



NZCPS 2010 Guidance note

Policy 28: Monitoring and reviewing the effectiveness of the NZCPS

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Policy 28

To monitor and review the effectiveness of the NZCPS in achieving the purpose of the Act, the Minister of Conservation should:

- a. in collaboration with local authorities collect data for, and, as far as practicable, incorporate district and regional monitoring information into a nationally consistent monitoring and reporting programme;
 - b. undertake other information gathering or monitoring that assists in providing a national perspective on coastal resource management trends, emerging issues and outcomes;
 - c. within six years of its gazettal, assess the effect of the NZCPS on regional policy statements, plans, and resource consents, and other decision-making; and
 - d. publish a report and conclusions on matters (a) to (c) above.
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Overview of the policy

Policy 28 of the New Zealand Coastal Policy Statement 2010 (NZCPS 2010) requires the effectiveness of the NZCPS 2010 to be monitored and reviewed and specifies details of the matters to be covered and a time frame for assessing the effect of the NZCPS 2010.

All readers of this policy guidance note should also refer to the NZCPS 2010 Implementation Guidance Introductory note¹. The Introductory note contains general information and guidance that is important for implementing all of the objectives and policies in the NZCPS 2010.

Rationale

Monitoring and reviews can assist with determining whether a policy statement or plan is meeting its stated purpose. Monitoring is an important management tool when monitoring results inform the review or development of policies.

¹ <http://www.doc.govt.nz/nzcps-introductory-note>

Related objectives, policies and provisions

This section covers the links (in terms of monitoring and reviewing the effectiveness of the NZCPS) between the various provisions of the NZCPS 2010 and the Resource Management Act 1991 (RMA).

NZCPS 2010

Implementing Policy 28 of the NZCPS 2010 requires careful consideration of all NZCPS 2010 objectives and policies.

Key objectives and policies	Other related objectives	Other related policies
Policies 4 and 7	All	All; particularly 1, 2, 3, 5 and 6

Policies 4 and 7 are relevant to monitoring and review as outlined in Policy 28.

Policy 4: Integration

Policy 4 requires integrated management of natural and physical resources in the coastal environment, and any activities that affect that environment. It emphasises the need for coordinated management of activities that cross administrative boundaries and a collaborative approach to management. Policy 28 and Policy 4 are linked because Policy 28 also promotes a collaborative approach, in this instance in relation to monitoring and the future review of the NZCPS 2010.

Policy 7: Strategic planning

Policy 7 is about planning strategically for coastal management. A strategic approach to coastal management would ideally incorporate monitoring and reviews and therefore assist with the implementation of Policy 28, monitoring and reviewing the effectiveness of the NZCPS.

Resource Management Act 1991²

The Resource Management Act 1991 (RMA) has provisions for monitoring and supplying information (for both central and local government). The Minister of Conservation, regional councils and territorial authorities all have such responsibilities under the RMA.

Key provisions in the RMA on monitoring and reviewing for central government include:

- Section 28 of the RMA on the functions of the Minister of Conservation includes 28(d): ‘Monitoring the effect and implementation of New Zealand coastal policy statements’.

²http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM230265.html?search=ts_act_resource+management_rese&p=1&sr=1

- Section 28A provides that the Minister of Conservation may, if it is reasonable to do so, require a regional council to supply information, including information relating to its monitoring of its regional coastal plans.
- Section 58(g) of the RMA provides that a national policy statement for the coast may contain the procedures and methods to be used to review the policies and monitor their effectiveness.

Section 35 of the RMA concerns the ‘duty to gather information, monitor, and keep records’.³ This section focuses on the responsibilities of local authorities and is relevant to monitoring the effectiveness of the NZCPS 2010 because local authorities are key implementers of the NZCPS and will hold information relevant for its future review.

- Section 35(1) requires that ‘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’.
- Section 35(2) states that:
Every local authority shall monitor—
 - a. the state of the whole or any part of the environment of its region or district to the extent that is appropriate to enable the local authority to effectively carry out its functions under this Act; 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
 - d. the exercise of the resource consents that have effect in its region or district...and
 - e. in the case of the 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 Areas (Takutai Moana) Act 2011—
 - f. and take appropriate action having regard to the methods available to it under this Act where this is shown to be necessary.

Section 79 of the RMA outlines local authorities’ responsibilities to commence a review of a provision of a regional policy statement, a regional plan or a district plan, if it has not been changed during the previous 10 years. This responsibility is in addition to the responsibilities outlined in Section 35 of the RMA.

³ <http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM233009.html>

Origins of the policy

There were three policies about monitoring in the New Zealand Coastal Policy Statement 1994 (NZCPS 1994) regarding:

- An independent review of the policy statement (Policy 7.1.1)
- Monitoring the effectiveness of the policy statement (Policy 7.1.2)
- Establishing a national state of the coastal environment monitoring programme (Policy 7.1.3).

Policy 28 of the NZCPS 2010 is similar to the three policies above. An independent review is not directed by the NZCPS 2010.

The review of the NZCPS 1994, undertaken in 2004, found that the weakest area of implementation was monitoring environmental outcomes and assessing the degree to which plans and policy statements have influenced environmental results. Inconsistencies in monitoring around the country make comparisons at the national level a challenge.

Many submitters to the Board of Inquiry⁴ commented on the monitoring policy and made suggestions for an integrated and strategic approach to monitoring. The Board confirmed the importance of monitoring the coastal environment and the implementation of the NZCPS to assess whether it is achieving its purpose. It considered that this is most effectively done by the Department of Conservation (DOC) working with local authorities and other bodies and agencies to ensure information is collected, recorded, reported on, accessed and can be compared on a consistent basis. Such an approach would inform the need for the future review of the NZCPS 2010.

For further information refer to the NZCPS Board of Inquiry Report, Volume 2, pp. 76-84.⁵

⁴ <http://www.doc.govt.nz/getting-involved/consultations/results/new-zealand-coastal-policy-statement/>

⁵ <http://www.doc.govt.nz/getting-involved/consultations/results/new-zealand-coastal-policy-statement/proposed-new-zealand-coastal-policy-statement-2008-board-of-inquiry-report-and-recommendations/>

Implementing this policy

Note: This guidance will be updated by 2013.

Any updates will be posted on the DOC website as the approach to monitoring and reviewing the NZCPS 2010 is further developed.

While guidance is provided here on implementing Policy 28, it is also necessary to consider the entire NZCPS 2010 when implementing each policy. Please also refer to the NZCPS 2010 Implementation Guidance Introductory note⁶ which covers the matters that are relevant in giving effect to the NZCPS 2010.

Policy 28 contains a number of important directions relating to monitoring including that the Minister of Conservation publish a report within six years of the gazettal of the NZCPS 2010. The NZCPS 2010 was issued by notice in the New Zealand Gazette on 4 November 2010.

Monitoring and review of the implementation of the NZCPS 2010 will provide information useful to assessing whether it is achieving its purpose under the RMA. This will also inform the need for future reviews.

⁶ <http://www.doc.govt.nz/nzcps-introductory-note>

Related and ongoing work

- **New Zealand Coastal Policy Statement 2010—National Implementation Plan (June 2011)**

<http://www.doc.govt.nz/upload/documents/conservation/marine-and-coastal/coastal-management/nz-coastal-policy-final-implementation-plan.pdf>

The NZCPS 2010 National Implementation Plan (the Plan) includes Stream D: Monitoring. The outcome of this stream of work is that:

The success of the NZCPS 2010 implementation is effectively monitored and evaluated, and the information used in annual reviews.

This includes conducting a nationwide gap analysis of current NZCPS 2010 implementation monitoring.

- **Ministry for the Environment (2011) Measuring Up: Environmental Reporting—A Discussion Document**

<http://www.mfe.govt.nz/publications/ser/measuring-up-environmental-reporting/index.html>

Quality environmental information is as important to New Zealand's success as financial or economic information. The Government is committed to improving national state of the environment reporting in New Zealand and proposes to introduce an Environmental Reporting Bill to:

- Ensure that national state of the environment reporting is regular and independent
- Improve the consistency of state of the environment monitoring statistics at the local level.

Resources

Reports, websites and additional information

- Quality Planning Monitoring and Reporting One-Stop-Shop (developed in 2006)

<http://www.qualityplanning.org.nz/index.php/monitor>

The Quality Planning website has a 'one-stop-shop' for information on environmental monitoring and reporting under the RMA, the Local Government Act 2002 (LGA) and other relevant legislation. This includes monitoring and reporting guidance notes on the following:

- Getting started
- State of the environment monitoring
- Policy and plan effectiveness monitoring
- Resource consent, compliance and complaints monitoring
- Delegations and transfers monitoring
- Monitoring tools, indicators and data management
- Review and reporting

This website also provides local government examples on monitoring and reporting.

Glossary of terms and definitions

NZCPS 2010 glossary:

No relevant definitions.

Other definitions:

Policy and plan effectiveness monitoring can assist with determining whether a policy statement or plan is effective as a means of achieving its provisions. This type of monitoring can signal the need for future action and provide information on how to improve policy and plan content and implementation. (Definition prepared by DOC for this guidance, with reference to the Quality Planning website⁷).

⁷ <http://www.qualityplanning.org.nz/index.php/monitor>