

# Section 32 Reports and Strategic Environmental Assessment

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## Purpose

Since the RMA was enacted, there has been debate about the extent to which Section 32 Reports can be considered to be a form of Strategic Environmental Assessment (SEA). The aim of this study is to examine a selection of recent Section 32 (s32) Reports and evaluate them against criteria of what constitutes good SEA practice. The work began at the start of November and will run into early 2017.

## SEA

SEA is well established overseas for the assessment of the wider consequences of policies, plans and programmes for environmental, social, cultural, health and economic elements. As such, SEA is often seen as a way to ensure policies, plans and programmes meet sustainable criteria. Although there is no one, single recipe for SEA, it is possible to extract from the research literature a set of principles which most SEA specialists seem to agree underpin SEA practice. This is the approach we have taken: the criteria being used for this study are shown in Table 1.

## Section 32 Reports

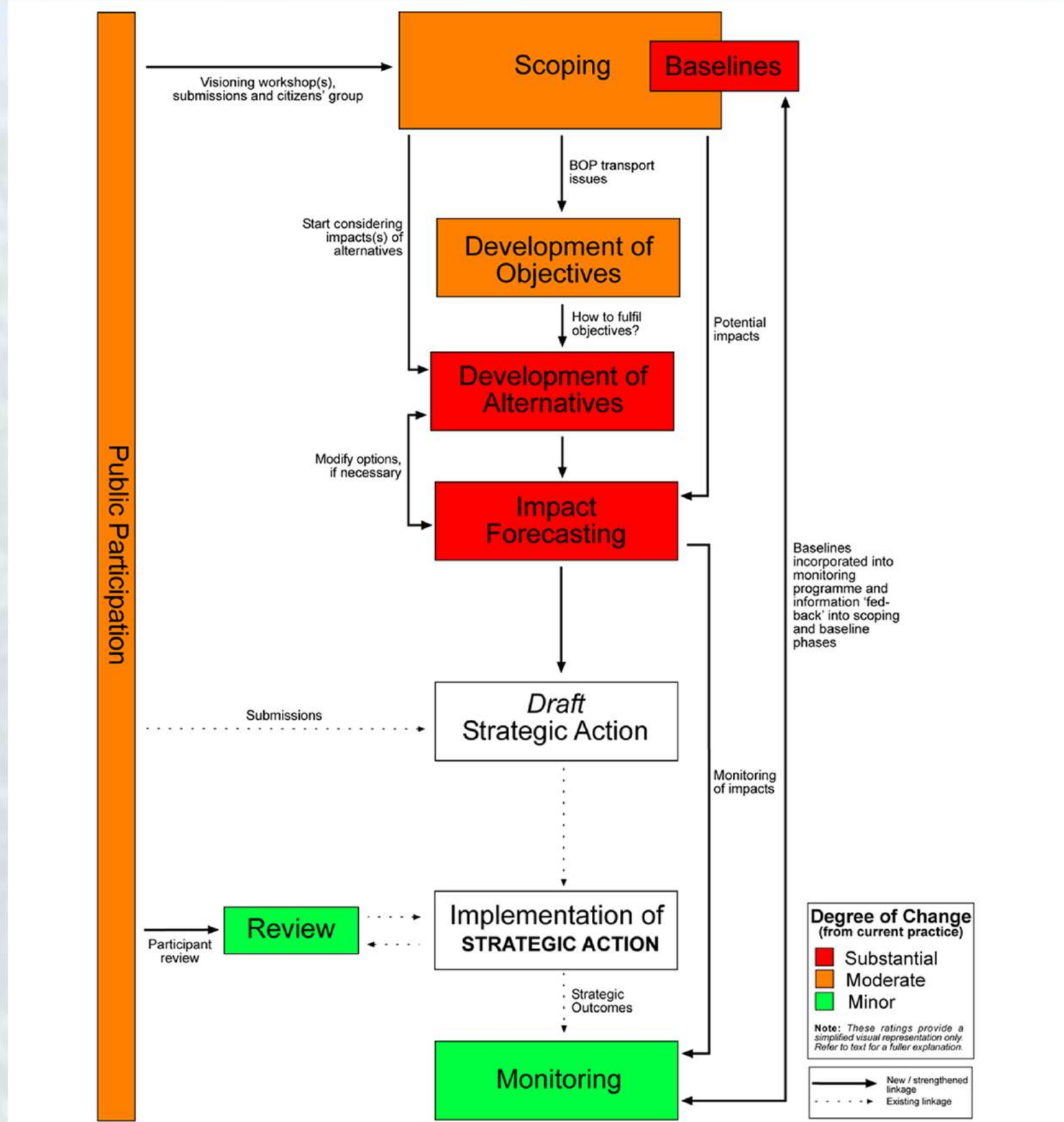
S32 evaluations address two main objectives: the first is to demonstrate good process in identifying appropriate responses to a given issue, and to justify to the public the particular option chosen. This is about accountability, efficiency and effectiveness. The second, which more closely mirrors SEA, is to show that wider costs and benefits have played a part in the weighing of options, including environmental, social and cultural costs and benefits. As Fookes (2000) noted, s32 reports too often seem to focus on process and pay too little regard to the social and environmental costs and benefits. This situation has not been helped by several changes to the s32 requirements since 1991, which have, at different times, strengthened or weakened the emphasis on social and environmental matters.

## Approach

A database of s32 reports produced in the last 5 years has been created, with main details of the approximately 300 reports largely carried out by regional and district councils, but some by Ministry for the Environment (MfE) and Environment Protection Authority. These reports have been categorised according to organisation, proposal action, document type, key targets of the report, and date. This information will be used to guide sampling of reports of different key features (proposal type, council characteristics, etc.). A template has been developed using the literature-based SEA criteria which will be used to evaluate sample s32 reports. The first application of this template was to evaluate the MfE's Section 32 Guide which reflects the latest version of s32 requirements, following the 2013 RMA amendments, which reintroduced a stronger emphasis on social and environmental matters (see Table 1).

Evaluation Criteria	Yes/No	Score 1: weak 5: strong
<b>Organisational Context:</b>		
• Inter-sectoral and inter-organisational co-ordination and connectivity (e.g. links to processes at higher and lower decision-making tiers)	✓	5
• Integrated with existing policy and planning structures	✓	5
<b>Process:</b>		
• Initiated early-on in the process - results available early enough to influence the decision-making process	✓	4
• Iterative and systematic process (multi-staged)	✓	5
• Flexible and customised process sensitive to specific decision-making requirements, conditions and timeframes	✓	5
• Early involvement opportunities for participation from all relevant and interested stakeholders, including the public	✓	4
• Best practical option orientated	✓	4
<b>Public Participation:</b>		
• Easy-to-use consultation techniques employed	✓	1
• Public inputs and concerns explicitly welcomed and addressed	✓	5
• Transparent process with results communicated clearly and publically	✓	5
<b>Development of Objectives:</b>		
• Development of objectives to be environmentally sustainable, including consideration of environmental, social, and cultural aspects	✓	5
• Reasonable range of possible alternatives for achieving objectives are analysed	✓	5
• Objectives of the strategic action identified	✓	5
<b>Scoping for Impacts:</b>		
• Significant issues identified and weighted/scaled	✓	5
• Consideration of environmental, social, cultural and economic consequences of strategic actions, including any trade-offs between them	✓	5
• Strategic action focused and proportionate to the importance of the issue	✓	5
• Issues for each proposed alternative considered	✓	5
<b>Baseline Information:</b>		
• Baseline information needs to be linked to the key issues identified during scoping	✓	4
• Relevant baseline information gathered and utilised	✓	5
• Use of a range of sources appropriate to issue/context	✓	5
• Information 'gaps' identified where appropriate	✓	4
<b>Impact Forecasting:</b>		
• Potential impacts of the alternative options analysed. As appropriate for the context, the following characteristics to be recognised: <ul style="list-style-type: none"><li>○ Cumulative, synergistic, direct, indirect, and delayed impacts</li><li>○ Spatial and temporal effects, including short, medium and long-term permanent and temporary impacts</li><li>○ Positive and negative impacts</li></ul>	✓	2
• The evaluation of impacts clearly guided by significant issues identified earlier in the process	✓	2
• Appropriate cost-and-time effective methods and techniques of analysis selected	✓	5
• Uncertainties, assumptions and risks recognised	✓	5
<b>Preferred Option:</b>		
• Impacts of the different options compared	✓	5
• Clear justification provided for the selection of preferred option(s) and description of how the assessment was undertaken based on environmental information available	✓	5
• Recommendations for impact mitigation or reduction made	×	-
• On-going monitoring intentions clearly stated where relevant	✓	5
<b>Quality Control:</b>		
• Draft assessment subject to some form of independent review	×	-
• Public and/or stakeholder groups allowed to comment on the draft assessment	✓	5

Table 1: used to evaluate the Section 32 Guide set out by MfE against the standard principles of SEA



## Initial Findings

The MfE's Section 32 Guide met most of the SEA criteria in our evaluation, which was encouraging. However, impact forecasting, impact mitigation and independent reviewing were aspects that were notably weak or absent from the guide. Interestingly, these findings were very similar to McGimpsey and Morgan's (2013) evaluation of SEA and regional land transport planning processes in New Zealand (Figure 1), which concluded that alternatives and impact forecasting were the most important aspects that would require strengthening to bring the existing land transport planning processes up to SEA "standards". This suggests that the s32 guide echoes the strategic planning emphasis observed in the regional land transport planning process, so also fall short of meeting full SEA objectives. However, practice is the final determinant of the value and effectiveness of the s32 process and that is the next stage for this study.

## References

Fookes, T. (2000) Environmental assessment under the Resource Management Act 1991. In P.A. Memon and H.C. Perkins *Environmental Management in New Zealand*. Palmerston North: Dunmore Press.

McGimpsey and Morgan (2013) The application of strategic environmental assessment in a non-mandatory context: Regional transport planning in New Zealand. *Environmental Impact Assessment Review*, 43: 56-64.