Auckland Council survey data). All appendices within the topic report are referenced incorrectly (3.44.X as opposed to 3.45.X), which appears to be a result of the headings being renumbered from the initial draft list. Figures are also used inconsistently throughout the report; e.g. Section 2.1.2 of the topic report states potentially 1,433 houses will have reduced capital gains as a result of the "Sensitive Activities Restriction Overlay", while the rule assessment table in Section 3 states the number of houses is 2,998. No reference is provided for how these numbers were calculated.
	1.3		Headings are not always in a logical order. The preferred objective and policies are described in detail before the analysis e.g., Section 1.9 – Proposed Provisions sets out the final adopted provisions before the justification is provided in Section 3. Headings are not always in a logical order.
	1.4		Considering the narrow subject assessment of this topic report, the report contained a lot of duplicated material. This may be a result of the initial template used. Duplicated sections include repetition of consultation undertaken (Sections 1.7 and 5.2); and decision

Statutory requirement	Identifier	Mark	Context
			making (Sections 1.8 and 5.3). The risks of not acting are also repeated twice in Section 2.1.3 and the table in Section 3. The alternative table is also lengthy and could have been more effectively summarised by cross referencing options rather than repeating the text again. The statement of issues in section 1.1.1 and 1.2 could be more succinct.
	1.5		There are two consultations in the topic report (Sections 1.7 and 5.2). It appears that consultation was in the form of a Council initiated survey (no copy provided with report), feedback on the draft Auckland Unitary Plan and direct consultation with local boards and industry representatives. Section 1.7 states that the proposed approach was amended as a result of the feedback, but it is not clear what the original approach was.
	1.6		It is not clear from the topic report what aspects of the final preferred approach were influenced by the consultation process, but it appears that it may have resulted in a more balanced approach between costs to heavy industry and sensitive activities, as opposed to placing most of the burden on heavy industry. The evidence of this consultation was not provided to the Council or the public as key documents such as the survey data have not been included as appendices.
Scale and significance	2.1		As this topic report only focuses on one issue (separation of heavy industry from sensitive activities), no identification of particularly “significant issues” has been undertaken. The heavy industry air quality issue has obviously been deemed “significant” as it has its own topic report. However, it is not explicitly explained why this air quality issue has been elevated above other air quality issues, such as domestic fires or vehicle emissions. Section 1.3 indicates that the issue has been identified as “significant” due to the failure of the legacy plans to effectively integrate land use and air quality provisions to prevent encroachment of heavy industry land by sensitive activities. It is as much about preserving space for emitting industries as about amenity and health, but there is no indication of any analysis of the future demands of emitting industries in the locations identified.
	2.2		Aside from a generic reference in Section 1 of the topic report to reading the report in conjunction with the Part 1 s32 report, there is no other reference to having a consistent approach with other s32 topic reports.
	2.3		Insufficient information due to general approach taken in most topic reports and the overall s32 evaluation that only significant matters are addressed.
Appropriateness of objectives to achieve the purpose of the Act	3.1		Section 1.2 identifies that the relevant RMA issues being addressed by heavy industry air quality provisions are the lack of heavy industry land, the resulting co-location of incompatible activities, the encroachment of sensitive uses into heavy industrial areas and the long-term uncertainty for heavy industry due to changing amenity expectations. The link between the proposed objectives and achieving the purpose of the RMA (Part 2) is clearly made in Section 2.1, with reference to relevant clauses of Sections 5 and 7 of the RMA.
	3.2		The objectives are not linked specifically to outcome statements, although it is noted that the objectives themselves are phrased as “outcome statements”. However, Section 2.1 does summarise the intention of the objectives as “to use zoning (land use) provisions to separate heavy industry from sensitive land uses to improve amenity and reduce risk”, which could be read as an overall outcome statement. In terms of scope of Council’s powers, Section 2.1 of the topic report also states that integrating land use and air quality provisions is within the powers of Auckland Council as a unitary authority.
	3.3		The alternative provisions table in Section 3 evaluates the appropriateness of each option against how well it promotes the purpose of the RMA (Part 2). Repetition of the wording from this table in Section 2.1 of the report could indicate that the evaluation of methods informed the evaluation of objectives. However, the conclusion in Section 4 does not make an overall broad judgement as to whether the preferred approach promotes the purpose of the RMA.
Appropriateness of	4.1		Four potential options have been considered to effectively separate heavy industry from sensitive activities. The number of options

Statutory requirement	Identifier	Mark	Context
provisions to achieve the objectives			considered is appropriate for the scale and significance of the issue, although it is noted that Alternatives 1 and 2 are simply the Preferred Alternative split into two parts and implemented on their own. No completely different alternative has been compared against the Preferred Alternative.
	4.2.1		The range of options investigated was more than just change vs the status quo. However, as already discussed in relation to Criterion 4.1 of this table, some of the options are just slightly different versions of the Preferred Option as opposed to completely different alternatives in their own right. The topic report presumes that only variants of zoning are feasible without apparently testing them against other options, like setting variable standards aligned to the nature of emitting activities and their surroundings.
	4.2.2		The “status quo” provisions in the legacy Council plans (both regional and district) are not explained in any detail. The alternatives table in Section 3 simply states that retaining eight different sets of provisions would be infeasible and that the legacy provisions are not working efficiently right now. As such, it is difficult to compare the Preferred Alternative with the status quo. Reference to the comparison of legacy documents prepared by Val Cole (2012) would have been helpful and the comparison could have been included as an appendix.
	4.2.3		Consultation influenced the range of options considered, as detailed in Section 5.2 of the topic report. However, it is not clear what the original “preferred option” was that was circulated for feedback in the PAUP. Section 1.7 states that consultation influenced the notified version of the provisions but is not clear on how.
	4.3		As the preferred option is a completely new suite of provisions, no existing provisions are being rolled over or amended. A rationale for change is provided in the inconsistency of the previous eight separate plans and the assertion that they had not worked in preventing encroachment of sensitive activities into close proximity to industrial sites. The question of whether a structural solution (uniform buffer zones) or an operational one (more uniform enforcement) would be most effective is not discussed.
Appropriateness of provisions to achieve the objectives (efficiency and effectiveness)	5.1		The relevant objectives are to avoid adverse health and amenity effects, separate incompatible land uses and preserve existing heavy industrial areas. The pair of proposed reciprocal buffer areas, imposing setbacks on both heavy industry zones and sensitive zones meets these objectives.
	5.2		<p>The whole topic is identified as being a “significant issue” by virtue of the fact that it has its own topic report. The efficiency and effectiveness of the proposed policies is not assessed specifically, as Section 2.1.1 is more of a description of the policies and how they work as opposed to an efficiency and effectiveness assessment. Also, as no other alternative policies are proposed is it difficult to determine whether the policies are the most effective option.</p> <p>The efficiency and effectiveness of the proposed rules is assessed in the table provided in Section 3 of the topic report. The efficiency and effectiveness of the provisions is assessed in an acceptable level of detail. It is relatively easy to compare the efficiency and effectiveness of the rule options as they are all compared in the same table.</p>
	5.3		<p>As discussed previously in the assessment of Criterion 5.2 of this topic report, the whole topic is identified as being a “significant issue” by virtue of the fact that it has its own topic report. However, the description of the scale of potential effects is uneven across alternatives, making it difficult to compare them.</p> <p>The costs and benefits associated with each of the proposed rule options have been identified in the alternatives table in Section 3. The costs are clearly described, i.e. reduced capital gains, industry compliance costs and environmental costs in terms of lost amenity or potential health effects. The benefits identified include long-term economic growth and employment, as well as less reverse sensitivity effects and increased security of heavy industry land supply. The descriptions are clear and logical, but it would be helpful to describe the continuation of the status quo more fully as this is as the counter-factual in this comparison of options.</p>
	5.4		The topic report identifies existing heavy industry activities and private property owners within Sensitive Activity Restriction areas as the parties on whom the costs of various options will fall on. No environmental costs are identified, i.e. ongoing reductions in air

Statutory requirement	Identifier	Mark	Context
			quality could have been identified as a cost in its own right, not just related to how people experience it. Non-resident visitors to the areas affected by air quality changes do not appear to have been considered. The parties that will benefit from the proposal again include heavy industry and private property owners. None of the costs or benefits have been assigned monetary values.
	5.5		The topic report does include consideration of economic growth and employment effects, but is not very clear on what information has been used to determine the costs and benefits and the potential environmental, economic, social and cultural effects of the options. Most of the analysis appears to be based on issues with the legacy provisions (as analysed in the Cole report) and identification of potential options as prepared in the Emission Impossible report (Appendix 3.45.2) Neither of these reports is referenced in the alternatives table and the Cole report is not available as an appendix.
	5.6		The topic report does not identify gaps in the data or specify caveats. Potential gaps could have been lack of specific consultation with local boards and industries in areas outside of Otahuhu and a narrow analysis of options based on legacy Council documents and effectively only one other option.
	5.7		Section 2.1.2 of the topic report states that no analysis has been conducted that monetises the costs and benefits of heavy industry - air quality buffer rules and policies. No justification for this approach has been provided, despite the fact that increased economic growth, employment opportunities and capital gains loss could all be assessed in a quantitative manner. There is some quantitative information on some alternatives but it is not clear why only a qualitative analysis has been undertaken.
	5.8		The topic report is clear in Section 2.1.2 that none of the benefits and costs have been monetised.
	5.9		No specific methodologies have been used as no monetisation exercise has been used.
	5.10		Not applicable as none of the benefits and costs have been monetised. All comparative assessment has been qualitative.
	5.11		A qualitative cost benefit analysis was undertaken. Identified costs and benefits are reasonably simplistic; it is not clear how to weigh up the qualitative assessments against each other. It would be helpful to provide in a summary table some quantitative ranges or point estimates of differences in key parameters between the options considered, for instance the areas available for emitting industries and for housing created by the differences in buffer zone. Even in the absence of full quantification this would provide more transparency to the comparison than the uneven description of options in the current table. Some discussion of future demand for emitting industries in the specified locations would also be useful in evaluating the effectiveness of the buffer.
Restrictions greater than a NES	6.1		Note however that although the preferred option does not introduce provisions that are more stringent than an NES, it would have been appropriate to flag that a NES Air Quality is in effect. An assessment as to whether the preferred option is consistent with its content would have been appropriate.
Sufficiency of information and risk	7.1		The topic report does not identify instances where the information relied upon is incomplete or uncertain. There is no section on the limitations of the information being relied upon.
	7.2		The risk of acting or not acting is stressed at multiple points throughout the topic report (Sections 2.1.2, 2.1.3 and Section 3) and is emphasised again in the conclusion. There is more emphasis on risks of not acting than on risks of acting (e.g. of precluding compatible development by excluding it from certain locations, or the risk of setting a one-size-fits-all 500m buffer setting aside too much land for the sorts of industries likely in future at the specified locations).
Summary of reasons	8.1		A summary of reasons is contained in Section 4 – Conclusions. It is more than just a list of preferred provisions as it clearly summarises how the costs and benefits of options influenced the preferred alternative, how the preferred alternative meets the chosen objectives and the risks identified with the options not chosen.

Statutory requirement	Identifier	Mark	Context
	8.2		More signposting to other sections of the report would have been helpful, particularly in relation to the key sections of the report that drove the final conclusions.

Source: NZIER and HG

C.14.3 Overall observations

Areas that work well:

- topic report has a clear scope – explains from the outset that only buffer areas will be considered as an option
- consultation appeared to influence the policy approaches that were assessed by the topic report, which demonstrated a feedback loop between consultation and policy formulation
- the topic report included appendices that were referenced within the document and were mostly relevant to the report content
- the potential risks associated with acting or not acting were emphasised at various points throughout the document, which provides both Council and the public with justification for using a precautionary approach
- the parties on which costs and benefits are likely to fall have been identified.

Areas where further analysis or information could assist:

- signposting within the topic report could be improved, particularly in relation to the appendices. More of the relevant data referred to in the topic report could have been included as appendices
- referencing errors (i.e. inconsistent data figures used, appendices references incorrect) could be remedied
- more justification could have been included as to why buffer areas (and variations on this theme) were the only real alternatives considered. This effectively limited the scope of the topic report more than was probably required from the outset
- other potential policy directions could have been discussed, as opposed to just relying on the outcomes decided through the initial political workshop process
- some quantification of the expected outcomes under the different options could be used to illuminate the choices and reasons behind preferring one option over others
- even without full quantification and monetisation of effects, a cost benefit assessment could be reframed to better highlight the expected future outcomes under the different options, each option's effects on different parties, and the implicit trade-offs in preferring one option over others.

C.15 Intermittent streams and riparian margins (s32 report 48)

C.15.1 Description

The intermittent streams and riparian margins topic paper examines the policy changes in the PAUP that will improve the status of intermittent streams and riparian margins by extending:

- the management of freshwater systems to include intermittent streams and riparian margins
- rural and urban riparian yards to include intermittent streams.

While the PAUP provisions quoted and referenced in the topic report cover all streams and other water bodies, the focus of the evaluation is on only the proposal as it relates to intermittent streams and riparian margins. The broad justification for this is that provisions as they relate to permanent stream and other water bodies are effectively unchanged from the status quo.

The resource management issue that the provisions seek to address is the loss of intermittent streams and riparian margins (and their associated values) under the existing permissive regime.

C.15.2 Context

Table 18 Intermittent streams and riparian margins

Statutory requirement	Identifier	Mark	Context
General quality criteria	1.1		The topic report is written in plain English, with limited use of jargon.
	1.2		The topic report clearly identifies the information used in the evaluation. This is well signposted and includes a thorough bibliography. There is one statement regarding further information on consultation and engagement that is not signposted (p12 para 1). Explanations are also given for terms such as “flashiness of flows”. However, terms such as holistic management need to be defined (p5 para 2).
	1.3		The topic report follows a logical structure which is easy to understand.
	1.4		The information in the topic report is concisely presented. The material on the higher order statutory, resource management and planning documents may have usefully been included in an appendix (e.g. material on p5 – 8).
	1.5		Sections 1.8 and 5.2 provide a high level overview of the consultation relevant to the subject matter of the topic report. More clarity could have been provided on who was present at the meetings, particularly whether those present included the key recipients of the costs and benefits of the provisions. Whether these groups represent all stakeholders is not known. The link to further details on consultation is not well signposted (see top of p12).
	1.6		The topic report does not make it clear how the consultation feedback informed the evaluation process, nor how the consultation material was presented to decision makers, such as when the Political Working Party agreed to support the proposal (see Section 1.9)
Scale and significance	2.1		The topic report identifies the underlying assumptions used in determining significance. These are set out specifically in Section 1.3, but also in Sections 1.1 and 1.2.
	2.2		The process for determining the significance of this subject incorporates reference to the criteria set in the s32 Report Part 1 (i.e. degree of change from the status quo). It also incorporated other matters such as the significance and sensitivity of the natural

Statutory requirement	Identifier	Mark	Context
			resource involved. These are legitimate considerations, but are not signalled in the approach established in the s32 Report Part.
	2.3		Insufficient information due to general approach taken in most topic reports and the overall s32 evaluation that only significant matters are addressed.
Appropriateness of objectives to achieve the purpose of the Act	3.1		The report clearly identifies the resource management issues of relevance, including linking these to detailed background reports and external reference documents (see e.g. Section 1.2). The evaluation of the objectives is broadly linked to these resource management issues, although not explicitly so (see p13).
	3.2		The evaluation of objectives is broadly linked to the outcomes sought. There is no discussion on achievability or relation to Council functions.
	3.3		The topic report makes a broad judgement of the appropriateness of the objectives relative to Part 2 of the RMA. However, this is at a high level and the statements are not supported or linked to other sections. Overall, it is noted that the evaluation of objectives does not clearly follow the same consistent headings used in other topic reports (relevance, usefulness, achievability, reasonableness), and is limited in detail.
Appropriateness of provisions to achieve the objectives	4.1		There are two options considered in relation to works in the bed of intermittent streams and riparian margins (status quo & proposed), and three options (status quo, proposed & a mid-range alternative) considered in relation to riparian setbacks. There would have been scope to assess a mid-range option with respect to works in streams as well, and that this would have been proportionate to the potential costs of the proposed option and its stated significance.
	4.2.1		There was only a binary assessment of the status quo undertaken for works in the bed of intermittent streams. Three options considered for riparian setbacks was appropriate.
	4.2.2		The topic report sets out the status quo in an appropriate level of detail. Some description of the riparian provisions outside of Waitakere and North Shore would have been useful (the reader would have been better informed if the topic report had set out the status quo in the whole region).
	4.2.3		There is no information on how consultation was built into the identification and evaluation of options. If this exists in other documents it is not signposted in the topic report.
	4.3		The proposal broadly represents a change to existing provisions, i.e. the incorporation of the management of intermittent streams into the regime for permanent streams. The rationale for this choice is explained.
Appropriateness of provisions to achieve the objectives (efficiency and effectiveness)	5.1		The assessment of the appropriateness of the provisions is not specifically linked to the proposed Auckland Unitary Plan objectives. It is however linked to the broad objectives of the change, i.e. to incorporate intermittent streams into the planning regime for permanent streams. This approach does not fully recognise the intended evaluation cascade in s32 of the RMA.
	5.2		The specific assessment of efficiency and effectiveness is quite brief. It is recognised that this is supported by assessments of costs and benefits. However, in all sections of the evaluation of provisions the assertions are often not well supported. For example, see efficiency row, option 1b, p20 – assertion that “This option provides a more efficient approach to the management of permanent and intermittent streams and riparian margins by appropriately viewing them as a continuous and integrated system.” Further detail could usefully have been provided as to why this represents a more efficient approach.
	5.3		The subject matter is identified as being significant. The evaluation of costs and benefits does not occur in a systematic manner, considered against pre-determined headings or criteria. We also note that the risk section states that the benefits of the preferred option for riparian yards may not eventuate. This could have been assessed in the costs and benefits section.

Statutory requirement	Identifier	Mark	Context
	5.4		At a broad level (environment and economy) recipients of costs and benefits are identified. However, a breakdown of which groups within the community will pay the costs or receive the benefits is not provided.
	5.5		The report identifies four key reports relevant to the costs of the status quo (Section 1.7). It also refers to analysis undertaken on the potential impacts of the proposed changes in terms of lost development opportunities (p17). It is not clear how this was presented to decision makers (Section 1.9).
	5.6		The report does not specifically identify limitations in the information or information gaps. The background reports include standard methodological statements.
	5.7		A method to quantify (in proportion of land area) the potential cost of lost development opportunities is identified and applied (p17). No attempt is made to monetise this cost. No overall method is identified regarding how to determine if it is practicable to quantify or monetise the costs and benefits of the provisions.
	5.8		See Section 5.7; no cost and benefits have been monetised.
	5.9		See Sections 5.7 and 5.8.
	5.10		See Section 5.8.
	5.11		The benefits have been described and the basis for examining the benefits is consistent with a s32 analysis. However, whether the costs have been fully identified and described is questionable (see Criterion 5.2 above).
Restrictions greater than a NES	6.1		n/a
Sufficiency of information and risk	7.1		The topic report states (p18) that there is sufficient information on which to base the proposed provisions. This is supported by reference to the reports establishing the ecological value of intermittent streams and riparian margins. The report does not identify any gaps relevant to the consideration of the effects (costs and benefits) more widely than this. No clear approach to establishing the sufficiency of information is set at the outset in this topic report or in s32 Report Part 1. The information provided to decision makers is not clearly set out.
	7.2		The report does not identify uncertain or insufficient information but risks are canvassed in the table (p23).
Summary of reasons	8.1		The topic report's conclusions satisfactorily summarise the rationale for the proposed approach.
	8.2		It is not clear from the report how much of the analysis or supporting information was provided to decision makers.

Source: NZIER and HG

C.15.3 Overall observations

Areas that worked well:

- generally well written
- the determination of the significance of the subject matter of the report is well explained
- the assessment of the objectives was satisfactory in terms of its linking to the resource management issue

- the status quo was well described.

Areas where further analysis or information could assist:

- while there is a description of the consultation, it is unclear who was involved, how it was presented to decision makers and how it informed the evaluation
- the objectives were not evaluated in terms of achievability and Council functions, and the evaluation does not follow the approach in the other reports
- a greater number of options for provisions associated with works in the bed of streams would have been desirable
- the evaluation of the appropriateness of provisions could have been improved by:
 - providing a better base for the assertions
 - being structured under consistent headings
 - more clearly identifying recipients of the costs and benefits
 - explaining why quantification was not practicable
- better consideration of risk and how it impacted on the various scenarios
- how the s32 evaluation informed the decision making process.

C.16 Conclusion

The s32 report and associated appendices demonstrate that a large body of work has been undertaken in arriving at the policies and objectives. However, this has not been well sign-posted in the s32 report, which appears to show limited consideration of alternatives in approach and in choice of individual policies. There is little evidence of quantification in the s32 report and more importantly, why quantification was not considered, and there is no summary of the reasoning for the decisions being made. It is long on expectations and justification but short on the detail and assumptions to assess the robustness of its conclusions. There is no step-by-step guide for the reader to understand how the material was used by decision makers to inform their choices.

As an examination of the extent to which objectives and provisions being proposed are most appropriate in achieving the purpose of the Act, the section 32 report needs better signposting to the background analysis and a more succinct explanation of what it shows.

The problem and how the Council intend to solve needed to be made clearer. The resource management issue being addressed is that there is a restriction of supply of land for development that, in face of expected growth, raises prices of land for development, reduces affordability of housing and increases costs for businesses. This leads to a loss of competitiveness and long term well-being. In defining the issue, the report does not sufficiently draw on the supporting documentation, and then use this to demonstrate why the current proposal to expand the urban boundary with the RUB is beneficial. Costs are not identified or discussed.

The report could also more fully explore the relative risks around alternatives and the limitations of the analysis. For instance, there is a trade-off in choices between greater certainty with a long term plan and benefits for infrastructure development; but there is some risk of less market responsiveness if opportunities arise that do not fit within the PAUP 's initial expectations, or if the PAUP removes opportunities that are not apparent at the start of the planning process.

Appendix D Glossary

Audit criteria – the criteria used for the audit of the PAUP s32 evaluation. These were prepared by the Ministry for the Environment in consultation with Auckland Council.

Auckland Plan – the spatial plan for Auckland as mandated in s79 and s80 of the Local Government (Auckland Council) Act 2009.

Multi criteria analysis – the explicit consideration of pre-determined, multiple criteria in decision-making.

Part 2 RMA – the purpose and principles of the Resource Management Act 1991.

RMA – means the Resource Management Act 1991.

s30 – section 30 of the RMA, which states the functions of regional councils under the RMA.

s31 – section 31 of the RMA, which states the functions of territorial authorities under the RMA.

s32 – section 32 of the RMA, which sets out the evaluation required under the RMA in relation to proposed policy statements, proposed plans, changes or variations to policy statements or plans, and regulations.

s32 Evaluation – the entirety of the Unitary Plan s32 documentation including:

- the s32 Report Part 1
- Part 2, being the topic reports
- Part 3, being appendices.

s32 Report Part 1 – Part 1 of the Unitary Plan s32 Evaluation, which provides an overview to the s32 Evaluation and Unitary Plan process.

Topic report(s) – the 50 reports that make up Part 2 of the Unitary Plan s32 evaluation.

Proposed Auckland Unitary Plan (PAUP) – the combined regional policy statement, regional plan and district plan for Auckland, but excludes the Hauraki Gulf Islands section of the District Plan.