

AUCKLAND UNITARY PLAN
INDEPENDENT HEARINGS PANEL

Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau

Report to Auckland Council
Hearing topic 018

**Monitoring and environmental
results anticipated**

July 2016

Report to Auckland Council - Hearing topic 018 Monitoring and environmental results anticipated

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1. Hearing topic overview

1.1. Topic description

Topic 018 addresses the regional policy statement plan provisions of the proposed Auckland Unitary Plan relating to:

Topic	Proposed Auckland Unitary Plan reference	Independent Hearings Panel reference
Monitoring and environmental results anticipated	Chapter B: 12. Environmental results anticipated Chapter B: 13. Monitoring and review procedures	B12

Under the Local Government (Auckland Transitional Provisions) Act 2010, section 144 (8) (c) requires the Panel to set out:

the reasons for accepting or rejecting submissions and, for this purpose, may address the submissions by grouping them according to—

- (i) the provisions of the proposed plan to which they relate; or
- (ii) the matters to which they relate.

This report covers all of the submissions in the Submission Points Pathways report (SPP) for this topic. The Panel has grouped all of the submissions in terms of (c) (i) and (ii) and, while individual submissions and points may not be expressly referred to, all points have nevertheless been taken into account when making the Panel's recommendations.

1.2. Summary of the Panel's recommended changes to the proposed Auckland Unitary Plan

The Panel's recommendations in relation to environmental results anticipated and monitoring procedures are set out below.

- i. Use clear indicators for environmental results anticipated where progress in achieving objectives can be monitored.
- ii. Align indicators with the relevant policies and methods to provide a sound basis for the monitoring of the efficiency and effectiveness of those policies and methods.
- iii. Seek to identify indicators which are demonstrably linked to the causes of adverse effects on the environment.
- iv. Use indicators that identify trends in relation to achieving objectives rather than absolute measures.
- v. Undertake both qualitative and quantitative monitoring, as may be appropriate for the objectives and indicators.

- vi. Undertake monitoring of consent processes and link that data with state of the environment monitoring where this helps to show causal links between consenting and environmental outcomes.
- vii. Use numerical models based on monitoring data where appropriate to assess the effectiveness of objectives, policies and methods, including for capacity and demand assessments.
- viii. Introduce an environmental result anticipated for housing affordability: that the ratio of median house prices to median household incomes decreases over time.
- ix. Introduce an environmental result anticipated and monitoring procedure to undertake periodic studies (at least every two years) of residential, commercial and industrial capacity relative to demand.
- x. Revise the environmental results anticipated as set out in the recommended text.

The Panel also recommends that the Council initiate a plan change to further develop environmental results anticipated and monitoring procedures once the text of the regional policy statement is operative.

1.3. Issues

Environmental results anticipated identify the outcomes expected as a result of implementing the policies and methods in the regional policy statement and provide the basis for monitoring the efficiency and effectiveness of those policies and methods.

Section 62(1)(g) of the Resource Management Act 1991 requires the regional policy statement to state the environmental results anticipated from the implementation of the policies and methods of the regional policy statement. Section 62(1)(j) requires it also to state the procedures used to monitor the efficiency and effectiveness of those policies and methods. Section 35 also requires the Council to monitor the efficiency and effectiveness of its regional policy statement and its plans. The Panel therefore considered the environmental results anticipated and the monitoring procedures together.

In doing so, the Panel is mindful of the principle that the Plan should focus on matters within the scope of the Resource Management Act 1991 and not on things specifically to be managed, regulated or planned for under other statutory regimes. The Panel is also mindful that monitoring requires resources and that it is for the Council to determine how best and how far it should commit its scarce resources to monitoring programmes. Having said that, the Panel is also mindful that without monitoring to provide evidence of what people actually do, what the effects of their activities on the environment actually are and what the state of the environment actually is, planning is effectively worthless.

There was wide agreement among submitters (including the Council) that the environmental results anticipated and the monitoring procedures in the Plan as notified required further work. It was also accepted that such development would be best undertaken once the final form of the regional policy statement was settled. Unfortunately, the process and timetable set by the Local Government (Auckland Transitional Provisions) Amendment Act 2010, does not afford an opportunity for sequential development of the regional policy statement. This

section of the Panel's recommendations is based on its own analysis of the regional policy statement that it is recommending to the Council.

The evidence presented during the hearing sessions included large amounts of monitoring information on the state of the natural environment but very little evidence or analysis which linked this information to the efficiency or effectiveness of policies and methods to achieve the objectives or any other identified environmental outcomes.

It appeared that little monitoring of consents occurred for this purpose (as distinct from enforcement monitoring). In particular, it appears that the chain of related development consents (from subdivision, including bulk earthworks and other site modification works, through to site-specific development and then on to consents for activities and related discharges) is not monitored for the purposes of better understanding consequential effects on physical resources (such as capacity to accommodate residential, commercial or industrial growth) or on natural resources (such as maintaining indigenous biodiversity in related terrestrial and aquatic environments). In some cases this occurs because other statutory regimes do not provide for the gathering of useful information which might assist the Council in its functions under the Resource Management Act 1991 (for example, by enabling records to be kept of the demolition of buildings under the Building Act 2004). But in many cases this appears to be the result of a lack of integration in the collection of data across the range of uses and activities which are subject to the Plan's provisions.

Thus from a policy perspective the Panel had little evidence to determine the relative efficiency or effectiveness of particular policies or methods to protect, maintain or enhance the environment. Well-designed objectives and environmental results anticipated, and well-implemented monitoring procedures, are needed to address the sometimes complex linkages between policy interventions and environmental outcomes and to fill this information gap in the future.

In relation to the economic well-being of people and communities, the Panel initially received limited and conflicting evidence on the capacity of the region to meet current and projected demand for residential, commercial and industrial uses. The Panel convened an expert group to develop and run a general model of residential capacity and requested the Council to undertake a study on commercial and industrial capacity relative to demand. Both of these studies provided very useful information on capacity and were fundamental in the Panel coming to its view on appropriate recommendations for the extent of enablement required in the Plan. These processes also highlighted the complexity involved in estimating and monitoring demand and capacity for a range of residential and business activities across a large and diverse city.

The Panel considers that the Plan would operate more efficiently and effectively, with more timely regulatory responses and fewer inefficient effects on property investment and transactions, if studies of current and projected demand and capacity for land were undertaken and published on a consistent and regular basis, no less often than every two years. Such studies would then inform any appropriate changes to the Plan to keep its provisions responsive to current conditions.

1.4. Panel recommendations and reasons

The Panel's recommendations in relation to environmental results anticipated and monitoring procedures are to:

- a) Use clear indicators for environmental results anticipated where progress in achieving objectives can be monitored;
- b) Align indicators with the relevant policies and methods to provide a sound basis for the monitoring of the efficiency and effectiveness of those policies and methods;
- c) Seek to identify indicators which are demonstrably linked to the causes of adverse effects on the environment;
- d) Use indicators that identify trends in relation to achieving objectives rather than absolute measures;
- e) Undertake both qualitative and quantitative monitoring, as may be appropriate for the objectives and indicators;
- f) Undertake monitoring of consent processes and link that data with state of the environment monitoring where this helps to show causal links between consenting and environmental outcomes;
- g) Use numerical models based on monitoring data where appropriate to assess the effectiveness of objectives, policies and methods, including for capacity and demand assessments;
- h) Introduce an environmental result anticipated for housing affordability: that the ratio of median house prices to median household incomes decreases over time;
- i) Introduce an environmental result anticipated and monitoring procedure to undertake periodic studies (at least every two years) of residential, commercial and industrial capacity relative to demand; and
- j) Revise the environmental results anticipated as set out in the recommended text.

The Panel also recommends that the Council initiate a plan change to further develop environmental results anticipated and monitoring procedures once the text of the regional policy statement is operative.

The reasons for the Panel's recommendations are set out in section 1.3 above.

1.5. Scope

The Panel considers that the recommendations in 1.2 above and the changes made to the provisions relating to this topic (see 1.1 above) are within scope of submissions.

For an explanation of the Panel's approach to scope see the Panel's Report to Auckland Council – Overview of recommendations July 2016.

1.6. Documents relied on

Documents relied on by the Panel in making its recommendations are listed below in Section 3 Reference documents.

2. Consequential changes

2.1. Changes to other parts of the plan

There are no consequential changes to other parts of the Plan as a result of the Panel's recommendations on this topic.

2.2. Changes to provisions in this topic

As a result of the Panel's recommendations on other topics, there are consequential changes to the provisions in this part of the Plan as set out below.

Changes made to objectives in the regional policy statement are reflected in the table of environmental results anticipated.

3. Reference documents

The documents listed below, as well as the submissions and evidence presented to the Panel on this topic, have been relied upon by the Panel in making its recommendations.

The documents can be located on the auihp website (www.auihp.govt.nz) on the hearings page under the relevant hearing topic number and name.

You can use the links provided below to locate the documents, or you can go to the website and search for the document by name or date loaded.

(The date in brackets after the document link refers to the date the document was loaded onto the auihp website. Note this may not be the same as the date of the document referred to in the report.)

3.1. General topic documents

Panel documents

[018-Submission Point Pathway Report - 29 Sept 2014](#)

[018-Parties and Issues Report - 16 March 2015](#)

[018 - Mediation Joint Statement - B11 Cross Boundary Issues - 27 February 2015](#)

[018 - Mediation Joint Statement - B12 Environmental Results Anticipated - 2 March 2015](#)

[018 - Mediation Joint Statement - B13 Monitoring and Review Procedures - 3 March 2015](#)

Panel Interim Guidance

[RPS General - PAUP Chapter B - Regional Policy Statement \(PDF 378KB\) \(9 March 2015\)](#)

Auckland Council

[018 Hrg - Auckland Council - Closing statement post hearing \(29 April 2015\)](#)

[018 Hrg - Auckland Council - Legal Submissions \(7 April 2015\)](#)

3.2. Specific evidence

See the [hearings](#) page of the Panel's website, Topic 018 RPS General, for the evidence submitted on this topic.