



MEMO

To: Mark St Clair, Chair, Commissioner Panel

From: Lucy Cooper, Senior Planner, Perception Planning Limited

Date: 16 June 2017

Subject: Greater Wellington pNRP Hearing Stream 1 - previous involvement of Lucy Cooper on the s32 evaluations to support the pNRP

1. I have provided expert planning evidence on behalf of Wellington Fish and Game (submitter 308 and further submitter 089) in respect of its submission on the proposed Natural Resources Plan (pNRP). My statement of evidence in respect of the overall policy framework of the pNRP was heard on Wednesday 24th May 2017 (Hearing Stream 1). Fish and Game have requested me to provide further expert planning evidence in respect of water quality in Hearing Stream 4.
2. Following my appearance at Hearing Stream 1, the Panel has asked for more information regarding my involvement in the s32 evaluation reports of the pNRP, specifically which reports I was involved in and what the nature of the involvement was.

Summary

3. Perception Planning was involved in two separate phases of the s32 development process:
 - in 2013 and 2014 prior to the publication of the draft pNRP for consultation; and
 - in 2015 prior to the formal notification of the pNRP.
4. The key personnel undertaking this work were myself and Phillip Percy, a Director of Perception Planning.
5. In both phases my role was to:
 - a. assist the policy officers in understanding their statutory obligations under s32 of the Act; and
 - b. help document their analysis and decision-making process in respect of the provisions they had developed.
6. My role did not involve providing the actual planning analysis of proposed provisions. I did not prepare plan provisions or make recommendations on plan provisions.

2013 - 2014

7. In this phase I:

- a. Developed a structured interview questionnaire (refer Appendix 1);
 - b. Interviewed planners responsible for key sections of the pNRP on the basis of this questionnaire. This was intended to draw out the planner's methodology ('why we did it this way'). This sometimes involved prompting for additional information/deeper evaluation;
 - c. Prepared a 'clean-up' set of interviews to collect details of any further evaluation;
 - d. Populated the initial draft s32 evaluation report template, using information from these interviews; and
 - e. Meeting/corresponding with officers to discuss progress and provide feedback on their draft reports.
8. Each of the Council policy officers were responsible for progressing their s32 reports to support the draft consultation version of the pNRP released in September 2014.
 9. The drafts and templates developed in 2013-2014 gave each officer a framework within which they could record the further development and refinement of their policy approaches and record their analysis.
 10. I interviewed the following policy officers:

Policy Officer	Topic
Paul Denton	Air
Jo Beaglehole	Biodiversity
Helen Marr	Beds of Rivers and Lakes
Caroline Ammundsen	Coastal Management
Anneke Wolterbeek	Discharges to Land
Emily Greenberg	Discharges to Land and Land Use
Laura Paynter	Historic Heritage
Mike Grace and Laura Paynter	Tangata Whenua Values
Dr Iain Dawe	Natural Hazards
Rachel Pawson	Regionally Significant Infrastructure



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11. Using the method described, I populated initial draft s32 report templates for the following topics:
 - Air
 - Beds of Rivers and Lakes
 - Coastal Management
 - Natural Hazards
 - Historic Heritage
 12. I did not interview any officer on the topic of water quality however some interviews involved discussion about provisions that related to water quality - for example stormwater and discharges to land. Ms Vujcich did send me a copy of her s32 report for Water Quality in September 2014. My comments were confined to identifying areas of the report that could benefit from greater clarity and opportunities to cross reference with other s32 evaluation reports.
 13. In 2014, I assisted Council in developing a new s32 evaluation report template, and helped in the process of transferring existing s32 data and information from the old templates to the new version.¹

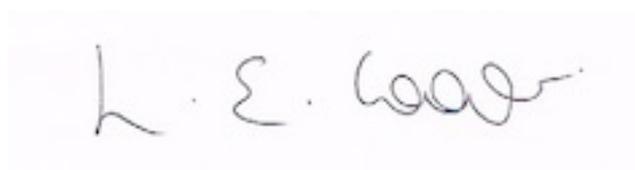
2015

14. Between February and May 2015 Perception Planning staff (myself, Helen Marr and Jen Olson) delivered a training syllabus in respect of the s32 process. This syllabus is included in Appendix 2.
15. I was also available for one-on-one sessions with policy writers to provide them with opportunities to discuss any particular challenges, issues or concerns they had with the s32 evaluation process. For example, policy officers used the sessions to discuss challenges associated with identifying and quantifying particular costs and benefits of a preferred policy approach, establish completion goals for certain aspects of a s32 reports, or share latest drafts of the s32 reports for feedback.
16. My role would be to ask questions to guide the officer through the requirements of the evaluation process, e.g. what does the RPS require the Plan to do in respect of this matter? What risks have you identified with the proposed approach? What steps can you take to

¹ I also provided authors of other parts of the plan for which report templates had not been already been populated with copies of the new s32 report templates and indicated what kind of information would be needed to complete their reports.

mitigate the risks you have identified? What additional information do you need to justify your approach or thinking? Who else in Council do you need to discuss your approach with to ensure it is sound? I also recommended that officers work with colleagues to test their provisions against activity scenarios.

17. I did not discuss or provide formal feedback on the water quality s32 report in this phase of work. However, I did discuss the progress of Ms Vujcich's s32 evaluation in respect of the stormwater water provisions.² In carrying out this task, I did not provide any planning analysis of the proposed stormwater provisions.
18. My role was confined to these matters of process. At no time did I provide planning opinion on substantive matters.
19. Nigel Corry, General Manager, Environment Management Group at Greater Wellington Regional Council, has provided written consent permitting the disclosure of the information contained in this memo to the Panel, in accordance with the terms and conditions of Greater Wellington's standard contract template.

A handwritten signature in black ink, appearing to read 'L. E. Cooper', is centered on a light blue rectangular background.

Lucy Cooper

Senior Planner, Perception Planning Limited

² I facilitated and scribed at a small workshop of internal staff and external stakeholders to help them explore the costs and benefits of the Council's preferred approach.

Greater Wellington Regional Council - s32 Evaluation and Reporting

Draft Initial s32 Questionnaire and Recorded Data Summary Templates

General Notes on Draft Questionnaire:

1. The discussion questions broadly follow the steps that should be taken in a traditional s32 evaluation.
2. The draft provides examples of how the data could be summarised in written format.
3. The data summary tables will form the basis of the follow-up discussions.
4. All discussions will be recorded. Written notes will also be taken during the course of the discussions.

Greater Wellington Regional Council - s32 Evaluation and Reporting

Draft Initial s32 Questionnaire and Recorded Data Summary Templates

Topic Area:

Topic Champion:

Date:

Time:

Location:

1. Identifying the Issues

An issue is an existing or potential problem that must be resolved to promote the purpose of the RMA. With this first set of questions, we seek to:

- *Gain a clear understanding of the issues associated with this topic area;*
- *Clarify the provenance of the issues;*
- *Better understand the robustness of the evidence underpinning the issues, and*
- *Have a clear picture of any risks associated with the issue.*

a) Can you please list the issues related to your topic area?

b) Can you talk to me about the significance of each of the issues at a regional, district and national level?

c) Taking each issue in turn, does it need to be addressed in the plan? Will addressing it this way be effective?

- d) In what ways do the proposed issues differ from those in the existing plan?
- e) What key information informed your identification of each issue?
- f) Thinking about each issue in turn, which information sources are historic, collected and collated on a regular or statutory basis, or new science and data specifically commissioned for the development of the Plan? In what ways did stakeholder consultation inform the issue?
- g) Do you feel comfortable that each of the issues you have identified have the appropriate level of information, science, evidence etc. to clearly define it as a problem statement (are there aspects of the issue that are assumed or anticipated rather than being based on evidence)?
- h) If not, what risk to the plan does lacking, deficient or incomplete information represent? (e.g. can you identify specific stakeholders that will object/question your approach, and why? What impact does this issue area have on other areas of the plan?)
- i) Can these deficiencies be reasonably addressed prior to publication of the draft plan?
- j) What steps do you need to take to address the deficiency?

Possible summary table for information collected above:

Issue	Significance	Need to be in Plan	Information Sources	Appropriate level of information?	Risks	Can deficiencies be addressed?	Next steps
1							
2							
3							
4							

2. Evaluate the Objectives

s32(3)(a) states that an evaluation must examine the extent to which each objective is the most appropriate way to achieve the purpose of the Act. The appropriateness of an objective has a number of dimensions – relevancy, usefulness, reasonableness and achievability. In this section of the interview, we are seeking to guide the topic champion through the appropriateness tests, and explore matters such as the interconnectedness of objectives with other Plan areas and potential risks to deliverability.

*Are the objectives **relevant**?*

- a) Can you describe how the objective is related to the issue, and what specific aspect of the issue it addresses?
- b) How does the objective fit with Part II of the RMA? And in what ways does the objective achieve the purpose of the RMA?
- c) Thinking about the issue and the purpose of the RMA, would achieving the objective make a substantial difference?

*Are the objectives **achievable**?*

- a) Will it be clear when the objective has been achieved in the future? Is the objective measureable and how would its achievement be measured?
- b) Is it expected that the objective will be achieved within the life of the Plan or is it an aspirational objective that will be achieved sometime in the future?
- c) Thinking about the outcomes associated with the objective, does the council have the functions, powers, and policy tools to ensure that they can be achieved? Can you identify them?
- d) What other parties can the Council realistically expect to influence to contribute to this outcome?

e) What risks have you identified in respect of outcomes? What are the adverse consequences or inequities of setting unachievable objectives?

*Are the objectives **reasonable**?*

a) Does the objective seek an outcome that would have greater benefits either environmentally or economically/socially compared with the costs necessary to achieve it?

b) Who is likely to be most affected by achieving the objective and what are the implications for them? Are those implications reasonable and if not, what are the things that could influence that (timeframes, etc.)

*How **useful** are the objectives? Are they fit for purpose?*

a) What would happen without this objective?

b) How will it guide decision-making? Can you use an example? Have you tested the objective with a colleague in the consents team?

c) Is it useful for decision-making and a basis for clearly communicating the intent of the policies and methods that follow?

d) How might it otherwise add value?

e) Does it comply with sound principles for writing objectives? (e.g. specific & clear; what, where, when; related to the issue; assessable?)

f) How will it impact on or interact with other issues and their objectives in the Plan?

Possible summary table for information collected above:

Objective	Relevance	Achievability	Reasonableness	Usefulness
Objective 1: [provide objective]	Part 2 RMA - [identify which section(s) of RMA objective relevant to; what aspect of issue it addresses]	Summarise	Summarise	Summarise
Objective 2:				

3. Identifying alternative policies and methods

We recognise that the table below may not suit policy and methods alternatives that do not flow as a direct cascade from particular objectives. This part of the questionnaire can be adapted to capture the necessary information to be able to move on to the assessment of effectiveness and efficiency. The format of the draft plan will provide us with a good steer as to how to manage this part of the interview process.

a) What alternative policy and method options have been considered to achieve the objectives?

	Option 1	Option 2	Option 3	Option 4
Objective 1	<i>Detail</i>			
Objective 2				
Objective 3				
Objective 4				

4. Assess the effectiveness of the alternative policies and methods

In this context, effectiveness means how successful a particular option is/will be in achieving the stated objective. How successful an option is can be measured in terms of not just whether an objective will be achieved outright; but it may alternatively relate to the extent to which progress will be made even if the objective won't be met in full. The speed at which progress is made may also be a relevant consideration.

NOTE: It is possible that we will ask topic champions to 'draw' the relationship between issues, objectives and policy options to better explore the effectiveness or otherwise of a particular policy and method option. A read-through of the proposed Plan and discussion with GW will help PPL better tailor this part of the interview to how the plan was developed and how it is formatted.

Option 1 (summarise option again)

- a) Please recount the issue and objective(s) this option is seeking to address.
- b) Can you please describe how this option/package of measures is intended to work? What is the relationship between the policies and the methods?
- c) What assumptions have been made in developing this option?
- d) What are the risks to the implementation of this option? Risks can include matters inside and outside of GW's control.
- e) When can results be expected? Are there anticipated short, medium and long-term results?
- f) What are the measures of success? And what information is required to measure the success?
- g) What resources and/or activities are required to implement this option? This can include the involvement of external parties.

REPEAT FOR ALL OPTIONS

a) Please describe which option you consider is the most effective, and why.

Summary table

Policy	Objective(s)	Effectiveness
1 - [title]	List objectives to which policy relates	<p>Look at effect of policy on resource management practice (i.e. through consent condition making and plan provisions)</p> <p>E.g. requirement to apply precautionary approach in specified circumstances</p> <p>Examine impact of option, relative to the status quo</p> <p>E.g. Continued application of precautionary principle where relevant in respect of Coastal Management</p>

5. Assess the costs and benefits of the alternative policies and methods (efficiency)

In this part of the interview, we will work towards a clear and comprehensive picture of all the costs and benefits associated with a particular option.

Prior to commencing this part of the interview, the topic champion will be given a brief overview of the type of costs and benefits we are seeking to establish, and advise on how they need to be quantified and described.

- a) What analysis of costs and benefits has been done – have any specific reports been completed?

Option 1 (summarise option again)

	Environmental		Social (e.g. effects on recreational opportunities)		Economic (incl. admin and compliance, transfer costs, impact on land values, impact on land management costs etc.)	
	Cost	Benefit	Cost	Benefit	Cost	Benefit
Council						
Resource User						
Wider Community						

REPEAT FOR ALL OPTIONS

- a) Please explain which approach you have chosen and why you consider that to be the most efficient approach.
- b) Does the most effective approach match with the most efficient approach? If not, how have you decided on the preferred approach?

6. Identify the Risks of Acting and Not Acting

(s4b – if there is uncertain or insufficient information about the subject matter informing the policies, rules, methods)

- a) Is there any technical evidence that you consider is needed to be certain about the outcomes or the implications of the preferred approach you have chosen?
- b) If that evidence is not available, what would be the implications to not taking the proposed approach? What would be the implications of taking the proposed approach if that evidence found in the future that the approach was not effective.
- c) Have you applied the precautionary principle when deciding on this approach?



SYLLABUS SCHEDULE

Training sessions are on Mondays from 9-11am.

Mentoring sessions are Mondays from 11.30 – 4.00; Tuesdays and Thursdays from 9.00 – 4.00.

Week	Week beginning	Training Topic	Homework
1	16 February	Introduction and Planning Reboot	Adopt an Expert
2	23 February	S32 Big Picture (Process - 2 hours)	RMA and Regional Plans
3	02 March	S32 Big Picture (Law - 2 hours)	Identify Road Blocks
4	09 March	Research	
5	16 March	Research	Your Subject Area: Facts and Figures
6	23 March	Analysis	
7	30 March	Technical Writing (a.k.a. Avoid the Planning Vortex)	Peer Reviews
-	06 April	No meetings this week	
8	13 April	S32 Reboot - Tools and Tips	
9	20 April	S32 Editing (no training)	Editing

10	27 April	S32 Editing (no training; Monday 27 is a holiday)	Editing
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TIMELINE and TOPICS

