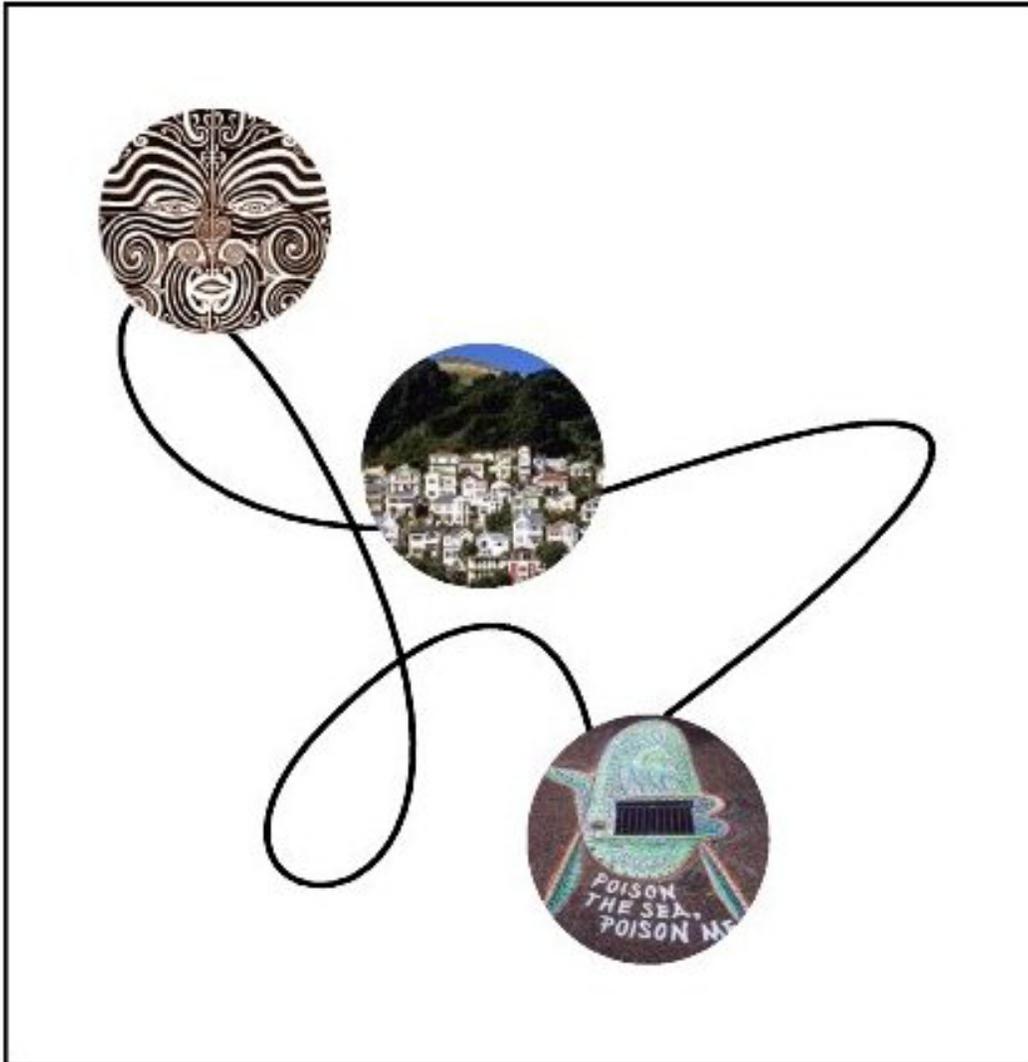


Resource Management, Plan Quality, and Governance



A Report to Government

by

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Resource Management, Plan Quality and Governance

This Report contains the main findings from FRST-funded research into planning under the *Resource Management Act*. It includes five sets of interrelated recommendations. These recommendations identify many actions that are essential if Government is serious about achieving its goal of environmental sustainability. Implementation of the recommendations will require a significant increase in expenditure at all levels of the planning hierarchy, but especially central government.

Through the *Resource Management Act* (1991) and local government reforms, central government created a devolved intergovernmental system for environmental planning. It assumes that central government will help to build local government capability for implementing the national mandate and for protecting nationally important environments. From the outset, this ideal was compromised. First, it was assumed that amalgamating councils through local government reforms would provide sufficient capacity for them to comply. Second, central government was downsized and its environmental agencies starved of funds. Third, managerial reforms absorbed resources and energy away from implementing the environmental mandate. Thus, central government had adopted a radical and somewhat sophisticated environmental mandate, but then failed to adequately support its implementation. Consequently, most regional and district councils have produced only fair to poor environmental plans, due mostly to limited capabilities.

While some improvements in central government performance can be noted over the last three years, a great deal of work still needs to be done in order to build national and local capabilities for environmental planning, and this will require a significant increase in central government funding. Failure to do this will greatly reduce New Zealand's prospects for achieving environmental sustainability.

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Summary

Planning Under a Co-operative Mandate (PUCM) is a three-phase research programme funded by FRST-PGSF. It is unique because it links the assessment of *plan quality* (PQ) to *implementation quality* (IQ) and, ultimately, to *environmental quality* (EQ), and does so within an intergovernmental framework.

This Report draws on the main findings (F) from Phase 1 of PUCM, which focused on evaluating the *plan quality* (PQ) of notified regional policy statements and district plans prepared under the *Resource Management Act* (1991) (i.e., the RMA), and the organisational factors that influence plan-making.

The recommendations (R) in this Report have bearing not only on the system of environmental planning and how it is being implemented through intergovernmental processes, but also the statutes that support it, especially the RMA and the *Resource Management Amendment Bill* (1999) currently under review. In essence, our findings show that this devolved and co-operative environmental mandate was badly compromised from the start through lack of resources for capability building in central and local government. Thus, a great deal of work now needs to be done to bridge the gap. It is well past time for central government to recognise its responsibilities and fund its resource management mandate adequately. Failure to do so will greatly reduce New Zealand's prospects for achieving environmental sustainability.

Phase 1 Findings (F)

The Findings are in two related parts: the regional and district plan-making system; and the intergovernmental system. Doing well in the former requires greatly improving the latter.

F.1 Assessing the Local Plan-Making System

From international experience, eight principles that define plan quality were identified. Methods were then developed for evaluating 16 regional policy statements and a selection of 34 district and combined plans from the 58 that had been notified by March 1997, in terms of these principles. Organisational factors (commitment, capacity, and institutional arrangements) that influence plan-making, and thereby plan quality, were also evaluated.

F.1.1 Plan Quality

In essence, applying the eight plan quality principles to planning documents yielded the following results.

- Most councils produced inferior policy statements and plans. About half of them scored substantially below 50% of the maximum score of 80. The best, worst, and median scores for regional policy statements in percentages were 61%, 26% and 47%, respectively. For district plans scores were 69%, 25% and 42%, respectively.

- Lowest scores for each of the eight plan quality principles were for interpretation of the mandate, facts-base, issue identification, and monitoring.
- Population size per council was a key indicator of plan quality as smaller rural councils generally produced weaker plans than did larger councils.
- Similar low scores were found for how well plans address the role of Maori in land use and resource management, but the reasons for this are considerably different compared to, for example, natural hazards.

F.1.2 Organisational Capability:

When capability is strong, the quality of plans is significantly greater. (Capability is: commitment, i.e., dedication of councillors and staff to plan; and capacity, i.e., quality and quantity of resources available for planning.) We found many troubling gaps throughout the local government planning process.

- Generally, effects-based planning and the plan quality principles were not understood well enough by plan makers.
- Inadequate time was devoted to strategic thinking about the mandate and to project management.
- Authors of plans often failed to write policy in a rigorous fashion and appeared to lack the technical skills to conduct research as indicated by the weak fact-base in plans.
- There was too little emphasis on research and too much on consultation at the start, and too little consultation at the end when methods and rules needed community testing.
- Many councils placed a bare minimum staff in core planning groups, with about 50% of district councils having less than one full-time planner.
- Councillors, most of whom had little knowledge of the mandate and plan-making principles, set unrealistic deadlines, often aimed at notifying plans ahead of elections.
- Many councils committed relatively large amounts of resources to making plans, truncated the consultative process where it mattered most, then had to conduct substantial plan variations in response to strong public reaction following notification.
- Just over half of councils understood the mandate with respect to the Treaty of Waitangi and Maori interests philosophically, but failed to follow through due to lack of political commitment and capacity.

F.1.3 Institutional Arrangements

Structures within councils significantly influenced planning processes, and thereby the quality of plans. This assumption was supported by our findings.

- Managerial reforms have profoundly affected local government bringing both benefits and costs.
- In the quest for transparency and accountability, councils split the administration of policy, regulatory, and service delivery functions. This resulted in poor co-ordination

and loss of technical advisors who planned for the future and thereby limited feedback from the regulatory and service delivery sections to the policy section where district plans are developed.

- Resource allocations favoured the more visible regulatory and service delivery functions, where public concerns are more easily appeased, such as in speeding up the resource consents process.
- Many councils restructured several times implying poor conception and inadequate time to assess effectiveness.
- The benefits of the managerial reforms include more business-like systems and attitudes towards customer services, and the preparation of long-term financial strategies and asset management plans and annual plans through which funding of district and regional plans can be implemented.
- Arrangements between Maori and local government were also evaluated. Statistical evidence shows that attempts to co-ordinate with Maori early in the planning process had a positive influence on how well plans advanced their interests. However, case studies revealed that although many gains have accrued to Maori from the co-ordination and consultation provisions of the *Act*, there was still considerable disenchantment when, for example, good faith efforts were undercut by more powerful stakeholder groups.

F.2. Assessing the Intergovernmental System

A devolved co-operative planning system assumes: 1) a clear mandate design; 2) an implementation effort by lead national agencies in building local capability; and 3) sound relations between regional and local councils. Plan-making and plan quality at local level reflects the strength of these intergovernmental characteristics.

F.2.1 Mandate Design

When key provisions in the mandate (RMA) are clearly understood, the capability of councils to plan and the quality of their planning documents are correspondingly higher. This assumption was supported by our findings.

- Surveys indicated that over 50% of plan-makers in councils found key provisions in the RMA to be unclear. This was in spite of the RMA having been amended almost every year prior to the survey.
- Plan-makers found the RMA to be unclear about not only matters of national importance (ss 6, 7, and 8), but also their own functions (ss 30 and 31), especially overlapping regional and district functions. Worse, the very purpose of the Act was unclear (s 5) allowing wide interpretations of it, resulting in plans that “mean all things to all people.”
- The RMA is not a comprehensive mandate for sustainable development. It excludes significant natural resources, like fisheries, minerals and energy, the uses of which have local significance. The lack of comprehensiveness is due, in part, to the truncation of reform after a change in government in 1990, but also reflects the sheer difficulty of

designing a mandate for comprehensive environmental policy and planning. Sustainable management, an element of sustainable development, while a more politically achievable goal, has resulted in each council having to define what the concept means in the circumstances of its own area.

- Poor mandate design has impeded progress in recognition of Maori values and resources in plans. For example, nearly 50% of plan-makers in district councils did not understand the provisions in the RMA in respect of Maori issues (ss 6(e), 7 (a) and 8). The provisions give councils considerable discretion in how they should recognise and provide for Maori interests in their plans.
- A major obstacle is that, while councils were required to acknowledge the Treaty of Waitangi in respect of the RMA, the obligations of councils under the Treaty have not been clarified in the amended *Local Government Act* (1974). Thus, while some councils assumed they were Treaty partners and proceeded on that basis, many councils were uncertain as to how they should address their responsibilities under the RMA. Widespread non-compliance resulted.
- The failure by central government to clarify relationships between the Crown, Maori and local government, largely as a consequence of unfinished business from the reforms, has considerably weakened implementation of provisions in the RMA in respect of Maori interests.

F.2.2 Implementation Efforts

A co-operative mandate needs strong leadership from key agencies of central government to ensure that councils have the capability to implement the national mandate. Where implementation efforts are strong, higher quality plans result. This assumption was supported by our findings.

- Central government did not adequately resource its lead agencies, especially the Ministry for the Environment, for its implementation role. For example, on the advice of Treasury, Government would not fund the Ministry's proposed \$2.2 million transition work programme in 1991/92.
- Worse, it cut the Ministry's budget in successive years while its workload in meeting its RMA responsibilities escalated. This meant the Ministry was largely reactive, rather than pro-active.
- The Ministry's ability to provide data and advice to councils on how to deal with matters of national importance, like significant natural areas and outstanding landscapes, was very low.
- The financial, political, and emotional costs on local councils of central government's inaction and of its many voices (e.g., the Department of Conservation's role in the Significant Natural Areas controversy) were considerable, especially in rural councils where lobby groups rebelled against Government's goal of having landowners internalise the adverse environmental effects of resource use and development through the effects based plans of councils.
- Better outcomes resulted where Government produced its only national policy statement, which gave sound policy direction to regional and local councils for dealing with coastal environments.

- While the RMA relied on active participation by Maori in the planning process, there was little capability building to assist Maori and councils in improving plans. The consequences of this were aggravated by the lack of clarity in the role of Councils as agents of the Crown. In general, few councils undertook capability building and few had clear lines of communication with Maori.
- Small rural councils would have benefited considerably from capability building by central government.
- In the last 2 or 3 years, the Ministry has been more pro-active in targeting aspects of environmental planning in councils, but a great deal more needs doing. And, therefore, more funds are also required.

F.2.3 Relations Between Regional and District Councils

While there is a hierarchy of policies and plans under RMA, regional and district councils are to work in partnership in achieving its goals. This assumption was supported by our findings.

- Partnerships are weak. Statistical modelling demonstrates that regional and district councils are operating largely independent of one another with only weak inter-organisational relations and variable policy directions.
- Regional policy statements, on the whole, were of fair to poor quality. Regional councils therefore have limited influence in enhancing the capability of local councils and the quality of their plans, and have substantial limitations in authority and capability to plan.
- The disconnection between regional and local councils suggests that lack of staff and financial resources, turf protection, and conflict caused by uncertainty in roles are key reasons.
- Pressure on regional councils to meet tight statutory deadlines for regional policy statements and coastal plans was also an impediment to building partnerships with district councils.
- As the local government system has matured, relations among and between regional and district councils have improved in the last 3 years.

Phase 1 Recommendations (R)

The research findings clearly show that there are major problems in the environmental planning system, and therefore many obstacles to be overcome before high quality plans emerge from the planning efforts of councils. They show that focusing on best practice examples as a means for improving plan quality within councils (Recommendation number 5 below (R#5))¹ will not in-and-of-itself lead to better plans, and thereby desirable environmental outcomes. Two sets of organisational factors make a big difference in preparing

¹ Forthwith, reference to a recommendation number elsewhere in the Report will be denoted by R#.

plans for environmental sustainability: local capability to create good plans; and central government's mandate design and capability building efforts.

Five interrelated recommendations for improving the environmental planning system, and thereby plan making and the quality of plans, are summarised below. They build on, rather than dramatically alter, the existing effects-based planning system, which operates within a co-operative intergovernmental framework under the RMA.

R.1. Improve National Policy Framework For Sustainability

This set of recommendations aims to improve the national policy framework for sustainability, by reviewing the framework for sustainable development, clarifying key provisions in the RMA, and preparing national policy statements.

R.1.1 Review National Framework

The policy framework for sustainable “development” with respect to the RMA is incomplete and fragmentary. Relevant statutes and policies should, therefore, be reviewed to ensure greater clarity of purpose and better integration in environmental planning at all levels.

R.1.2. Clarify Key Provisions in RMA

Existing policy on sustainable “management” is open to wide and conflicting interpretation. Key provisions in the RMA (ss 5, 6, 7, 8, 30, 31, 32) should, therefore, be clarified so that councils are better able to infuse their intentions in regional policy statements and regional and district plans.

R.1.3. Develop National Policy Statements and Standards

Except for the coast, councils have had little guidance from central government on matters of national importance because national policy statements have not been prepared. An integrated set of national policies (and standards where appropriate) should, therefore, be developed to give direction to councils charged with protecting matters of national importance (ss 6, 7, 8) and to assist with the interpretation of s5.

R.2. Build National Capability for Environmental Planning

Government created a devolved co-operative mandate, but cost-cutting and managerial policies have limited the ability of the Ministry for the Environment (and local government) to implement the RMA. The Ministry's policy and operational roles should be greatly strengthened, so that it can help build better co-ordination at the centre, and improve support for councils.

R.2.1 Strengthen the Ministry for the Environment

In order to take on the wide range of activities that are recommended in this Report (R#1 to R#5) for successfully implementing the RMA, the Ministry for the Environment must be greatly strengthened and adequately funded.

R.2.2 Build Better Co-ordination at the Centre

To improve policy, methods, and data on matters of national importance, the Ministry needs a clear mandate and adequate resources for co-ordinating the activities of key central government, and related, agencies.

R.2.3 Provide Improved Support to Councils

To improve support to councils for helping to implement Government's environmental mandate, the Ministry should be provided with resources to enable it to be more operationally proactive.

R.3. Integrate State of Environment Reporting

The RMA provides for a hierarchy of monitoring and reporting. The Government has produced one SOE Report for the nation, and is developing environmental indicators for use in local government. Many regional councils have produced a SOE report, but only some district councils have done so. Monitoring programmes, especially in district councils, are as yet weakly developed.

R.3.1 Develop Integrated SOE Monitoring Programme

The Government should therefore develop an integrated programme for assessing the state-of-the-environment (SOE). It should aim at co-ordinating monitoring so that it is carried out at the most appropriate level of government in a nested, but integrated, hierarchy. Regular reports aimed at helping to improve the monitoring of policies and plans should be provided at each level of government.

R.3.2 Monitor Policies and Plans

Central government should also regularly monitor the status of policy statements and plans in local government, and the organisational capabilities for their implementation, and integrate the outcomes into the SOE monitoring programme

R.4. Develop a National Programme to Build Local Capability

Government created a devolved co-operative mandate, but cost-cutting and managerial policies have limited the ability of local government (and the Ministry for the Environment) to implement the RMA. To ensure effective environmental planning in councils, a set of five Government actions is recommended.

R.4.1. Continue Reforming Local Government

Many poor quality plans occurred in councils with limited capacity, especially in rural areas. To create more effective units of local government the reforms of 1989 should, therefore, be continued, but through use of selected models and targeted support as incentives for voluntary amalgamation rather than enforced country-wide changes.

R.4.2 Assist Councils to Protect National Assets

Land owners object to protecting nationally important environments for the public good without compensation for loss of landuse. Central government should therefore provide financial and in-kind relief to councils for implementing plans and associated methods aimed at protecting and enhancing nationally important assets.

R.4.3 Establish a National Education Programme

Knowledge about how to develop high quality plans was uneven across councils. A national education programme should, therefore, focus on how to create high quality plans for environmental sustainability by describing best plan practices and explaining practical techniques for plan-making in councils. (This would build on the Ministry's current Quality Plans Project.)

R.4.4 Build Better Facts Base

Missing in planning practice under the RMA is sound environmental data from which to develop policy for dealing with the environmental effects of resource use and development. The Ministry for the Environment should, therefore, co-ordinate the provision of methods, tools, and data, especially on nationally important environments, to councils so that they can improve the facts-base for planning and policy-making.

R.4.5 Evaluate Plan Implementation

Good plans may not necessarily result in the desired environmental outcomes specified in them, because much depends on the implementation process. Evaluations of the effects of plan quality, local capability, and efforts of central government on plan implementation, as well as community support for complying with plans, are needed to see if quality environmental outcomes are being achieved. (Some work in this area is underway.)

R.5 Improve Plan Quality Through Good Practice in Local Government

The Ministry for the Environment reviews plans to ensure they are legally sound, and to advise on matters of substance, but does not see its role being to evaluate and/or certify plans. Our research on plan quality shows there is a great need to improve the quality of plans. Not only is an ongoing iterative programme needed for helping to improve plan quality, but also for improving the organisation of councils to enhance the plan-making effort. We recommend six actions for achieving this, and that the Ministry for the Environment (MfE) in partnership with Local Government New Zealand (LGNZ) and the New Zealand Planning Institute (NZPI) should lead the way.

R.5.1. Improve Organisational Structure

The functional organisation of councils improves accountability, but splitting policy, regulatory, and service delivery into separate sections causes serious planning problems if an integrated feedback system, including a multi-disciplinary team, is not installed. The LGNZ, in association with MfE, should provide guidelines for councils on organisational matters, including examples of good and poor practice.

R.5.2. Improve Project Management

Project management was too often based on a poor understanding of what was necessary for making a good plan. The Ministry, with LGNZ and NZPI, should train the staff and councillor leading the plan-making team, and help councils put in place accounting systems that enable the cost of planning to be more accurately assessed. MfE should carry out spot checks and audits to assess the systems.

R.5.3. Improve Professional Staffing

Many plan-making problems resulted from understaffing and overworked council planners. The number of planning staff was found to be an important predictor of plan quality. We recommend that councils provide sufficient funds early in the plan-making process to ensure the number and quality of staff are adequate and procedures are sound, in the expectation that this will reduce post-notification costs.

R.5.4. Improve Interpretation of Mandate Purpose

Too few councils spent time early in the plan preparation process to ensure they understood the intent of the RMA and its relationship to the *Local Government Act*. We recommend three ongoing Ministry activities to help improve this situation: 1) extend the “buddy system” for regional policy statements to district planning; 2) have teams work with councils at crucial stages of monitoring plans; and 3) extend workshops for educating councillors on environmental planning, including interpretation of the RMA.

R.5.5. Improve Research and Consultation

Research and consultation are the “DNA strands” running through the seven steps of plan-making. Their emphasis and timing are important for developing plans that meet environmental and community needs. Many councils did not get the mix right with costly consequences. We recommend that the Ministry work with NZPI in helping to provide guidance to councils on this important requirement of plan-making.

R.5.6. Improve the Organisation and Presentation of Plans

The organisation and presentation of many plans were sub-standard, and the Ministry should, therefore, provide best practice examples to councils to help improve the next generation of plans.

Part 1

The PUCM Research Programme

Planning Under a Co-operative Mandate (PUCM) is a programme of research the over-arching goal of which is to better understand the links between environmental policy and outcomes by studying plans produced and implemented under the *Resource Management Act 1991* (RMA). The research is unique because it links the assessment of *plan quality* (PQ) to *implementation quality* (IQ) and, ultimately, to *environmental quality* (EQ). New research methods have had to be developed for achieving this.

The PUCM Programme is being pursued through the following phases:

- quality of plans (PQ) and organisational factors that influence plan making were evaluated in Phase 1 (1995-1999);
- quality of the implementation process for plans (IQ), and factors that influence implementation, are being evaluated in Phase 2 (1999-2002);
- quality of environmental outcomes (OQ), and factors influencing outcomes, will be evaluated in a revised Phase 3 (2002-2004).

Relating the results from each Phase will enable assessment of whether good plans make a difference in achieving the nation's environmental goals. Summary details about the objectives for these three phases of the PUCM Programme are given in *Appendix 1*.

This Report provides the main *findings* and *recommendations* from *Phase 1* of the research—plan quality and organisational factors that influence plan-making. The recommendations that stem from these findings have bearing not only on the system of environmental planning and how it is being implemented through intergovernmental processes, but also the statutes that support it, especially the RMA and the *Resource Management Amendment Bill* (1999) currently under review.

The rest of Part 1 of this Report provides an overview of the PUCM research programme. Parts 2 and 3 of the Report will then detail the findings and recommendations from Phase 1 of the research programme. The evidential basis for these findings and recommendations is in the forthcoming book: *Plan-Making for Sustainability: The New Zealand Experience* (*Appendix 2*).

1.1 Phase 1: Plan Quality

As already noted, Phase 1 of the PUCM Programme focused on factors influencing plan quality. In this section, the main aim and research questions for Phase 1 are outlined, along with a summary of data and methods, sources of support, and information transfer.

1.1.1 Aim and Questions

In Phase 1 of the PUCM research, an in-depth examination was conducted of notified plans prepared under the RMA and the governmental processes that created them. The main aim was to not only measure the quality of plans that were being produced, but also the intra- and inter-organisational factors that influence plan-making and thereby plan quality.

Three basic questions guided the Phase 1 research.

1. Do local plans produced within a devolved co-operative system of governance achieve national goals, while at the same time offering policy solutions that meet local aspirations?
2. Do local governments have the capability (that is, commitment and capacity) to create high quality plans?
3. How effective has national government been in building the capability of local governments to create high quality plans?

Answers to these questions offer important lessons that are instructive for both New Zealand and other societies seeking to achieve the goal of sustainable development. They help to provide insights into how local plans can best be prepared to advance national goals, and how mandates for intergovernmental planning can be designed to most effectively induce local governments to advance national (and global) interests.

1.1.2 Methods and Data

The PUCM Phase 1 research design moves beyond the descriptive assessment of most national studies on environmental policy to provide a more systematic evaluation of plans and planning processes. Both overview and case study approaches were used and multiple sources of data were tapped in order to provide a comprehensive basis for generating new ideas about planning for sustainability in intergovernmental settings. Five types of data were collected, further details about which are given in *Appendix 3*.

1.1.3 Sources of Support

The New Zealand Government, through its Public Good Science Fund of the Foundation of Research, Science, and Technology (PGSF-FRST), funded the research upon which this Report is based. It was jointly conducted through contracts with The University of Waikato and Massey University, with sub-contracts to the University of North Carolina at Chapel Hill and

Planning Consultants Ltd, Auckland (contract numbers: UOW504; UOW606; MAU504; and MAU604). The 3.5 years of research starting in September 1995 cost \$1.12 million, of which around 50 percent was for salaries in support of approximately 3.2 FTE staff.²

In-kind support for the research came from all regional, city, and district councils whose staff, consultants, and councillors completed questionnaires, engaged in interviews, or provided documentary materials for the study programme. It also came from staff in central government agencies, like the Ministry for the Environment and Department of Conservation, as well as independent policy analysts, who gave interviews and other documentary information.

Also important were the professionals in planning practice and universities who endorsed the research through either letters of support to FRST (6 people), or provided initial interviews with the researchers (45 people), or offered critical reviews of methods and results in peer review workshops held periodically in Auckland, Wellington and Christchurch (70 people).

1.1.4 Information Transfer

As the research effort unfolded, information about plan quality and influencing factors was disseminated to planning professionals, practitioners in local government, and the implementation agencies of central government (*Appendix 3*). The main means have been through peer review meetings and proceedings, conferences, publications, PUCM newsletters, consultancies, tertiary courses, seminars, and selected chapters to staff in the Ministry for the Environment from the draft book *Plan Making for Sustainability: The New Zealand Experience*. The Ministry's Quality Plans Project draws on this research in developing criteria for assessing plan quality (Hill Young Cooper Ltd. 2000, Appendix 2).

Future activities planned for transferring information from Phase 1 of the PUCM Programme include:

- *case studies* (like the Far North District Council) for use in teaching graduates and practitioners about plan making, the planning process, and plan quality;
- *website* development on which to place key findings for use by the planning profession, and others interested in planning;
- *conference papers*, including: the New Zealand Planning Institute (NZPI) Conference (March 2001), where PUCM researchers and consultants on the Quality Plans Project will hold a joint workshop; the World Planning Schools Congress, Shanghai (July 2001), at which will be around 3500 scholars and practitioners; and the Joint Conference of the Royal Australian and New Zealand Planning Institutes, April 2002, at which will be around 1000 attendees;
- *marketing* nationally and internationally the forthcoming book: *Plan-Making for Sustainability: The New Zealand Experience*.

To date, the overall PUCM Programme has provided a training ground for post-graduates aiming to become professional planners or researchers. This opportunity increased during Phase 2 when funding increased. In the past 5 years, four young researchers have been involved as research assistants in New Zealand and a further two at the University of North Carolina. This outreach has provided students from both countries the chance for international

² FTE means full-time equivalent staff.

exchanges, further enriching the New Zealand programme. As well, some graduates have drawn on the PUCM methodology for carrying out research for masterate theses (*Appendix 4*), and one CRI has enquired about use of the plan quality method in their work.

Before detailing the findings and recommendations from Phase 1 of the PUCM programme, a summary of research in progress (Phase 2) and intended (Phase 3) is provided.

1.2. Further PUCM Research

Evaluating plans in order to improve plan-making (Phase 1) will not in-and-of-itself lead to improved environmental outcomes. A council that possesses a high quality plan and the capacity to effectively implement it may not gain good environmental outcomes because the quality of its implementation processes is poor (Phase 2). Even if the quality of implementation through the resource consents process is high, environmental outcomes identified as desirable objectives in plans may be influenced positively or negatively by other non-statutory methods, like education and financial incentives (Phase 3).

How these various measures work through in practice depends on the capability of councils, and this, as we shall see later in the findings from Phase 1, is dependent upon much-needed improvement in intergovernmental capability-building processes. In other words, while we may know what makes a good plan, we will not know if they matter much unless a range of other factors surrounding their implementation are carefully investigated. Only then can it be established whether good plans make a difference in achieving desirable environmental outcomes.

1.2.1 Phase 2: Implementation Quality (In progress)

The second phase of the PUCM Programme is focusing on developing and applying methods for evaluating *Implementation Quality* (IQ), including the extent to which the objectives and policies in district plans are, through the resource consents process, being adequately implemented by a selection of six district councils chosen for their plan quality results and capability. This has involved developing research protocols for assessing: implementation outcomes for plan compliance and extent with respect to storm water, urban amenity, and iwi interests; council implementation capability and effort; and resource consent applicants' capability and willingness to achieve the intentions of the plan. Instruments developed and tested include: resource consent application coding protocols for storm water and urban amenity; plan coding protocol for linking decision making elements in the plans to the resource consent decisions; surveys of council staff; surveys of applicants and consultants; surveys of iwi representatives; and case studies in the selected district councils, including their respective regional councils.

Before finalising the choice of district councils, various environmental topics were evaluated in potentially useful councils, in order to ascertain which ones would yield an adequate sample for analysis. This resulted in our focus on storm-water management and urban amenity. Some topics we wished to investigate, like flood hazard, did not yield a sufficient sample for analysis. Similarly, as few resource consents address iwi interests, alternative means of assessing Maori participation were developed. Plan and resource consent evaluation protocols

for storm water and urban amenity were developed and tested and then critiqued by peer review groups, then further revised and tested. In each of the six selected councils, a random sample of not less than 60 resource consents was identified for storm water and urban amenity, so that a compliance relationship between district plan and resource consents could be tested (30 each for urban amenity and storm water, plus up to 30 for special urban and water consents, the number of which varied across councils).

The various methods that have been developed are being applied in six district councils selected from the 34 district councils whose plans were analysed in Phase 1 of the research as representing extremes in the relationship between plan quality and organisational capability (**Table 1**). The councils are: Tauranga and Waitakere (high/high); Kaipara and Papakura (low/low); Horowhenua (medium/low); and Hurunui (medium/high). Not enough resource consents could be obtained in some councils that would otherwise have been selected for analysis. Two councils (Hutt City and South Waikato) were unable to provide staff time and space and declined to participate.

Table 1: District council plan quality scores and capacity to plan and the six councils (bold) selected for Phase 2 research on implementation quality.

		Council capacity		
		High	Medium	Low
Plan Quality	High	Tauranga Christchurch Waitakere	Queenstown Lakes Tasman Masterton Far North	
	Medium	Palmerston North Matamata – Piako Wellington Dunedin Hurunui Clutha	Gore Tararua Rotorua South Taranaki Waikato Southland Kapiti Coast	Rangitikei Horowhenua Otorohanga Timaru
	Low	Hutt City* Stratford	Waimate	Kaipara South Waikato* Papakura Kawerau

*Declined to assist

Testing the plan and resource consent coding protocols shows wide variation in the administration of consents and data management within councils, causing not only sampling difficulties, but also suggesting scope for improvement of systems and issues over capacity to do so. Across the six councils selected, 456 resource consents have been coded for storm water and urban amenity and preliminary analyses completed. The remaining field research and analysis will be completed by mid-2001, and written-up by mid-2002.

1.2.2 Phase 3: Environmental Quality (Proposed)

The proposal to trace decisions on resource consents through to practical outcomes on the ground needs to be expanded within a new Phase 3 for the PUCM research programme. The strength of each link in the statutory plan chain, and council's capability to follow through on the ground, needs to be evaluated. New research methods will be required in order to test these links, and the environmental outcomes. It has, however, become increasingly evident, as Phase 2 unfolded, that there is a need to broaden the research horizontally to include examination of *permitted activities* and *non-statutory methods*, because both have potential for greatly influencing environmental outcomes. Only around 10 percent of resource use and development activities are subject to the resource consent procedures, the remainder being permitted activities under district plans. These permitted activities demand investigation as their cumulative environmental effects are profound. Non-statutory methods include, for example: education, financial arrangements, strategic plans, and structure plans and these have increased in recent years. The effect of using non-regulatory methods has a potentially profound effect on the need for, and role of, district plans. The growth of permitted activities and non-statutory methods in councils was not considered in the original research design. The design for future research is being varied accordingly.

As noted earlier, summary details of the overall PUCM Programme as currently conceptualised are given in **Figure 1.1** and **Table 1.1** in *Appendix 1*. These identify objectives for the three phases and show how they are linked.

Part 2

Phase 1 Findings

Having provided an overview of the three phases of the PUCM research programme, we now focus on the findings from Phase 1 of the programme. They are a modified version of Chapter 12 from the forthcoming book *Plan-Making for Sustainability: The New Zealand Experience*. The findings below are in two related sections: the local plan-making system; and the intergovernmental system. Doing well in the former requires greatly improving the latter. These findings are, however, placed within the broader context of sustainable development and New Zealand's approach to environmental sustainability.

Sustainable development efforts have emerged worldwide as a new planning agenda. The evolution of this concept can be traced to early efforts in the 1960s and 1970s aimed at protecting the environment. These efforts were largely top-down, single purpose mandates targeted at problems associated with individual environmental media such as air and water pollution, destruction of wildlife habitat, and loss of forests. Evaluations of these earlier initiatives noted their good intentions while highlighting the multiplicity of environmental statutes, and their complexity and frequent ineffectiveness in achieving sustainable environmental outcomes.

Concerns about limitations of single purpose, top-down regulation along with growing pressures on the environment stimulated a movement in many countries toward more comprehensive and integrative solutions to environmental decline that focus on sustainable development. These new sustainability programmes attempted to redress some of the deficiencies of earlier environmental policy approaches. The designs of these programmes incorporate five key dimensions of planning and intergovernmental implementation theories, by emphasising: 1) achievement of national goals through integrated planning, rather than single-purpose mandates; 2) co-operation between national and local governments, rather than coercion; 3) regulation of environmental outcomes of activities, rather than the activities themselves; 4) national (and state) efforts at building local capability for environmental planning, rather than hoping local implementation will occur on its own; and 5) citizen participation in setting the agenda, rather than bureaucratic decision making. Integrating this mix of dimensions has meant that new sustainability initiatives retain, and perhaps increase, the planning complexities that were problematic under earlier regulatory mandates (Mazmanian and Kraft 1999). A major issue is whether the new programmes are more effective at producing better plans for achieving sustainable environmental outcomes.

Many noteworthy features have been highlighted in numerous articles and several books describing national sustainability efforts, and comparing case studies of communities, but these promising efforts have not been systematically evaluated with respect to plan development in terms of their preparation, implementation, and outcomes. Our programme of research aims to fill that gap. Phase 1 of our study examined the first of these three needs—the quality of plans produced under New Zealand's co-operative intergovernmental planning regime, including factors that influence plan preparation.

When the *Resource Management Act* first came into effect in late 1991, it attracted worldwide attention. Many international delegations visited the country to learn about what was viewed as an innovative approach to dealing with environmental problems. Like that developed for The Netherlands, the New Zealand environmental planning regime was hailed as a model that could provide lessons for other nations.

After nearly 10 years of experience under the *Act*, the early enthusiasm for what was then little more than a paper image of what could be, can now be tested against the reality of empirical results from our research. We first describe the vision of sustainable development in the context of planning as it has emerged internationally, then summarise New Zealand's novel, yet constrained, approach to sustainable development. Next, we assess the plan making system in New Zealand and then governance and organisational capability for environmental planning. The presentation of our findings highlights many obstacles to improving the operation of intergovernmental planning systems, and provides the basis for the recommendations in Part 3 of this Report.

2.1 Sustainable Development Concept Applied to Environmental Planning

Internationally, the concept of “sustainable development” has fostered an understanding of the need for societies to manage development by weaving together societal values concerning environmental protection, economic growth, and distributional equity-- including intergenerational equity. Planning provides a critical means for achieving intergenerational equity, especially when it employs a participatory process aimed at linking the needs of present generations to those of future generations without compromising the ability of future generations to meet their needs (see Chapter 1).³ Accordingly, planning is about helping to foresee and shape the scope and character of future development, identifying existing and emerging needs, fashioning plans to assure these needs will be met, and ensuring societies will be able to continuously reproduce and revitalise themselves. By this definition of “planning for sustainable development,” built environments become more liveable; ecosystems become healthier; economic development becomes more responsive to the needs of place rather than a powerful few; and the benefits of improved environmental and economic conditions become more equitably distributed.

Inherent in planning for sustainable development is the need for integrating key elements of environmental quality, economic development, and societal well-being. When applied in regional and local jurisdictions, the goal is to move beyond piecemeal problem solving where the three elements are treated separately, and towards understanding the systems issues that underlie those problems so that integrated and long-range solutions can be designed. In crafting solutions, integrated planning for sustainable development focuses not only on local problems, but also more importantly, on the local assets that contribute to local capability to solve problems. It also enables stakeholders to envision their community 10 or 20 years in the future and to take stock of the resources necessary to achieve that vision. Taking the longer view also requires stakeholders to account for the environmental consequences of developing

³ Chapter references in this Report pertain to the forthcoming book: *Plan Making for Sustainability: The New Zealand Experience*.

natural resources for economic gain that would otherwise be externalised and shifted to another place or time.

Integrated planning for sustainable development helps to bridge the gap between regulations aimed at maintaining environmental quality, and those aimed at ordered land use activities. Traditionally, environmental laws in most countries did not directly address land use practices, and land use laws did not directly deal with the adverse environmental effects of development. Sustainable development embraces new strategies that simultaneously account for adverse environmental impacts and land development concerns. Such strategies can often take a regional approach, linking common concerns of urban, suburban, and rural constituencies in public goods like transportation and water quality. The focus is on co-ordinating regional development and devising systems of governance larger than local communities, but smaller than national governments that are matched to the scale of regional problems. At the regional level, integrated planning for sustainable development enables communities to go beyond the narrow jurisdiction of environmental law to formulate strategies aimed at achieving common goals like protecting the quality of air, soil and water, and maintaining open space. At the same time, regionally co-ordinated infrastructure investments would take place in targeted growth areas like inner cities and rural town centres. Overlapping functions, such as aspects of land and water planning, with local councils help share integrated planning within the region.

2.2 Promoting Environmental Sustainability in New Zealand

For decades, New Zealand tried implementing, through various mandates, comprehensive regional planning, but these initiatives were somewhat fragmented and politically fraught (see Chapter 8). When sustainability emerged in the 1980s and the need to integrate resource management and planning statutes became painfully apparent, New Zealand's response was not to take the politically sensitive route towards "sustainable development," but to carve out a new path called "sustainable management." Encapsulated in the *Resource Management Act 1991* are provisions to internalise the adverse environmental effects of the use and development of natural and physical resources in ways that enabled people and their communities to ensure their social, economic, and cultural well-being and their health and safety (see Chapter 2).

Construed in this way, the mandate avoided meeting head on the challenge of integrating environment and development in regional and local planning, but also enabled a shift in focus away from the politically less palatable regulatory controls on land use activities to planning for environmental outcomes. The emphasis is therefore on "environmental sustainability," rather than "sustainable development" as it is understood internationally. This approach was an attempt to reconcile competing political imperatives: on the one hand, the green movement was pushing for greater environmental protection; on the other hand, the new right agenda required a smaller role for government and a greater role for the market in allocating resources. Thus, the statute was enabling. While prescribing a strict process of plan making, the *Resource Management Act* did not set out a New Zealand interpretation of what "sustainable development" means in terms of the content of plans beyond stating a general purpose and listing matters of national importance that had to be taken into account. The internalising of environmental externalities, it was argued, would ensure that resources were wisely used for

the benefit of present and future generations, obviating the need to define “sustainable development” more fully in the statute or in national policy statements. To further acknowledge political sensibilities and reduce the complexity of the new approach, the mandate focused on renewable resources (except fish), thereby excluding energy and crucially important non-renewable resources like minerals. In spite of attempts at rationalising the environmental legislation and planning through “sustainable management”, the system is still plagued by a plethora of policies and plans, both under RMA and associated environmental legislation. This is clearly seen when groups, like iwi, are faced with considering relevant documents when preparing their resource management plans (**Figure 1**).

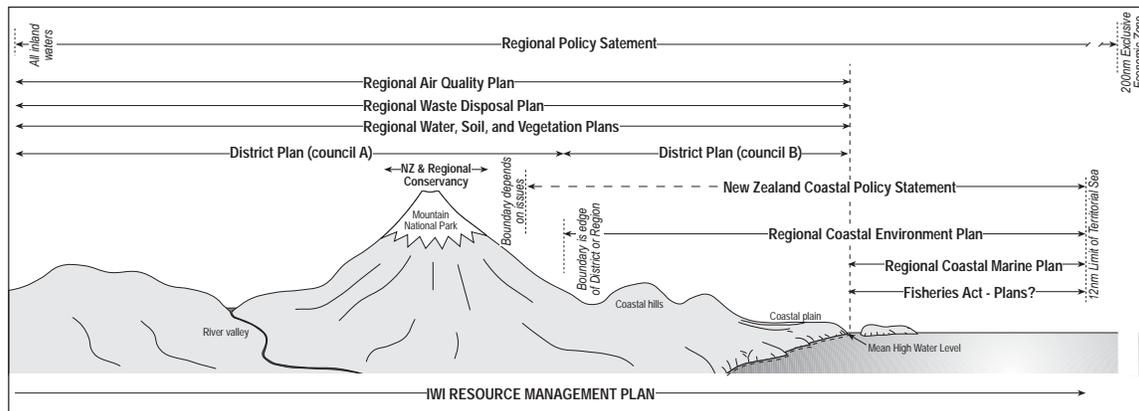


Figure 1: Plethora of policies and plans on resource management to which iwi management plans must relate. The complexity for co-operative action increases for the iwi if there is more than one regional council and two district councils noted in the diagram. It is further complicated if policies and plans under other statutes are included, such as land transport, civil defence, and historic places.

In our book we evaluated the influence of New Zealand’s national planning mandate on local plan making and plans that promote environmental sustainability. The *Resource Management Act* attempts to achieve this goal through several implementation features. As noted, one is a requirement that local and regional councils prepare planning documents aimed at achieving sustainable environmental outcomes, rather than regulating resource development activities.

Another feature is the provision of regular, practical participation of all citizens in decision making to ensure that desirable environmental outcomes are the shared responsibility of the many. A third feature is a co-operative intergovernmental approach to achieving local compliance to nationally mandated goals, rather than reliance on a conventional coercive, top-down approach to implementation of environmental policy. Finally, the mandate strengthens planning for the cultural and spiritual significance of natural and physical resources by indigenous people (Maori), which raises the possibility of formation of meaningful partnerships between indigenous people and local government.

These features of New Zealand’s intergovernmental environmental policy have increasingly drawn the attention of policy makers in many other countries who must grapple with enduring issues about the role of government and long-range planning in environmental policy. A

rethinking of approaches to balancing environmental protection, development, and human rights has been stimulated by acknowledgement of the limitations of current policies for these purposes. Many argue that future directions for environmental policy include less emphasis on top-down, regulatory prescription and greater reliance on local governments and local stakeholders in planning for sustainability. New Zealand's experience offers lessons on how higher-level governments influence local decisions and how local planning programmes formulate plans for achieving sustainable environmental outcomes.

In theorising about the potential effects of a planning mandate on local plan-making, we identified two sets of findings from the New Zealand experience. One set focuses on how effectively the local plan making system promotes participation among stakeholders, organises multi-agency actions, and ultimately produces local plans that advance sustainability. A second set of findings involves factors that affect local planning within the intergovernmental system, including the clarity of mandate goals, implementation effort by national agencies to build the local capability to plan, and the strength of co-operative partnerships between district and regional councils.

2.3 Assessing the Local Planning System

Based on previous research on plan quality, we theorised in Chapter 1 that eight principles define the quality of plans (**Table 2**). Similarly, we theorised in Chapters 1, 2 and 3 how the factors associated with local organisational capability (commitment and capacity) and organisational arrangements within local government influence the quality of local plans (**Figure 2**). We are now in a position to evaluate our findings on plan quality and the influence of these factors.

2.3.1 Plan Quality

A local plan is an essential component for communicating, educating, and guiding elected officials, council staff, landowners, developers, other stakeholders, and citizens as they deliberate on resource development issues, including their environmental effects. It helps to foster better co-ordination among local government agencies and programmes by providing a common set of facts for use in making decisions and by “obtaining commitments from decision makers to a co-ordinated set of actions beyond adoption of general policy guidelines” (Kaiser, Godschalk, and Chapin 1995: 73). It can be used as a tool to build local knowledge about current and anticipated environmental problems and trends, and as a policy-guide for anticipating and accommodating the needs and desires of current and future generations in that regard. It sets forth long-range policy solutions that attempt to balance the views among diverse stakeholders, now among the most contentious issues on local environmental agendas (Burby and May et al. 1997). It can also be a key vehicle for addressing national and regional policy concerns that are often beyond the purview of local jurisdictions.

Despite these presumed benefits, the quality of regional and local plans produced under the *Resource Management Act* casts doubt on the extent to which councils are taking advantage of the above benefits, and the intentions of the mandate. As already noted, our theorising about the content of plans specifies eight principles for evaluating plan quality (**Table 2**). We maintained that plans that incorporate these principles are of higher quality than plans that do

not incorporate them. We thus presumed that high quality plans are more effective in guiding councils towards achieving the goal of protecting and enhancing the environment through the sustainable management of the use and development of natural and physical resources. Unfortunately, this was not the case for our sample of plans.

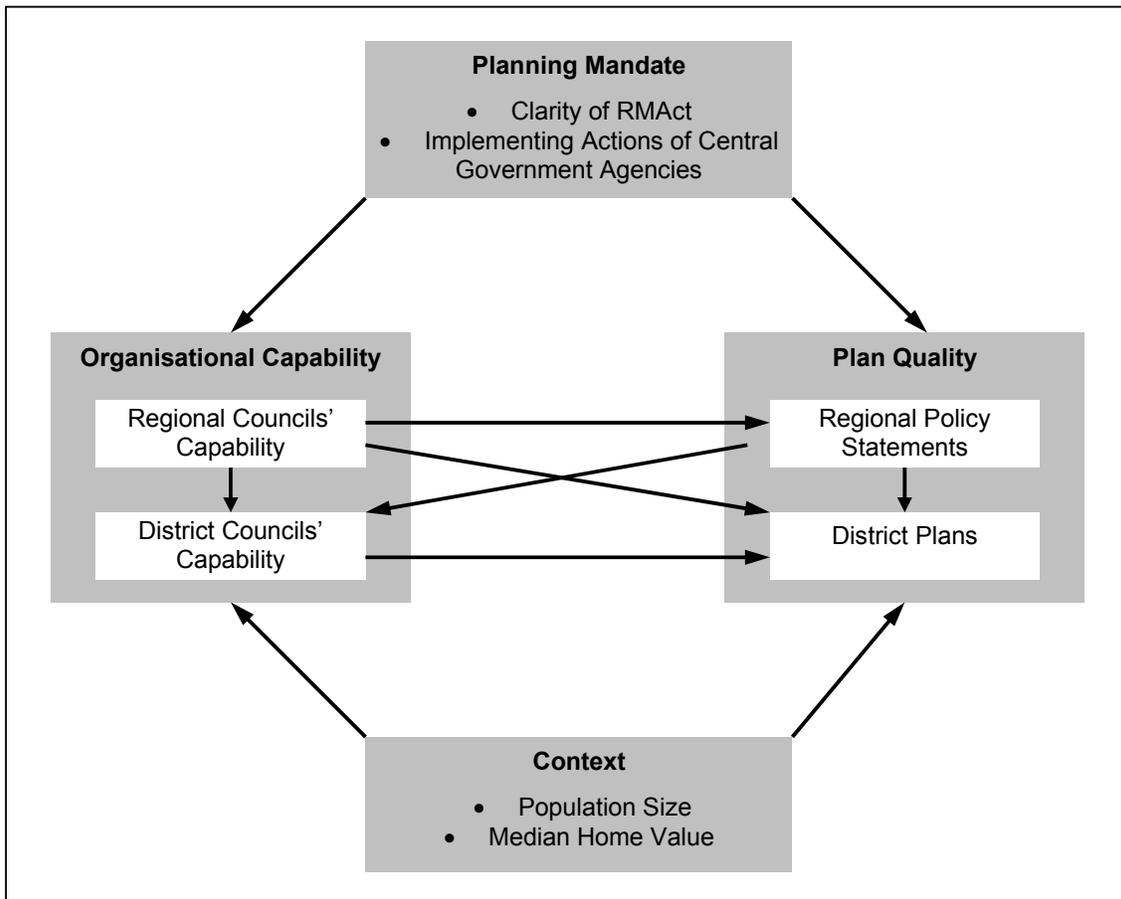


Figure 2: Theoretical framework linking mandate, organisational capability, plans and context

Table 2: Principles for evaluating plan quality

-
1. Interpretation of the Mandate: Articulation of how legislative enabling provisions are interpreted in the context of local (or regional) circumstances.
 - 1.1 Is there a clear explanation of how the plan implements key provisions involving matters of national importance, Treaty of Waitangi, duties to assess costs and benefits, and duties to gather information and monitor?
 - 1.2 Is there a clear explanation of the functions of a district plan as required by key legislative provisions?
 2. Clarity of Purpose: Articulation of a comprehensive overview, preferably early on, of the outcomes which the plans attempt to achieve.
 - 2.1 Does the overview consist of a coherent explanation of environmental outcomes?
 - 2.2 Does the overview contain a discussion of social, cultural and economic matters affecting those environmental outcomes?
 3. Identification of Issues: Explanation of issue in terms of the management of effects.
 - 3.1 Are issues clearly identified in terms of an effects-based orientation?
 4. Quality of Fact Base: Incorporation and explanation of the use of factual data in issue identification and the development of objectives and policies.
 - 4.1 Are maps/diagrams included? Do the maps display information that is relevant and comprehensible?
 - 4.2 Are facts presented in relevant and meaningful formats?
 - 4.3 Are methods used for deriving facts cited?
 - 4.4 Are issues prioritised based on explicit methods?
 - 4.5 Is benefit/cost analysis performed for main alternatives?
 - 4.6 Is background information/data sourced/referenced?
 5. Internal Consistency of Plans: Issues, objectives, policies, and so forth are consistent and mutually reinforcing.
 - 5.1 Are objectives clearly linked to issues?
 - 5.2 Are policies clearly linked to certain objectives?
 - 5.3 Are methods linked to policies?
 - 5.4 Are anticipated results linked to objectives?
 - 5.5 Are indicators of outcomes linked to anticipated results?
 6. Integration with Other Plans and Policy Instruments: Plans should integrate key actions of other plans and policy instruments that are produced within the agencies or by other agencies.
 - 6.1 How clear is the explanation of the relationship between each mentioned policy/policy instrument of the plan under study?
 - 6.2 How clearly are cross-boundary issues explained?
 7. Monitoring: Plans should include provisions for monitoring and identify organisational responsibility.
 - 7.1 Are provisions for monitoring the performance of objectives and policies included in the plan?
 - 7.2 Are specific indicators to be monitored identified?
 - 7.3 Are organisations identified that are responsible for monitoring and providing data for indicators?
 8. Organisation and Presentation: Plans should be readable, comprehensible and easy to use for both lay and professional people.
 - 8.1 Is a table of contents included (not just a list of chapters)?
 - 8.2 Is a detailed index included?
 - 8.3 Is there a user's guide that explains how the plan should be interpreted?
 - 8.4 Is a glossary of terms and definitions included?
 - 8.5 Is there an executive summary?
 - 8.6 Is there cross-referencing of issues, goals, objectives and policies?
 - 8.7 Are clear illustrations used (e.g. diagrams, pictures)?
 - 8.8 Is spatial information clearly illustrated on maps?
 - 8.9 Are individual properties clearly delineated on maps?
-

Our findings indicate that regional and local planning documents only received fair to poor scores in plan quality, with about 50 percent scoring substantially below the halfway mark of the maximum score. The median score for district plans was only 33.3 (out of a possible 80.0)

and 37.9 for regional policy statements. (See **Figure 3** and **Figure 4**, respectively.) Councils by-and-large are producing planning documents in need of considerable improvement.

Although the *Resource Management Act* requires that councils conduct assessments of the state of the environment to select and prioritise issues and develop the best policies for meeting objectives, the *fact base* principle received the lowest score of the eight principles. The plan quality scores by principle are shown for regional policy statements and district plans in **Figure 5**, on page 16. Each principle was scored out of a possible 10.0. These results indicate the absence of analytical rationales for defining and prioritising issues, and selecting policy alternatives. The weak fact base also partially explains the generally lacklustre scores for the principles of *issue identification* and *monitoring*. Without a strong fact base it is difficult to clearly define issues and to set up appropriate monitoring of environmental outcomes for evaluating plan performance.

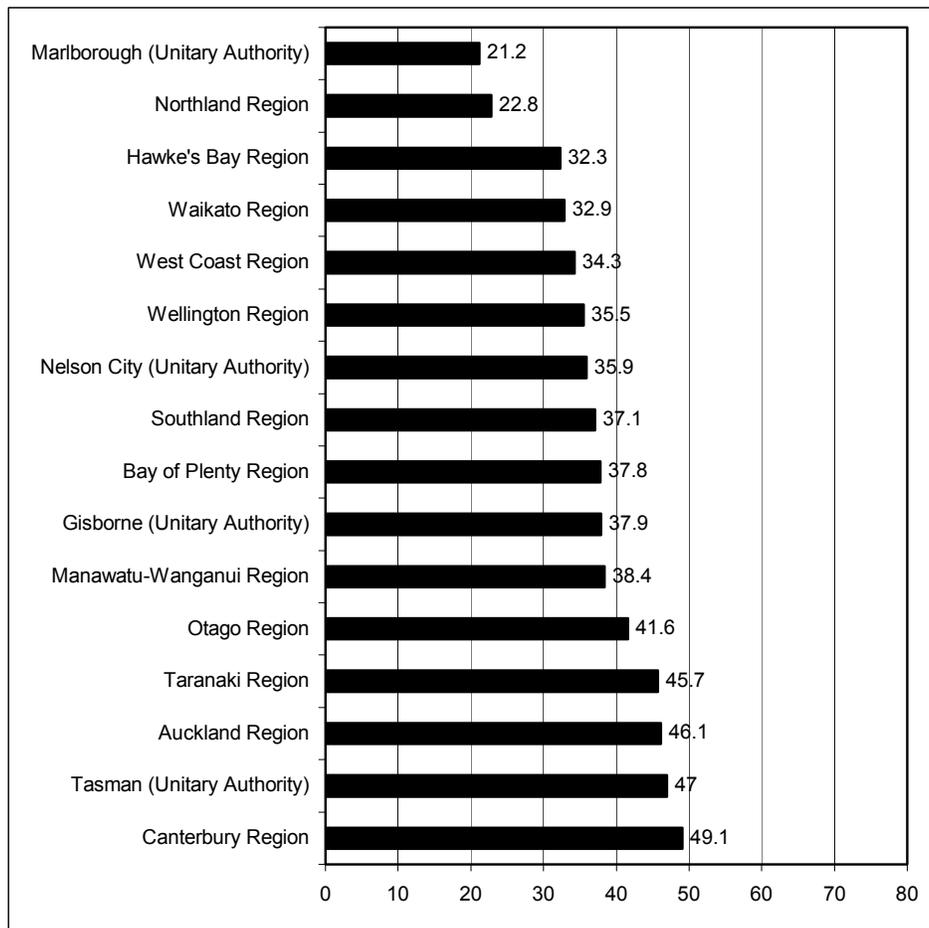


Figure 3: Ranking of overall regional policy statement scores (maximum possible score is 80)

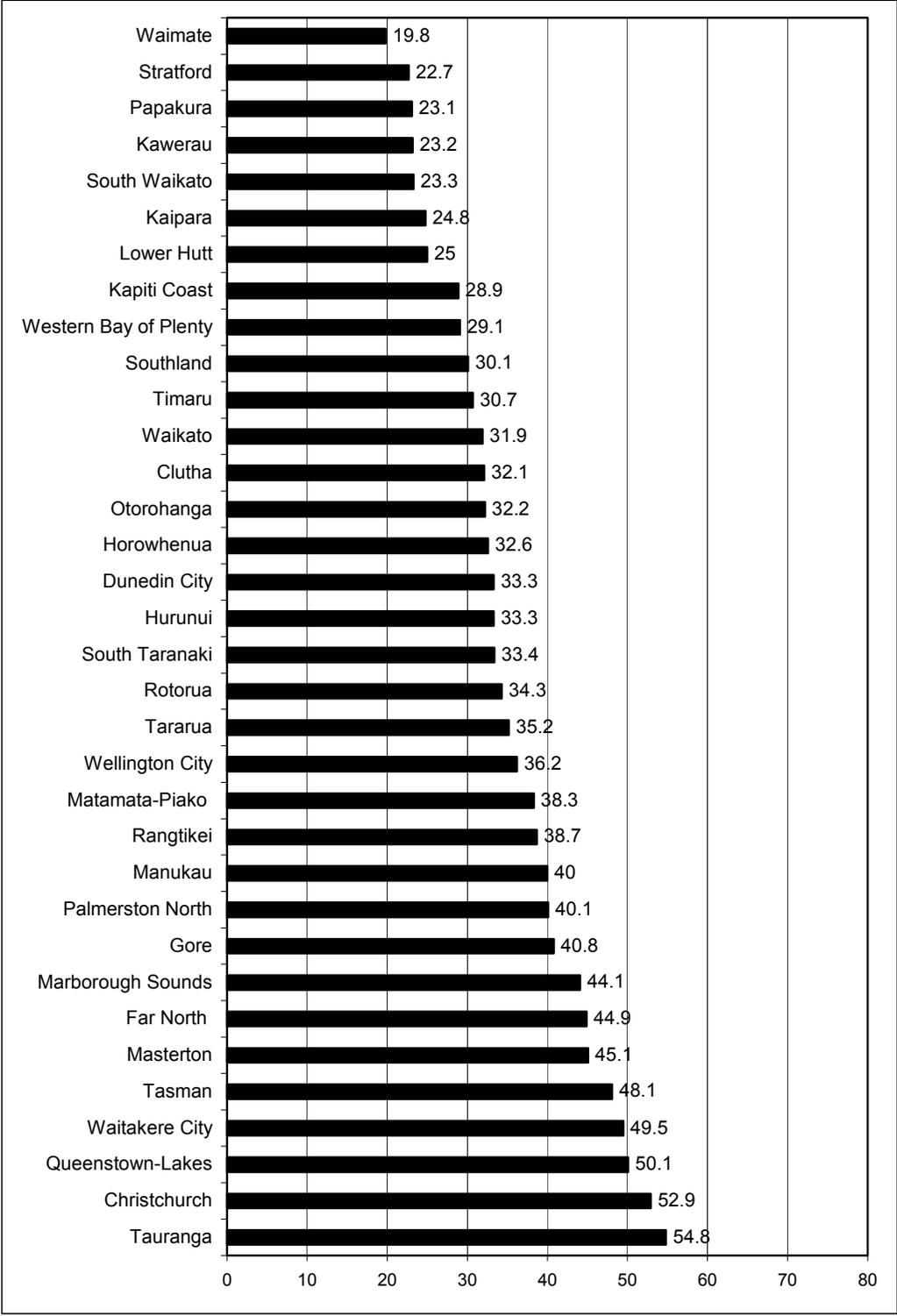


Figure 4: Ranking of overall district plan scores
(maximum possible score is 80)

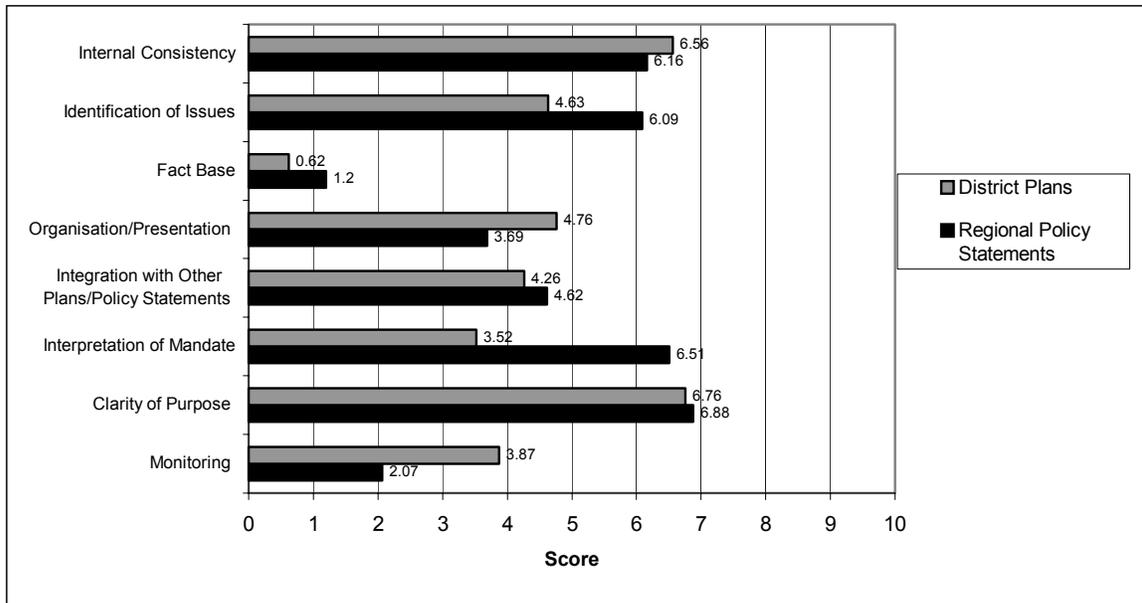


Figure 5: Comparison of scores for regional policy statements and district plans by plan quality principle (maximum possible score is 10)

Moreover, as a result of the weak fact base, there is considerable uncertainty about the potential environmental effects of future land use changes in councils. Because the focus is on controlling for environmental effects of land uses, rather than on the land use activities, many citizens are concerned about what activities may occur within their neighbourhoods. In the Far North District Council case study, for example, uncertainty about what may or may not happen generated strong reaction against the plan, which was the seventh highest scoring plan in our sample of 34 district plans (see Chapters 4 and 9).

Most plans scored poorly for the *interpretation of the mandate* principle, because they did not provide clear explanations of how the legislation applies to the local physical and social conditions. Plans also showed a lack of inter-organisational co-ordination based on the low score for the *integration* principle. While many other local, regional, and national plans and policies were mentioned, local plans lacked clear explanations of how these documents are accounted for in the policies included in the plan. The principles of *internal consistency* and *clarity of purpose* gained the highest scores among all principles, but still received only fair scores.

Similar low scores were found for how well plans address the role of Maori in land use and resource management. As noted in Chapter 7, the total mean score for provisions that advance indigenous rights was only 18.82 out of a possible 40.0. However, as will be discussed, the reasons that explain why Maori provisions in plans had low scores are considerably different compared to other environmental provisions in plans.

While the argument for rational forethought for plans seems plausible, there is room for doubt based on the evidence derived from this study. It seems reasonable to assume that sound environmental outcomes are unlikely to result from the implementation of the current crop of regional policy statements and district plans. It does not seem likely that they will serve as a

focal point for co-ordinating decision-making and helping diverse stakeholders reach consensus about desired environmental outcomes.

2.3.2 Organisational Capability

Our theory assumes that the capability of regional and district councils has an important influence on how well the plan making process is carried out and ultimately on plan quality. As noted, local capability consists of two factors— commitment and capacity (Godschalk et al. 1999). First, *commitment is the dedication of planners and elected officials to plan*, as indicated by their concern for planning, their willingness to budget adequate staff and fiscal resources for planning, and the priorities they place on planning compared to other local programmes. Second, *capacity is the ability to plan*, as indicated by the human, legal and fiscal resources in place, the effectiveness of local agency communication and co-ordination, and the knowledge and technology available to analyse environmental effects of development and land use change.

Findings from this study are supportive of our theorising. Indeed, the strength of evidence from our statistical analysis (Chapter 5) and case studies (Chapters 9-11) is striking. When commitment and capacity are strong, the quality of plans, and thus the effectiveness with which they guide councils to achieve sustainable environmental outcomes, is significantly greater. This is especially true given that our data on local commitment and capacity, context, and plan quality come from independent sources.

While the findings support our theorising, they also reveal troubling gaps in commitment and capacity throughout the planning process at the regional and local levels. First, capacity was uneven and inefficiently used at different stages of the process. Some local councils spent relatively large sums of money on plan making, truncated the consultative process, and then had to either redo plans or conduct substantial plan variations in response to strong public reaction (e.g., Tasman and Far North district councils). See **Figure 6** for the Far North District Council.

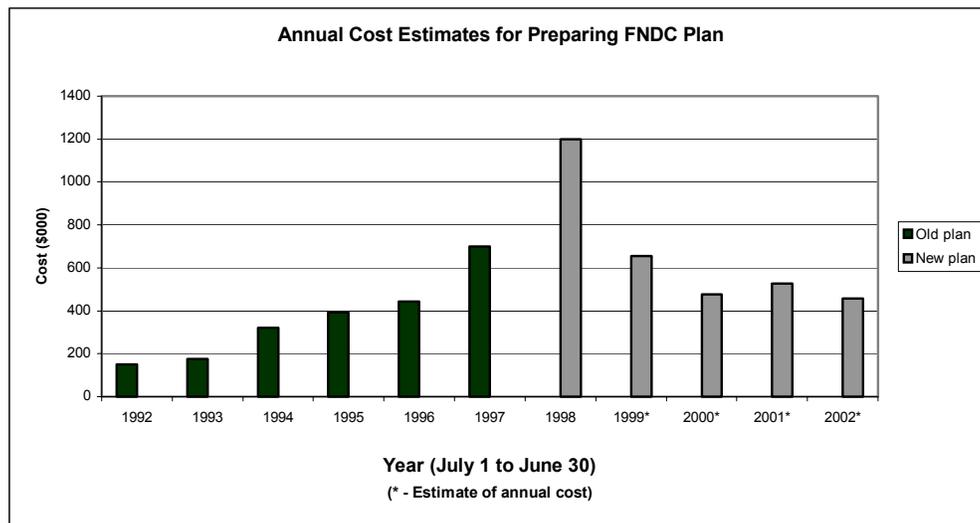


Figure 6: Annual cost estimates for preparing the Far North District Plan

Second, many planners and elected officials were daunted by the unknowns in effects-based planning, and had difficulty leaving the security of traditional activities-based planning. They devoted inadequate time at the outset to strategic thinking about the interpretation of the mandate and to project management, and often failed to realistically assess the scope of work at different stages of the plan making process. Frequently, their estimates of staff, time, and budget needs were unrealistic.

Third, a significant problem was that councils often placed too little emphasis on research and too much on consultation at the start, but too little on consultation and too much on research to plug gaps at the end in assessing the feasibility of rules from the perspective of end-users. The iterative processes of research and consultation are shown schematically in relation to the seven steps of plan making in **Figure 7**. In consequence, community disaffection with plans was high in many councils, and a great deal of time and money had to be spent in each council dealing with tens of thousands of submissions to the statutory hearing process, prompting some planners to observe it was democracy gone overboard.

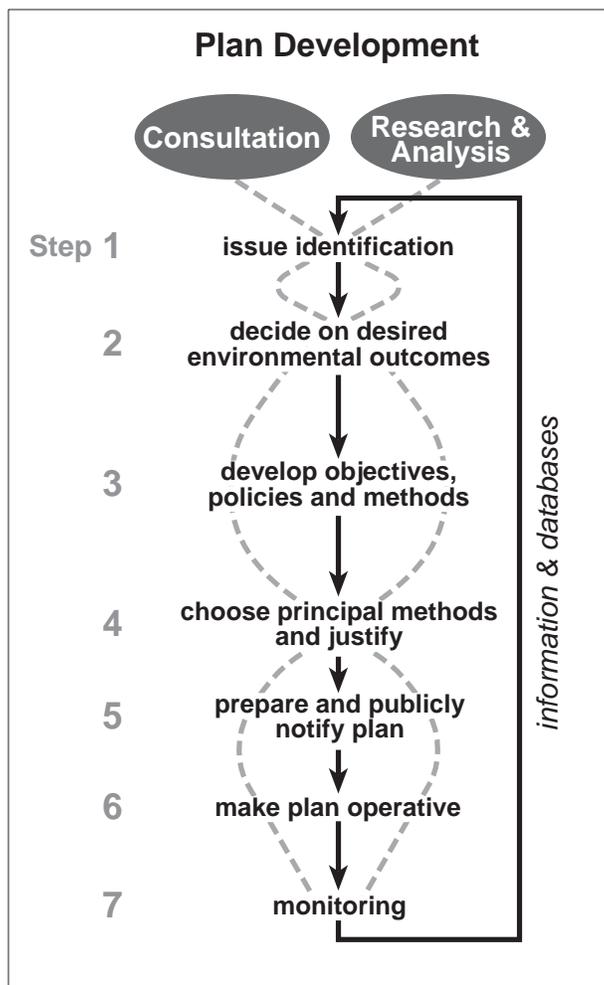


Figure 7: Main steps in plan development, including research and analysis and consultation

Fourth, there was a generally poor understanding by plan makers of the basic principles of plan quality, as outlined in **Table 2**. The authors of plans often failed to write policy in a rigorous fashion and appeared to lack the technical skills to conduct research as indicated by the weak facts-base in plans. This problem stems from a weak research culture in councils under the old planning regime, due to this role being performed by central Government. Expectations were likely too great for councils to quickly develop research programmes, while at the same time having to come to grips with the heavy demands of the new effects-based planning and low budgets.

Fifth, commitment to the plan making process by elected officials was uneven, and their leadership was often quite weak. Councillors often did not take the time and effort to understand the mandate, let alone the plan. They often set unrealistic deadlines, particularly rushing to notification to meet looming elections. They were not sympathetic and often mistrusted planning staff when deadlines were not met (see Chapters 9 and 11). Most planners were generally committed to the task, but were too often not supported by councillors in the face of opposition to notified plans by organised stakeholder groups and thus became demoralised. Furthermore, they were not always able to find the compensatory direction and support that they needed at the national or regional levels. This was especially discouraging where good effects-based plans had been produced.

Finally, while all indicators of organisational capacity to plan for Maori rights (number of iwi consultants, and number staff planners and consultants with expertise in indigenous affairs) had a strong positive influence on advancement of such rights, these indicators reflect weak capacity (see Chapter 7). For example, only 35.3 percent of district councils in our sample employed Maori consultants. This finding makes clear that local governments have not adequately invested in its capacity to meaningfully address Maori rights to the land and natural resources.

2.3.3 Institutional Arrangements

Local institutional arrangements were posited to have a significant influence on planning. Arrangements that foster well-organised agencies enhance communication, help provide a common set of facts to decision makers, reduce the likelihood for conflict and duplication of efforts, and lessen chances of mistrust and misunderstanding among local agencies, stakeholder groups, and citizens. These activities are important contributors to how well local governments are able to proactively foster innovation and change through planning, and produce high quality plans.

Two aspects of local institutional arrangements were evaluated – those among agencies within local government, and those between Maori and local government.

In the case of arrangements within local government, findings supported our theorising. On the one hand, case studies and interviews with national agency staff revealed that the government reform movement of the 1980s compromised local efforts to create effective institutional arrangements for planning. Because the reforms emphasised reduced spending, down-sized bureaucracy, and increased efficiency several obstacles were created. First, local governments separated policy (and planning) from regulatory administrative functions within the organisational structure of councils to improve transparency and accountability. The main disadvantage was a loss of co-ordination between policy and regulatory administration. Poor

co-ordination resulted in limited feedback from the regulatory and service delivery sections to the policy section. Moreover, the policy sections, where plan preparation occurs, have suffered from loss of specialised staff. When staff members responsible for service delivery participated in plan writing, there were more opportunities for tailoring policy solutions that fit local political and natural environmental conditions. Because staff assigned to service delivery deal with stakeholders on a day-to-day basis, they have an in-depth understanding of how stakeholders are affected by alternative policies and how willing they are to comply. They also have considerable knowledge about the fit between a policy and local needs for resource protection and development.

Second, local governments were under pressure to monitor and audit their own performance. Auditing was made easier when tasks were streamlined along narrow functional lines of organisational responsibility. This required setting up departments or business units in councils to deal with those aspects of resource management that were visible, measurable and politically feasible, such as meeting the prescribed deadlines for processing applications for consents. Planning and policy development was not well served in resource allocation and priority setting because the results are long-range, somewhat diffuse, and not up-front and immediate.

Third, many local governments experienced multiple restructuring, which implies that the changes were poorly conceived. The implications are that local elected officials and staff did not carefully consider the effects of initial change, and did not allow enough time to judge the effectiveness of the changes. Some changes were aimed more at shedding staff or simply pursuing the fashionable trend of reform, than creating well-organised and effective institutions. Because the transaction costs of organisational change are high (time, resources, and staffing), multiple organisational changes were costly, wasteful, and detrimental to planning.

On the other hand, the reforms promoted efficient organisational arrangements that had a positive influence on planning. First, local governments have introduced more business-like systems and attitudes towards customer service in local government. For instance, regulatory sections have improved the processing of resource consents and monitoring of consent compliance. Most local governments now charge applicants for the costs of processing, and are under pressure to grant consents in a timely fashion. Annual reporting to the Ministry for the Environment -- part of the Ministry's ongoing monitoring of the *Resource Management Act* -- on the numbers of consents handled and performance with statutory deadlines has reinforced this focus on efficient procedures.

Second, the reforms have induced more collaborative, short-range planning activities. Because service delivery has increasingly been contracted out to council-owned or private companies, local governments must rely more on promulgating project funding through short-range annual (and strategic) planning. Planners are thus increasingly engaged in short-range planning as a means of compensating for the loss of integration inherent in the functional split within councils. Moreover, engineers, social policy advisors and other experts are drawn into district plan implementation through the annual plan process. This new role for planners and other experts will take several years to work through, but the benefits of learning and increased involvement in planning are likely to be manifested in the next generation of regional and district plans.

In the case of integrating indigenous rights into plans, findings support our theorising. They revealed that organisational arrangements designed to integrate indigenous groups (Maori) into local planning initiatives are an important factor in creating high quality plans. Statistical evidence indicates that attempts to co-ordinate with Maori early in the planning process have a positive influence on how well plans advance their interests (see Chapter 7). As discussed in Chapter 7, however, only 43 percent of planners in district councils believed that this factor was effective. Case studies revealed that although many gains have accrued to Maori from the co-ordination and consultation provisions required in the *Resource Management Act*, there was still considerable disenchantment. Many Maori considered their involvement to be insufficient in policy decisions that affected their interests, and some who engaged in good faith felt betrayed when changes in plans forced by more powerful stakeholder groups undercut their contributions.

2.4 Assessing the Intergovernmental System

We theorised that the intergovernmental system for planning would directly influence the preparation of local plans and thereby their quality (**Figure 2**). We posited three sets of factors to be associated with this system: mandate design; implementation effort by national planning agencies in building the capability of district and regional councils; and the strength of intergovernmental relations between regional and district councils.

2.4.1 Mandate Design

The design of a planning mandate was theorised to have an important influence on the quality of regional and local plans. Design consists of planning requirements that specify national goals and processes for planning that must be followed by local and regional governments. We examined two features of design that influence local planning and plan quality: the clarity of the design features; and the comprehensiveness of the design in terms of how well the mandate addresses major environmental issues.

In most respects our findings are supportive of this theorising about clarity. Indeed, the strength of statistical evidence for the influence of the clarity of mandated goals is strong. In Chapter 5, findings indicate that when key legislative provisions in the mandate are clearly understood, then the capability of regional and local councils to plan and the quality of their planning documents were correspondingly higher.

While clarity of the mandate is an important predictor of plan quality, findings presented in Chapters 3 and 4 indicate that many key provisions in the *Act* were not clearly understood by the plan-makers in both regional and local councils, as is clearly shown in **Figure 8**. The lack of clarity caused confusion to councils, thereby contributing to the generally poor quality of plans. In spite of many amendments to the *Act* throughout the decade, key provisions, such as its purpose (section 5) remain unchanged. The government seems to have an expectation that regional and district councils will satisfactorily work out for themselves the intentions of the mandate. The uncertainty that flowed from this expectation enabled councils to develop plans that reflected the spectrum of political ideologies, which is consistent with a devolved mandate. This allowed many councils to cling to the regulatory activities-based planning of

old. These plans compromised the intention of environmental effects-based planning in the *Act*, which suggests that central government should not leave the interpretation of the mandate entirely to local governments. Higher levels of government must not only make the purpose of environmental legislation clear, but also assist in interpretation by providing leadership, support, and direction.

In addition, the mandate for sustainable development was incomplete because the relationship between the *Resource Management Act* and other statutes that deal with resource allocation and usage was not clearly defined. This was due, in part, to the truncation of reform after a change in government in 1990, but also reflects the sheer difficulty of designing a mandate for comprehensive environmental policy and planning. In Chapter 7, for example, findings show that nearly one-half of respondents from district councils did not understand the provisions of the *Act* for the Treaty of Waitangi. Councils had difficulty in infusing the provisions for the Treaty into their plans due to imprecise language. In spite of councils having to acknowledge the Treaty when planning under the *Act*, their obligations were never clarified by central government in respect of the Treaty. The relationship between the Treaty and the *Act* is long overdue for amendment and, meanwhile, both Maori and the environment are short-changed. Hence, the failure of central government to complete a systematic review between the Treaty and the *Act* as well as related legislation has contributed to the lack of clarity about the purpose of the *Act*.

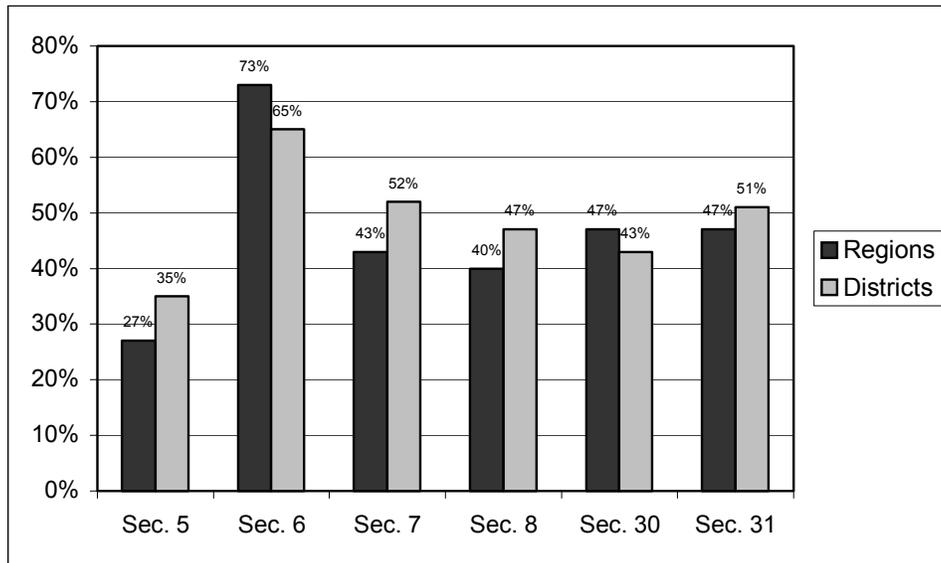


Figure 8: Clarity ratings for key sections of the RMA (ss 5, 6, 7, 8, 30, 31) by regional and district council staff

Another shortfall of mandate design involves confining the mandate to only renewable resources and not non-renewable resources. This restricted approach to design was successful in overcoming political impediments to reform of the environmental planning system. But truncating the mandate is simply forestalling issues that must be addressed if New Zealand is genuinely committed to sustainable development. For example, during the height of the reforms, policy makers believed that the market would ensure that non-renewable energy sources would be conserved through price mechanisms and that there was no need for any

government intervention to promote energy conservation or the adoption of alternatives to fossil fuels. Instead, the evidence is mounting that motorists do not respond to price increases by reducing fuel consumption or changing behaviour, and that innovative alternative sources of energy are slow to come. Given that global warming is a key issue regarding sustainability, the national government must consider intervention to reduce greenhouse gas emissions, and to promote a switch to renewable sources of energy and alternatives to fossil fuels.

2.4.2 Implementation Efforts

Efforts devoted to implementation of the mandate by the lead planning agencies of central government were theorised to have an important influence on the quality of regional and local plans (**Figure 2**). Implementation involves efforts aimed at enhancing the capability of district and regional councils to create high quality plans.

A co-operative mandate assumes that local governments are not only free to devise the best means through plans (and other methods) for reaching goals in the mandate, but also that they have the capability to fashion high quality plans. When local capability is lacking, the challenge for central government is to provide leadership in building local capability in ways that are facilitative without being too intrusive.

In most respects, findings are supportive of our theorising. Indeed, the strength of statistical evidence presented in Chapter 5 indicates that the influence of local capability-building efforts of central government is strong in helping councils to produce high quality plans. In addition, the importance of capability building was illustrated in our three case studies (see Chapters 9-11). Where staff in the regional offices of the Ministry for the Environment helped willing local councils to develop effects-based plans, the outcomes (i.e., plans) were very good. Where good-intentioned staff of the Department of Conservation failed to provide reliable data and technical assistance good plans suffered.

While the findings support our theorising, they also show that central government has not taken a strong leadership role in building sub-national capability. Chapter 6 reveals the half-hearted attempts of the central government to provide lead planning agencies with sufficient resources. Through the critical years of plan preparation, the Ministry for the Environment's budget for its Resource Management Division and regional offices averaged a miserly \$1.9 million per year. The Ministry's total budget averaged only \$9.5 million per year. The decline in funding and staffing coincided with increasing demands from councils for help from the Ministry (**Figure 9**). When it was realised that adequate resources would not materialise, the Minister and his advisors tried to exhort local councils to comply through political rhetoric, rather than compromise the budget-cutting policy of government. Survey findings also indicate that central government agencies were not, for the most part, viewed by council staff and councillors as helpful in clarifying the intentions of the mandate and in building their capability for developing plans (see Chapters 3 and 4) (**Figure 10**). Further, apart from the mandated coastal policy statement, government refused to prepare other national policy statements and standards for the matters of national importance that local councils had to address in their plans. Thus, in the critical years of mandate implementation, particularly plan preparation between 1991 and 1997, funding and guidance from the centre were meagre.

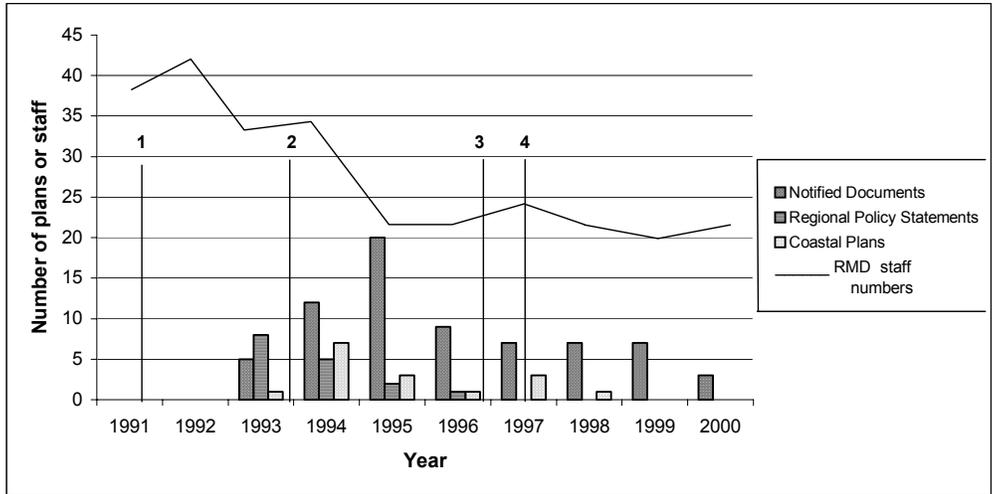


Figure 9: Comparison of trends in number of notified documents (regional policy statements, regional coastal plans, and district plans) with total number of staff in the Ministry’s Resource Management Directorate (RMD head and regional offices), 1991-2000. The period 1991 to 1996 was critical for policy and plan-making as indicated by: **1** *RMA*ct passed into law; **2** mandated due date for notified regional policy statements, regional coastal plans, and NZ coastal policy statement; **3** mandated due date for initial notified district plans; and **4** the Green Package funding.

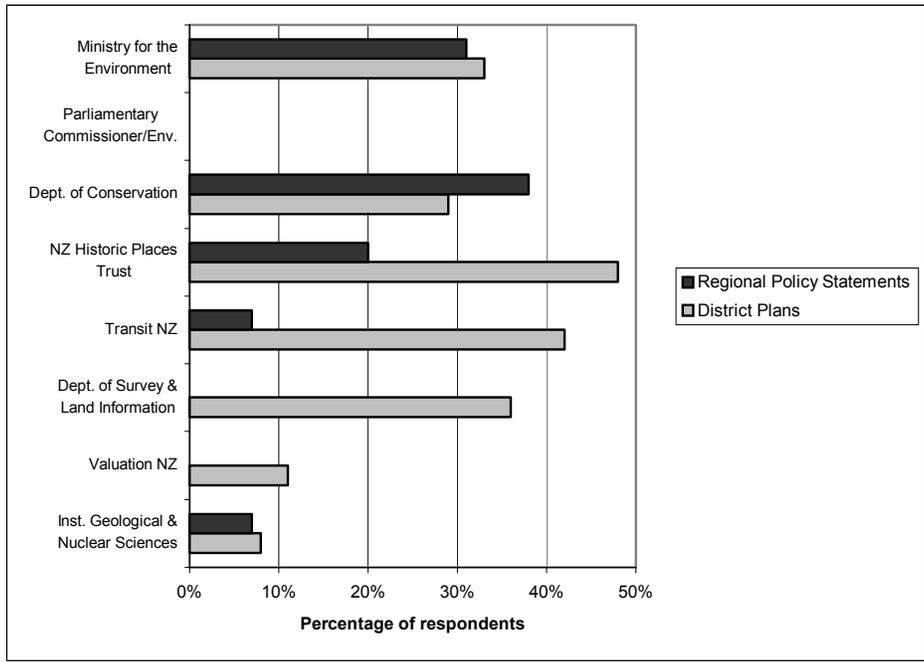


Figure 10: Usefulness of central government agencies to council plan-makers in developing policy statements and plans

Moreover, in the instance of indigenous rights, case study evidence revealed that implementation efforts by central government were weak. While the *Act* relied on active

participation by Maori in the planning process, there were little capability building efforts to assist Maori and council in integrating key provisions of the mandate that focused on indigenous rights.

Until the central government addresses the question of funding, the goals and provisions of the *Resource Management Act* will likely not be successfully integrated into local government plans. Of particular concern, is the need for funding by small councils. Statistical findings presented in Chapter 5 indicate that small councils are least likely to produce high quality plans due to low capability.

A serious consequence of the failure to provide funding is that district and regional councils may reject the goal of sustainable management due to the high cost of, and lack of financial support for, plan-making. Judicious application of funds during the initial years of this reforming mandate might have averted some of this lack of support for planning under the *Resource Management Act* and would have better encouraged local acceptance of the goal of sustainable management.

2.4.3 Relations Between Regional and District Councils

Increasingly, regional governing bodies are being assigned a critical role in advancing national (or state in federal systems) goals for land use and resource management. The primary responsibilities of these bodies are to identify significant regional issues that transcend the boundaries of local governments, fashion regional plans that promote integrated management across environmental media, provide technical assistance and advice to local governments, and support consensus building to ensure regionally responsible decisions by individual local governments. Under New Zealand's devolved mandate, these responsibilities call for a co-operative partnership between the district and regional councils to ensure the preparation of high quality plans at both levels of government.

We found a considerably weaker influence of regional councils on local councils than expected from our theorising about mandate design and implementation (**Figure 2**). Statistical modelling shows that regional councils have limited influence in enhancing the capability of local councils and the quality of their plans, and, by extension, the achievement of sustainable environmental outcomes. Regional and district planning is thus operating largely independent of one another with only weak inter-organisational relations and little integration of policies in plans.

Since our theorising reflects the rationale for having a regional tier of government as identified not only in the international literature, but also the New Zealand reform movement, these findings are of great concern, with important practical implications. They suggest that, in spite of the intended co-operative partnership roles of regional and local councils, there was limited integration and co-ordination between them at the time of our surveys. The case studies of local councils in Part III of the book suggest that lack of staff and financial resources, turf protection, and conflict generated by uncertainty in roles by each level of government are key reasons for this disconnection. This situation is worsened by the weak quality of regional policy statements, and thus limited ability to influence the quality of district plans.

2.5 Policy Learning: An Evolutionary Process

New Zealand is widely viewed as a leading example of mandated local planning for sustainable development. New Zealand's rich experience in advancing sustainability provides significant insights into the quality of local plans, the capability of local governments to plan, and the ability of higher level government agencies to enhance local capability under a co-operative mandate. The prime benefit of New Zealand's experience is as a learning process for societal change, where ideas and methods are tested, evaluated, and either embraced, revised or rejected.

The reforms that were undertaken in New Zealand in the late 1980s and early 1990s are far-reaching attempts to devolve responsibilities from national to local government, instil co-operation, and promote market solutions in the management of natural and physical resources. These reforms have attracted international attention due to the innovations they entail. Given the almost revolutionary nature of the change in governance and planning, however, public officials and stakeholders at all levels in New Zealand have been on a steep learning curve in their efforts to fully realise the promise of the reforms.

Changing suddenly from activities to effects based planning-- to say nothing of moving from state welfarism to market liberalism-- was a dramatic and risky policy move that involved all levels of government. In a newly devolved system where strong guidance from central government was suddenly eschewed in favour of innovation at local level, the risks escalated along with the costs as councils emerged along a success-failure spectrum.

Perhaps the learning curve under such dramatic change has been too steep? Our book documents the struggles that policy-makers and planners faced in establishing and making planning for sustainability work under a devolved and co-operative intergovernmental framework. Noteworthy obstacles remain in the way of accomplishing policy goals. The principal challenges in New Zealand are to improve the somewhat weak quality of local plans, limited local capability to plan, distrust of indigenous people of local government planning initiatives, and lack of involvement by central government in building local capability to plan.

An alternative to dramatic change would have been to take a more prudent, measured, and evolutionary course that emphasises co-operation and blends experiment with policy learning. This course would have enabled higher levels of government to clarify national policy, cultivate capabilities of local government, disseminate information about successful local plan making practices, and monitor plan performance and provide feedback. An evolutionary course would also have enabled local governments to respond first to the need for organisational change and capability, then to proceed with plan preparation. Another benefit would have been to allow adequate time to establish strong partnerships with Maori, and to build trust through participation. Regional and local governments would also have gained under an evolutionary course in terms of policy co-ordination, information sharing, and pooling of resources for environmental monitoring. Legislative reforms at this point could have then embedded these new innovations and practices.

As problems escalated in response to government's dramatic approach, policy learning has occurred, and recent Ministry for the Environment initiatives have potential for retrieving lost ground. A much more concerted and comprehensive effort is, however, required. The next section of this Report provides recommendations to foster policy learning and societal change toward sustainability through planning.

Part 3

Phase 1 Recommendations

Findings from this study indicate that two sets of organisational factors make a difference in planning for environmental sustainability: local capability to create good plans; and central government's mandate design and capability building efforts. The implication is that higher levels of government that enact mandates which ignore key characteristics of mandate design and implementation are forsaking important policy tools for creating high quality plans. Our findings also indicate, however, that plan quality is poor, the capability of higher and lower governments responsible for planning is low, and the intentions of key mandate provisions are not well understood.

What follows are recommendations for enhancing the quality of local plans as a basis for achieving sustainable environmental outcomes, building local capability, and improving the design of planning mandates and their implementation. The recommendations are aimed at enhancing the environmental planning system within the intergovernmental framework that was established a decade ago.

Since our plan quality coding was completed in 1997, it could be argued that our findings and, therefore, recommendations have been superseded by improvements in practice. Since then, the Ministry for the Environment received an increase in funding which allowed it to develop a new work programme, including identifying best practice examples aimed at improving plan quality. This view fails to recognise several important factors. First, a substantial part of our research was on organisational factors that influence plan-making and much of this post-dates 1997. Second, the increase in funding to the Ministry was quite limited thereby constraining its work programme. Third, the Ministry has had access to our draft results on plan quality since early 1999, and this would have helped confirm its 3-year action programme. Fourth, the Ministry's recent 1-year work programme on plan quality is not, however, in itself sufficient for addressing the multiple problems that we have uncovered. Fifth, we have researched plan-making within an intra- and inter-organisational context, and our findings dictate the need for an integrated and on-going approach to the problems that we have uncovered. Sixth, there is a high turnover of staff in the Ministry and local government, and on-going training of new staff is essential for improving capabilities.

The following recommendations aim at providing the basis for such an integrated programme for greatly improving the current situation. Their implementation will, however, depend upon political commitment and support through Ministerial purchase agreements, and we have shown that this has been found wanting during the past decade.

There are five sets of interrelated recommendations (see **Figure 11**). In essence, the flow diagram emphasises the following linked needs.

- 1) ***Improve the national framework for sustainability*** by revising policy on sustainable development and management; clarifying key provisions in the *Act* for the users; and adopting an integrated set of national policies to give direction to sub-national government.
- 2) ***Build national capability for environmental planning*** by strengthening the Ministry for the Environment so that it can better co-ordinate actions of central government agencies and more effectively collate and transfer information to regional and local councils.
- 3) ***Develop an integrated state-of-the-environment reporting system*** involving all levels of government, and provide regular reports aimed at helping to improve the monitoring of policies and plans.
- 4) ***Develop a national programme to build local capability*** by continuing the local government reforms; supporting land owners protecting nationally important environments; extending the environmental education programme; providing better factual information about the environment; and assessing the implementation of plans and their environmental outcomes.
- 5) ***Improve the quality of regional and local planning documents***, by strengthening both the organisational processes for plan development and the technical aspects of plan-making.

The effect of implementing these recommendations will be to make additional money and resources available at each tier of government. To date, the *Resource Management Act* has been a largely “unfunded mandate,” but for genuine progress to be achieved towards sustainability through the commitment of councils and private landowners, adequate funding from Government is needed. Applied to the five areas identified in our recommendations, significant gains will be made. Each set of recommendations is elaborated upon in turn below.

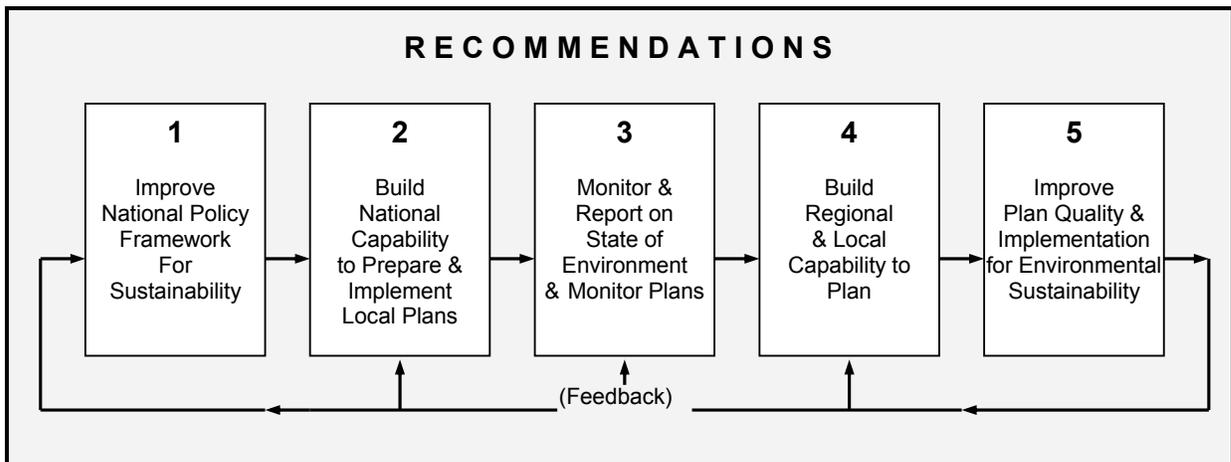


Figure 11: Five sets of interrelated recommendations for improving plan development for environmental sustainability.

3.1 Improve National Framework for Sustainability

Recommendation 1

To enhance understanding of the intentions of the mandate and to ensure that these intentions are infused into national, regional, and local planning documents, central government should systematically review the sustainable development framework, clarify vague provisions in the *Resource Management Act*, and prepare an integrated set of national policy statements on the environment.

If Government wishes to have effective environmental planning, the national mandate and its co-operative arrangements must be clear to those who have responsibility for implementing them. The vagueness in this regard has hampered the ability of councils to develop sound plans and to establish mutually beneficial relationships with iwi. For instance, deferring dealing with problems of gaps, imprecisions, and contradictions in the environmental planning mandate has caused on-going problems for successful implementation. We recommend three actions for helping to improve the current situation: systematically review the whole national framework for sustainable development; clarify key provisions within the *Act*; and develop an integrated package of national policy statements and (where appropriate) standards. These three actions for improving the national framework for sustainability requires additional funding, especially for the Ministry for the Environment, which should take the lead in carrying them out. This additional funding would signal that there is a high level of commitment to sustainability on the part of central government and firmly establish the Ministry as the lead agency in this area.

3.1.1 Review National Framework

To ensure greater clarity of purpose and better integration between the Resource Management Act and other mandates, central government should systematically review the national framework for sustainable development.

As explained in Chapter 12 (Findings), significant gaps in the *Resource Management Act* are energy, non-renewable resources, like minerals, and some renewable resources, like fisheries. At present, energy can only be dealt with through national regulations and standards. Councils can, however, deal with the environmental effects of mineral extraction, but not their rate of extraction. They have difficulty, however, dealing in their coastal plans with the unintended impacts of the *Fisheries Act* (1989). With councils soon to start preparing a new generation of plans, it is opportune for statutes that relate to the *Resource Management Act* to be systematically reviewed so that environmental planning is better integrated. This means moving beyond sustainable management and into a more coherent national policy framework for sustainable development.

In Chapter 2, we summarised in a diagram the key implementation instruments for sustainable development, including the hierarchy of policy statements and plans (**Figure 2.1**). But what is Government's policy for sustainable development? At present it consists of a range of diffuse policies, programmes and statutes. For example, key policies, programmes, and legislation that relate to the *Resource Management Act* include: *New Zealand's Biodiversity Strategy* (1998), prepared by the Department of Conservation, which may soon be fashioned into a national policy statement; the *Crown Minerals Act* (1991), prepared by the Ministry of Commerce (now Ministry of Economic Development); the new Energy and Efficiency Conservation Authority; the Sustainable Land Use Programme, developed by the Ministry of Agriculture and Fisheries (now Agriculture and Forestry); the *Fisheries Act* (1989) and total allowable catch system, developed by the Ministry of Agriculture and Fisheries (now Ministry of Fisheries); and the *Te Ture Whenua Act* (1993), developed by Te Puni Kokiri.

What are the consequences for environmental planning of continuing with such a fragmented policy mix? Three examples suffice: fisheries, land partitioning, and energy. The *Fisheries Act* (1989) established a regime for total allowable catch through use of independent tradable quotas. It focuses on commercially valuable species, but as the threshold for one species is reached, pressure falls on another, and so on. This has implications for coastal plans, which while protecting, say, the habitat of shellfish, may fail to protect other resources that become commercially attractive, such as sea-weed along the coast. The *Te Ture Whenua Act* (1993) provides for land occupation orders handled through the Maori Land Court. These orders do not have to take account of district plan minimum site areas, but resource consents may be required where several houses are built on the one site. Occupation has implications for the environment and provision of infrastructure, like roading, and these are not adequately addressed by the system.

The adverse effects of energy consumption are best dealt with nationally. Unlike for water, pollution from vehicles or the choice of fuels is not efficiently handled regionally, because differing regimes would result for trans-regional activities. It needs a coherent national policy and regulations on energy consumption, in order to impose solutions to deal with adverse environmental effects, by requiring, for example: emission controls; better quality diesel; more frequent tuning and certification of diesel vehicles; alternative energy sources for cars; and incentives for improved public transport. A national strategy on energy would also enable Government to better meet its obligations as a signatory to the United National Convention on Climate Change and the Kyoto Protocol.

Clearly, the Government has a fragmented system and needs to decide on what it wants to achieve with respect to sustainable development. The diffuse pieces need to be drawn together into a coherent national policy on sustainable development.

Consequently, we make three recommendations for action: 1) that the Government systematically review all resource statutes, policies, and programmes, in order to provide a coherent policy framework for sustainable development; 2) that Government considers these other resource statutes in relation to the *Resource Management Act*, in order to ensure that their adverse environmental effects of their implementation can be dealt with in regional and local plans; and 3) that the resulting policies and actions be implemented through the purchasing orders of central government agencies. Adopting these recommendations should increase integration, and reduce the unevenness in the nation's current fragmentary approach to sustainable development.

3.1.2 Clarify Key Provisions in the RMA

To reduce the high level of misunderstanding among plan-makers and stakeholders, central government should clarify key provisions in the Resource Management Act regarding its purpose, especially for matters of national importance.

Our survey indicated that over one-half of the staff in councils responsible for preparing mandated regional and local planning documents found these provisions in the *Resource Management Act* to be unclear. If the provisions are clearly understood, then local planners and elected officials would be more likely to know what they are responsible for and therefore be more committed to the mandate, and consequently more likely to prepare plans that embrace matters of national importance.

Devolved planning leaves local councils to choose their own methods for implementing the mandated purpose and principles, but when these are generally worded, councils are left to interpret them for themselves, which is unhelpful. For example, the looseness of section 5, the *Act's* purpose, has allowed councils to prepare other than effects-based plans. If effects-based planning is what central government wants from councils through the *Act*, then it must clear up the confusion caused by section 5 and other key provisions to which it relates, such as the protection of nationally significant habitats and the consideration of the Treaty and iwi interests. If it does not clarify the situation, councils with a predilection for comprehensive environmental and socio-economic planning and activities-based plans will continue to use the *Act* to that end.⁴ If section 5 remains unchanged, then perhaps a national policy statement outlining how councils should interpret it would help clarify its meaning in view of experiences to date. As another example, section 33 provides for regional and district councils to transfer certain powers to other agencies (e.g., iwi authorities). Very few transfers have, however, taken place because of the difficulty of complying with the requirements of the *Act*. Simplifying this process would facilitate more delegation in keeping with the spirit and intent of a devolved, co-operative mandate, which in turn would help to overcome the problems of overlapping jurisdictions (ss 30 and 31).

These sorts of examples lead us to the recommendation that the Government should not only make the mandate much clearer, but also help local government to focus more efficiently on what Government wants from its mandate. This will provide for greater certainty in plan development. We therefore recommend that the vaguely defined provisions of the mandate be redrafted to aid local councils in developing plans (e.g., ss 5, 6, 7, 8, 30, 31, 32 and 33). Making the intent of the mandate clearer to those responsible for preparing and implementing plans and others affected by the process, will enhance councils' ability to infuse these intentions into their regional policy statements and regional and district plans. The current review of the *Act* is most helpful, but may need to be reconsidered in light of our findings (Department of Conservation and Ministry for the Environment, 1998).

⁴ More recently, many councils are using plans other than those mandated by the RMA to achieve comprehensive planning goals.

3.1.3 Develop National Policy Statements and Standards

To provide policy direction for sub-national governments charged with protecting matters of national importance, central government should develop National Policy Statements (and where appropriate Standards) for key principles in the Resource Management Act.

A national policy statement has been written for coastal management because the *Resource Management Act* requires this, but central government has resisted producing national policy statements addressing other environmental matters of national importance. We found that on the coast, problems of identification and conflict in planning were considerably lessened in councils because of the existence of a national coastal policy statement, linked to regional coastal plans. It was a relatively easy task for planners, in consultation with their scientific advisors, to align local policies with national policies. The consensus about values, which the *New Zealand Coastal Policy Statement* (NZCPS, 1994) expresses, meant that these were not re-litigated region by region. Rather, the focus shifted to methods by which the objectives and policies of the NZCPS could be implemented.

Our research shows serious impediments common to many local councils searching for solutions to local problems that relate to a lack of clear national policy on other key principles in the *Act*. Our case studies showed considerable uncertainty and conflict because there is no national policy that defines, for example, what constitutes an “outstanding” landscape or “significant” natural area. Council staff spent unnecessary time and resources in searching for solutions with limited success, and philosophical arguments were replicated up and down the country needlessly, contributing to public distrust of the *Resource Management Act*. Consequently, without a clear national policy statement from central government, there has been significant variation in defining nationally significant environments across councils. The outcome is that some nationally and regionally significant environments may be lost and some non-significant environments may be unnecessarily protected at the expense of private landowners.

Difficulties have also been caused by the lack of clarity over the Crown’s partnership with iwi, and the extent to which councils act as Government’s agents in that regard. Councils would be better placed to deal with iwi interests if the Ministry for the Environment helped to prepare a national policy statement as a basis for then developing methods and techniques to use in ensuring these interests were adequately accounted for in their environmental planning (see R#3.1.3).

We recommend that central government create a more comprehensive and integrated national policy on environmental sustainability, including consideration of iwi interests, in order to better guide central and local government policy and planning than hitherto. Sections 6, 7 and 8 of the *Act* indicate the possibilities for national policy statements, but the preparation of statements must be prioritised to ensure pressures built up in the past decade are released, such as those relating to iwi interests and significant natural areas.

3.2 Build National Capability for Environmental Planning

Recommendation 2

Build the national capability for environmental planning by dramatically increasing funding to the Ministry for the Environment so that it can better coordinate the actions of central government agencies and provide improved support to councils implementing the *Resource Management Act*.

The Ministry for the Environment was expected to take the lead role in implementing the *Resource Management Act*, which includes not only co-ordinating activities in central government, but also helping local government to effectively plan. On the other hand, the Ministry was established as a slim policy agency and advisor to Government, which constrained its role as the key capability builder— a role that requires proactive behaviour in order to bring about needed change within and beyond central government. Not only has Government failed to provide adequate funds to the Ministry for carrying out a constrained reactive role, but also it has avoided funding implementation of its *Resource Management Act* to the point where many property owners object to protecting nationally important environments without compensation. (See R#3.4.2.)

We recommend that the Ministry be greatly strengthened to carry out not only its advisory role, but also an operational role in building central and local government capabilities for implementing the RMA and related environmental legislation. For that to happen, the Ministry requires additional funding. This would enable it to build on positive changes in its approach made over the last 2-3 years. Of primary concern is to provide better co-ordination at the centre, and improve provision of support to councils.

3.2.1 Strengthen the Ministry for the Environment

In order to take on the wide range of activities for implementing the Resource Management Act that are recommended in this Report (Recommendations 1 through 5), the Ministry for the Environment must be greatly strengthened and adequately funded.

Our findings showed that while the needs of councils for help in preparing planning documents exploded, the Ministry's funding was held to low levels, affecting the adequacy of staff resources, creating a stressful work environment, and causing high staff turnover. They showed that the Ministry was among the worst funded of central government agencies. Limited resources severely constrained the Ministry's interaction with regional and local councils, as well as with other stakeholder groups. It also impeded its ability to take the lead co-ordinating role in ensuring other central agencies provided adequate methods and data for

plan making. In short, constrained functions and funding hobbled the Ministry from being Government's key capability builder. Its role in this regard needs to be clarified and reinforced.⁵

In this Report, we recommend many actions aimed at improving the environmental planning system in general and plan-making in particular, and most involve the Ministry for the Environment as central government's lead agency. These actions expand on some already carried out by the Ministry, but many of them are new. The Ministry must, therefore, be strengthened to take on these expanded and new actions. In spite of recent budget increases, the Ministry has limited funding for carrying out its present policy advisory role. Funding must therefore be greatly expanded for the Ministry to take on the expanded proactive operational role that we recommend.

3.2.2 Develop Better Co-ordination at the Centre

To improve policy, methods, and data on matters of national importance, the Ministry for the Environment needs a clear mandate and adequate resources for co-ordinating the activities of key central government, and related, agencies

The Ministry needs the capacity to develop better relationships with other central government agencies, such as Department of Conservation, Ministry for Economic Development, Te Puni Kokiri, and Ministry of Agriculture and Forestry. For example, the Ministry for the Environment should take the lead in developing national policy statements and standards (R#3.1.3) and in co-ordinating the development of protocols between central and local government.

For example, it ought not have been left to crisis point in 1997 for the Department of Conservation and Local Government New Zealand to develop a protocol for working together on the definition of, and protection of, significant natural areas. That ought to have been engineered by the Ministry for the Environment years before. Without adequate funds and/or a clear and unambiguous mandate, the Ministry could not do what it might well have wanted to do in this regard.

As another example, local councils were left to develop methods and data for dealing with matters of national importance for which central government ought to have given clear guidance. In consequence, many councils experienced great difficulties resulting in problematic plans and disaffected stakeholders.

⁵ We found no such lack of clarity for, and efforts by, the Office of the Parliamentary Commissioner for the Environment. This office has been very effective in prioritising its assessment of various elements in the environmental system, modelling desired environmental behaviours, and working with local councils to help improve performance.

We therefore recommend that the Ministry be given a clear and unambiguous role in co-ordinating central government action on policies, methods, and data for matters of national importance, and be provided with the resources for effectively implementing it.

3.2.3 Provide Improved Support to Councils

To improve support to councils for helping them to implement Government's environmental mandate, the Ministry for the Environment should be provided with resources to enable it to be more operationally proactive.

The Ministry for the Environment needs to be strengthened so that it can provide a more proactive operational service to councils in plan development (preparation and implementation). A useful step would be to create planning assistance teams, using training programmes targeted to planning for environmental sustainability and implementation. The Ministry's central and regional offices will need to expand the quality and quantity of staff to accomplish these tasks. The turnover of staff in councils means that training of new staff in plan-making will be essential as the next generation of plans gets underway.

New staff members in the Ministry's offices should therefore have expertise in environmental sustainability and effects-based planning, in order to better provide planning assistance, environmental monitoring, and feedback. Selection of members in the planning assistance team of the Ministry will be crucial to building the capabilities of regional and local councils. Moreover, the progress of team efforts to build regional and local capability should be regularly evaluated to ensure that plan quality is achieved. For example, there is a need, especially in smaller councils, for help from outside specialists to identify national assets, like cultural and natural heritage, and to plan for their protection. Great value would accrue to all if, for example, the Ministry paid for an archaeologist for 2-3 years in the Far North District to work that specialty into policy development. This would help build the multi-disciplinary skills that councils need, and would provide a platform for them to later carry on the work without Ministry support.

We therefore recommend that the Ministry be given a clear operational role for building the capability of councils through the provision of better services, and the resources for effectively implementing it.

3.3 Integrate State of the Environment Reporting

Recommendation 3

Establish, and adequately fund, an integrated environmental monitoring programme. This should include: regular state of environment reporting requirements, based on indicators for national, regional, and local scales that enable development of a composite and nested system aimed at: integrating the monitoring in the hierarchy of policies and plans; monitoring the cumulative effects of the use and development of resources; providing factual information for policies and plans; and evaluating their performance in achieving objectives.

Establishment of a monitoring programme is essential in tracking progress toward environmental sustainability and helps to address a major weakness of current policy statements and plans—the lack of facts. A well-developed monitoring programme provides evidence by which to evaluate the performance of a policy or plan, be it for national, regional, or local purposes. Should monitoring uncover problems, the policy or plan can be revised based on the most recent and accurate environmental information. Monitoring could also improve commitment to environmental planning. Stakeholders involved in making the policy or plan have an interest in learning which policies succeed or fail, and why. They will be more likely to agree to changes if they have been informed about the need to revise the plan. Monitoring also has great potential for drawing public attention to environmental problems and educating communities about the risks posed by environmental degradation.

Under the *Resource Management Act* the Minister for the Environment has a duty to monitor the effect and implementation of the *Act*, including any regulations and national policy statements (s24), while the Minister for Conservation is responsible for monitoring the NCPS (1994) and coastal permits (s28). The *Act* requires regional and local councils to monitor both the state of the environment and the suitability and effectiveness of any policy statement or plan for the region or district (s35). There is, in effect, a hierarchy for state of environment monitoring and reporting. For effective monitoring to occur, it is necessary to have regular state of the environment evaluations.

Monitoring in New Zealand is fragmentary and unevenly implemented, and is not integrated throughout the governance hierarchy. At national level, the Ministry for the Environment has produced one state of the environment report (1997). Significant progress has, however, been made at the national level in developing state-of-the-environment indicators under the Environmental Performance Indicators Programme. Progress may, however, be constrained in identifying what environmental conditions should be monitored given the absence of a clear and integrated national environmental policy framework (see R#3.1.1).

At the sub-national level, not all regional councils have undertaken comprehensive state of the environment monitoring for their areas, even though their focused mandate makes monitoring a higher priority than for the multi-functioned local councils. In local councils, attention has, understandably, focused on ensuring their planning documents are in place, and monitoring, while recognised as a need, has been deferred. Moreover, their efforts have been slowed as

existing environmental databases are unevenly developed, and central government's role has until recently been weak. For example, data on floodway delineation and identification of historic places is quite good throughout the country, but data on sites of significance to Maori or significant natural areas are uneven. The recent publication of monitoring guidelines for councils by the Ministry for the Environment represents a positive step to build council capability.

3.3.1 Develop Integrated SOE Monitoring Programme

Central government should place high priority on the development of an integrated national, regional and local environmental monitoring programme.

Given the lack of progress on monitoring to date, we recommend that central government place high priority on supporting the development of an integrated national, regional, and local environmental monitoring programme, and amending the *Act* as need be. Indicators must be developed at different scales (national, region, and local), each as a composite of those below and itself nested within the scale above. Nesting will help show the levels where monitoring for topics needs to be done, such as central government for greenhouse gases; regional councils for water quality; and local councils for heritage. This system will improve integration and over time enable better understanding of the cumulative environmental effects of the use and development of resources. It will also help to fill an important gap in the current generation of policies and plans— a lack of factual information. Implementing this recommendation requires additional funding to be made available within central, regional and local governments. This is a clear area where central government could accelerate implementation of its environmental mandate through a series of timely capability building initiatives (see R#3.4).

There are several interrelated aspects to this recommendation. First, a key step in developing an integrated monitoring programme is to adopt national policies for important environmental media to serve as a framework for indicator development (see R#3.1.2). The programme must be adequately funded by central government to ensure that indicators are developed and regularly measured at all levels of government.

Second, the Ministry for the Environment should continue producing a national state-of-the-environment report, but do so on a regular basis. Regional and local councils should provide regular reports as well. At the minimum, these reports should contain a description of each indicator of a particular condition, why each indicator is important, historical trends and anticipated changes, and an evaluation of whether the indicator is showing movement towards or away from desired environmental outcomes. To emphasise the integrative aspects of reporting tied to a national, regional, or local policy, it also would be useful to have a discussion of linkages among indicators. For example, change in impervious surface in a watershed is tied to water quality, or change in vehicle miles travelled is linked to air quality.

Third, the state-of-the environment reporting for each tier of government could be expanded to include scenarios of major effects of alternative land use and development patterns under present conditions and projected growth estimates. The reports could use standard measures for some environmental indicators as well as cumulative measures of the current and projected physical and social conditions. Examples of indicators include flood disaster losses, water quality, number and condition of culturally significant sites, and resident satisfaction with the liveability of the built environment.

Finally, regional councils could integrate the reports of local councils into a state-of-the environment report for the region on a regular basis. The Ministry for the Environment could then use these regional reports to compile a cumulative national state-of-the-environment report. This publication and accompanying national (and regional) attention also might raise the quality of individual national, regional, and local monitoring and reporting.

3.3.2 Monitor Policies and Plans

Central government should regularly monitor the status of policy statements and plans and the organisational capabilities for their implementation.

National monitoring should also assess the status of policy statements and plans, and organisational capabilities to carry out plans at the respective level of government. They could start with our evaluation of the content and quality of current district plans and regional policy statements (see Chapters 3, 4 and 5). We recommend that the principles used for our plan quality evaluation be adopted (see Chapter 2). The Ministry for the Environment's recent funding of a Quality Plans Project aimed at providing practical, best practice advice on policy and plan development is a positive step as well (Meritec Ltd., 2000). The reports could also include a discussion of the status of plans and programmes of various governmental agencies that might influence planning for sustainability. They could include an assessment of the effectiveness of policies and rules in plans for avoiding, reducing, or remedying the projected effects from development. The outcomes of these assessments should be drawn into the integrated monitoring programme at each level (R#3.3.1).

3.4 Develop a National Programme to Build Local Capability

Recommendation 4

Charge the Ministry for the Environment with the task of developing regional and local council commitment and capacity to plan for sustainable management; give the Ministry the resources needed for these tasks; and evaluate its performance in carrying them out.

A devolved co-operative national mandate assumes central government will build capability in sub-national jurisdictions for its implementation, while at the same time encouraging them to be innovative in solving local problems. Whether by intent or default, the Ministry for the Environment used the latter as a justification for avoiding the former. It did not capacity build in accordance with the principles of devolution. The Ministry had neither the political support nor the funds to do so. Thus, as already noted (R#3.1.3), it did not produce national policy statements for guiding local innovation in plan-making. Nor did it marshal together cognate agencies so that it could provide councils with methods for gathering and distributing data on nationally significant environments (R#3.2.2). This contradictory hands-off stance has proved very costly to plan-making in councils, and is a major reason why so many notified plans were of poor quality.

If planning is to meet the challenge of creating effective plans that promote environmental sustainability, central government must close gaps in sub-national capability. Building the capability of regional and local councils to implement the national mandate requires a multi-pronged strategy by central government. We recommend five capability-building actions as key elements of this overall strategy: continue local government reforms; assist councils to protect national assets; improve environmental education; build stronger facts-base; and evaluate plan implementation strategies. All of these actions will require additional funding targeted to the agencies best able for carrying them out.

3.4.1 Continue Reforming Local Government

Central government should continue with local government reforms, in order create more effective units of local government, but should do so through use of selected models and targeted support as incentives for inclusion.

Although a small country, New Zealand has a wide variety of physical geographies, a high level of biodiversity, and a very uneven population distribution. It is unlikely that any one model of governance will suit every circumstance. Having a similar geographical or population

size in each unit of local government is impossible, yet there is scope for rationalizing the current disposition of regional and local councils, while still allowing for considerable variation.

Many indicators from our research suggest that if effective and efficient plan development is to occur, and thereby improved environmental outcomes, Government should continue reforming local government. We do not advocate radical change, as happened a decade ago, but slower-paced evolutionary and iterative change. Thus, we would not recommend that Government move quickly to “true devolution” and “powers of competence” for local councils, although that should perhaps be a long-term goal. Nor do we suggest that another full round of amalgamations occur, simply because we found smaller and poorer councils to be producing poorer quality plans. Some changes are, however, warranted, and we suggest several options for achieving them.

Rather than force another round of local government restructuring across the country, an alternative would be to encourage reform where it would appear to be most effective, and use this as a model for encouraging reforms elsewhere at a later time. The selected cases could be monitored so that current and predicted outcomes can be compared. Central government could encourage councils into the “experimental” reforms by assisting them through various means, including a number of those that we recommend in various sections of this chapter. This could also include building better partnerships between itself, the councils, and iwi, as well as between regional and local councils. Options include:

- 1) resourcing under-performing small councils so that they can build up their staffing and other resources;
- 2) merging small councils, like Kaikoura (3,700); McKenzie (5,057) and Carterton (6,910), with neighbours, although numbers alone would not be the guide, since amalgamations with a poorly performing neighbour might be questionable; and
- 3) creating more unitary authorities, through selected amalgamations that consider population size and wealth of council, such as in the relatively poorer regions of Northland⁶ and West Coast.⁷

These options acknowledge our finding that the number of qualified staff was a reliable predictor of capability to plan and that smaller regional and local councils are less able to support a sufficient number of staff than larger ones. Also, that poorer local councils are less able to produce high quality plans than more wealthy ones.⁸ This state of affairs is especially problematic where the areas of smaller, poorer councils contain environments of national and regional significance, for it infers that poor quality plans will result in poor environmental outcomes regardless of the implementation effort. As bigger councils generally produce better

⁶ The West Coast region contains only 36,000 people and three district councils. It is the poorest of the 12 regional councils, and has struggled to implement the mandate.

⁷ The Northland region has 130,000 people and three district councils. It is relatively poor, but contains a rich tapestry of cultural and natural heritage, and is one of the most bio-diverse in the country. Income from the region’s port shares could help execute not only regional planning, but also district planning. The unitary authority would have access to resources that would make the unit of local government more sustainable and effective.

⁸ This is based on the finding that population size (i.e., proxy for available council resources) is a major determinate of regional and district staff size, and median home value (i.e., proxy for wealth) is an important predictor of local plan quality.

quality plans, one way to build capability is to create bigger units of local government by amalgamating smaller units into larger ones.⁹ Central government could achieve this through inducements aimed at capability building, including assisting new entities to work more closely with their iwi partners. Where districts feel a loss of democracy, the existing community boards could be re-invigorated.

Given these various options, we recommend that Government should undertake a long-term “pilot” study. It should first re-write the *Resource Management Act* as needed, in order to allow unitary authorities to do all necessary tasks but produce fewer documents. This would become more appropriate if there were more national policy statements (see R#3.1.3). It should make necessary changes to the *Local Government Act* (1974) so that a select group of newly enlarged councils could be used to test the model aimed at a truly integrated resource management. That is, air, water, soil, ecosystem management, coastal, and land use all in one plan. The Ministry for the Environment, on behalf of Government, would then compare performances of the new unitary authorities over a time period of, say, 10-15 years, with that of comparable district councils to see if environmental outcomes are better, worse, or no different. Depending on the outcomes, further local government reforms could follow. If successful, the new units might be used to trial powers of competence in local councils.

3.4.2 Assist Councils to Protect National Assets

Central government should provide financial and in-kind relief to councils for implementing plans and associated methods aimed at protecting and enhancing nationally important assets.

A key impediment to acceptance of effects-based plans is that affected property owners object to bearing the costs of protecting nationally and regionally significant environments without redress. Whether protection is achieved compulsorily through regulations in plans or voluntarily by other means, it is patently unfair of central government to expect ratepayers in local councils to bear the full cost of implementing the national mandate in this regard. The Government must urgently address this problem if it wants effects-based plans to achieve desired environmental outcomes and if it wants to promote alternative methods to regulation.

In order to avoid reinforcing the common view that the ownership of land is absolute, we do not recommend that central government provide direct dollar compensation to owners for loss of land to the public good. Rather, we recommend that it provide funds and in-kind support to councils, in order to help subsidise effective measures for achieving protection, such as for fencing to keep stock from entering areas containing significant flora and fauna and providing for weed and pest control.

⁹ Studies about what size results in the most democratically effective council suggest that a population of about 80,000 is appropriate. In 1994, only nine of the 72 local councils had 80,000 or more people in them, while 18 local councils had less than 15,000 people. The smallest council (Kaikoura) had only 3,700 people, the largest (Auckland) 306,000 people. Some variation in population size is warranted to take account of communities of interest and geographical diversity, but parochial interests need to be counterbalanced by other factors, such as meeting broader national goals— like environmental protection and enhancement.

Implementation of the *Resource Management Act* is one of the few examples of devolution proposed in the late 1980s to have taken root (Chapter 6). For its success, funding must be devolved to local government to support community-based initiatives in plan implementation. There are several methods for devolving funds. For example, the needs-based Resource Management Subsidies programme that operated before 1995 seems especially appropriate and should be reinstated (Chapter 8). With the plan implementation process well underway, and a new generation of plans soon to be prepared, reintroduction of this programme seems crucial. Other sources include expansion of existing funds like the Sustainable Management Fund and Nga Whenua Rahui. There could also be the establishment of a new fund for use in promoting the active management of cultural and natural heritage resources.

We also recommend targeted financial support for small rural and poorer councils to assist with the employment of expert advice as this would lead to improved plan quality. Assistance “in kind” could include the secondment of experts with specialised knowledge e.g., cultural heritage. We also recommend that councils who are willing to undertake innovative approaches be supported directly, particularly to evaluate their effectiveness. In this way, successful experiences can be shared.

3.4.3 Establish a National Education Programme

Establish an educational programme focused on how to create high quality plans for environmental sustainability by describing best plan practices and explaining practical techniques for plan-making at the regional and local levels.

Non-statutory methods are becoming increasingly important for achieving good environmental outcomes in councils. These are important supplements to the regulatory rules in plans. Education is fundamental in providing various stakeholders with understanding of the environmental mandate, individual and group responsibilities for achieving good environmental outcomes, and the importance of sound environmental planning. Education is also important to improving the quality of environmental plans. The Ministry for the Environment and Department of Conservation both have education programmes relevant to their mandates. So, too, do regional and local councils, but they vary a great deal in quality, especially for local councils. Examples of good education programmes are found in the larger local councils, such as, in the North Island, the cities of Waitakere and Manukau; and the regions of Northland, Auckland, Waikato and Taranaki. Other councils could use these as models in strengthening their own programmes.

The quality of plans could be substantially improved if planners, elected officials, and stakeholder representatives had training to get them started. Much of the lack of understanding about the technical methods needed to prepare plans discussed in Chapters 9, 10, and 11 could be avoided if sound educational programmes were available. The new form of effects-based planning under the *Resource Management Act* was a radical departure from the traditional activities-based approach to town and country planning. This change requires new thinking and new technical skills in plan-making based on the assessment of the environmental effects of the use and development of resources.

In councils, staff members with different disciplinary backgrounds have a contribution to make in preparing and implementing the plan, such as scientists, engineers, and planners. Too often the connections between these practitioners are poorly made because they do not have a common image of what is required to achieve the mandate. For example, traffic engineers have difficulty seeing beyond roadways; water scientists beyond water quality, and planners beyond the plan. Conversely, planners do not know enough about researching the facts; scientists do not know enough about policy analysis; and engineers do not know enough about resource management plans. More professional development is needed for these staff members across the spectrum of skills and techniques required for developing quality plans and their implementation. This requires an integrated approach to environmental education and an interdisciplinary approach to the work.

Practitioners need to better learn how to prepare plans that reflect not only the basic principles of plan quality, but also the key steps to be taken when preparing a plan. We developed these principles and steps as part of our research, and they can be used in an integrated educational programme. Important to both principles and steps, is a sound understanding of effects-based planning, environmental systems, project management, research methodology, and policy analysis, including consultative techniques (see R#3.5).

Councillors also have a key role in preparing and implementing the plan. Our research showed some councillors had very sound knowledge of what was required of them and took strong leadership roles. But too often skills and leadership were lacking. Councillors, especially those on the planning committee, need to learn about the principles and steps in plan-making, and the processes through which these occur. With an election cycle of 3 years, but plan-making taking anything like 3-6 years, mid-stream changes in political philosophy are a risk as are changes in committee composition. As it is unlikely that extending the term of office will address the first issue, the response has to be education of newly elected councillors immediately on appointment. We therefore recommend that the current programme operated by the Ministry for the Environment be greatly expanded.

As practitioners look towards the next generation of policies and plans, they would gain much from being exposed to best practice examples from current plans. In this regard, the Ministry for the Environment has made a promising move toward developing an educational programme with its “Quality Plans Project.” Currently, this initiative is designed to identify and publish best practice examples of plans via a website. We recommend that this initiative be complemented with one where experienced practitioners do the actual training of planners, and that a training module for plan preparation be devised. Our evidence shows that staff struggling with the preparation of planning documents welcomed “sharing” and “mentoring” through workshops, and this approach should be emphasised.

We also recommend that the Ministry for the Environment expand its existing educational programme by developing specific workshops and publications based around the four main principles of plan-making that we found to be particularly influential in improving the quality of plans: clarity of the mandate; clarity of the purpose; strength of fact-base; and organisation and presentation of plans. The programme would be aimed especially at planners, councillors, and practitioners, and would be carried out in conjunction with other groups, such as Local Government New Zealand and professional bodies, like the New Zealand Planning Institute.

3.4.4 Build Better Facts Base



The Ministry for the Environment should better co-ordinate the provision of methods, tools, and data, especially on nationally significant environments, to regional and local councils so that they can improve the facts-base for planning and policy-making.

Missing in planning practice under the *Resource Management Act* is sound environmental data (facts-base) from which to develop policy for dealing with the environmental effects of the use and development of natural and physical resources. Several steps should be taken to improve the availability and quality of information useful for planning. First, the Ministry for the Environment has to work with agencies in central government having responsibility for nationally important databases and then facilitate access to those databases so that councils get the data they need in ways that are useful to plan-making. (See also R#3.2.2 and R#3.3.) This should include creating, where appropriate, common standards for the development of databases to ensure that various databases are accurate and do not conflict. As noted in our research, in some cases multiple central government agencies produced mapped data that was inconsistent and not compatible. This generated uncertainty and considerable time to clean-up poor data, and resulted in a false sense of confidence when making regulatory rules.

A second step is for the Ministry for the Environment to work closely with regional and local council staff to improve the understanding among central agency staff for sub-national data requirements needed to produce better plans. As indicated in Chapters 3 and 4, our survey data suggests that most planning staff in councils do not consider central government agencies useful in providing information to improve the quality of regional and district plans. Data provided by central government agencies was often unreliable, incompatible with other databases, and not in a format useful for planning purposes. If the mandate is changed, and there is a requirement to produce national policy statements, it becomes more important than before to address these problems in the next generation of plans.

To address these problems, the regional offices of the Ministry could deploy teams of experienced planners to work with councils. They should not only offer technical advice, but also listen to council planners about the suitability of information produced by central government for planning. The teams should give special attention to the capability of councils in providing advice about appropriate types of information for assessing the environmental effects of resource use and development. Appropriate information systems may not need to be so sophisticated as to require high staff capability. Instead, those that are user-friendly and fit the needs and capabilities of most council planners and citizens are best.

A third way to improve information bases is for the central government to invest in a comprehensive set of computerised environmental effects assessment tools for use in planning and implementation by regional and district councils. The technology is increasingly available to identify, assess, and map the spatial distribution of environmental effects. The introduction of GIS and digitised land use data has opened many new opportunities for improving effects assessment information. There is a need for the Ministry for the Environment to be innovative in this regard so that it can help build capabilities in less wealthy councils which do not have the finances to carry the risks of innovation.

State-of-the-art assessment tools are increasingly permitting planners to model the effects of alternative policies in areas, such as transportation, natural hazards, noise, fiscal, and social effects. To ensure widespread use, future generations of these tools should be designed for use by generalist planners in preparing effects analyses for plans and proposed developments. Availability of appropriate information and analysis tools would greatly improve the quality of regional and district plans.

In consequence, we recommend that the Ministry for the Environment be given the resources to co-ordinate the provision of methods, tools, and data (especially on nationally significant environments) to regional and local councils so that they can improve the facts-base for planning and policy-making. This recommendation is co-dependent with R#3.2.2 and R#3.3.

3.4.5 Evaluate Plan Implementation

Evaluations of the effects of plan quality, local capability, and efforts of central government on plan implementation, as well as community support for complying with plans, need to be undertaken during the implementation stage of plans for the purpose of seeing that quality environmental outcomes are achieved.

Judgement of the effectiveness of local plans in New Zealand is premature at this time since the implementation phase of plans has just begun. Evaluation of the performance of plans in enhancing progress toward environmentally sustainable outcomes needs to be undertaken. Research on the factors that facilitate (or constrain) the implementation of local plans is crucial as well. Important factors to consider include, for example, local commitment and capacity to implement plans, local enforcement strategies (facilitative versus coercive), and local efforts to consult and enhance willingness to comply with plans.

Many questions remain unanswered. Does the quality of plans matter in advancing environmental sustainability? Does local commitment and capacity to enforce matter? What types of local enforcement strategies are most effective in dealing with target groups? What are the best consultation techniques for informing groups potentially affected by plans? How do different mechanisms (e.g., funding incentives, technical assistance, educational workshops, provision of data, financial penalties) available to central government agencies affect local willingness and capacity to carry out plans?

In a similar vein, analysis of the effectiveness of central government programmes, such as the state-of-the-environment auditing initiative, quality plans project, and projects supported by the Sustainable Management Fund would be invaluable for learning about what works best. Which programmes achieve their objectives and which do not, and what accounts for the difference? Where could additional financial resources yield the greatest impact?

Another critical research need involves the development of methodologies for measuring the direct and indirect impact of plans throughout the plan implementation process. Methods are needed to measure how well the objectives and policies of plans are carried out during three

key stages of implementation. First, methods are needed for measuring the extent of compliance between plans and mitigation strategies required on approved consents (or permits) set during development review stage of implementation. Second, methods are needed for measuring how well the completed development integrates the mitigation strategies specified by the consent for the development. Finally, methods are needed for evaluating the cumulative effects of development and assessing whether those effects were intended by the plan. New and improved methods for measuring the impacts of plans are essential for: detecting gaps between intended and actual results during each stage of the plan implementation process; evaluating the performance of plans; and gauging local progress toward sustainability. Despite the potential benefits of creating valid and reliable tools to gauge the success of implementation, this area of research has been given limited attention. The Ministry for the Environment should be resourced to take the lead role in ensuring these research needs are met.

To improve plan development, we recommend that evaluations need to be undertaken during the implementation stage of plans for the purpose of seeing that quality environmental outcomes are achieved. These evaluations should include: the effects of plan quality, local capability, and efforts of central government on plan implementation, as well as community support for complying with plans.

3.5 Improve Plan Quality Through Good Practice

Recommendation 5:

The Ministry for the Environment, in partnership with Local Government New Zealand and the New Zealand Planning Institute, should prepare well-documented strategies for helping councils to produce and implement high quality plans, including measures to improve project management, mandate interpretation, organisation and presentation of plans, research and consultation, organisational functions, and staffing; the Ministry for the Environment to provide incentives for encouraging councils to put in place systems that will help them to achieve high standards of plan-making and implementation.

Every regional and local council should be expected to prepare a plan that is acceptable in quality. Plans should be seen as serious commitments rather than simply paper exercises completed to satisfy the national mandate. The Ministry for the Environment reviews plans to ensure they are legally sound, and to advise on matters of substance (Chapter 6), but does not see it as part of its role to evaluate and/or certify the plan content. Our research on the quality of plans that had been notified by mid-1997 showed there is a great need to improve their quality (Chapters 3 and 4).

In Chapter 6 we summarised the 3-year work programme of the Ministry for the Environment, which began in 1998 aimed at using a modest increase in funding to improve implementation of the *Resource Management Act*. In successive years it would, in turn, focus on consent processes, plan quality, and environmental outcomes. The Ministry for the Environment's Plan Quality Project is an outcome of this work programme and is being carried out in association with Local Government New Zealand (Meritec Ltd., 2000). From our experience, a 1-year focus on plan quality is insufficient for two main reasons. First, an ongoing, iterative programme is needed; and second, we have shown that contextual factors within the organisation of councils need attention because they affect plan quality and these cannot be addressed simply.

We recommend the following actions in an ongoing programme for improving the quality of plans that helps to address these organisational factors (R#3.5.1 to R#3.5.3), as well as the content of plans (R#3.5.4 to R#3.5.6). The Ministry for the Environment should take the lead role in implementing this programme, in partnership with Local Government New Zealand and the New Zealand Planning Institute. This role is only possible if the Ministry is adequately strengthened (see R#3.2.1). The six parts to our recommendation include: organisation of council; project management; adequate staffing; clarity of interpretation of mandate; better facts-base and consultation; and organisation and presentation of the plan. In most of the councils that we studied, these aspects of plan-making were weak. If done much better, we would expect a big change in plan quality to result. Because we expect high quality plans to

make a difference, implementing these recommendations will do much to improve environmental outcomes from the use and development of resources. These recommendations will require additional funding by various agencies, including central and local government.

3.5.1 Improve Organisational Structure

In order to foster ongoing dialogue between respective staff over issues of concern to environmental planning, councils should ensure that key sectors within their organisational structure that influence plan-preparation and implementation have strong linkages.

Re-structuring the organisation will not in and of itself lead to the production of a high quality plan. Councils that did not restructure produced a good plan, and others that restructured several times also produced a good plan. Nevertheless, given efficiency needs and the high transaction costs of restructuring, councils should assess carefully the systemic effects of changing their organisational structure.

Organising councils functionally does help improve transparency and accountability, but it should not be at the expense of effective practice. The functional split between policy, regulatory, and service delivery sectors will cause serious problems for environmental planning unless a council develops an integrated feedback system. Integration across key sectors is essential for effective environmental planning. In the plan-writing stages, inter-departmental co-operation is essential. It provides for multi-disciplinary input to plan-making (see R#3.4.3). This ensures that there will be compliance with the mandate in regard to designations (e.g., roading), and builds longer-term internal commitment to implementation of the plan once it becomes operative. It thereby helps to achieve superior integration with the council's other goals as set out in strategic, annual, and other plans.

We recommend that Local Government New Zealand, in association with the Ministry for the Environment, develop well-documented and detailed guidelines on organisational matters for councils to use. The guides should include a range of examples from good and poor practice to illustrate what does and does not result in efficient and effective systems for plan preparation and implementation.

3.5.2 Improve Project Management

The Ministry for the Environment, in association with LGNZ and NZPI, should develop project management strategies for plan development, in order to help guide councils when preparing the next generation of plans.

The organisational context within which the plan is developed has a bearing on the whole planning process, but we have found key actions that, if taken at the right stage, are likely to improve plan quality. In many ways, this means planners bringing to project management the organisational principles that they already know and apply to a plan.

Many councillors did not understand the mandate (R#3.5.4) and consequently were very impatient with the time it took to write a plan. And yet, while demanding both speed and extensive consultation (R#3.5.5), they simultaneously starved the staff of the resources that they needed to do the job, let alone to do it quickly (R#3.5.3). With the benefit of hindsight, many councillors acknowledged to us their unrealistic expectations and said that they would allocate more resources next time. Future councillors will, however, be new to the task and not have this experience to draw upon. Relying on one or two key influential people is risky, and more certainty in the plan-making is likely to emerge from a knowledgeable team of councillors and planners. Councillors should never tie the elastic plan-making process to the inelastic 3-year election cycle, because plans normally need more time than that to prepare.

Our findings suggest that a management strategy should be *flexible* so as to allow councils to establish procedures that fit local needs and capabilities, and address the full range of local problems. To ensure that flexibility does not lead to problems, however, a range of acceptable options in setting timelines, and allocating staff and budgets should be agreed upon, and a set of criteria for evaluating planning staff performance should be established. This would allow for unforeseen circumstances to be taken into account should they arise.

In the plan preparation stage, thought should be given to three main organisational factors: securing political commitment; making adequate resources available; and setting up an effective system of inter-departmental co-operation (R#3.5.1). To secure the political commitment of councillors to plan preparation, it is essential to have awareness building and education programmes in place (see R#3.4.3). The Ministry can help councils to achieve that. To ensure that the plan preparation process is adequately resourced, it is necessary to procure decent data on what it costs to prepare a plan. At present costings are somewhat dubious. The Ministry should do more than rely on self-reporting from councils with respect to the costs of plan development. This would require spot checks and auditing, the consequence of which is to push councils into improving their accounting systems. To establish effective systems of inter-departmental co-operation, councils need to consider carefully their organisational structure, identify data and skills required from various departments needed for ongoing plan development, and then provide the funds for effective implementation through the annual plan. This will ensure that staff members other than the core plan-makers will do work for the plan as a priority.

We recommend that the Ministry for the Environment, Local Government New Zealand, and New Zealand Planning Institute work together to facilitate improved project management in councils, including intensive for the staff and councillor who lead the plan writing team. As well, councils should be helped to put in place accounting systems that enable the cost of planning to be more accurately assessed.

3.5.3 Improve Professional Staffing

Councils should staff their planning programme adequately, but target needed improvements that account for variation in local conditions.

More qualified staff should be employed for plan making. Our research has shown that the number of staff planners is an important predictor of plan quality (Chapter 5). According to data in Chapters 4 and 5, many of the problems in plan-making initiatives of councils are the result of under-staffing and overworked council planners. Many district councils placed a bare minimum staff on core planning groups, with about 50 percent of them having less than one full-time planner, and 50 percent of regional councils employing two or less. The number of staff working on plan making was found to be an important predictor of plan quality. In addition, local councils often lacked specialists. In contrast, regional councils were shown to have sufficient technical expertise, but lacked generalist planners who have needed skills in crafting policy, undertaking consultation, and authoring plans.

Smaller regional and local councils are less able to support a sufficient number of staff for making good plans than larger ones, a problem that would be overcome by continuing with local government reform (R#3.4.1). In the absence of further reform, technical assistance from central government and larger councils will be needed. In any event, councils should pool resources so that similar activities (e.g., monitoring and research) are not inefficiently replicated across adjoining councils. Critical to achieving good outcomes in plan development is having one or two key influential persons, either planner or councillor, or both, leading a committed team.

Too often, planners are being employed on short-term contracts to prepare the plan. This results in the employer looking for cost-savings through staff reductions, and staff looking towards securing the next job. This is no way to build continuity and quality in the organisation and its activities. Councillors and their chief executive officers need to understand that plan-making is not a one-off thing, whereby once the plan is notified staff can be made redundant. Plan development is on-going and even after the plan has become operative, policy development through research and consultation is needed for the next generation of plans. Clearly a long-term ongoing strategy is needed for environmental planning in councils and it has to be adequately resourced.

We recommend that councils provide sufficient funds early in the process of plan-making so as to ensure that the number and quality of staffing is adequate and procedures are sound, in the expectation that they will be required to spend much less on the post-notification legal process.

3.5.4 Improve Interpretation of Mandate Purpose

Ensure that sustainable management is clearly understood by councillors and staff at a philosophical level and is interpreted in policies and plans in a way that produces community and environmental fit at all levels in the hierarchy of policies and plans.

Our findings clearly show that understanding the mandate - the first plan quality principle - is vitally important for the execution of every step of plan development. Where councils spent time early in the plan preparation process to ensure that they understood both the intent of the *Resource Management Act* and its relationship to their responsibilities under the *Local Government Act*, and then realigned the organisation with what they understood to be their new duties, good plans resulted. This task would, of course, have been much easier for councils to achieve had Government provided a mandate within which key provisions were clear. Amending the *Act* should help alleviate that problem (see R#3.1.2).

Clarity of purpose has a fundamental influence on plan-writing because it sets out the goal of the system; that is, a statement of the council's interpretation of what sustainable management means for its particular region or district. In each plan-writing step, focusing on the purpose of the plan brings a discipline that leads to policy cohesiveness, particularly in the identification of significant issues, the internal consistency of the cascade, and in specification of the desired outcomes.

Intellectually, the conceptualisation of plans under the *Resource Management Act* has proved demanding. In practice, many councils found it very difficult to define sustainable management in the context of a mandate that emphasises the management of environmental effects, rather than the direction and control of land uses. Thus, underneath the language of the *Act* used in plans, many of them look a lot like the sort of plans that were written under the *Town and Country Planning Act* (1977).

We recommend three on-going activities to help improve on the current situation (see also R#3.4.3). First, the "buddy system" established for producing regional policy statements worked well, and this system should be applied more generally across district councils as well. Second, teams from the Ministry for the Environment should work with councils at the crucial stage of monitoring plans and to help build political commitment to improving their implementation. Finally, the Ministry, with other agencies, should expand on its workshop programme aimed at helping to educate councillors, especially new councillors, and their interpretation of the *Resource Management Act* and its purpose in developing policies and plans.

3.5.5 Improve Research and Consultation

The Ministry for the Environment should develop guidelines, illustrated with practical examples, in order to help councils improve research and consultation relevant to the preparation and implementation of planning documents.

Research and analysis underpins the rational approach to plan-making and its focus is the collection and interpretation of facts about the environment for policy development purposes. In other words, research provides the “science” on which good planning is based, and analysis adapts the findings so that they are presented in a manner that is relevant for policy development. Consultation represents the iterative model of plan-making as it involves managing the political interplay that defines community values concerning the environment, in order to weave these into policy development. Each activity has, however, characteristics of the other. While research and analysis uses rational methods, during plan-making they are advanced in an iterative fashion in conjunction with consultation. Similarly, consultation is mainly an iterative process, but it must be managed with rigour and discipline to produce outcomes that are of use in plan-making. Thus, research and analysis informs consultation and vice versa (see **Figure 2.3** in Chapter 2). Understanding the nature of these two activities and utilising the dynamic tensions between them to improve plan quality is the essence of the “art” of good planning.

In general, our findings show that councils needed to do more research early in the plan preparation process to highlight and prioritise key environmental issues and provide a sound facts base for policy development, including anticipated environmental effects and monitoring. Research therefore needs to be ongoing, in order to produce state of the environment reports. We also found that in many councils there was too little consultation, especially early in the process, and not enough targeted consultation towards the end over proposed rules in plans.

Research: There is strong evidence from our study to support the conclusion that poor research yields a weak factual basis for the plan, and that this results in an overall low plan quality score. For example, internal consistency (as measured by the strength of links in the policy cascade) showed that the links from issues to objectives, objectives to policies, and methods to policies were relatively well done. This much could be expected since not only was this part of the cascade the basis for plan-making under the old regime, but also it is derived in large part from consultation and political input. By contrast, the links from anticipated environmental results to objectives, and indicators to results were poorly done, resulting in the failure of most plan-makers to complete the feedback loop from results to objectives. While a lack of clarity over mandate and purpose could account for some of this weakness, interviews with practitioners and councillors suggested to us that the more likely explanation was that local councils, in particular, lacked data about their environment. It was not therefore surprising to find that these plans are based on consensus bolstered by incomplete facts, and that many councils simply postponed dealing with the complex task of state of the environment monitoring and reporting until after their plans were done.

Our case studies revealed that local councils did not use potentially useful information collected at the regional (and central government) level because council staff were not aware of it or did not understand how to use it. Thus, regional council staff could improve communication about information to local council staff. Given that regional council staff members have considerably more technical expertise in physical science, regional staff could

work closely with staff in local councils to improve their understanding of district data requirements for planning.

Consultation: Our findings clearly show that consultation must be inclusive and timely. Stakeholder groups must to be consulted throughout the planning process so as to permit pro-active involvement that allows for joint-problem solving and commitment building. If a stakeholder group feels excluded or has been given insufficient opportunity to help shape the plan, it is likely that their support for the plan will be withheld. Even in the face of strong opposition, commitment and capacity can be built and creative solutions found that respond to the concerns and reservations of stakeholder groups provided that they are meaningfully involved in decision-making.

The building of effective *communication and information dissemination networks* is critical to maintaining on-going consultation with stakeholders. They are bridges over which ideas travel, data is exchanged, and views of problems and potential solutions clarified. Sound networks provide more opportunity for bargaining and compromise, and the chances that a high quality plan will be produced increase. Timing in relation to key elements of plan preparation is critical. People readily agree to general objectives and policies (“warm fuzzies”) presented early in the plan-making process, but it is over the methods and rules that directly affect them, but which get developed late in the process, in which they have most interest (“when the rubber hits the road”). Unless fully consulted over these rules, serious, and possibly needless, objections to the plan will emerge.

Research and consultation are the “DNA” strands of plan-making. From our review, the first generation of plans relied more on consultation than basic research. We recommend that planners reflect on this imbalance and take steps to redress it, such as undertaking more state of the environment monitoring, improving their policy analysis skills, securing funding in the Annual Plan and, most importantly, addressing the weaknesses of the process to date.

3.5.6 Improve the Organisation and Presentation of Plans

Plan-makers should use more fully existing knowledge on how plans should be organised and presented, and extend this knowledge to include techniques for dealing effectively with environmental effects-based plans.

The organisation and presentation of the plan as a measure of plan quality is relatively straightforward to characterise in terms of its influence on plan preparation. Every plan should be readable and accessible, with a well-organised structure and logical connections from one part to another. A “plan for writing the plan” is an essential precondition for starting the whole job, but attention should also be given at each step in plan-writing to the best method for organising and presenting the information in light of the purpose of the task and the audience. For instance, in writing a “height to boundary” rule, it’s intent will be more effectively illustrated by a diagram than a wordy definition. A thorough review of the completed draft to ensure that there is good cross-referencing is very important as this task focuses the writer on integration, a key goal of the mandate. Accordingly, the user-friendliness of plans is a measure of the emphasis given to organisation and presentation throughout the writing and also of an

integrated approach. Having looked at the many techniques used to organise and present plans, we have concluded that planners already know how to do this well, but have failed to consistently apply this knowledge to their work.

We recommend that plan-makers commit to the systematic application of tried and true methods for organising and presenting plans. They should facilitate these methods with the timely adoption of new technologies, and councils should commit resources for staff skilled in their implementation and use.

3.6 Final Observations

New Zealand's intergovernmental planning initiative offers important lessons that are instructive for many other countries, regions, and communities seeking to achieve the goal of sustainability. Our work illustrates the challenges faced by citizens, planners, and policymakers in reforming environmental policy and reconciling it with economic development and social needs. This work should also improve the understanding of how these challenges can be overcome, and of the need for future inquiry on societal experiments designed to achieve sustainability.

The New Zealand initiative reflects an institutional locus of decision-making that is shifting toward the local level, with considerably greater local determination. Complementing this devolution of responsibilities has been greater reliance on collaboration and co-operative partnerships. Moreover, command-and-control regulation has given way to a new emphasis on environmental planning, policy deliberations, rule making, and market-based solutions that are increasingly being defused throughout New Zealand, especially to locally affected stakeholders.

In light of the effects based approach to policy making, the demand for good data on effects of alternative policies has dramatically grown to ensure that informed choices are made. A difficult challenge is not only to acquire more and better data, but to link the data producers with users to ensure that data fits the needs and capability of users. Fostering this linkage requires creative solutions for bringing together technical experts, planners, citizens, elected officials, and other stakeholders in ways that facilitate the fit between producers and users. Strong linkages foster informed public discourse over the effects of public policies and sustainability. As with other countries, New Zealand still has a considerable way to go to achieve this goal.

APPENDICES

Appendix 1

The PUCM Programme Objectives

The purpose of the on-going PUCM Research Programme is to determine whether a co-operative system of governance for planning under the *Resource Management Act 1991 (RMAct)* will significantly improve environmental outcomes.

The general design of the PUCM Programme is illustrated in **Figure 1.1**. It shows that there are three phases and 10 elements in the research design.

- **Phase 1** (1995-1998) was about the preparation of plans and *plan quality (PQ)*. (What makes a good plan?) It focused on: the interpretation of the RMAct mandate and the implementation actions of central government (element 1); the capability of councils to plan (element 2); and the influence of both these factors on plan quality (element 3).
- **Phase 2** (1999-2002) is about the implementation of plans and *implementation quality (IQ)*. (Do good plans matter?) It focuses on: council capabilities and implementation strategies (element 4); resource consent applicants' capabilities to comply with plans (element 5); plan compliance and implementation outcomes (element 6); and environmental outcomes in relation to those in plans (element 7).
- **Phase 3** (2003-06), if approved, will focus on implementation outcomes with respect to *environmental quality (EQ)*. (Do good plans make a difference?) It will do this in selected field areas by: investigating the cumulative environmental effects of permitted activities on environmental quality in relation to objectives in plans (element 8); assessing the influence of non-statutory measures on plans and environmental outcomes (element 9); and matching expected environmental outcomes in plans with actual environmental outcomes in the selected areas (element 10).

Details about the objectives (description, methods, outputs and dates) for each phase are summarised in **Table 1.1**.

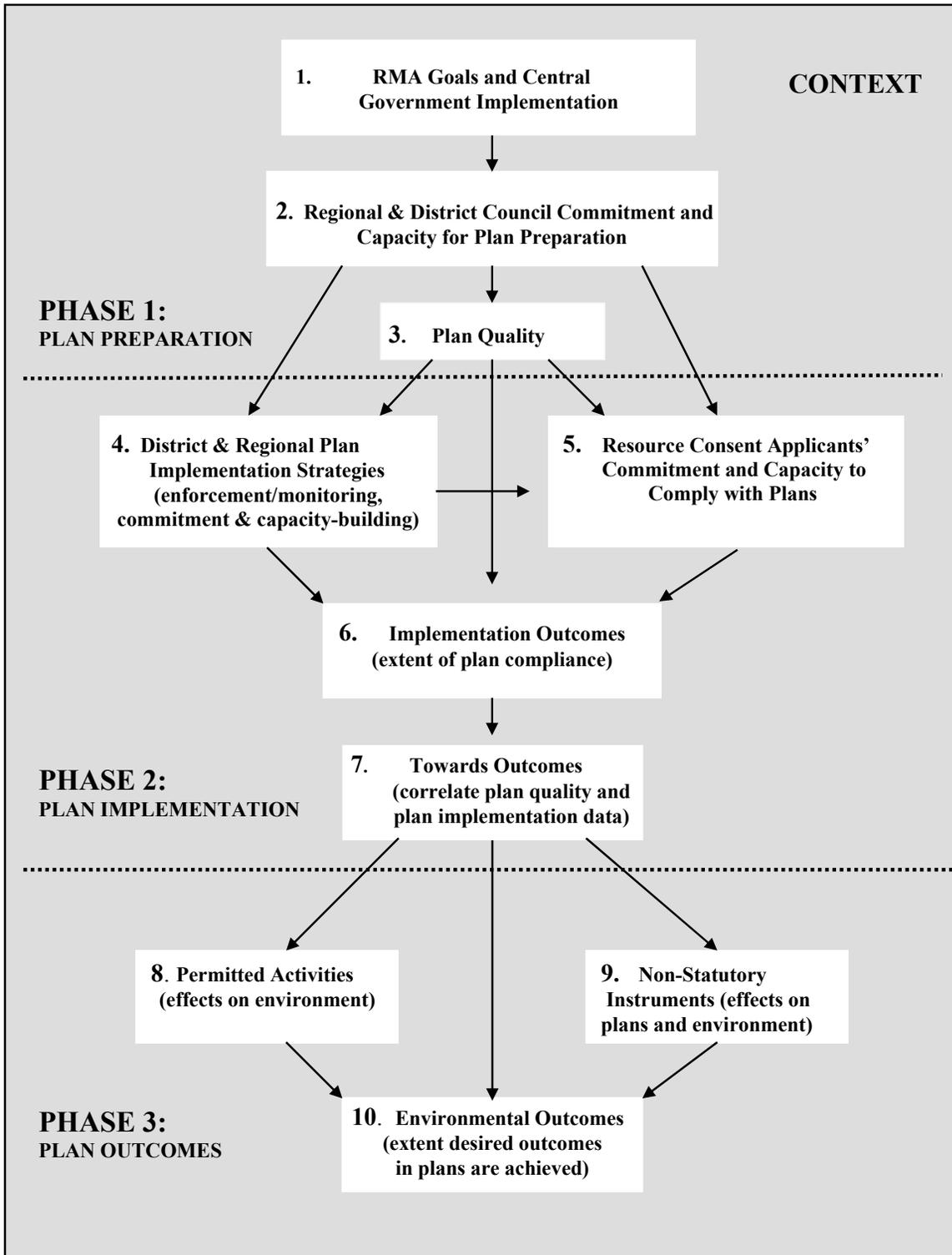


Figure 1.1. PUCM research design linking 10 elements in Phases 1, 2, and 3

Table 1.1: PUCM research programme 1995 – 2002 and proposed Phase 3 extension 2003 – 2006

PUCM	YEARS	STATUS	DESCRIPTION	OBJECTIVES	METHODOLOGY	OUTPUTS
PHASE 1	1995-1998	Contract concluded	Evaluation of the quality of plans, and intra- and inter-organisational factors that influence plan quality.	<p>Objective 1.1: Plan Quality To determine the quality of policy statements and plans produced under the RMA</p> <p>Objective 1.2: Integration To identify the extent and means by which organisations co-ordinate policy statements and plans in order to achieve plan consistency</p>	<p>a) Evaluate the quality of regional policy statements and a sample of district plans using plan coding protocols</p> <p>b) Interview a councillor, planner and manager for regional councils and a sample of district councils</p> <p>c) Derive indices of plan quality and organisational capability to plan</p>	<p>a) Proceedings of peer review workshops</p> <p>b) Conference and professional presentations</p> <p>c) Four papers in international peer – reviewed journals</p> <p>d) Two papers in N.Z.P.I. journal</p> <p>e) Book forthcoming</p> <p>f) Report to Government</p>
PHASE 2	1998-2000; Part A. 2000-2002; Part B.	Contract concluded. Contract underway.	Assessing the extent to which objectives and policies in district plans are, through the resource consents process, being adequately implemented.	<p>Objective 2.1: Council Capacity To determine the capacity of regional and district councils for plan implementation and the degree to which the quality of plans, plan preparation process, and implementation strategies influence such capacity (element 4 in Figure 1.1).</p>	Select 6 districts with high to low plan quality and capacity; evaluate plans and a sample of resource consents for three topics – iwi issues, urban amenity and stormwater – using protocols.	<p>a) Report on outcomes.</p> <p>b) Article for submission to an international peer reviewed journal.</p>
				<p>Objective 2.2: Target Group Capacity To determine target group commitment & capacity to comply with plans & the degree to which council implementation capability, plan preparation processes, & plan quality influence such compliance (element 5 in Fig1.1).</p>	<p>a) Survey the six councils to determine commitment and capacity to enforce the district plan.</p> <p>b) Survey the applicants for those resource consents sampled – all three topics (survey protocol to be finalised).</p>	<p>a) Report on outcomes.</p> <p>b) Article for submission to an international peer reviewed journal.</p>
				<p>Objective 2.3: Outcomes To identify the extent to which implementation outcomes comply with plan provisions, and determine the factors that affect variation in the extent of compliance (element 6 in Figure 1.1).</p>	<p>Analyse the data in order to measure two variables:</p> <p>a) Degree of compliance – depth and breadth; and</p> <p>b) Factors that influence compliance – councils and applicants – commitment, capacity and enforcement style (councils only).</p>	<p>a) Reports on outcomes</p> <p>b) Article for submission to an international peer reviewed journal</p>

PUCM	YEARS	STATUS	DESCRIPTION	OBJECTIVES	METHODOLOGY	OUTPUTS
			Assessing the extent to which plan quality and compliance with plans makes a difference in the quality of environmental outcomes. Propose Objective 4 be modified in view of unfolding research	Objective 2.4: Towards Environmental Outcomes To correlate outcomes from Phases 1 and 2 on plan quality and implementation quality in order to determine if good plans lead to good outcomes	Multivariate analyses	Book on Phase 2
			New objective added August 2000	Objective 2.5: Iwi Interests To identify plan implementation processes in selected district councils in order to evaluate the extent to which councils are meeting iwi interests		
		Ongoing (Phases 1 & 2)	Ensuring that the nature of the research and the results are reported to practitioners.	Objective 2.6: Professional Development To transfer information efficiently and effectively to key end-users, especially policy makers and planners (in central, regional and district government) that have responsibility for implementation of the <i>RMA</i> .	a) Peer review workshops to critically evaluate the research methodology; b) Produce peer review workshop proceedings; c) Annual PUCM newsletter; and d) Develop a website for ongoing dissemination of findings. e)	Workshops, training and dissemination of information
PHASE 3	2002 – 2006	Proposed	Assessing the influence of permitted activities and non – statutory methods on environmental outcomes desired in district plans	Objective 3.1: Permitted Activities To assess (for selected field sites) the impacts of permitted activities on the quality of the environment (element 8 in Figure 1.1)	To be developed	
				Objective 3.2: Non – Statutory Methods To assess (for selected field sites) the influence of non – statutory methods on the quality of the environment (element 9 in Figure 1.1)	To be developed	
				Objective 3.3: Environmental Outcomes To determine the extent to which plan development (preparation and implementation) achieves desired environmental outcomes stated in plans (element 10 in Figure 1.1)	To be developed for gathering State of Environment data and relating outcomes to objectives in plans	Articles, workshops, conferences, etc

Appendix 2

Evidential Basis of Report

The evidence for the Findings and Recommendations provided in this Report is detailed in the aforementioned book, the publication of which is currently under negotiation with two publishers in the USA. *Plan Making for Sustainability* consists of five parts.

- Part I, consisting of two chapters, outlines the study purpose and direction by first focusing on plan-making and plan evaluation in an international context and then explaining the evolution of planning in New Zealand with particular reference to the *Resource Management Act 1991*.
- Part II contains three chapters that report our research findings on the quality of local and regional plans. The outcomes (overall rather poor) are explained by examining the influence of four sets of factors: 1) clarity of the national mandate; 2) implementing actions of central government agencies; 3) organisational capabilities of regional and local councils; 4) and the socio-economic context of councils.
- Part III contains three chapters in which we examine governance, particularly partnerships and co-operative activities for implementing the devolved environmental planning mandate. Three types of partnerships are examined: the facilitative role of central government; the partnership between central government and Maori and its implications for regional and district plan-making; and the role of regional councils as partners with local councils in making plans.
- Part IV includes three chapters on local case studies of plan-making that provide in-depth evaluations of their organisational capabilities to plan and the influence that external agencies had on their plan-making efforts. They show the research and policy analysis necessary for making environmentally effective plans, as well as the stakeholder consultation necessary for achieving community acceptance of plans. The plan quality scores of these three plans reflect best practice examples of high quality plans.
- Part V includes the main findings of the research in Chapter 12 and recommendations and conclusions in Chapter 13. Together, they provide lessons for enhancing the quality of local plans as a basis for achieving sustainable environmental outcomes. The importance of building local capability and improving planning mandates for achieving this goal are demonstrated. The findings and recommendations show national and regional governments

how to be a better partner for making better local plans and achieving national goals and, more broadly, meeting international obligations for the sustainable development of natural and physical resources.

- The Findings in this Report are a modified version of Part V of the book. The draft book will be peer reviewed by six national and international experts in early 2001.

Appendix 3

Plan Quality and Influencing Factors: Rationale for Data Collection Methods

The study of plan quality and influencing factors (Phase 1) combines four methods of data collection: three for nation-wide surveys and one for case studies. The theoretical framework set out in **Figure 3.1** guided data collection under all four methods. More details about methods and data used in various analyses are given in the introductions to Parts II to IV of the book. Here, we first review the rationale for our reliance on case studies and nationwide surveys, and then discuss in turn each of the four methods used.

Typically, planning studies take one of two methodological approaches: in-depth case study of a single or small group of local planning programmes; or an overview of the activities of a class of local programmes. The *case study approach* has the advantage of providing detailed information, but it does not allow generalisations about results. When only a small group of planning programmes is examined, it is difficult to specify the exact causes of success or failure and to know if an unsuccessful programme would be successful in a different setting. An *overview approach* can provide information on the importance of organisational capabilities to plan, central government capability-building activities, and the contextual setting at a specific point in time, but often lacks an in-depth examination of the dynamics of planning processes. Taking advantage of the strengths of both approaches, this research carried out a nationwide survey of regional and district plans and planning programmes (Part II of book), and six case studies-- three of co-operative governance and partnerships (Part III of the book) and three of local planning programmes (Part IV of the book).

Overview Approach

The nation-wide surveys were designed to provide an overview of the quality of regional policy statements and plans and district plans, and of the influences on plan quality of the clarity of provisions in the planning mandate, central government capability-building activities, and local organisational capability. The surveys include use of a mailed questionnaire, face-to-face interviews, and a systematic evaluation of the quality of plans by reference to a plan coding protocol.

The first set of data was derived from the mailed questionnaire, which aimed at eliciting factual information about the planning process and resources for plan preparation in councils. The second set of data was derived from open-ended interviews with lead planners, councillors, and consultants in regional and local councils, and of key staff members in central government agencies. The intent of the interviews in councils was to provide nuances of council capabilities to plan, and of the effectiveness of central government agencies in assisting councils to prepare plans. This data was used to give more thorough interpretations of results derived from the questionnaire data. The interviews in central government agencies provided information on the history of government policy since passage of the *Resource Management Act* in 1991, and on the evolving capabilities of key agencies to implement the *Act*. The intent of this data was to help assess the role of central government agencies in capability-building in councils, and their capabilities for doing so. The third source of data came from application of a plan coding protocol, the elements of which included principles denoted earlier in **Table 1.1** of *Appendix 1*. It yielded information about the quality of 16 regional policy statements and district plans that had been publicly notified prior to March 1997 (Chapters 3-5).

Case Study Approach

The case study method, the fourth source of data, was used to provide an in-depth assessments of: (a) co-operative governance and partnerships; and (b) planning programmes and plan-making in local councils. This enabled key research questions as well as issues identified through the national surveys to be further explored. Data for these case studies were gathered through interviews in and beyond the organizations and the analysis of documents.

The former cases focused on the role of central government in building the capabilities of local government and Maori to implement the national resource management mandate, and the role of regional councils in supporting local councils (Chapters 6-8). The latter cases focused on the relationship between the steps in the plan-making process and the plan-quality principles. The three local councils selected for this part of the study were drawn from the upper quartile of plan scores. They were identified through the evaluation of plan quality and provided examples of good practice (Chapters 9-11).

Types of Data

Five types of data were collected as follows:

- an evaluation of the quality of plans from a national sample of councils that included 59 *coded plans* in regional councils (20 regional policy statements and regional plans), unitary authorities (7 plans), and city and district councils (32 district plans), and a record of good practice examples from coded plans. On average, plans took one week to code. A selection of plans were coded twice to ensure inter-coder reliability;
- a *postal questionnaire* sent to the same national sample of councils designed to assess local reaction to the national mandate and organisational capability for planning. This resulted

in 62 completed mail questionnaires by lead planners in regional councils (12), unitary authorities (4), and city and district councils (56);

- *face-to-face interviews* with staff in key central government agencies and in all local councils that had notified plans by mid-1997, in order to gain a more detailed understanding of mandate implementation efforts by central and local government and their influences on local planning. In local government this resulted in 112 completed interview schedules with planning staff, consultants, and councillors in regional councils (12), unitary authorities (4) and city and district councils (56);
- *case studies* of four local councils that had produced good quality plans (Tauranga, Queenstown, Tasman, and Far North), in order to provide in-depth assessment of the environmental and community relevance of their plans; and
- *secondary data* on external factors, such as size of population and rating base of councils, to help assess their capacity for responding to the national mandate.

Appendix 4

Information Transfer: Phase 1 Research

Publications (1996-2000)

1996

Crawford, J.L., Berke, P.R., Dixon, J.E., and Ericksen, N.J., 1996: What makes a good plan? *Planning Quarterly*, March 1996, 6-7.

Crawford, J.L., Berke, P.R., Dixon, J.E., and Ericksen, N.J., 1996: *Workshop Proceedings: PUCM Peer Group Review (PUCM Report #1)*. Hamilton: The International Global Change Institute, University of Waikato; Palmerston North: Department of Resources and Environmental Planning, Massey University; and Chapel Hill: Department of City and Regional Planning, University of North Carolina at Chapel Hill.

1997

Berke, P.R., Crawford, J.L., Dixon, J.E., and Ericksen, N.J., 1997: *Research Instruments (PUCM Report #3)*. Hamilton: The International Global Change Institute, University of Waikato; Palmerston North: Department of Resources and Environmental Planning, Massey University; and Chapel Hill: Department of City and Regional Planning, University of North Carolina at Chapel Hill.

Berke, P.R., Dixon, J.E., and Ericksen, N.J., 1997: Coercive and co-operative inter-governmental mandates: a comparative analysis of Florida and New Zealand environmental plans, *Environment and Planning B: Planning and Design*, 24, 451-468.

Crawford, J.L., Berke, P.R., Dixon, J.E., and Ericksen, N.J., 1997: *Workshop Proceedings: PUCM Peer Group Review (PUCM Report #3)*. Hamilton: The International Global Change Institute, University of Waikato; Palmerston North: Department of Resources and Environmental Planning, Massey University; and Chapel Hill: Department of City and Regional Planning, University of North Carolina at Chapel Hill.

Dixon, J.E., Ericksen, N.J., Crawford, J. L., and Berke, P.R., 1997: Planning under a co-operative mandate: new plans for New Zealand, *Journal of Environmental Planning and Management*, 40(5), 603-614.

1998

Berke, P.R., Crawford, J.L., Dixon, J.E., and Ericksen, N.J., 1998: *Making Plans in New Zealand under the RMA (PUCM Report #4)*. Hamilton: The International Global Change Institute, University of Waikato; Palmerston North: Department of Resources and Environmental Planning, Massey University; and Chapel Hill: Department of City and Regional Planning, University of North Carolina at Chapel Hill.

2000

Backhurst, M., Crawford, J., and Laurian, L., 2000: *PUCM Peer Review Workshops June 2000: Background Materials*. Hamilton: University of Waikato, International Global Change Institute (17 May 2000).

Berke, P.R., Crawford, J.L., Dixon, J.E., and Ericksen, N.J., 2000: *PUCM Peer Review Workshops June 2000: Selected Publications*. Hamilton: University of Waikato, International Global Change Institute.

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Conferences (1997-1999)

Crawford, J., 1997: *Commentary in Reply to Key Note Address of Peter May* (Professor of Political Science, University of Washington) at NZPI Conference, April 16-18.

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Post-Graduate Seminars (1996-00)

Dixon, J., 1996: *Developing a Method for Assessing Plan Quality*. Seminar Presentation to MRP Students, Department of Resource and Environmental Planning, Massey University, Palmerston North (11th April).

Dixon, J., 1998: *Preliminary Assessment of Plan Quality*. Seminar Presentation to MRP Students, Department of Resource and Environmental Planning, Massey University, Palmerston North (18th August).

Dixon, J., 1999: *Progress on Plan Quality research*. Seminar presentation to MRP students, Department of Geography, University of Otago, Dunedin (30 April).

Dixon, J., 1999: Writing and Implementing Better Plans. Seminar presentation to MRP students, School of Resource and Environmental Planning, Massey University, Palmerston North (8 April).

Dixon, J., 2000: From Good Plans to Implementation. Seminar presentation to MRP students, School of Resource and Environmental Planning, Massey University, Albany (23 March).

Dixon, J., 2000: Plan Quality and Implementation. Seminar presentation to MPlan and MPlanPrac students, Department of Planning, University of Auckland, Auckland (12 May).

Ministry for the Environment (1998-00)

Several chapters from the book *Plan-Making for Sustainability* have been sent to the Ministry for the Environment either for their interest or comment, such as Chapters 3-5, 6 and 9, respectively. As well, all pertinent materials were made available to their consultants carrying out work for its Quality Plans Project.

Consultancies/Advisory

Janet Crawford uses knowledge gained through PUCM in her planning practice, with particular reference to the Far North District plan preparation, and also in teaching planning students.

Jan Crawford, Jennifer Dixon, Sherlie Gaynor, and Audrey Aird of the PUCM team convened to brief staff in the Manawatu-Wanganui Regional Council in 1997.

Jan Crawford, Jennifer Dixon, and Neil Ericksen convened to brief representatives of regional councils about the PUCM Programme in a meeting in Wellington in 1996.

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