



greater WELLINGTON
REGIONAL COUNCIL

Section 32 Report

Landscape

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1. Introduction

This report presents the Section 32 evaluation in accordance with the Resource Management Act 1991, “Consideration of alternatives benefits and costs” for the proposed Regional Policy Statement on the topic of landscapes. Section 32 states:

32 *Consideration of alternatives, benefits, and costs*

(1) In achieving the purpose of this Act, before a proposed plan, proposed policy statement, change, or variation is publicly notified, a national policy statement or New Zealand coastal policy statement is notified under section 48, or a regulation is made, an evaluation must be carried out by—

...

(c) the local authority, for a policy statement or a plan (except for plan changes that have been requested and the request accepted under clause 25(2)(b) of Part 2 of Schedule 1); or

(3) An evaluation must examine—

(a) the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and

(b) whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.

....

(4) For the purposes of [[the examinations referred to in subsections (3) and (3A)]], an evaluation must take into account—

(a) the benefits and costs of policies, rules, or other methods; and

(b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

(5) The person required to carry out an evaluation under subsection (1) must prepare a report summarising the evaluation and giving reasons for that evaluation.

(6) The report must be available for public inspection at the same time as the document to which the report relates is publicly notified or the regulation is made.

1.1 Structure of this report

Section 2 of this report outlines the regionally significant issues identified and the process of identification.

Section 3 outlines the objectives proposed in response to each issue and evaluates the appropriateness of each objective in accordance with the Resource Management Act.

Section 4 evaluates the appropriateness of the policy and method options proposed to achieve the objective. When evaluating the policy and method options, the range of options available is outlined first, and then each option is evaluated. There are four types of options discussed in each instance. These are:

a) Regulatory direction to district and/or regional plans

This is where a regional policy directs matters that must be provided for within district and/or regional plans. The method sets out when the provisions are to be included.

b) Regulatory direction as to matters to be given particular regard in resource management decision making

This is where a regional policy sets out specific matters that are to be given “particular regard” when making resource management decisions. The method sets out when these matters are to be considered. This may include resource consent decisions, decisions on notices of requirements or when making decisions about reviewing, varying, replacing or otherwise changing district and/or regional plans.

c) Non-regulatory options

This is where a regional policy and a method specifies non-regulatory programmes or action that will be put in place. The non-regulatory methods include:

- provision of information or guidance
- integrating management
- identification or investigation
- providing support.

d) Doing nothing

This is where no intervention, either regulatory or non-regulatory will occur.

Determining the most appropriate policies and methods is based on an assessment of the *effectiveness* and *efficiency* of the policy and method options, and the risks of acting or not acting when there is uncertain or insufficient information.

Effectiveness is a measure of how much influence a resource management intervention has or how successful it is in addressing the issues, in terms of achieving the desired environmental outcome. Effectiveness is a cumulative value, derived from the range of types and scope of influences or impacts of an intervention, towards achieving intended results and environmental outcomes. The effectiveness of an option is not able to be assessed as an absolute value. Rather, options are appraised as to whether they exhibit the qualities which contribute to ‘effectiveness’ and to what degree, and a determination is made as to the cumulative effect of the pertinent attributes in terms of high, medium or low ‘effectiveness’.

When evaluating the *efficiency* of the policy and method options both the benefits (social, economic and environmental) and costs (social, economic and environmental) are outlined. Each option is then deemed to be either efficient or inefficient. The following diagram outlines how this assessment is undertaken.

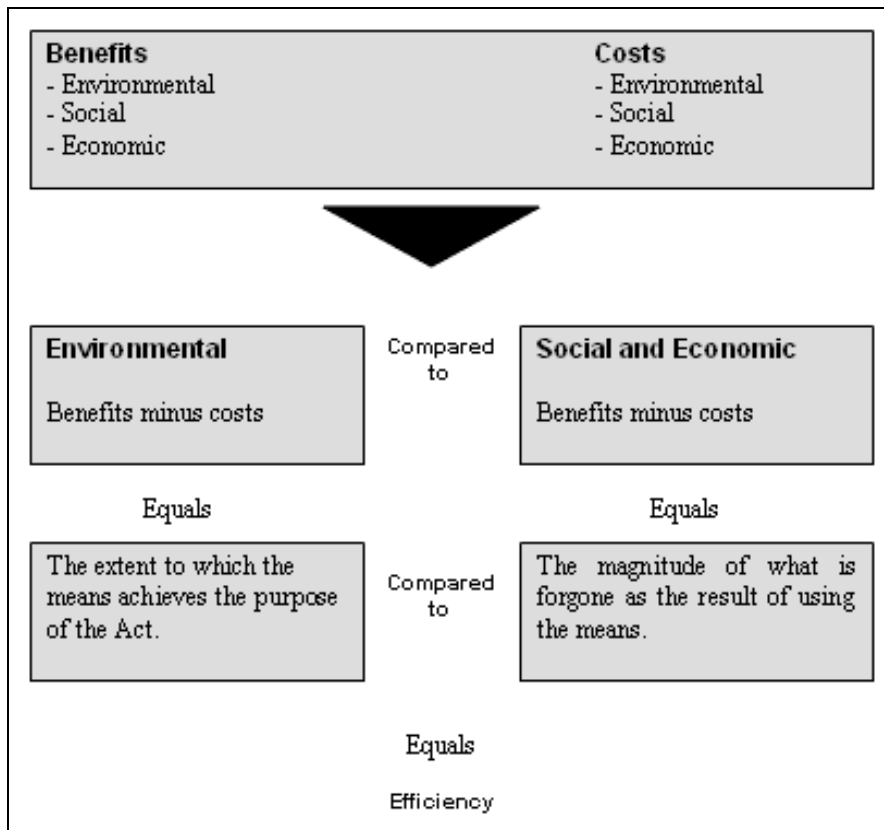


Figure 1: Deriving efficiency from benefits and costs

The evaluation of ‘efficiency’ will result in either a positive or negative result in terms of efficiency. Alternatively, if efficiency is expressed as a cost/benefit ratio, it will be either greater than or less than 1. In the event the ratio is considered to be less than 1, the option can be considered efficient, in that the sum of the benefits outweigh the sum of the costs. In the event the ratio is deemed to be greater than 1, the option can be considered to be inefficient, in that the sum of the costs outweigh the sum of the benefits. It is important to note that in this evaluation of ‘efficiency’, absolute values for each of the

variables considered pertinent (i.e. identified as either a cost or a benefit within the evaluation of the options) are not available. Rather, the analysis has endeavoured to present an accurate appraisal of the relative costs and benefits between the options, in order to determine which are efficient and which are not. A simple yes or no is used to differentiate the options as efficient or inefficient.

2. Regionally significant issues

As part of the review of the landscape and heritage chapter, in the Regional Policy Statement for the Wellington Region 1995, the issues were evaluated and reviewed using:

- Measuring up: The state of the environment report for the Wellington region (2005)
- Regional Policy Statement Evaluation Report for Landscape and Heritage (2006)
- Our region – their future: A discussion document on the review of the Regional Policy Statement for the Wellington Region (2006)
- Criteria to ensure the issues were regionally significant, were ‘resource management’ matters and appropriate for inclusion in the Regional Policy Statement (see Appendix 1 for a copy of the criteria).

The resulting issue recommended for inclusion in the proposed Regional Policy Statement on landscapes is:

Issue 1: Inappropriate modification and destruction of outstanding natural features and landscapes, and significant amenity landscapes

Inappropriate modification and destruction of outstanding natural features and landscapes, and significant amenity landscapes, is causing a loss of the values associated with those landscapes and features.

3. Extent to which the objective is the most appropriate

The proposed landscape objective is:

Objective 17: The region's outstanding natural features, landscapes and significant amenity landscapes, are identified and their values protected, maintained or enhanced.

To follow is an outline of the extent to which the landscape objective is the most appropriate way to achieve the purpose of the Resource Management Act.

3.1 Objective 17

- Objective 17 addresses the regionally significant resource management issue that inappropriate modification and destruction of outstanding natural features and landscapes, and significant amenity landscapes, is causing a loss of the values associated with those landscapes and features. More specific discussion about landscapes significant to tangata whenua can be found in the Section 32 Report Resource management with tangata whenua (analysis of objective 27).
- The state of the environment report, Measuring up (2005), recorded that consensus is emerging that landscape management is important to the Wellington region in order to preserve our distinctive identity. However, the report also noted that significant landscapes have yet to be identified, and there is no strategic guidance for landscape management in the region.
- The Regional Policy Statement Evaluation Report for Landscape and Heritage (2006) recognised that a “a more embracing, holistic interpretation of ‘landscape’ is needed, along with recognition that we need to do more than protect the best and forget the rest.” The report also noted that there is no consistency for evaluating potential effects on landscapes throughout the region.
- Workshops held with landscape professionals and local authority planners from within the region consistently stated that landscape management is required throughout the region, not just for regionally significant landscapes. More guidance was desired, and Wellington Regional Council (Greater Wellington henceforth) was seen to be well placed to provide leadership.
- The objective meets Part II of the Resource Management Act by seeking to sustainably manage landscapes, which are natural and physical resources. The purpose of the Resource Management Act recognises the need to enable people and communities to provide for their social, economic and cultural wellbeing, health and safety while also sustaining natural and physical resources, safeguarding life supporting capacity and avoiding, remedying and mitigating adverse effects on the environment. Under the Resource Management Act, Greater Wellington is required to recognise and provide for the following as a matter of national importance:

6(b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development

In addition, Greater Wellington must have particular regard to:

7(c) The maintenance and enhancement of amenity values

Amenity values are defined in Section 2 as “those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.” Such amenities include significant amenity landscapes.

- Relevant sub sections to Section 30 “Function of regional councils” for the objective include:

(1)(a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region.

(1)(b) The preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance.

(1)(gb) the strategic integration of infrastructure with land use through objectives, policies and methods.

- The following policies of the New Zealand Coastal Policy Statement 1994 are relevant to Objective 17:

1.1.3 - It is a national priority to protect the following features, which in themselves or in combination, are essential or important elements of the natural character of the coastal environment:

a) landscapes, seascapes and landforms, including:

- (i) significant representative examples of each landform which provide the variety in each region;*
- (ii) visually or scientifically significant geological features; and*
- (iii) the collective characteristics which give the coastal environment its natural character including wild and scenic areas;*

b) characteristics of special spiritual, historical or cultural significance to Maori identified in accordance with tikanga Maori; and

c) significant places or areas of historic or cultural significance.

3.1.2 - Policy statements and plans should identify (in the coastal environment) those scenic, recreational and historic areas, areas of spiritual or cultural significance, and those scientific and landscape features, which are important to the region or district and which should therefore be given special protection; and that policy statements and plans should give them appropriate protection.

On this basis of the above, objective 17 is the most appropriate for achieving the purpose of the Resource Management Act.

3.2 Analysis of which are the most appropriate objective(s)

Final chosen objective	Other alternatives	Why not most appropriate to achieve the Resource Management Act
<p>Objective 17.</p> <p>The region's outstanding natural features, landscapes and significant amenity landscapes, are identified and their values protected, maintained or enhanced.</p>	<p>Alternative 1. No objective in the Regional Policy Statement on landscape.</p> <p>Alternative 2. Retain the objectives in the existing 1995 Regional Policy Statement which seek that:</p> <ul style="list-style-type: none"> ▪ <i>Nationally and regionally outstanding geological features, landforms, soil sites and other natural features of the Region are protected from inappropriate subdivision, use and development.</i> ▪ <i>Adverse effects of human activities on the Region's natural and physical resources are avoided, remedied or mitigated so that the quality of any regionally outstanding landscapes which those resources contribute to is maintained.</i> ▪ <i>The attributes of natural and physical resources which provide for regional recreational opportunity, and for the appreciation and enjoyment of those resources by the regional community, are maintained or enhanced.</i> <p>Alternative 3. Using the term "notable landscapes" instead of "significant amenity landscapes."</p> <p>Alternative 4. Identifying and managing only outstanding natural features and landscapes</p> <p>Alternative 5. No further loss of the region's landscapes.</p>	<p>Alternative 1 is not the most appropriate as the Regional Policy Statement would not play a role in providing regional direction for landscapes.</p> <p>Alternative 2 is not the most appropriate because the objectives were assessed during the review of the Regional Policy Statement to be ineffective.</p> <p>Alternative 3 is not the most appropriate as it would introduce a new concept, the term 'notable,' which is not used in the Resource Management Act. As 'amenity' is used within Section 7 (c) of the Resource Management Act, and to be consistent with the Resource Management Act, the term 'significant amenity' was preferred to the term 'notable'.</p> <p>Alternative 4 is not the most appropriate because it would only satisfy section 6(b) of the Resource Management Act, but would neglect Section 7(c), which is the maintenance and enhancement of amenity values.</p> <p>Alternative 5 is not the most appropriate as there is no baseline data as a basis for "further", and "loss" can mean many things.</p>

Table 1: Analysis of which are the most appropriate objective(s)

4. Evaluation of policies and methods to achieve Objective 17

The appropriateness of the policies and methods to achieve the objective are evaluated by looking at the effectiveness and efficiency of the policy and method options, as well as the risks of acting or not acting if there is uncertain or insufficient information.

4.1 The range of policy and method options considered

Objective 17 seeks to ensure that the region's outstanding natural features, landscapes and significant amenity landscapes, are identified and their values protected, maintained or enhanced.

In addressing this objective, the primary focus is to determine the most appropriate way(s) to achieve the objective. That is, whether it can be best achieved through regulatory direction to plans, or through regulatory direction as to matters to be considered when making resource management decisions, or through non-regulatory programs, or by doing nothing.

4.1.1 Regulatory direction to district and/or regional plans

Option 1 – Direction to identify outstanding natural features and landscapes and significant amenity landscapes using a specified set of criteria

This option requires the identification in regional and district plans of outstanding natural features and landscapes and significant amenity landscapes, using a specified set of criteria.

Option 2 – Direction, via a schedule of landscapes in the Regional Policy Statement

This option requires specific outstanding natural features and landscapes, and significant amenity landscapes, as identified in a schedule within the Regional Policy Statement to be included in district and regional plans.

Option 3 – Direction to protect landscape values

This option requires district and regional plans to include provisions to protect outstanding natural features and landscapes from inappropriate subdivision, use and development, and maintain or enhance significant amenity landscape values.

4.1.2 Regulatory direction as to matters to be given particular regard in resource management decision making

Option 4 – Direction to consider managing effects on landscapes

This option requires local authorities to have particular regard to specified criteria to determine whether an activity may affect an outstanding natural

feature or landscape, or significant amenity landscape, and whether an activity is inappropriate when making resource management decisions.

4.1.3 Non-regulatory options

Option 5 – Provide information - regional landscape character description

This option is to develop a regional landscape character description that describes and categorises the region's landscapes to assist with identifying outstanding natural features and landscapes, and significant amenity landscapes.

Option 6 – Integrated management - engagement with tangata whenua and the community in the identification and protection of significant values

This approach is to work with tangata whenua and the community in the identification, protection and/or management of landscapes.

Option 7 – Provide information about the identification of landscapes

This approach is to prepare information to assist with the interpretation of criteria to identify outstanding natural features and landscapes and significant amenity landscapes.

4.1.4 Doing nothing

Option 8 – No intervention

In this option, there are no regulatory or non-regulatory actions to identify, protect, maintain or enhance landscapes.

4.2 Evaluation as to the effectiveness and efficiency of the policy and method options to achieve Objective 17

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
Regulatory direction to district and/or regional plans					
<p>Option 1</p> <p>Identification of outstanding natural features and landscapes and significant amenity landscapes using a specified set of criteria</p>	<p>Establishes a regionally consistent set of criteria for identifying landscapes and requires all plans to implement the policy.</p> <p>Sets out a clear direction for identifying outstanding natural features, and landscapes and significant amenity landscapes and the relevant matters to be considered.</p> <p>An agreed methodology for the identification and evaluation of landscape values is a necessary precursor to being able to 'protect', 'maintain or enhance' landscape values.</p> <p>If fully implemented, this option would result in certainty about the location of outstanding natural features and landscapes and significant amenity landscapes for both property owners and the community, including tangata whenua.</p> <p>Increases understanding of relevant criteria to consider when evaluating landscapes.</p> <p>With a full and comprehensive understanding of the values of outstanding natural features and landscapes and significant amenity landscapes, consent</p>	<p>Med</p>	<p>Decisions about what to include in district or regional plans would be made on a case by case basis at the local level, but within a consistent policy framework across the region.</p> <p>All relevant parties must work together to identify outstanding natural features and landscapes and significant amenity landscapes, resulting in improved social and environmental outcomes. In some instances, economic benefits could occur through better appreciation of landscape values.</p> <p>Establishes clear parameters for identifying outstanding natural features and landscapes and significant amenity landscapes, and the criteria will assist local authorities to identify them.</p> <p>Provides information for the community, including tangata whenua, about what is to be considered when identifying outstanding natural features and landscapes and significant amenity landscapes. Clarification helps to expedite the process.</p> <p>Provides certainty for all interested parties.</p> <p>Reduces resources needed by applicants to evaluate effects of proposals on outstanding natural features and landscapes and significant amenity landscapes as the values would already be</p>	<p>There are social and economic resource costs for councils and communities associated with research, analysis, interpretation, consultation, governance and decision making processes to identify outstanding natural features and landscapes and significant amenity landscapes in plans.</p> <p>Social and/or economic costs may be associated with identifying or specifying precise locations with outstanding natural features and/or landscapes and/or significant amenity landscapes, which might fall upon individuals. However, such costs are transparent.</p> <p>The policy will have a staggered roll out across the region, as different planning timeframes apply around the region, so responses to the requirements will be at different times.</p>	<p>Yes</p>

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>processes to modify these identified landscapes should be more streamlined.</p> <p>The criteria are easy to interpret and thus to implement and were developed with the involvement of qualified professionals.</p> <p>Effect would not be immediate as changes to district and regional plans would not be required until the next plan review.</p> <p>When in the coastal environment this gives effect to New Zealand Coastal Policy Statement policy 3.1.2.</p>		<p>identified.</p> <p>Increases transparency about how outstanding natural features and landscapes and significant amenity landscapes are identified.</p> <p>Less conflict or debate over what factors to consider when determining the values of outstanding natural features and landscapes and significant amenity landscapes.</p> <p>Flexible timing for having effect, provides an ability to align with other required processes, to better manage resources and costs associated with implementation, and for improved collaboration with Greater Wellington and other territorial authorities.</p>		
<p>Option 2</p> <p>Direction via a schedule of landscapes within the Regional Policy Statement</p>	<p>Establishes a consistent policy framework region-wide and requires all relevant district and regional plans to schedule the natural features and landscapes identified in the Regional Policy Statement.</p> <p>If fully implemented, this option would result in certainty about the location of outstanding natural features and landscapes, and significant amenity landscapes.</p> <p>Effective in identifying natural features and landscapes that cross local authority boundaries.</p> <p>The directive is easy to interpret and thus</p>	High	<p>Provides information for the community about where outstanding natural features and landscapes are located and about where regionally significant amenity landscapes are located. Such clarity would provide certainty for all interested parties, and help to expedite the statutory processes.</p> <p>Reduces resources needed by applicants to evaluate effects of proposals on natural features and landscapes as the regionally significant values would already be identified. However, applicants would still need to evaluate any effects on locally significant landscape values. A framework for such an evaluation would be implied in having a methodology applied at a regional scale.</p>	<p>Social and economic costs would be very high as Greater Wellington is not as well placed as the territorial authorities to engage with local communities about outstanding natural features and landscapes, or about which landscapes have significant amenity value or are important to them.</p>	No

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	to implement, which limits the ability to contest or reinterpret which natural features and landscapes would be identified in a district or regional plan.				
<p>Option 3 Protection of landscape values</p>	<p>Establishes a consistent regional policy framework and requires all pertinent plans to apply the same specific principles.</p> <p>Sets out a clear direction for regulatory provisions, both in intent and in terms of the parameters considered relevant in further development of the planning framework.</p> <p>Consistency and clarity promote greater certainty for individual applicants, communities of interested parties and for councils.</p> <p>Increases understanding of relevant factors to consider when protecting outstanding natural features and landscapes and maintaining or enhancing significant amenity landscapes.</p> <p>Adverse effects arising from particular activities are able to be attributed to specific prompts and avoided. The relationship between causes and effects within resource management activity are able to be explained and are observable.</p> <p>Effect would not be immediate as changes to district and regional plans would not be</p>	<p>High</p>	<p>Resource management decisions are still made on a case by case basis at the local level, but within a consistent policy framework across the region.</p> <p>Establishes a clear intent for the regulatory interventions and the key parameters pertinent to further development of resource management solutions are identified—this assists local authorities in establishing local regulatory frameworks.</p> <p>Provides information about what are the important considerations when designing proposals for subdivision, use and/or development in relation to outstanding natural features and landscapes or significant amenity landscapes. Clarification helps to expedite the statutory processes.</p> <p>Reduces resources required by applicants to interpret what is required and why, and to achieve compliance with the regulatory framework.</p> <p>Provides certainty for all interested parties.</p> <p>Increases clarity as to what are the prompts or triggers for regulatory intervention, and of the likely planning responses, provides greater transparency within the process. Transparency, in turn, increases equity in both developing and thence implementing</p>	<p>There are human and economic resource costs for councils and communities, associated with research, analysis, interpretation, consultation, governance and decision making processes to formulate and establish the consequent regulatory frameworks, which must implement the regional policy statement.</p> <p>On-going costs for councils to implement, monitor compliance, take enforcement action, monitor delivery and monitor environmental outcomes to enable an evaluation of the effectiveness of the intervention.</p> <p>The information required in association with new activities, and the type of interventions likely, may bring additional cost.</p> <p>High social and/or economic costs may be associated with identifying or specifying precise locations affected by this policy, which might fall upon individuals. However, such costs are transparent.</p> <p>Could act as a disincentive or</p>	<p>Yes</p>

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>required until the next plan review.</p> <p>The provisions are targeted to influence activities affecting outstanding natural features and landscapes and significant amenity landscapes.</p> <p>When in the coastal environment this gives effect to New Zealand Coastal Policy Statement policies 1.1.3 and 3.1.2.</p>		<p>regulatory plan provisions.</p> <p>Increases consistency, as it acts as a standard — allowing proposal to be measured or benchmarked against each other, in terms of likely effects and responses.</p> <p>The causative influences within the process are clearly established, in that causes (types of effects) and effects (types of regulatory responses) are clearly outlined. Increases transparency as to what is required and why, helping to reduce time, money and other resources expended on process.</p> <p>Provides local authorities with the ability to signal what subdivision, use and development possibilities and opportunities exist across the region as well as what restrictions apply.</p>	<p>discouragement to innovation, which has the potential to derive alternative solutions to regulatory intervention.</p> <p>If the cause and effect relationship is direct and clear, then the costs of any remedy are able to be attached directly to specific activities or effects and so are likely to be charged to individuals, rather than to the community at large.</p> <p>If outstanding natural features and landscapes and significant amenity landscapes are not well identified, there may be inequitable application of protection mechanisms, which can lead to non-compliance issues.</p>	
Regulatory direction as to the matters to be given particular regard in resource management decision making					
<p>Option 4</p> <p>Managing effects on landscapes</p>	<p>Establishes a set of specific matters which must be given particular regard in any pertinent resource management consideration, leading to consistent decision making.</p> <p>Clarifies matters to be given particular regard in decision making—so both the policy intent and parameters needing to be considered are clear to all interested parties.</p> <p>Provides an ability to critique what is</p>	<p>Med</p>	<p>Provides a consistent framework with regard to considerations across the region.</p> <p>Requires development to address specified matters.</p> <p>Allows some discretion and thus variation in interpretation and implementation. The management responses can be adapted to the specific proposal under consideration.</p> <p>Less conflict and debate about what is relevant or pertinent and what is not, to considerations.</p>	<p>Economic costs will be borne by some individuals in the preparation of resource consent applications and by councils in considering the information within decision making processes.</p> <p>Costs associated with investigations to deliver sufficient information to the decision making process.</p> <p>Transparency may reduce discretion within responses, as treatments may become standardised.</p>	<p>Yes</p>

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>considered important and relevant within decision making processes, and thus increase understanding of pertinent factors and intent. Transparency as to how these matters are treated in decision making improves understanding and enhances equity within resource management activity.</p> <p>Setting out the matters which must be considered promotes consistency and clarity in terms of information required to inform the decision making process, and while discretion is anticipated in considering these matters, this option does provide some certainty for interested parties as to what the relevant matters are.</p> <p>As the specified matters are for consideration, the management response or outcome (i.e. the decision) is less predictable, but all matters will be accounted for.</p> <p>The effects (planning responses) are able to be attributed to specific matters which act as prompts, triggers or conditions (the causes)—so that the relationship between an activity's effects (causes) and resource management response (effects) is more clearly established.</p> <p>The directive is easily able to be interpreted and implemented, and limits the ability to contest or reinterpret what it</p>		<p>The information that is necessary within considerations and to inform decisions is made available, which enhances transparency.</p> <p>Less unknown quantities arise within the process, as the matters thought relevant are specified at the outset.</p> <p>The decision will account for each of the matters specified and so a rationale as to how treated within the decision is available. This improves transparency in the process, which further informs and guides future proposals (which prompt the need for consideration), and thus improves the ability to develop tailor made solutions or responses, and to learn and adapt future solutions over time.</p> <p>Being able to identify the concerns and likely responses allows efforts to find solutions to be targeted.</p> <p>Timing is able to be established to reduce costs and inconvenience and to maximise opportunity associated with aligning the provision to other processes. The use of this option as an interim option prior to new plans being promulgated can provide a safety net or back stop, towards arresting the issue and achieving the objective.</p> <p>Purpose built solutions to fit the specific proposal, and the causes and effects within it, as they relate to the matters for consideration. This allows variety, discretion, innovation within the response to</p>	<p>Might demand more information and investigation than absolutely necessary, if a proposal is pushing the boundaries or marginal in its ability to comply with the likely responses.</p> <p>A lot of information may be contributed to the process, but the resulting decision and/or resource management response may hinge on only a small part of the total sum of information. That is, the process may incur additional unnecessary cost, if the critical factors are not accurately identified at the outset.</p> <p>The costs of developing solutions to address causes and or to avoid, remedy or mitigate adverse effects may fall on individual applicants, but then be generally available for use in other circumstances or by other applicants.</p> <p>There are costs associated with informing the deliberations which might be complex, particularly when there are a lot of matters to be considered in relation to a proposal, such that the weighing up of all matters and deriving appropriate responses may be complex.</p> <p>Individual proposals or applications act</p>	

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	<p>intends to achieve, or how it intends to influence resource management activity.</p> <p>Timing of intervention coming into effect is determined by coincidence of consent applications, or for 'plan review', changes, or variations. The timing provides for an 'interim' provision (that will have immediate, but temporary effect).</p> <p>When considering matters at the resource consent stage, the response is able to be very targeted to a particular proposal.</p> <p>When in the coastal environment this gives effect to New Zealand Coastal Policy Statement policies 1.1.3 and 3.1.2.</p>		<p>matters, on a case by case basis.</p>	<p>as pilots or trial as to how the matters for considerations contribute to eliciting particular management responses – which might add to costs of applications during the 'interim' period, that otherwise would be borne by the community in formulating new plan provisions.</p> <p>Flexibility carries some costs, as it might be thought necessary to treat each application as unique, rather than allowing a standardised response to develop.</p>	
Non regulatory options					
<p>Option 5</p> <p>Provide information - regional landscape character description</p>	<p>This option will ensure a consistent methodology is used to characterise landscapes and collate a consistent set of baseline data across the region.</p> <p>Clarifies the values associated with outstanding natural features and landscapes and significant amenity landscapes.</p> <p>The information will be easy to interpret and apply.</p> <p>Timing will depend on available funding</p>	<p>Med</p>	<p>Provides a consistent methodology to define and describe the region's landscapes and natural features.</p> <p>Less conflict or debate about how to apply landscape assessment criteria.</p> <p>The information necessary to describe the region's landscapes and natural features is made available, which enhances transparency.</p> <p>Increases understanding about the region's landscapes and natural features, which is expected to result in increased certainty about how they are</p>	<p>Economic costs will be borne by the regional authority. This may be high as there is a requirement for landscape and GIS experts to undertake the assessment and community consultation to do the characterisation.</p> <p>There is an organisational cost to coordination – effort has to be made and processes set up to manage the connection between councils, iwi and other stakeholders etc.</p>	<p>Yes</p>

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	and hence will be undertaken on a district by district basis as and when each territorial authority is ready to undertake their landscape evaluation (option 1).		identified. Local authorities are expected to be able to use the information to reduce the social, economic and environmental costs they might otherwise incur if they had to develop the descriptions without this assistance.		
Option 6 Integrated management - engagement with tangata whenua and the community in the protection of significant values	Identification of places with significant tangata whenua or shared and recognised values is not possible without involvement of tangata whenua and the community. Tangata whenua are the only suitable people to determine the appropriateness of activities on sites sacred to them. When in the coastal environment this gives effect to New Zealand Coastal Policy Statement policies 1.1.3 and 3.1.2.	High	All relevant parties must work together to identify landscapes, resulting in improved social and environmental outcomes. In some instances, economic benefits could occur through better appreciation of landscape values. Thorough identification of outstanding natural features and landscapes and significant amenity landscapes helps ensure the environmental result that outstanding natural features and landscapes are protected from inappropriate subdivision, use and development and significant amenity landscapes are maintained and enhanced. Provides increased certainty for all interested parties.	There are social and economic consultation costs for councils and communities associated with identifying outstanding natural features and landscapes and significant amenity landscapes; protecting outstanding natural features and landscapes from inappropriate subdivision, use and development; and maintaining and enhancing significant amenity landscapes in plans.	Yes
Option 7 Provide information about the identification of landscapes	This non-regulatory approach would provide guidance for the interpretation and implementation of the landscape identification criteria and would assist in achieving regional consistency in how the criteria are applied. However, this information is not considered necessary as expert landscape professionals would be	Low	Provides information for the community, including tangata whenua, about what is to be considered when identifying outstanding natural features and landscapes and significant amenity landscapes.	The costs for preparing the information are expected to be high as this would involve the use of expert landscape professionals to develop a user guide.	No

Policy and method options	Analysis of Effectiveness	Effectiveness Rating	BENEFITS (social, economic and environmental)	COSTS (social, economic and environmental)	Efficient?
	involved in the identification of outstanding natural features and landscapes and significant amenity landscapes. These expert landscape professionals would be well versed in using the criteria, as the criteria have become well entrenched through significant case law (i.e the Pigeon Bay Case) ¹ .				
Doing Nothing					
Option 8 No intervention	Unlikely to address the issue for landscape if there are no policies or methods in place to achieve the objective. This option would therefore not be effective.	Low	Economic costs would be saved through not having to implement policies or methods.	It can be anticipated that the issue will continue in the same trend or pattern, and that the objective will not be achieved. Doing nothing will not achieve the purpose of the Resource Management Act. Social and environmental costs could be significant, and could result in reduced economic opportunities.	No

Table 2: Evaluation of effectiveness and efficiency of policy and method options to achieve Objective 17

¹ Pigeon Bay Aquaculture Limited v Canterbury Regional Council, Environment Court Decision No: C32/99

4.3 Results of evaluation as to the most appropriate policy and method options to achieve Objective 17

Policy and method options	Effectiveness	Efficient?	Selected (most appropriate) option(s)	Proposed policies and methods
Regulatory direction to district and/or regional plans				
Option 1 Direction to identify outstanding natural features and landscapes and significant amenity landscapes using a specified set of criteria	Med	Yes	✓	Policies 24 and 26 and Methods 1 and 2
Option 2 Direction, via a schedule of landscapes within the Regional Policy Statement	High	No	x	
Option 3 Direction to protect landscape values	High	Yes	✓	Policies 25 and 27 and Methods 1 and 2
Regulatory direction as to the matters to be given particular regard in resource management decision making				
Option 4 Direction to manage effects on landscapes	Med	Yes	✓	Policy 49, Method 4
Non regulatory options				
Option 5 Provide information - Regional landscape character description	Med	Yes	✓	Method 49
Option 6 Integrated management - engagement with tangata whenua and the community in the identification and protection of significant values	High	Yes	✓	Method 31

Option 7 Provide information about the identification of landscapes	Low	No	x	
Doing Nothing				
Option 8 No intervention	Low	No	x	

Table 3: Results of evaluation as to the most appropriate policy and method options to achieve Objective 17

4.4 Discussion of options

A mix of regulatory options, (to develop targeted policies directing district and regional plans and resource management decision making), and non regulatory options, (to provide information and otherwise support and assist in that work), is the most appropriate way to achieve objective 17 and address the issue.

Seeking that landscape values be identified, using specified regional criteria (option 1, policy 24 and 26, methods 1 and 2), and thence protected in plans (option 3, policies 25 and 27, methods 1 and 2), and a direction as to matters for consideration in resource management decision making (option 4, policy 49 and method 4), to assist determination as to whether or not an activity affects particular landscape values, and, if so, whether or not the activity is appropriate (for use as an interim measure while new plans are formulated), are considered appropriate options to address the issue and achieve objective 17. In addition, the non regulatory options of providing information (in the form of regional landscape character description), and support for engagement with tangata whenua and communities, provides a mix of regulatory and non-regulatory options making up the most appropriate response to address the issue and achieve objective 17.

Option 1 is to direct plans to identify outstanding natural features and landscapes and significant amenity landscapes using a specified set of criteria. The criteria will provide a regionally consistent means for identifying landscapes. The criteria are based on significant case law and commonly used landscape assessment methodologies. Option 1 is efficient and effective, as it is a necessary precursor to being able to provide consistency and certainty in effectively protecting, maintaining or enhancing particular landscape values, and address the issue and achieve the purpose of the Resource Management Act. The accurate identification of landscape values within the region provides a platform for protection (option 3), and so the benefits of identifying landscape values outweigh the social and economic costs of not doing so.

Option 1 is represented by policies 24 and 26 in the proposed Regional Policy Statement. Policy 24 is specific to outstanding natural features and landscapes, and policy 26 relates to significant amenity landscapes. Though the criteria are the same in both policies, separating the requirement into two distinctive

policies makes it clear how the identification of outstanding natural features and landscapes differs from that of significant amenity landscapes. Option 1 will be implemented through methods 1 and 2, which require the identification of outstanding natural features and landscapes and significant amenity landscapes in district and regional plans.

Option 2, to include a schedule of landscape sites in the regional policy statement, and require plans to protect these sites is not selected, even though it was determined to be highly effective, as it is considered inefficient in terms of the weighing of benefits and costs it delivers, particularly in comparison with the alternative option (which is to require option 3 in conjunction with option 1). The identification of outstanding natural features and landscapes and significant amenity landscapes requires extensive consultation with tangata whenua and the wider community. It is considered more appropriate that local authorities work with communities at a district level to evaluate landscapes (using regionally defined criteria) and thence to develop appropriate mechanisms for the protection, maintenance and enhancement of identified landscape values.

The territorial authorities in conjunction with Greater Wellington are better placed to undertake this consultation than is Greater Wellington alone. The social and economic costs would be less overall if the identification occurred at a local level.

Option 3 requires district and regional plans to protect outstanding natural features and landscapes from inappropriate subdivision, use and development, and to maintain or enhance significant amenity landscape values. Option 3 is both efficient and effective, particularly in combination with option 1, as the environmental and social benefits of protecting outstanding natural features and landscapes and maintaining and enhancing significant amenity landscapes outweigh the economic and social costs of doing so. This option is reflected in policies 25 and 27 in the proposed Regional Policy Statement, and will be implemented via methods 1 and 2 as described for policies 24 and 26 above.

Option 4 is to direct specified criteria to be used when determining whether or not an activity affects an outstanding natural feature or landscape, or a significant amenity landscape, and, if so, whether or not the activity is appropriate. Option 4 is reflected in policy 49 in the proposed Regional Policy Statement and is put into effect via method 4. The policy provides five criteria to assess the appropriateness of an activity. The criteria are based on commonly used case law and assessment methodology adapted into one concise set of criteria tailor-made for the region. This option is of medium effectiveness and is only marginally efficient, as costs are likely to fall upon individual applicants or within one resource management deliberation process, rather than being spread across all instances that may require similar or the same investigation, information and analysis. However, as this option will have immediate effect and thus a potential to influence landscape outcomes, it is considered an appropriate interim option. Therefore, once policies 24, 25, 26 and 27 are operational, option 4 will no longer be required to achieve the objective for landscapes and it will therefore cease to apply.

Option 5 is to develop a regional landscape character description that will describe and categorise the region's landscapes to assist with identifying outstanding natural features and landscapes, and significant amenity landscapes. This option is of medium effectiveness, but is very efficient, as it will lead to investigations and the provision of consistent base information, leading to enhanced transparency, and will increase understanding about the region's landscapes and natural features. These benefits exceed the costs associated with this option.

Option 6 (method 31) refers to the engagement with tangata whenua and the wider community in the identification and protection of landscapes. It will assist in implementing options 1 and 3. In order to consistently identify outstanding natural features and landscapes and significant amenity landscapes throughout the region, information is required to assist with the identification of these landscapes and it is important that tangata whenua and the wider community are involved. There are costs involved in consulting with the community and tangata whenua, however, these are offset by the considerable benefits of working with communities to identify what is valued and how best to respond, in terms of protection, maintenance and enhancement mechanisms.

Option 7 is to prepare information to assist with the interpretation of criteria to identify outstanding natural features and landscapes and significant amenity landscapes. It is not considered an appropriate option because the interpretation of the criteria is already well established in case law, and is generally in use by landscape professionals in the Wellington region. There is little benefit to be gained as the criteria are already widely agreed and understood by landscape professionals. It is also considered that the landscape character assessment will provide the assistance to the territorial authorities when they evaluate their respective landscapes, by providing a consistent set of character descriptions.

Option 8 is to do nothing. There is a high risk of further degradation to outstanding natural features and landscapes and significant amenity landscapes if no action is taken. This is not effective resource management. Nor could it be argued to be efficient, given the issue would continue unabated, and presumably would lead to increasingly unsustainable environmental outcomes, resulting in economic, social and environmental costs. The wellbeing of the community would not be supported. As the issue has been found to be regionally significant (refer to criteria in appendix 2), doing nothing would be a dereliction of function and duty under the Resource Management Act.

Overall, the combination of options 1, 3, 4, 5, and 6 as implemented in policies 24, 25, 26, 27 and 49 and methods 1, 2, 4, 31 and 49 are considered the most appropriate means to address the issue and achieve objective 17.

4.5 Risk of acting or not acting if information is uncertain or insufficient

Section 32(4)(b) of the Resource Management Act requires the evaluation of appropriateness to take into account the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies or methods.

There is both uncertain and insufficient information about outstanding natural features and landscapes and significant amenity landscapes, and the values associated with them, and the loss that may be occurring because those values are not always recognised. It can be difficult to monitor landscapes because the values associated with them cannot be scientifically measured, and are sometimes not even identified prior to their destruction. There is evidence that landscape values are being lost in the region.

The risk of acting in the way proposed is that costs will be imposed on local authorities and property owners, potentially for little gain in some instances.

The risk of not acting in the way proposed is that outstanding natural features and landscapes in the Wellington region will not be consistently identified or protected from inappropriate subdivision, use and development. Further, significant amenity landscapes would not be consistently identified, maintained or enhanced. This may mean that territorial authorities, communities and individuals are not always able to make choices about the use of resources, informed by the knowledge of what may be lost. In short, there may be an irreversible loss and degradation of outstanding natural features and landscapes and significant amenity landscapes important to the Wellington region.

It is clear to Greater Wellington that the risk of acting is less than the risk of not acting.

Appendix 1: Criteria used to determine regionally significant issues

The criteria used for determining whether an issue was a resource management issue of regional significance were:

- The issue was a natural or physical resource management problem.
- The issue was to be of regional significance (see further criteria below).
- The issue was about achieving the purpose of the Resource Management Act.
- The issue did not “repeat” the Resource Management Act, the New Zealand Coastal Policy Statement, any other national policy, or another issue in the Regional Policy Statement.
- The issue was explained in the context of the Wellington region.

Regional significance was determined using the following criteria:

- The issue concerns a resource which is regionally significant, and the issue requires integrated management at a regional level ; and
- There is a potential shortage of the resource and resultant allocation issues; or
- There is a significant level of conflict over the resource which is either occurring or is foreseeable over the next 10 years; or
- The resource is potentially subject to significant adverse effects at a regional level; or
- There are significant issues in terms of Part 2 of the Resource Management Act which are, or are likely to, arise at a regional scale (eg maintenance and enhancement of access along waterways); or
- The community has signalled that it regards a particular issue as being of regional significance; or
- The issue is one of national significance (eg preservation of natural character) and requires regional intervention; or
- The issue is one of district significance but requires regional intervention; or
- The matter is one which a National Policy Statement or National Water Conservation Order requires to be addressed.

Appendix 2: References

Department of Conservation (1994) New Zealand Coastal Policy Statement. Wellington. ISB 0-478-01589-S

Greater Wellington Regional Council (2005) Measuring up: the state of the environment report for the Wellington region 2005. Wellington. Publication No. GW/ENV-G-05-278

Greater Wellington Regional Council (2006) Our region – their future: A discussion document on the review of the Regional Policy Statement for the Wellington Region. Wellington. Publication No. GW/RP-G-06/83

Greater Wellington Regional Council (2006). Regional Policy Statement Evaluation Report for Landscape and Heritage. Wellington. Publication No. GW/EP-G-09/23

Pigeon Bay Aquaculture Limited v Canterbury Regional Council, Environment Court Decision No: C32/99