

Efficiency and Effectiveness Report – 2013

Kaipara District Plan

Meeting: Kaipara District Council
Date of meeting: 29 July 2020
Reporting officer: Shireen Munday, Policy Team Leader

Purpose/Ngā whāinga

To present a report on the efficiency and effectiveness of the Kaipara District Plan 2013, prepared in accordance with the requirements of the Resource Management Act 1991.

Executive summary/Whakarāpopototanga

Council is required to monitor the effectiveness and efficiency of its District Plan and report on the outcomes of this monitoring every five years. There is no statutory framework that informs Council how and what to monitor, and any specific details on what to report on.

Often councils put monitoring strategies or frameworks in place to support appropriate and regular data collection to inform these types of reports.

After the 2013 Kaipara District Plan became operative, a monitoring strategy development was instigated but not completed. This project was then subsequently cancelled due to the District Plan review being brought forward to commence in 2017.

The report in Attachment A meets the requirements of section 35(2A), noting it was not possible to base it on any monitoring strategy data, and therefore it largely relies on the outcomes of the District Plan review work to date. The report includes a recommendation to develop a functional monitoring strategy for the next iteration of the District Plan to support monitoring and reporting functions.

Recommendation/Ngā tūtohunga

That Kaipara District Council

- a) Notes the Efficiency and Effectiveness Report – 2013 Kaipara District Plan (Attachment A).

Context/Horopaki

Section 35 of the Resource Management Act 1991 (RMA) requires Council to gather information to monitor a range of matters and functions under the RMA or associated regulations. One of the matters Council must monitor is the efficiency and effectiveness of policies, rules or other methods in its District Plan (DP). The RMA further requires Council to compile and make available a review of the results of this monitoring every five years.

Council's current DP became operative in late 2013 and therefore the above report has been due since late 2018. This agenda item introduces the required information to be published on Council's website to meet the statutory requirements.

Discussion/Ngā kōrerorero

The relevant requirements of the RMA are provided here for completeness and the relevant sections are highlighted in grey.

35 Duty to gather information, monitor, and keep records

(1) Every local authority shall gather such information, and undertake or commission such research, as is necessary to carry out effectively its functions under this Act or regulations under this Act.

(2) Every local authority shall monitor—

(a) the state of the whole or any part of the environment of its region or district—

(i) to the extent that is appropriate to enable the local authority to effectively carry out its functions under this Act; and

(ii) in addition, by reference to any indicators or other matters prescribed by regulations made under this Act, and in accordance with the regulations; and

(b) the efficiency and effectiveness of policies, rules, or other methods in its policy statement or its plan; and

(c) the exercise of any functions, powers, or duties delegated or transferred by it; and

(ca) the efficiency and effectiveness of processes used by the local authority in exercising its powers or performing its functions or duties (including those delegated or transferred by it), including matters such as timeliness, cost, and the overall satisfaction of those persons or bodies in respect of whom the powers, functions, or duties are exercised or performed; and

(d) the exercise of the resource consents that have effect in its region or district, as the case may be; and

(e) in the case of a regional council, the exercise of a protected customary right in its region, including any controls imposed on the exercise of that right under [Part 3](#) of the Marine and Coastal Area (Takutai Moana) Act 2011—

and take appropriate action (having regard to the methods available to it under this Act) where this is shown to be necessary.

(2AA) Monitoring required by subsection (2) must be undertaken in accordance with any regulations.

(2A) Every local authority must, at intervals of not more than 5 years, compile and make available to the public a review of the results of its monitoring under subsection (2)(b).

The RMA provides no other framework or parameters to inform the required monitoring and reporting, nor are there any consequences detailed if the timing requirements are not met.

Councils approach these requirements in different ways. Often councils combine some of the matters of section 35 into a regular ‘State of the Environment’ report, others provide a 2-yearly update on their monitoring strategy outcomes and others provide a report every 5 years specifically to meet the requirements of section 35(2A).

To be able to meet these reporting requirements, conventional and/or best practice approaches are for councils to develop monitoring strategies or frameworks, based on a DP’s desired outcomes, to enable regular and consistent data collection to allow for meaningful reporting.

After the current DP was made operative, a monitoring strategy was envisioned by staff, but was not immediately realised due to competing priorities.

Further, during 2017, only four years after the current DP became operative, Council directed staff to commence a full review of the DP ahead of the scheduled review in 2023.

The resulting DP review work programme effectively superseded the planned monitoring strategy and this project was cancelled.

The attached report (Attachment A) has been prepared to meet the requirements of section 35(2A). Due to the circumstances described, it has not been able to be based on a monitoring framework but focusses largely on the outcomes of the DP review activities and feedback to date.

The report concludes with a recommendation that the current DP review process should carefully consider and clearly articulate the outcomes it is intending to achieve, and that an associated monitoring strategy is developed to support this. This will allow the community and elected members to be better and more regularly informed on whether and how the DP is meeting expectations. This recommendation will be enacted by staff as part of the current review process.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via this agenda as well as the publication of the attached report on Councils' website.

Next steps/E whaiake nei

The report in Attachment A will be published on Council's webpage.

Attachments/Ngā tapiritanga

	Title
A	Efficiency and Effectiveness Report – 2013 Kaipara District Plan