

## 5. Resource management systems and processes – efficiency and effectiveness of the policies and methods

This section reviews the efficiency and effectiveness of the policies and methods in the RPS in relation to the resource management systems and processes. The issues are grouped under the same chapter headings as they are in the RPS.

### 5.1 Information and monitoring of the environment

The gathering of appropriate and relevant information is essential to enable the community to define resource management issues and decide what management responses are appropriate and whether, over time, they have been effective.

The RPS identifies two issues relating to information and monitoring, these being:

- gathering appropriate information to promote sustainable management of natural and physical resources, for which there is one objective, one policy and 18 methods; and
- establishing appropriate methods to monitor natural and physical resources and the environment, for which there is one objective, one policy and nine methods.

Since the adoption of the RPS the Council has adopted its State of the Environment Monitoring Procedures Document and implemented state of the environment monitoring systems and programmes to deliver timely and relevant information. The Council has also undertaken or commissioned research where additional information was needed on new or emerging environmental issues eg, soil health or as part of the policy development of the regional plans and to address other information needs. The Council's monitoring programmes and information needs are reviewed annually. In 1996 and 2003, the Council completed comprehensive state of the environment monitoring reports.



*Inhalable particulate monitoring*

Strictly speaking the gathering of information and monitoring of the state of the environment are a means of achieving an objective or addressing an issue rather than being resource management issues in themselves. Subsequent to the RPS becoming operative, state of the environment systems and programmes have been developed and implemented. Separate stand alone technical documents set out in comprehensive detail relating to what, how and when to monitor. Monitoring systems and programmes are reviewed annually and, once every five or six years, the Council undertakes a comprehensive review on progress towards the sustainable management of the region's natural and physical resources and reports back to the community on the state of the environment and identifies pressures and the management responses relating to environmental issues.

To avoid the inclusion of unnecessary detail and duplication within the RPS, it is proposed to restructure this section of the RPS by including this issue in a separate stand-alone section of the RPS entitled 'Research, gathering of information and monitoring'. This new section would focus on the broader issues of research, gathering information and monitoring, including monitoring the effectiveness of the RPS, which is currently addressed separately in Chapter 5.2 of the RPS [Monitoring the RPS].

**Proposed changes**

It is proposed to amend this issue in the next RPS under a separate stand alone section that addresses state of the environment monitoring and monitoring the effectiveness of the RPS.

## 5.2 Consent processing, enforcement and cost recovery

The RPS identifies three issues relating to consents processing, enforcement and cost recovery, these being achieving:

- efficient, certain and effective participation in resource consent processing, for which there is one objective, one policy and four methods;
- an optimal level of compliance with the Resource Management Act, for which there is one objective, one policy and four methods; and
- efficiency and fairness in the costs and benefits of resource management processes, for which there is one objective, two policies and six methods.

Since the adoption of the RPS the Council has, through the development of rules in regional plans, moved from a regime where 100% of resource consents were publicly notified to a regime where about 95% of all resource consent applications are now non-notified. This has resulted in significant savings to the applicant and the Council in terms of cost and time to process the application. Furthermore, in 2002/03, for the third consecutive year, the Council processed all resource consent applications within statutory timeframes.<sup>41</sup> In instances of non-compliance with the Resource Management Act, the Council has undertaken the appropriate enforcement action.<sup>42</sup>

Again, strictly speaking these are not resource management issues and there is no need for the RPS to detail objectives, policies and specify methods relating to the Council's resource management systems and processes. Nor is the inclusion of such matters in a RPS a statutory requirement. These are largely operational or administrative matters dealt with in the Act itself. Furthermore, the Council has prepared separate stand alone policy or procedure documents for staff and guidelines for applicants that set out resource consent processing, enforcement and cost recovery details. Therefore, for the purposes of brevity it is proposed to amend the next RPS to no longer include these matters in the RPS.

**Proposed changes**

It is proposed that consent processing, enforcement and cost recovery no longer be included as issues in the revised RPS.

<sup>41</sup> Taranaki Regional Council: 'Consent processing and administration – Annual report 2002/03'. 2003.

<sup>42</sup> Taranaki Regional Council: 'Compliance monitoring – Annual report 2002/03'. 2003.

### 5.3 Treaty of Waitangi and matters of significance to Iwi

The RPS is required under section 62(1)(b) of the Resource Management Act to identify matters of resource management significance to Iwi. These issues are included in each of the resource based chapters previously discussed. In addition to these, the RPS identifies four issues of a more general nature relating to the Treaty of Waitangi and matters of significance to Iwi, these being:

- taking into account the principles of the Treaty of Waitangi;
- the recognition of kaitiakitanga;
- the recognition of the cultural and spiritual values of tangata whenua.; and
- the protection of wahi tapu.

Through the RPS the Council continues to be guided by the Declaration of Understanding and the Code of Conduct developed jointly by the Council and the Iwi of Taranaki. The Declaration establishes and records the basis of mutual understanding about the relationship between the devolved kawanatanga responsibilities of Council and the rangatiratanga rights of Iwi o Taranaki. The Code of Conduct is an expression of the Council's commitment to take into account the principles of the Treaty of Waitangi in the exercise of its powers and functions under the Resource Management Act and in the management of Taranaki's natural and physical resources. Council staff have found these provisions particularly helpful in the development of policies and plans and in processing resource consents.

As an issue, taking into account the principles of the Treaty of Waitangi continues to be relevant. The community outcomes process under the Local Government Act, for example, noted the importance of strengthening relationships between Māori and non- Māori and on resolving the outstanding grievances of Māori. In particular, Taranaki residents want Taranaki to be a region “...where the place of Māori is recognised and respected... [and]... relationships that are mutually beneficial are built between Māori and the wider community.”

No significant changes to the current policies and methods are proposed. However, it is proposed to restructure this section of the RPS by placing the issues dealing with kaitiakitanga, cultural and spiritual values and wahi tapu, together with those issues of importance to Iwi set out in the earlier sections of the RPS entitled 'Resource management issues of significance to Iwi authorities'. The remaining part of this section of the RPS dealing with the Treaty of Waitangi (including the Declaration of Understanding and the Code of Conduct) would remain in the section of the RPS dealing with resource management systems and provisions. This will provide a clearer focus for the resource management issues of significance to Iwi. It also means that the Declaration of Understanding and Code of Conduct, which form part of the wider framework of resource management systems and processes are appropriately retained in this part of the RPS under the heading of the 'Treaty of Waitangi'.

#### **Proposed changes**

No significant change to the overall policy and approach in the RPS is proposed. However, changes to the structure, policies and methods will be made to update the RPS in light of changes and developments over the last 10 years.

## 5.4 Cross boundary processes

Section 62(1)(h) of the Resource Management Act requires the RPS to state the processes to be used to deal with issues which cross local authority boundaries. One objective, one policy and six methods have been adopted to fulfil this requirement and promote integrated management of natural and physical resources in the Taranaki region.

Since the adoption of the RPS, the Council has had occasion to form joint working parties with the territorial authorities and develop memorandum of understandings on resource management issues that may overlap jurisdictional boundaries, eg, odour and stormwater. The methods continue to be relevant. However, it is proposed to merge this issue with the integrated management chapter of the RPS, which is consistent with how these matters have been addressed in the Council's regional plans.

### **Proposed changes**

It is proposed to amend this issue in the revised RPS to deal broadly with all forms of cross boundary and integrated management issues.

## 5.5 Integrated resource management

The Resource Management Act requires that the RPS, as part of its purpose, to provide policies and methods to achieve integrated management of the natural and physical resources of Taranaki. One objective, one policy and six methods have been adopted to fulfil this requirement and promote integrated management of natural and physical resources in the Taranaki region.

The policies and methods for integrated management provide practical guidance on how integrated management will be achieved. They have been effective and continue to be relevant. Given that the purpose of the RPS is to achieve integrated management a separate stand alone chapter is still considered appropriate in the RPS. However, it is proposed to merge this issue with the cross boundary chapter of the RPS, which is consistent with how these matters have been addressed in the Council's regional plans.

### **Proposed changes**

It is proposed to amend this issue in the revised RPS to deal broadly with all forms of cross boundary and integrated management issues.

## 5.6 Monitoring and review of the RPS

Section 62 of the Resource Management Act requires the RPS to state the procedures to be used to monitor the efficiency and effectiveness of the policies or methods contained in the RPS.

The RPS identified five procedures for monitoring the effectiveness of the RPS. These procedures have been effective and continue to be relevant. However, given the importance of state of the environment monitoring for monitoring the efficiency and

effectiveness of the policies and methods in the RPS it is proposed to broaden this section to identify state of the environment (and other) monitoring programmes of particular significance to monitoring the efficiency and effectiveness of the policies and methods in the RPS. It is proposed to restructure this section of the RPS by placing the matters relating to monitoring the effectiveness of the RPS in a separate stand-alone section of the RPS entitled 'Research, gathering of information and monitoring'. This new section would focus on the broader issues of research, gathering information and monitoring, including state of the environment monitoring, which is currently addressed separately in the RPS.

This section of the RPS also details the Council's procedures relating to the review of the RPS. Council experiences confirm that these procedures continue to be appropriate and relevant. While these procedures are not required under section 62 of the Resource Management Act to be specified in the RPS. Nevertheless for transparency purposes it is proposed to retain this part of the RPS under a new heading of 'Review of the RPS'. This is consistent with the approach adopted in the Council's regional plans.

#### **Proposed changes**

No significant changes are proposed. However, it is proposed to amend this issue in the next RPS to include matters relating to monitoring the effectiveness of the RPS under a separate stand alone section that also addresses state of the environment monitoring. Matters relating to the review of the review of the RPS will be retained in this part of the RPS.

## **5.7 Summary of proposed changes to resource management systems and processes**

Most resource management systems and processes identified in the RPS require no change or very little change. However, detail relating to these systems and processes are proposed to improve the readability of the document, to avoid unnecessary detail and to take into account the subsequent development of Council policy and procedure documents, which address the same matters.

In terms of significant changes to the RPS, it is proposed to:

- Merge Issues 4.2.1, 4.2.2 [State of the environment monitoring] and Chapter 5.2 of the RPS [Monitoring the RPS].
- Delete Issues 4.3.1, 4.3.2 and 4.3.3 of the RPS [Consent processing, enforcement and cost recovery].
- Amend issues 4.4.2 [Kaitiakitanga], 4.2.3 [cultural and spiritual values] and 4.2.3 [w hi tapu] of the RPS by incorporating these sections in a new section addressing resource management issues of significance to Iwi. Issue 4.4.1 [Treaty of Waitangi] to remain as a separate stand alone issue identifying procedures for taking into account the principles of the Treaty within the chapter on resource management systems and processes.
- Merge Chapters 4.5 [Cross boundary processes] and 4.6 of the RPS [Integrated resource management] to broadly deal with all integrated management and cross boundary issues.