

Regional Leadership Committee

10 August 2023



Meeting will be held in the Council Chamber at Level 2, Philip Laing House
 144 Rattray Street, Dunedin
[ORC Official YouTube Livestream](#)

Members:

Michael Laws (Co-Chair)	Cr Lloyd McCall
Cr Bryan Scott (Co-Chair)	Cr Tim Mepham
Cr Elliot Weir (Co-Chair)	Cr Andrew Noone
Cr Alexa Forbes	Cr Gretchen Robertson
Cr Gary Kelliher	Cr Alan Somerville
Cr Kevin Malcolm	Cr Kate Wilson

Senior Officer: Richard Saunders, Chief Executive

Meeting Support: Trudi McLaren, Governance Support Officer

10 August 2023 09:00 AM

Agenda Topic	Page
1. WELCOME	
2. APOLOGIES	
No apologies were received prior to publication of the agenda.	
3. PUBLIC FORUM	
Requests to speak should be made to the Governance Support team on 0800 474 082 or to governance@orc.govt.nz at least 24 hours prior to the meeting, however, this requirement may be waived by the Chairperson at the time of the meeting. No requests to speak were made prior to publication of the agenda.	
4. CONFIRMATION OF AGENDA	
Note: Any additions must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.	
5. DECLARATION OF INTERESTS	
Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have. ORC Councillor interests are published the website.	
6. CONFIRMATION OF MINUTES	3
6.1 Minutes of the 10 May 2023 meeting	3

7.	OPEN ACTIONS FROM RESOLUTIONS OF THE COMMITTEE	8
	Open actions from resolutions of the Committee will be noted.	
7.1	Actions Register at 10 August 2023	8
8.	MATTERS FOR CONSIDERATION	10
8.1	CONSENTS FEE SUPPORT	10
	To update the Committee on the activities that have been funded under the Consents Fee Support Fund from 1 July 2022 to 31 June 2023.	
8.1.1	Consent Fee Support Policy	14
8.2	REGULATORY GROUP UPDATE - QUARTERLY UPDATE REPORT	19
	To update the Committee on activities of the Regulatory Group between 1 July 2022 and 30 June 2023.	
8.2.1	Operational Compliance Audit and Performance Monitoring Schedule 2023-24	31
8.2.2	Regulatory Report for the Period 1 July 2022 to 30 June 2023	45
8.3	FRESHWATER FARM PLANS	46
	To provide background on Freshwater Farm Plans (FWFPs) and the proposed approach to the implementation of FWFPs in Otago.	
8.3.1	Rollout Order and Map	58
8.3.2	28 July 2023 ORC Draft Project Implementation Plan	60
8.3.3	Freshwater Farm Plans Comms Plan 2023	77
8.4	ENGAGEMENT APPROACH TO LONG-TERM PLAN	84
	This paper details the planned engagement approach for the Otago Regional Council's (ORC) Long Term Plan (LTP) 2024-34, which includes different engagement approaches with mana whenua, strategic stakeholders and region-wide community engagement.	
9.	CLOSURE	



Regional Leadership Committee MINUTES

Minutes of an ordinary meeting of the Regional Leadership Committee held in the Council Chamber, Level 2 Philip Laing House, 144 Rattray Street, Dunedin on Wednesday, 10 May 2023, commencing at 9:00 AM.

PRESENT

Cr Bryan Scott *(Co-Chairperson)*
Cr Michael Laws (online) *(Co-Chairperson)*
Cr Alexa Forbes
Cr Gary Kelliher
Cr Kevin Malcolm
Cr Lloyd McCall
Cr Andrew Noone
Cr Gretchen Robertson
Cr Alan Somerville
Cr Kate Wilson

1. WELCOME

Co-Chairperson Bryan Scott welcomed Councillors, members of the public, and staff to the meeting at 9:02 a.m. and gave a karakia. Staff present included Pim Borren (interim Chief Executive), Nick Donnelly (GM Corporate Services), Anita Dawe (GM Policy and Science), Joanna Gilroy (acting GM Regulatory), Gavin Palmer (GM Operations), Richard Saunders (GM Communications), Amanda Vercoe (GM Governance, Culture and Customer), Liz Spector (Governance Support), and Kylie Darragh (Governance Support).

2. APOLOGIES

Resolution: Cr Wilson Moved, Cr Scott Seconded:

That the apologies for Cr Mephram, Cr Weir be accepted.

MOTION CARRIED

3. PUBLIC FORUM

There were no requests to speak during Public Forum.

4. CONFIRMATION OF AGENDA

The agenda was confirmed as presented.

5. DECLARATIONS OF INTERESTS

No changes to Council Declarations of Interests were noted.

6. CONFIRMATION OF MINUTES

Resolution; Cr Scott Moved, Cr Wilson Seconded

That the minutes of the Regional Leadership Committee meeting held on 2 February 2023 be confirmed as a true and accurate record.

MOTION CARRIED

7. MATTERS FOR CONSIDERATION

7.1. Regulatory Activity Update - Quarterly Activity Report

This report was provided to summarise activity of the Regulatory Group which includes Consents, Compliance, Harbourmaster and the Regulatory Data and Systems teams for the quarter ended 31 March 2023. Steve Rushbrook (Harbourmaster), Simon Wilson (Manager Regulatory Data and Systems), Tami Sargeant (Manager Compliance), Alex King (Manager Consents) and Jo Gilroy (acting GM Regulatory) were present to respond to questions about the report.

Following a discussion of the report, Cr Laws asked if publishing specific details about abatement/infringement notices and warnings could be an additional disincentive to those receiving such notices. He also suggested more detail could help Councillors understand if there were particular areas of concern or any habitual offenders. Richard Saunders, GM Communications, said while he had no concerns about providing additional details to Councillors, he preferred to explore possible unintended consequences with staff before releasing details on whom notices were filed against.

Cr Laws suggested a policy paper could be provided to the next Regional Leadership Committee meeting for consideration. Cr Kelliher said Mr Saunders had given a sufficient response and that

he supported that direction. Cr Robertson agreed and said the Council should aim towards positive change rather than shame and she looked forward to the future conversation.

Cr Laws foreshadowed he would make an additional motion following noting of the report.

Resolution RLC23-103: Cr Scott Moved, Cr Somerville Seconded

That the Regional Leadership Committee:

- 1) **Notes** the Quarterly Update Report from the Regulatory Group.

MOTION CARRIED

Resolution RLC23-104: Cr Laws Moved, Cr Malcolm Seconded

That the Regional Leadership Committee:

- 1) **Receive** at its next meeting further detail of enforcement notices issued by the ORC over the previous financial year including whether publication of these notices should be a matter of policy.

MOTION CARRIED

7.2. Territorial Authority Wastewater Treatment Plant Compliance Report

This report provided a summary of the compliance of Territorial Local Authority wastewater treatment plants and actions taken to achieve compliance. Tami Sargeant (Manager Compliance) and Joanna Gilroy (acting GM Regulatory) were present to respond to questions about the report.

Ms Sargeant noted an additional graph showing overall TLA wastewater treatment plant consent compliance between 2020, 2021 and 2023 reporting periods had been circulated after distribution of the agenda. *This report will be included in the minutes as reference.*

Following Councillor questions, the report was noted.

Resolution RLC23-105: Cr McCall Moved, Cr Malcolm Seconded

That the Committee:

- 1) **Notes** this report.

MOTION CARRIED

7.3. Community Newsletter Proposal

This report provided details of a proposal to introduce a new Otago Regional Council newsletter distributed to all Otago households and available digitally. Jo Galer (Manager Communications and Marketing) and Vicki Roach (Team Leader Marketing and Brand) were present to respond to questions about the report.

Cr Laws noted problems the ORC had with distribution of a previous regionwide mailout and asked if those distribution problems had been addressed. Richard Saunders (GM Communications) agreed there had been problems with the previous mailout and noted a very robust quality control process would be in place to ensure the documents were delivered as agreed in the contract with the distributor. Cr Laws asked if there would be Councillor contact details in the newsletter. Ms Galer said that would be a good idea. Cr Wilson said she anticipated the newsletter would tell the stories of planned work programmes. Ms Galer said she would take guidance from staff on content and was happy to have Councillor input as well. Mr Saunders said the Councillors would be able to provide feedback from the community on information they are interested in reading more about.

Cr Malcolm said he agreed with the concept, but he didn't think the branding clearly showed the newsletter was from the ORC. Ms Roach and Ms Galer indicated they would review the proposed branding for clarity. Cr McCall said the newsletter was a good initiative and stated communication is the number one thing to get right.

Following discussion, it was resolved:

Resolution RLC23-106: Cr Forbes Moved, Cr Noone Seconded

That the Regional Leadership Committee:

- 1) **Endorses** a one-year trial of a new 4-page ORC newsletter, *Te Mātāpuna — The Source*.
- 2) **Notes** that the first newsletter will be published in June 2023.
- 3) **Notes** that the newsletter will also be available digitally.
- 4) **Requests** that staff include a new metric in the Community Survey 2023 to monitor the effectiveness of the newsletter.

MOTION CARRIED

7.4. Update on Community Survey Action Points

As part of the 2020/2021 Annual Plan, Councillors requested staff initiate delivery of a community survey for ORC and these surveys were completed in 2021 and 2022. An action plan responding to the results of the survey was approved by Council in December 2022 to be implemented in the following 12 months. This paper presented a progress report on the Community Survey Action Plan for 2022/23. Jo Galer (Manager Communications and Marketing) and Vicki Roach (Team Leader Marketing and Brand) were available to respond to questions about the report.

Following a discussion of the Action Plan, the report was noted.

Resolution RLC23-107: Cr Malcolm Moved, Cr Forbes Seconded

That the Regional Leadership Committee:

- 1) **Notes** this report.
- 2) **Notes** that a final progress report on the 2022/23 Community Survey Action Plan will be reported to the Council before the end of the 2023 calendar year.
- 3) **Notes** that the Otago Regional Council Community Survey will be carried out again in 2023 and reported to Council before the end of that calendar year.
- 4) **Notes** that a new Community Survey Action Plan will be put forward for approval based on the results of the 2023 Community Survey before the end of the calendar year.

MOTION CARRIED

8. CLOSURE

There was no further business and Co-Chair Bryan Scott declared the meeting closed at 10:41 am.

Chairperson

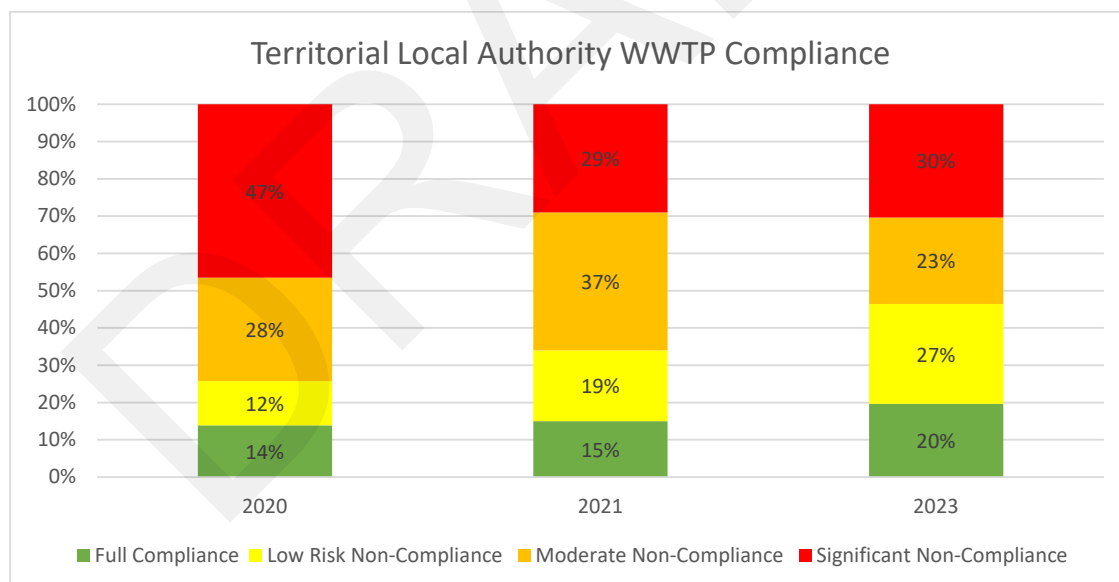
Date

ATTACHMENT TO MINUTES OF THE 10 MAY 2023 REGIONAL LEADERSHIP MEETING

7.2 Territorial Local Authority Wastewater Treatment Plant Compliance Report addendum

Prepared for: Regional Leadership Committee
Report No. REG2301
Activity: Governance Report
Authors: Tami Sargeant, Manager Compliance
 Rachel Brennan, Principal Compliance Specialist
Endorsed by: Joanna Gilroy, Acting General Manager Regulatory
Date: 10 May 2023

1. This is the third report prepared for an ORC Committee that provides information on the compliance of discharge consents for TLA WWTPs.
2. The first report was provided to the Regulatory Committee in March 2020 on the WWTP compliance for audits completed to March 2020. The second report was provided to the Regulatory Committee in December 2021 for audits completed to November 2021 (16 months). This report provides an update of consent compliance and performance to March 2023 (16 months).
3. Graph 2 provides a summary of the overall compliance gradings for WWTP consents between the three reporting periods.



Graph 2: Overall TLA WWTP consent compliance between 2020, 2021 and 2023 reporting periods

4. Graph 2 should not be considered a direct comparison between reporting periods, as some new consents have been issued, and some consents have been surrendered. However, Graph 2 broadly demonstrates that while there are still a range of significant and moderate non-compliance issues, substantial progress has been made on improving compliance across WWTP consents. There is now a greater proportion of WWTP discharge consents assessed as full compliance or low risk non-compliance.

Action Register

Search Criteria

Showing Completed Items: No

Applied Filters

Due Date Range: 30th Sep 2022 to 29th Aug 2023

Meeting Types: Regional Leadership Committee

Generated By: Trudi McLaren

Generated On: 31/07/2023 at 3:58pm

Document	Item	Status	Action Required	Assignee/s	Action Taken	Due Date	Completed (Overdue)
Regional Leadership Committee 2023.05.10	GOV2311 Regulatory Group Report - Quarterly Update	Assigned	Provide a detailed report to the 9 August 2023 RLC meeting including information on whether names of those receiving abatement/infringement notices should be public. Res RLC23-104	Manager Compliance, Manager Consents		09/08/2023	

8.1. Consents Fee Support

Prepared for: Regional Leadership Committee
Report No. REG2303
Activity: Regulatory: Consents
Author: Alexandra King, Acting Consents Manager
Endorsed by: Joanna Gilroy, Acting General Manager Regulatory
Date: 10 August 2023

PURPOSE

- [1] The purpose of the report is to update the Committee on the activities that have been funded under the Consents Fee Support Fund from 1 July 2022 to 31 June 2023.

EXECUTIVE SUMMARY

- [2] Council approved a policy and associated fund to provide financial support for projects which have an environmental benefit but require resource consent as part of the LTP in 2021. This report summarises the consent applications that received funding support under this policy in the 2022/2023 financial year.
- [3] A total of nine applications received funding support in the 2022/23 financial year, ranging from wetland creation to green waste composting. This is up from three applications in the previous financial year. No applications were declined funding.
- [4] A copy of the policy is attached for reference and staff are not recommending any changes to the policy.

RECOMMENDATION

That the Regional Leadership Committee:

- 1) **Notes** the update on consent applications that received funding support in the 2022/23 financial year and that no changes are proposed to the policy.

BACKGROUND

- [5] During LTP deliberations in 2021 staff were requested to develop a policy for assisting with resource consent processing costs for environmental enhancement projects. An annual budget of \$50,000 was included for this purpose.
- [6] The policy was updated in 2022 to widen the scope to include covering processing costs for applications from individuals and compliance related costs if full compliance was maintained. No changes are proposed as the policy is working effectively in its current form.

DISCUSSION

- [7] During the 2022/2023 financial year nine applications for funding support were received. None of these were declined. This is up on three applications from the

previous year. Table 1 provides detail on these projects including the costs covered by the fund.

Table 1: The applications which used the consent fund 2022-2023, what they needed consent for, location and cost.

Applicant	Reason	Location	Cost
Mana Tahuna Charitable Trust	Support work on Vision Lake Hayes via instream works including willow tree removal, sediment trap construction, bank battering/widening and two-stage channel construction. The Vision provides an action plan to improve the water quality of all surface and groundwater in the Lake Hayes Catchment as first set out by the Lake Hayes Management Strategy.	Lake Hayes	\$10,000
Grow Wanaka	Establish and operate a green waste composting and worm farm systems. This system uses food waste from urban centres which would otherwise likely head to a landfill. The resulting by-product of worm castings will be used in the Consent Holder's gardens to grow fresh organic produce for local charities and volunteers.	Wanaka	\$1,363
Vauxhall Yacht Club	Allowing signage to support the Otago Peninsula Biodiversity Trust's possum free zone on the peninsular. The sign was to help raise community awareness.	Dunedin	\$1,729
JJ Family Trust	Allowing the use of water to aid in the construction and enhancement of a wetland	Wanaka	\$2,178
Castillo	Otago University PhD research project looking into two different scenarios to determine the watercourses periphyton colonisation.	Middlemarch, Hyde and Kyeburn	\$2,940
Luxmore Dairies	Allowing the use of water to aid in the construction and enhancement of a wetland.	Waipahi	\$3,020
Manuherekia Catchment Group Incorporated	Thomson's Creek Catchment Project phase 1 – construct wetland. Thomson's Creek catchment has been identified as a key area for improvement due to water quality issues. It is home to the Central Otago Roundhead Galaxias, a non-migratory galaxiid species endemic to Central Otago and classified as "Nationally Endangered". The Thomson's Catchment Project, which includes establishing a functioning wetland to improve freshwater quality.	Omakau	\$9,856
Manuherekia Catchment Group Incorporated	Thomson's Creek Catchment Project phase 2 – construct wetland and sediment traps. Thomson's Creek catchment has been identified as a key area for improvement due	Omakau	\$10,000

	to water quality issues. It is home to the Central Otago Roundhead Galaxias, a non-migratory galaxiid species endemic to Central Otago and classified as “Nationally Endangered”. The Thomson’s Catchment Project, which includes establishing a functioning wetland to improve freshwater quality.		
Manuherekia Catchment Group Incorporated	Thomson’s Creek Catchment Project phase 3 – construct fish barriers and galaxiid protection. Thomson’s Creek catchment has been identified as a key area for improvement due to water quality issues. It is home to the Central Otago Roundhead Galaxias, a non-migratory galaxiid species endemic to Central Otago and classified as “Nationally Endangered”. The Thomson’s Catchment Project, which includes establishing a functioning wetland to improve freshwater quality.	Omakau	\$10,000
Total			\$51,086

CONSIDERATIONS

Strategic Framework and Policy Considerations

- [8] The policy and fund are consistent with the ORC Strategic framework. This includes supporting our vision for Otago including:
- a. An environment that supports healthy people and ecosystems
 - b. A sustainable way of life for everyone in Otago

Financial Considerations

- [9] Budget for this is included in the 2023/24 Annual Plan. Any ongoing funding will be discussed through the Long-Term Plan process.
- [10] A budget of \$50,000 was provided for the fund annually. In the 2022/2023 financial year there was an overspend of \$1,086 that will be included in the Consents Team budget.

Significance and Engagement

- [11] As this is a report for noting consideration of the Significance and Engagement Policy is not required.

Legislative and Risk Considerations

- [12] A number of legislative requirements govern the activities of the Regulatory Group.

Climate Change Considerations

- [13] There are no climate change considerations associated with this report. However, applications that receive fee support may be ones which seek to address or relate to projects around climate change.

Communications Considerations

- [14] The fund has been previously promoted and will be promoted again now that we are in the new financial year.

- [15] Communication with the Otago community occurs on a regular basis to educate and inform people on regulatory matters. Potential applicants are advised of this fund and their ability to use it as part of pre-application discussions. This will continue to happen. Information is also available on our website.

NEXT STEPS

- [16] The Committee will be provided with an update at the end of the next financial year.

- [17] Advertise that the fund is available for this financial year.

ATTACHMENTS

Consent Fee Fund Policy

1. Consent Fee Support Policy (1) [8.1.1 - 5 pages]



Otago Regional Council Consent Fee Support Policy

October 2022

	Document Name: Financial Support for Resource Consent Processing Fees - Environmental Enhancement Projects
	Document Owner: General Manager Regulatory
	Authorised By: Council
	Implementation Date: 1 October 2022
	Review Period: Annual

Regulatory Committee Agenda - 15 September 2022 - MATTERS FOR CONSIDERATION

	Last Reviewed: n/a
	Next Review: 1 July 2024

1. INTRODUCTION 1

2. PURPOSE 1

3. SCOPE 1

4. DELEGATIONS 1

5. CRITERIA 1

6. PROCESS 2

7. RELATED DOCUMENTS 3

1. INTRODUCTION

The Financial Support for Resource Consent Processing Fees - Environmental Enhancement Projects Policy provides guidance to those groups or individuals wishing to apply for support for a project which requires a resource consent. The policy confirms the Council's support for qualifying groups or individuals who are delivering environmental enhancement projects which are consistent with the Council's Strategic Directions or priorities listed in other statutory documents.

2. PURPOSE

The purpose of the policy is to give clear direction to applicants seeking support for resource consent processing fees for environmental enhancement projects.

3. SCOPE

The scope of this policy is limited to resource consent processing fees associated with applications made by qualifying groups or individuals for eligible environmental enhancement projects and the ongoing compliance and monitoring fees associated with a granted resource consent. The following costs are not within scope of this policy and will not qualify for support:

- work required in response to any actual or potential enforcement action
- administrative charges and annual consent monitoring fees where an audit grade of full compliance has not been maintained
- costs associated with retrospective consents
- costs associated with physical work or reporting required to address non-compliance associated with a granted consent
- any costs incurred by the applicant in the preparation of the application
- costs associated with the Implementation of the activity for which consent is sought.

In addition fees support will not be provided for a publicly notified application or costs associated with a hearing for a limited notified application.

4. DELEGATIONS

Decisions on applications for fees support will be made by the General Manager Regulatory and Communications. The final decision is at Council's discretion and will be considered on a case-by-case basis. Approval of fees support is entirely at the discretion of Council and is subject to budget availability. There is no objection or appeal rights.

Regulatory Committee Agenda - 15 September 2022 - MATTERS FOR CONSIDERATION

Budget availability and an indication of support for any application will be provided by staff at the required pre-commencement meeting.

5. CRITERIA

To qualify for fees support the application for consent must be lodged by an individual or not for profit organisation such as:

- Landowner
- Catchment Groups
- Community groups
- Iwi/hapu groups
- Incorporated societies
- Community trusts
- Resident and ratepayer groups
- Educational institutes

and they must be able to demonstrate that their activity will deliver an environmental enhancement or service. For example, it:

- Supports or delivers improved water quality in Otago
- Supports or delivers improved air quality in Otago
- Supports or delivers improved biodiversity outcomes in Otago
- Protects the Otago environment
- Enhances the Otago environment
- Promotes the Otago environment (e.g. does it inform or create an awareness in the community or educate people?)

The project must also be consistent with Council's priorities as set in the Strategic Directions, Long Term Plan or other ORC statutory documents.

Decisions on applications for fees support will be made by the General Manager Regulatory and Communications, who may approve or decline the application. No further consideration of the application will be undertaken following issue of the final decision. There are no objection or appeal rights.

The maximum amount of support offered for consent processing fees on an individual project will be \$10,000. Costs over and above this amount will be payable by the applicant in accordance with ORC's Fees and Charges Schedule. Applicants will have the right to object to these additional fees under the standard provisions of section 357B of the Resource Management Act. There is no cap on support for the ongoing compliance and monitoring charges provided the consent holder maintains an audit grade of full compliance.

Consent processing fees support is a first come first served process. If the allocation is exhausted no further applications will be considered until the following financial year.

6. PROCESS

In order to receive consent processing fees support the group or individual applying for the consent must lodge a written request to the General Manager for processing fees to be supported before the application for consent is submitted to Council for processing. The relevant application form can be found on the ORC website. Information required to enable consideration of the application includes:

- how it meets the criteria in the policy; and
- confirmation that the group is a not for profit group (where applicable) and there is no commercial gain to be generated by the project; and
- confirmation that a pre-application meeting has been or will be held with ORC consent staff prior to lodgement of the consent application.

Written confirmation of acceptance for support will be provided to the applicant within 10 working days of the request being received. This confirmation letter should be included with the application material at the time the consent application is lodged.

7. RELATED DOCUMENTS

- Resource Consent Fees Support Application Form
- Ecofund Funding Checklist and Application form (Note: your project may qualify for additional support from ORC)
- Revenue and Financing Policy

8.2. Regulatory Group Update - Quarterly Update Report

Prepared for: Regional Leadership Committee
Report No. GOV2320
Activity: Regulatory: Consents and Compliance
Author: Alexandra King, Acting Consents Manager; Steve Rushbrook, Harbourmaster; Simon Wilson, Manager Regulatory Data and Systems and Tami Sargeant, Manager Compliance
Endorsed by: Joanna Gilroy, Acting GM Regulatory
Date: 10 August 2023

PURPOSE

- [1] To update the Committee on activities of the Regulatory Group between 1 July 2022 and 30 June 2023.

EXECUTIVE SUMMARY

- [2] This report summarises the activity of the Regulatory Group which includes Consents, Compliance, Harbourmaster and the Regulatory Data and Systems teams.

RECOMMENDATION

That the Regional Leadership Committee:

- 1) **Notes** the Quarterly Update Report from the Regulatory Group.

DISCUSSION

- [3] The following report provides a summary of the activity of each team within the Regulatory Group.
- [4] Attachment 1 contains statistics on Regulatory Group activity for the period 1 July 2022 to 30 June 2023.

CONSENTS

Consent Processing

- [5] In the financial year 957 applications were received, compared to 603 at the same time in the previous year. This is a significant increase in workload for the team, which was handled exceptionally well. A peak of 129 applications were received in May.
- [6] Decisions were made on 1,260 individual consents (cumulative total) in the financial year. For context, by the same time in the previous year decisions were made on 665 individual consents. This is nearly double the workload. May was the busiest month of the year, with decisions made on 242 consents. There has been an increase in consenting activity compared to last year as shown in Figure 3 of Attachment 1.

- [7] 100% of consents processed in the reporting period were within timeframes. Not only does this ensure Council complies with the timeframes specified in the Resource Management Act 1991, it also means that the team remains on track to meet their service delivery target as set in the Annual Plan. Timeframe extensions were used in this period in most cases to enable the applicant to review the proposed conditions.
- [8] Applications for consents for surface water takes, bores, general land use activities and discharges to land were the main types of consents processed by the team during the reporting period.
- [9] As well as the above consent types, 273 resource consents for intensive winter grazing have been issued. Consents staff attended several winter grazing sessions for the public with Council Catchment Advisors and Compliance team members. The focus of these sessions was on how to meet the permitted activity criteria in the NES-FW, grazing management plans and the consent process. These sessions were well received and in June the team ran similar sessions but focused on effluent consent requirements.
- [10] Consent processing is predominantly undertaken by internal staff. Consultants are only used on an as required basis and still account for 6% of workload processing. This is generally for applications for large scale or long-term projects and where Council is the applicant.
- [11] Seventeen applications were limited notified in the financial year and one was publicly notified. Of the seventeen applications limited notified, three were notified in the last quarter of the financial year. These related to instream works, discharges and landfill remediation. The application that was notified, occurred in the last quarter of the financial year. Submissions on this have now closed.
- [12] A summary of consents statistics are included in Figures 1 to 6 of Attachment 1.

Deemed Permit Replacements

- [13] Deemed Permits and many water permits to take and use water in the region expired on 1 October 2021. Most of these permits are in Central Otago (including the Taieri catchment) and Queenstown Lakes Districts. Replacement applications for these permits were primarily lodged in 2020 and 2021.
- [14] Staff have been working collaboratively with consultants and applicants to process deemed permit related applications. Great progress has been made by all parties, with decisions made on 125 applications from 1 July 2021 to 30 June 2023. The status of the remaining 13 applications is shown in Table 1 below:

Table 1: Status of consent applications for deemed permit replacements:

Status	Number of applications
Awaiting amendment from the Applicant to be lodged and actively being followed up	2 (joint application)

Being actively processed-awaiting further information or clarification questions to be answered from applicants	5
With applicant for comment	6
Decided since 1 July 2023	3

- [15] Table 2 shows the decisions that have been made since July 2021 for deemed/water permit replacements. There have been a steady number of decisions made in the second half of 2022 and first half of 2023.

Table 2: Number of consent decisions related to deemed permit replacements.

Month	Number of deemed permit and surface water replacement decisions on applications lodged pre-1 October 2021	Number of decisions on surface water permit replacement applications lodged post-1 October 2021	Total decisions
July 2021	0	0	0
August 2021	4	0	4
September 2021	6	2	8
October 2021	4	0	4
November 2021	3	0	3
December 2021	0	1	1
January 2022	2	1	3
February 2022	4	1	5
March 2022	7	1	8
April 2022	3	0	3
May 2022	3	1	4
June 2022	1	0	1
July 2022	13	0	13
August 2022	10	0	10
September 2022	6	2	8
October 2022	4	2	6
November 2022	5	1	6
December 2022	8	1	9
January 2023	5	2	7
February 2023	6	3	9
March 2023	0	1	1
April 2023	0	6	0
May 2023	5	4	9
June 2023	0	1	1
Total	99	30	125

Appeals, objections, and reviews

- [16] No appeals on consent decisions were received during the last quarter of the reporting period. The appeal relating to the Dunedin City Council's proposed landfill at Smooth Hill, Dunedin has been resolved.
- [17] The objection to a decision to return an application as incomplete due to insufficient information in the previous reporting period has been resolved. No other objections were received.
- [18] No formal cost objections under Section 357B of the RMA were received by ORC (Otago Regional Council) in the last quarter, with three received in the financial year which have been resolved. Clearly communicating costs and being able to invoice as quickly as possible post a decision on an application remains a focus for the team. This includes working with Council's Finance team on invoicing.
- [19] The team is currently processing one consent review. This relates to direction from the Court because of enforcement action taken by Council, to review all conditions on a discharge to air consent for an industrial premise. The next step for this is a decision on notification, which will happen during the next reporting period. The limited scope review of the Contact Energy Consent's relating to the operation of the Clyde Dam is complete.

Public Enquiries

- [20] Responding to public enquiries remains a significant part of the workload of the Consents Team. In the 22/23 year 3,109 enquiries have been received and responded to with a peak of 335 in March. Most enquiries are resolved within two days of being received, with the remaining generally in the three to seven days. Information on these enquiries can be seen in Attachment 1. The large number of public enquiries responded to demonstrate the value of this service provided by ORC.
- [21] Requests for copies of documents, as well as information about discharges to land, farming activities and consent process enquiry are the most common enquiry types. The main method for the request is email.
- [22] The Public Enquiries team have been responding to requests for comments on applications that are seeking to use the 'Fast Track' process provided by the COVID-19 Recovery (Fast-Track Consenting). Proposals in Otago under this process (run by the EPA) that progressed in the last quarter of the financial year included:
- a) Flint's Park, Ladies Mile-Te Putahi;
 - b) Worker Accommodation Hansen Road, Frankton;
 - c) Wooing Tree Stage 4, Cromwell; and
 - d) Man Street Hotel, Queenstown.
- [23] To enhance the public enquiries service, as well as the other projects reported to date staff have been working on or finalised:
- a) A new webpage on the website for effluent consents. The page applies to farming activities for the storage and discharge of effluent, with information on when people may need a resource consent, useful links, relevant dates and answers to frequently asked questions. This page is available through our Farmer's Hub.

- b) The team presented in North and South Otago on the effluent rules. This was a similar set up to the IWG workshops and we want to continue the great momentum in this space. More workshops are planned post calving.
- c) Updating forms and templates to cover activities associated with silage stacks.
- d) Online consent application forms. The new online forms portal will enable customers to experience an easier and quicker way to complete a consent application, rather than downloading a PDF form.
- e) Continued social media campaign raising awareness of the public enquiries service.
- f) Content to support aquifer test guidelines on the website,
- g) Presenting at the U3A on Otago Harbour and to Telford educational institute on the consent process.

All the above projects help us deliver an improved customer experience for users of the consent or public enquiries services.

COMPLIANCE MONITORING AND ENFORCEMENT

Performance Monitoring

- [24] Performance monitoring returns include all information consent holders are required to submit by conditions in their resource consents. This includes photographs of work, water meter returns, complex annual reports, and management plans. Some consents require multiple submissions of performance monitoring per year, for example monthly water quality results, while others have no performance monitoring requirements. The grading of performance monitoring tends to be faster than a full audit and is used to help the Compliance Team prioritise which consents require audits.
- [25] In year ending 30 June 2023, the Regulatory Data and Systems and Compliance teams graded 8,914 performance monitoring returns against a target of 5,000. This a significant improvement on the 6,945 returns graded in the same period last year and the 4,795 returns graded in 2020/21.
- [26] A summary of performance monitoring data for 2022/23 is set out in Figures 11 and 12 of Attachment 1.

ORC compliance audits and inspections

- [27] The ORC Long-Term Plan 2021-2031 includes a performance measure of meeting 90% or more of 'programmed inspections/audits completed each year, as per the Compliance Audit and Performance Monitoring Schedule'.
- [28] In the 2022/23 year, 1,350 on site audits and inspections were completed. This is down very slightly from 1,385 site audits and inspections completed in the 2021/22 year. The 2022/23 inspections relate to 1,009 on site consent audits, 293 dairy inspections, 37 forestry inspections and 11 IWG education visits. This is 136% of the planned compliance audits or field inspections programmed for the 2022/23 year.
- [29] A summary of the compliance field visits and inspections in the 2022/23 year, compared with the 2021/22 year and Annual Plan target is set out in Figure 14 of Attachment 1.

RMA consent audits

- [30] In the 2022/23 year, 1,009 on site consent audits have been completed. Compliance with consent conditions can be considered high with most consents being considered either fully compliant (515 consents), or low risk non-compliance (264 consents).
- [31] All consent audits graded with moderate non-compliances (122 consents) and significant non-compliances (55 consents) have been followed up by staff and either appropriate action has been taken in line with the RMA compliance and enforcement policy, or investigations are continuing. This includes 14 infringement notices, 20 abatement notices and three warnings issued in relation to consent non-compliance.
- [32] A summary of RMA consent audit data in the 2022/23 year is set out in Figures 15, 16 and 17 of Attachment 1.

Dairy programme

- [33] The 2022/23 Dairy Inspection Compliance Project led to 293 dairy inspections, compared with 242 dairy inspections in the 2021/22 year. All high-risk farms were inspected, with some farms having follow-up inspections. Overall compliance is high with 178 farms graded fully compliant and 87 farms graded low risk non-compliance. Nineteen farms were graded moderately non-compliant and nine farms were graded significant non-compliant. Causes of the non-compliance included effluent ponding, offal pit and farm landfill mixing, and silage leachate discharges. These matters are being followed up by staff and either appropriate action has been taken, or investigations are continuing.
- [34] The 2022/23 dairy project monitored compliance with animal effluent systems and discharges, and farm waste streams (offal pits, farm landfills). There was also a focus on providing awareness and engaging with farmers on the new requirements for animal effluent storage and discharge consents, and monitoring compliance with Nitrogen reporting requirements under the NES-F.
- [35] A summary of 2022/23 dairy inspection data is set out in Figure 18 of Attachment 1.

Intensive winter grazing

- [36] Monitoring compliance with permitted activity intensive winter grazing (IWG) under NES-F and resource consents has been and will continue to be undertaken throughout the 2023 winter season. The monitoring focus for winter grazing this season is on farms where IWG consents have not yet been applied for, and waterway disturbances.
- [37] The first set of flyovers was undertaken in April 2023, and compliance was considered good with appropriate measures in place. Staff anecdotally observed improvement in recent years, with a lot of buffer zones and non-sown areas visible. Staff have followed up 'on the ground' where a small number of high-risk sites were identified. This concerned the management of critical source areas and slope of land. The ground truthing allowed for educational support for the properties involved, to provide information on the consenting process.

- [38] Road monitoring is also undertaken to ground truth and check areas in Otago not covered by flyovers, and areas where there is high IWG without consent coverage and high slope.
- [39] There have been a small number of complaints received in relation to IWG practices which have been followed up by staff to assess compliance. Some investigations are ongoing, and no formal enforcement action has been taken undertaken at this stage.
- [40] ORC has developed an interactive GIS map which identifies IWG consents and polygons with the consented area for IWG, overlays of information from Manaaki Whenua maps of IWG crops from the 2022 season, and ability to incorporate any proactive and/or reactive compliance inspection and site visits. This mapping tool will support efficient use of resources and road monitoring of IWG activities in the 2023 Season.
- [41] Weekly meetings are held with Environment Southland compliance team and MPI animal welfare team to support consistent and best practice compliance approaches within the regions. Regular meetings are also held with Primary Industry Groups which are a positive forum for discussing key compliance messages.

Plantation Forestry

- [42] In the 2022/23-year ORC received 238 forestry notifications and 79 management plans. Most of the forestry notifications in May and June related to afforestation. A compliance risk assessment is undertaken on forestry management plans, and on-site inspections are undertaken where appropriate to check compliance on-the-ground. Compliance staff completed 37 on site forestry inspections in the 2022/23 year.
- [43] Overall compliance is good with 23 forestry sites graded fully compliant and ten forestry sites graded low-risk non-compliance. Four forestry sites were graded moderate non-compliance. Reasons for non-compliance related to planting within setbacks, limited sediment controls, and slash within an ephemeral waterway. These matters were followed up by staff with corrective actions made by the forestry operators and appropriate enforcement action has been taken (including one infringement notice).
- [44] Compliance staff actively engage with the forestry sector to encourage best practice in forestry management. This includes regular correspondence and information on forestry rules and establishing an Otago/Southland forestry working group.
- [45] A summary of 2022/23 forestry notifications and inspections data is set out in Figures 19 and 20 of Attachment 1.

Pollution Incidents

- [46] In the 2022/23 year, 1,407 service requests were received on the pollution response hotline. This is slightly down from 1,454 service requests in the 2021/22 year. The most common reasons for requests were water pollution (364), outdoor burning (263) and odour (159).

- [47] Further details on service requests in the 2022/23 year, including comparison with the 2021/22 year can be found in Figures 21 and 22 of Attachment 1.

Investigations and enforcement action

- [48] Following discussion at the Regional Leadership Committee on 10 May 2023, additional information on formal enforcement action has been provided in this report and will be included in quarterly regulatory reports moving forward. This includes information on the geographical distribution of, and types of offences and alleged offenders. ORC is bound by the Crown Law's "Media Protocol for Prosecutors" which places certain restrictions on disclosing the identity of a defendant. By analogy, the ORC takes a similar approach to lessor offending where individuals and organisations have appeal rights available to them.
- [49] All enforcement action is taken in accordance with the RMA Compliance and Enforcement Policy. The RMA Compliance and Enforcement Policy approved by Council sets out the approach and principles by which the ORC promotes and enforces compliance with the RMA and provides an outline of how RMA compliance and enforcement is managed. The Policy will be reviewed in two years, or earlier if the Natural and Built Environment Bill is enacted.
- [50] ORC has robust checks and balances in making enforcement decisions. Once an Enforcement Officer has completed an investigation into an incident or significant consent non-compliance, the Officer will recommend a form of enforcement action and present the same to the Enforcement Decision Group (EDG) for consideration. This process supports a consistent approach to the enforcement decision-making process, as well as assurance checks and ensuring any actions are independent of personal or political influence.
- [51] In the 2022/23-year, ORC issued 150 formal enforcement actions, compared with 120 formal enforcement actions in the 2021/22 year.
- [52] A summary of the formal enforcement action in the 2022/23 year, including comparison with the 2021/22 year can be found in Figure 23 of Attachment 1.
- [53] In the 2022/23-year, ORC issued 80 infringement notices. 63 infringement notices were paid within time limits, ten are yet to be paid and are within relevant time limits, four infringement notices have been withdrawn after reviewing additional evidence provided by the alleged offender, and three have been lodged with the Ministry of Justice as unpaid and being dealt with through the Courts. Geographically the spread of infringement notices across the districts is as follows: Central Otago (9), Clutha (13), Dunedin (11), Queenstown Lakes (32) and Waitaki (15).
- [54] In the 2022/23-year, ORC issued 55 abatement notices. Geographically the spread of abatement notices across the districts is as follows: Clutha (15), Central Otago (7), Dunedin (9), Queenstown Lakes (12) and Waitaki (12).

- [55] ORC cancelled eight of the abatement notices issued in 2022/23 year, and 29 abatement notices from previous years due to compliance being met by the non-compliant party. ORC staff continue to monitor compliance with the conditions of abatement notices, and work with the parties to achieve compliance, and improved environmental outcomes.
- [56] For the 2022/23-year, ORC authorised seven prosecutions against three individuals and four companies who are facing a total of 16 separate charges. These prosecutions related to two incidents (discharge of contaminants to air and water from an industrial or trade premises; and significant disturbance of a waterway on a farm). Both legal proceedings relate to incidents in the Waitaki District.
- [57] One enforcement order was sought as part of sentencing of a Rendering Plant discharge of odour which was not granted by the Court. Eight formal warnings were issued in the 2022/23 year.
- [58] The most common RMA breaches that led to formal enforcement action in the 2022/23 year related to contaminant discharges into water (section 15(1)(a)), discharges to land that could enter water (section 15(1)(b)), breaches of abatement notices (section 338), and alteration or disturbance of waterways (section 13).
- [59] In the 2022/23-year, formal enforcement actions were taken against 22 individuals, 61 companies and trusts and five territorial authorities. Some parties received multiple enforcement actions for the same incident (eg, infringement notice and abatement notice) and some parties were involved in multiple incidents.
- [60] A summary of formal enforcement action in the 2022/23 year, can be found in Figures 24, 25 and 26 of Attachment 1.

Compliance engagement and education activities

- [61] To support and enable compliance, ORC Compliance staff work proactively with landowners, consent holders and the community to engage with on them compliance matters and educate on good practices.
- [62] The Compliance Team led the development of a comprehensive Earthworks Guide, specifically to assist developers, contractors, and service providers in the construction industry. The guide provides context on the ORC Regional Plan: Water residential earthworks provisions, consenting information, and on-going consent compliance requirements. The guide includes content required for any Environmental Management Plans and Erosion and Sediment Control Plans.
- [63] An earthworks toolbox session was held in Queenstown in June 2023. The event was targeted at developers and contractors involved in earthworks and construction, and around 90 people attended. An overview on the role ORC plays in earthworks and developments, both small and large-scale was provided, and staff from Compliance, Incident Response, Contaminated Land, Consents, and Catchment Advisor attended.

Given the success of the event, plans are underway to roll out similar events to other districts across the region.

- [64] Other engagement and education activities that have been undertaken since the last regulatory report include:
- a) Social media campaign promoting the Pollution Hotline, including promotion of 24/7 service including Matariki day, and our response to incidents with high public interest.
 - b) Promotion of dairy effluent calculator, and emails to all dairy farmers providing information on the new animal effluent consent requirements.
 - c) Along with consents team, presented in North and South Otago on the effluent rules for farmers in the districts.
 - d) Media release encouraging farmers to undertake best practices to safeguard water quality and transport safety with annual stock Moving Day.
 - e) Media release on compliance flyovers undertaken across the Otago region in April and July.
 - f) Presenting at the U3A course on Otago Harbour and compliance monitoring of coastal structures and activities.
 - g) Supported the 'Burn dry, breathe easy' campaign, encouraging people to burn dry firewood.
 - h) Sending out educational letters to alleged offenders in relation to domestic chimney and outdoor burning complaints.

HARBOURMASTER

Major Incidents

- [65] ORC's long -term plan metrics include a requirement for major incidents to be reported to Council. This incident reporting is included as part of the quarterly update reports. Major incidents can be considered incidents which have the potential to result in one or more of the following:
- a) Significant adverse effects to the environment
 - b) Pose significant risks to health and safety
 - c) Significant navigational safety issues
- [66] There is one major incident to report from the last quarter of the financial year. There was a man overboard of the coast at Cape Saunders resulting in a fatality from a fishing vessel. Maritime New Zealand are investigating
- [67] The team has laid 16 new buoys in the lower part of the Eastern Channel to improve navigational; safety throughout this area. There are 6 more to be laid in August 2023 to complete this project.
- [68] The Harbourmaster Facebook page continues to grow from strength to strength, it is providing a great avenue for specific boating information sharing.
- [69] An oil spill exercise was held on June 28th. Along with our own ORC team we had Maritime New Zealand in attendance and a couple of the local oil terminal operators.

- [70] Three new boating safety videos have been completed and are ready to go for the next recreational boating season.
- [71] Kaitiaki has been deployed on Lake Wakatipu and Lake Wanaka to assist the environmental monitoring team with sampling and buoy maintenance.
- [72] Harbour master team (x2) have successfully completed drone flying certification this period.
- [73] Awhina was deployed in Lyttleton for the Sail GP event in support of the Environment Canterbury Harbourmaster team. The vessel was utilised as the on-water command and control boat for HM activity throughout the event.
- [74] Harbourmaster team have completed training in forklifts and class 2 licenses to enhance operations.

OPTIONS

- [75] As this is a report for noting there are no options.

CONSIDERATIONS

Policy Considerations

- [76] There are no policy considerations.

Financial Considerations

- [77] There are no financial considerations.

Significance and Engagement

- [78] As this is a report for noting consideration of the Significance and Engagement Policy is not required.

Legislative and Risk Considerations

- [79] A number of legislative requirements govern the activities of the Regulatory Group.
- [80] There are a number of legal and reputational risks associated with the delivery of ORC's regulatory functions.

Climate Change Considerations

- [81] There are no climate change considerations associated with this report.

Communications Considerations

- [82] Communication with the Otago community occurs on a regular basis to educate and inform people on regulatory matters. This includes a quarterly regulatory newsletter which is aimed at informing RMA professionals on technical matters and relevant updates.

NEXT STEPS

- [83] Regulatory activity will continue and will be reported quarterly to the Regional Leadership Committee.

ATTACHMENTS

1. Attachment 1 July 22 to June 23 Regulatory Data Appendix [**8.2.1** - 14 pages]
2. Attachment 2 Operational Compliance Audit and Performance Monitoring Sc [**8.2.2** - 1 page]

Attachment 1: REGULATORY REPORT FOR THE PERIOD 1 JULY 2022 TO 30 June 2023

Consents

Figure 1: Resource Consent Applications Received

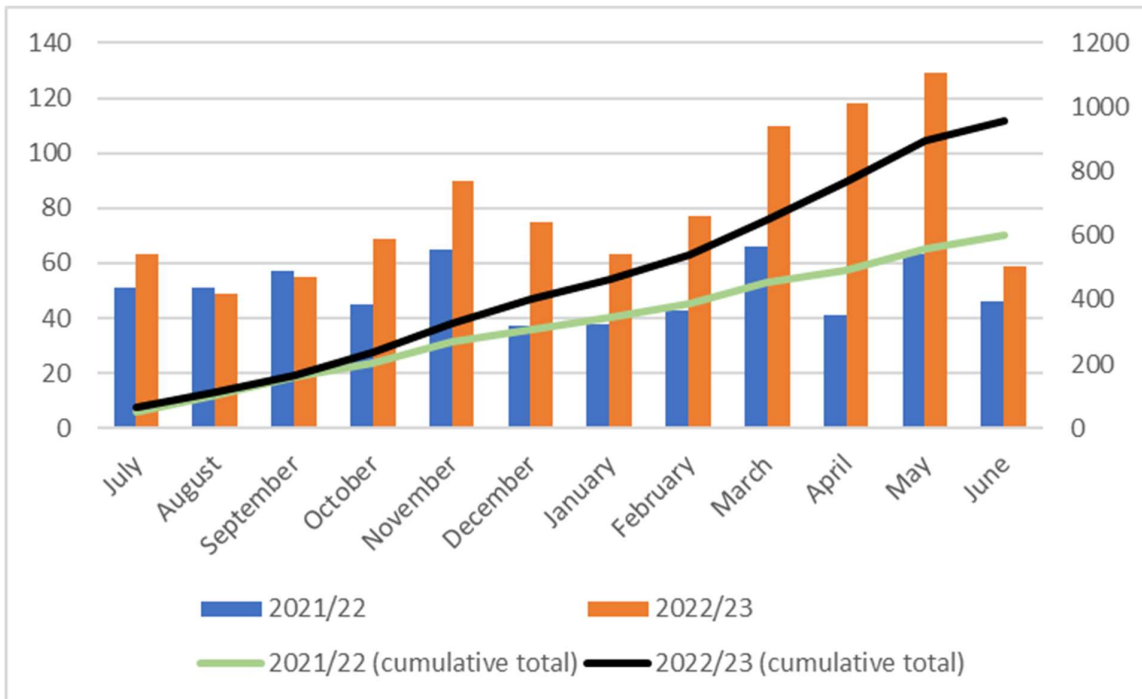


Figure 2: Notified Applications

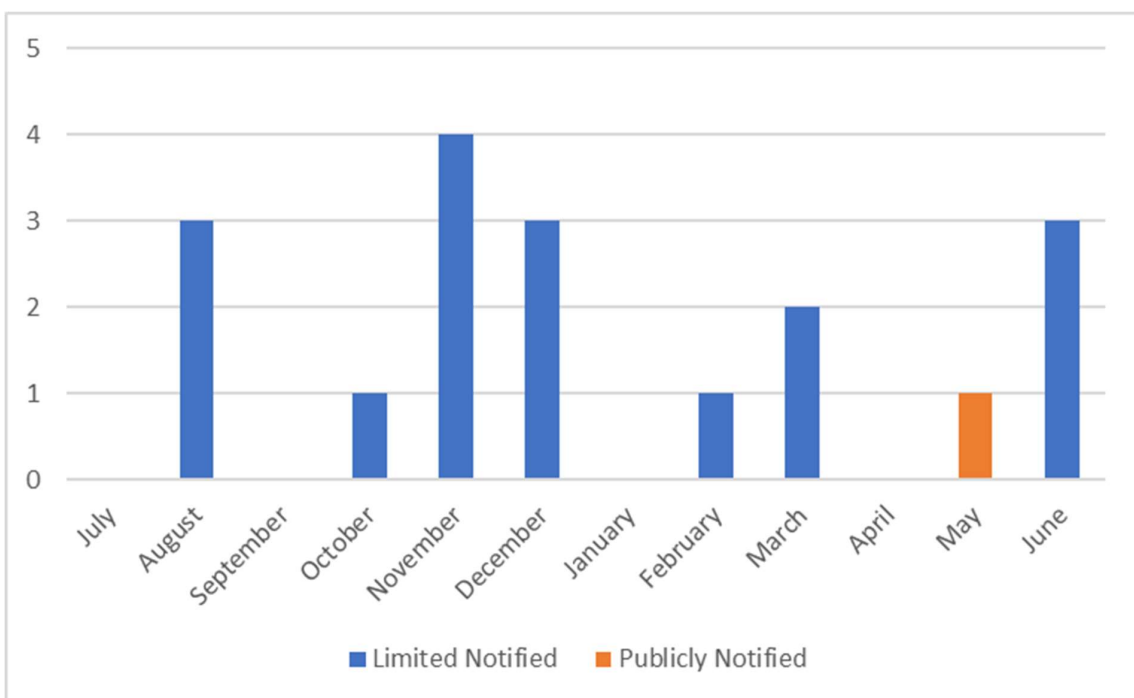


Figure 3: Resource Consents Issued

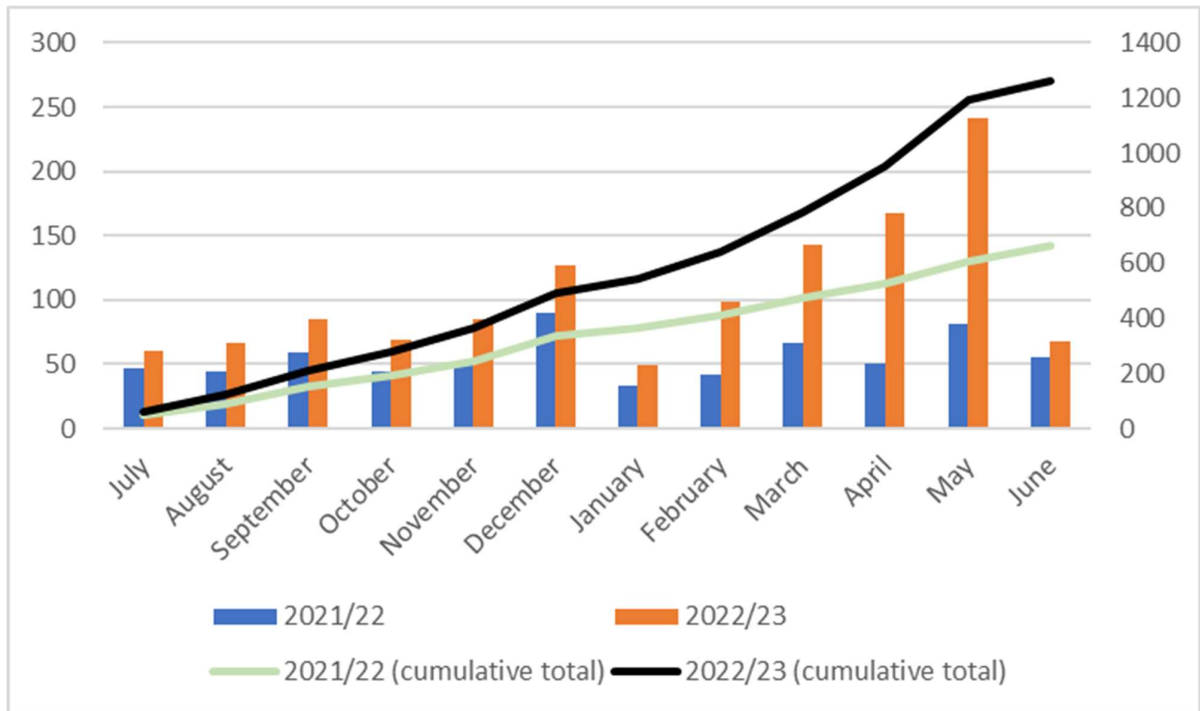


Figure 4: Resource Consents Issued by Type

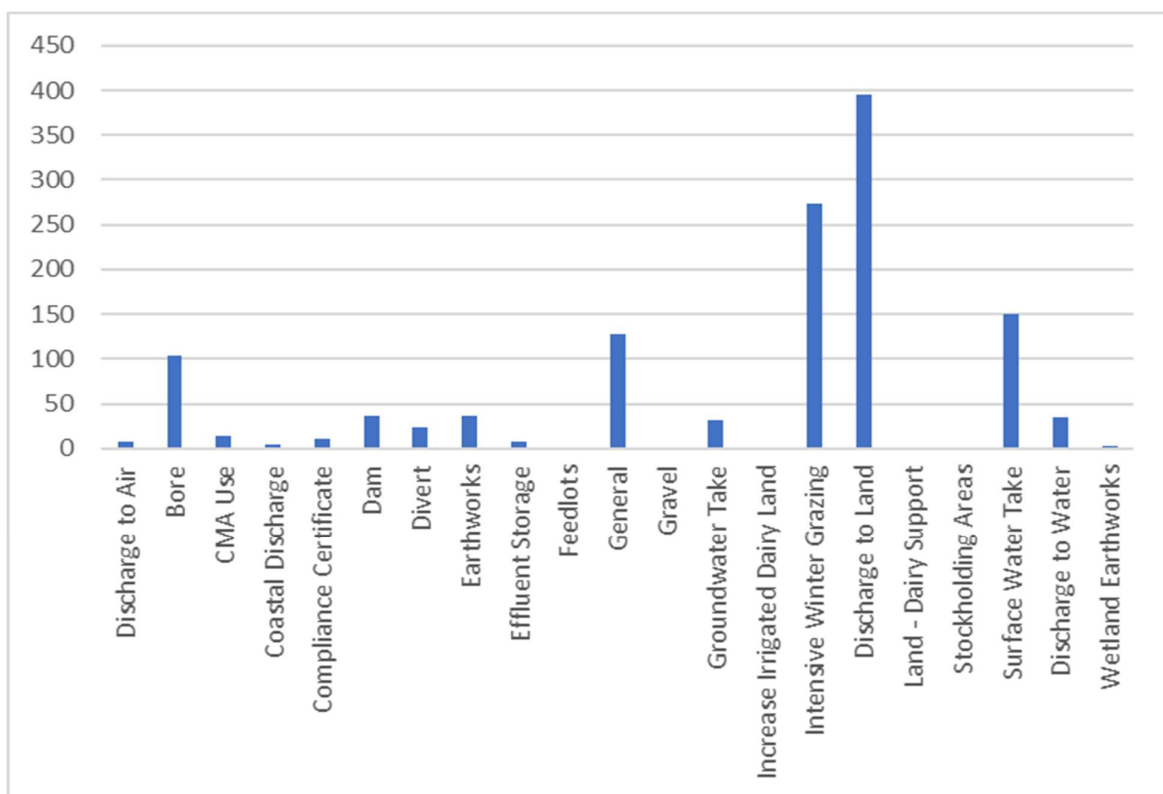


Figure 5: Other Applications Received

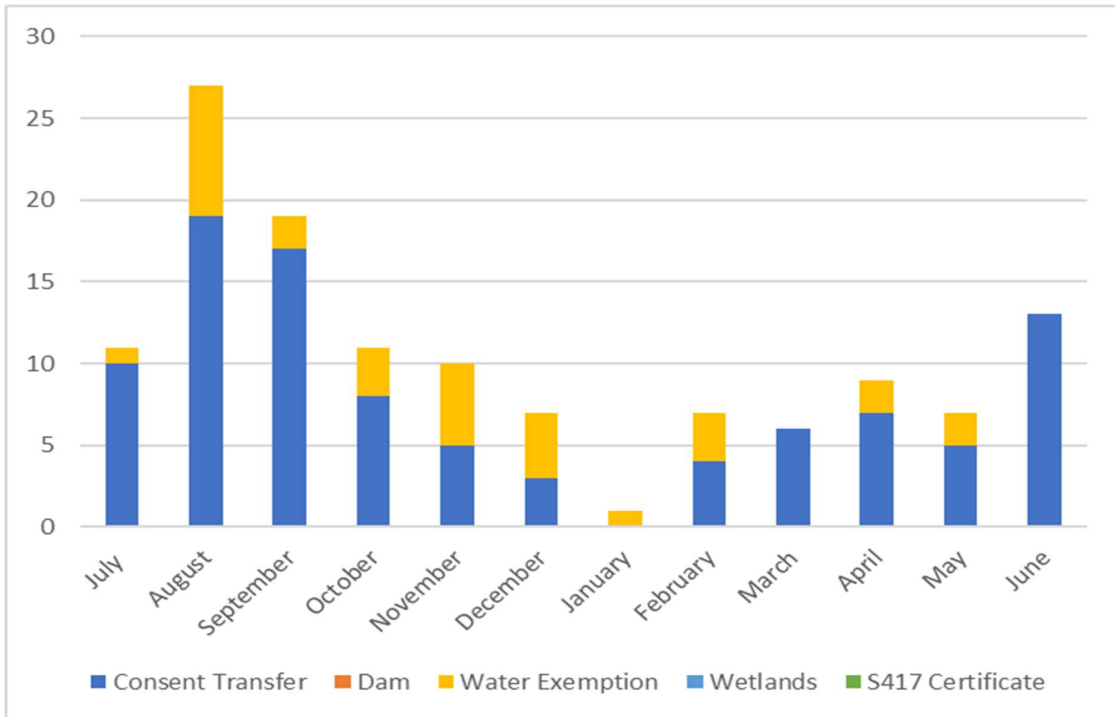


Figure 6: Other Applications Processed

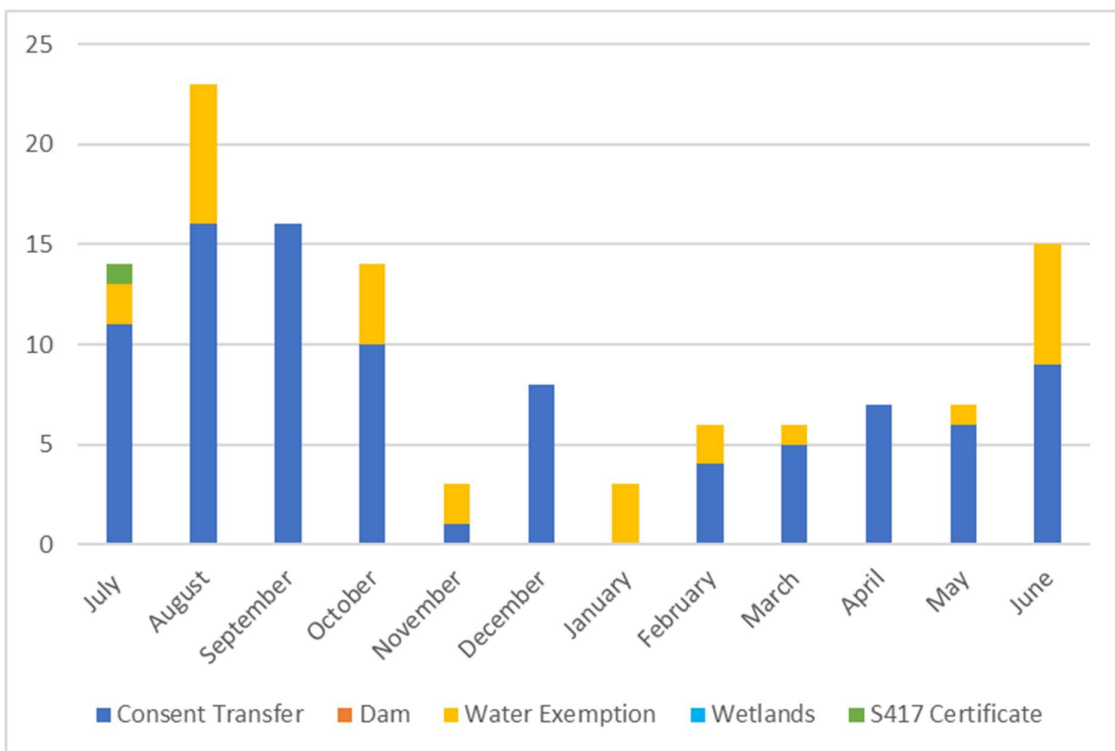


Figure 7 Consent Enquiry Response Times

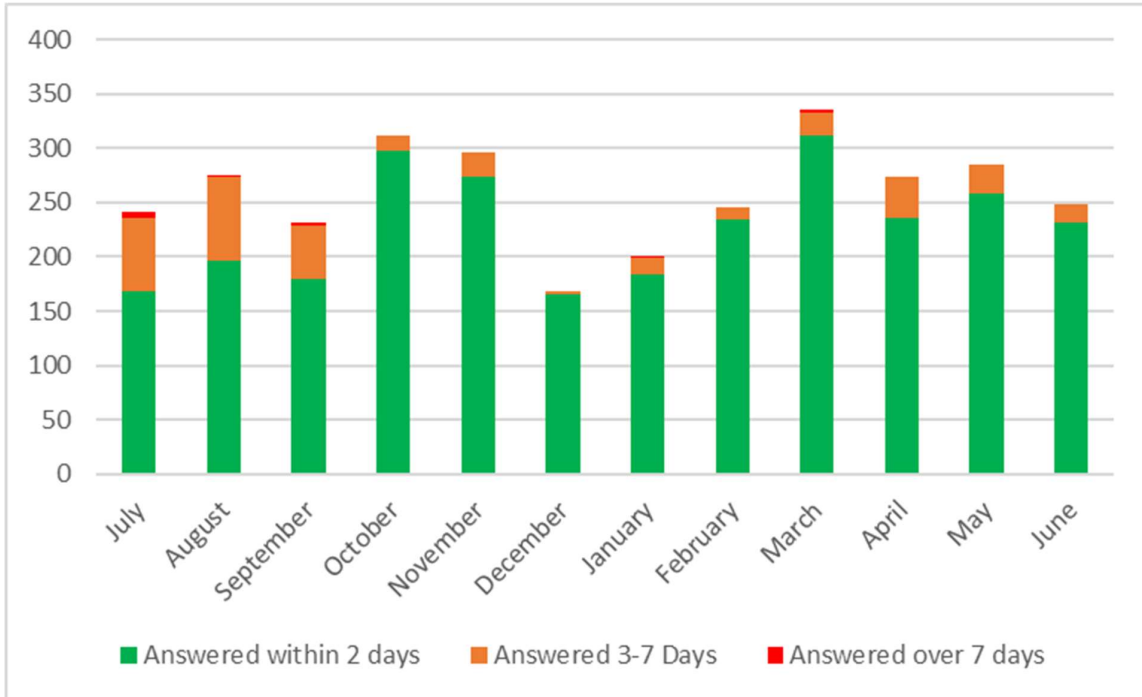


Figure 8: Consent Enquiries by Type

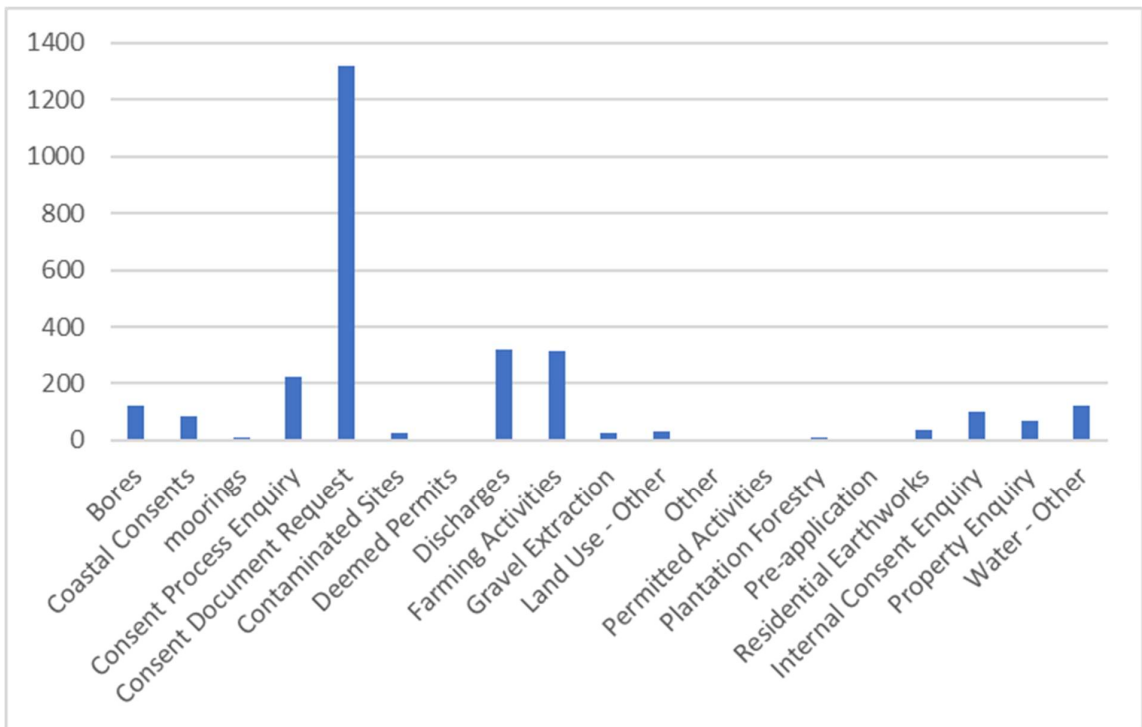


Figure 9: Consent Enquiries by Method

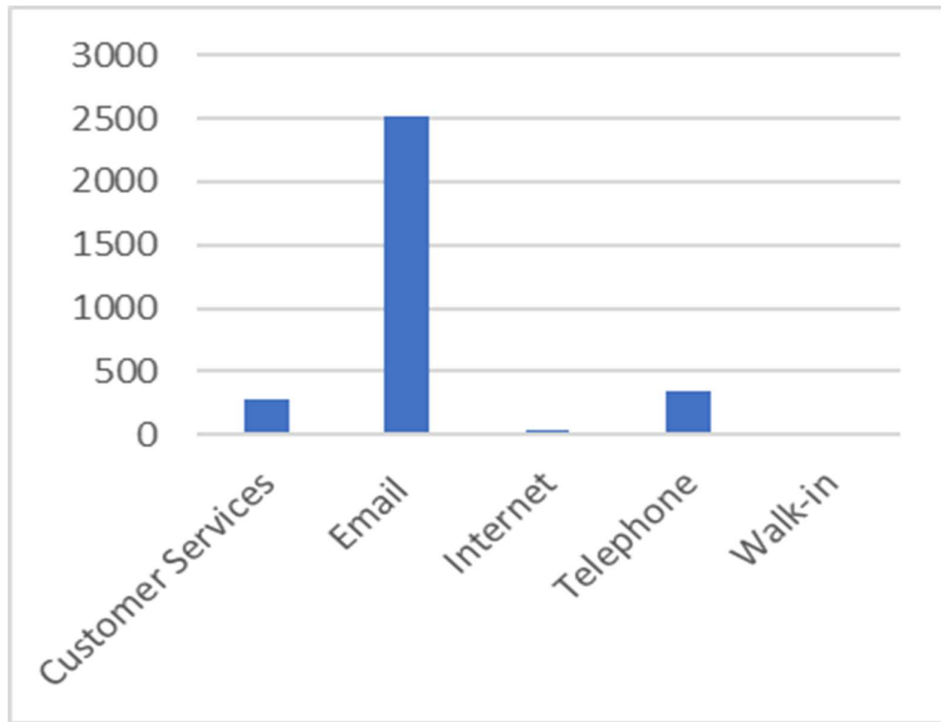
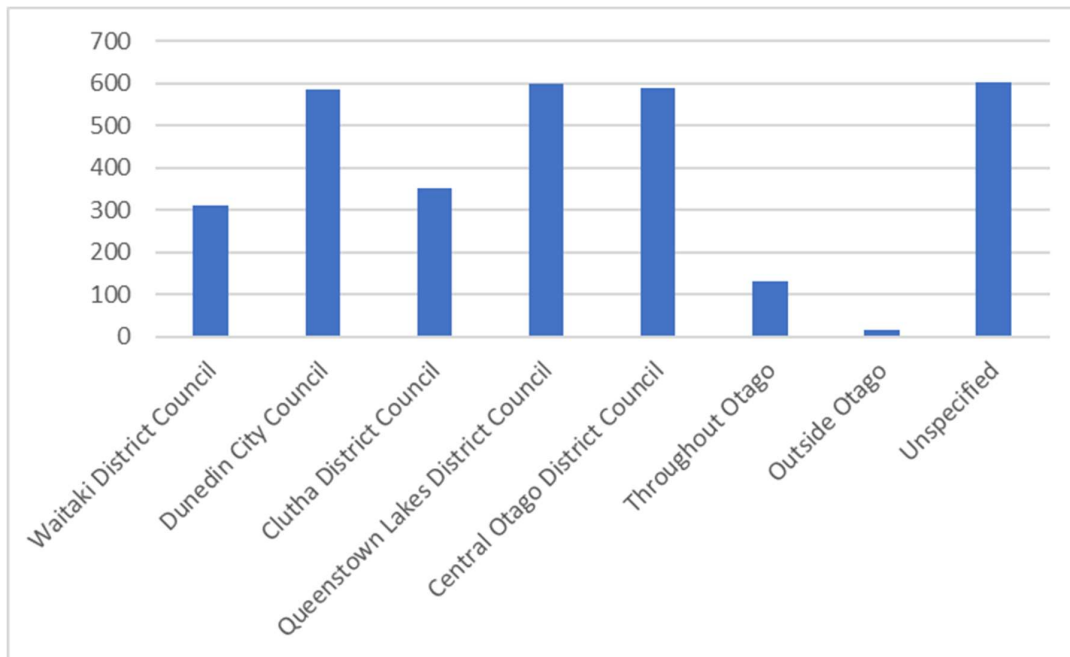


Figure 10: Consent Enquiry by Location



Compliance

**Figure 11: Performance Monitoring Returns Completed
LTP Performance Measure**

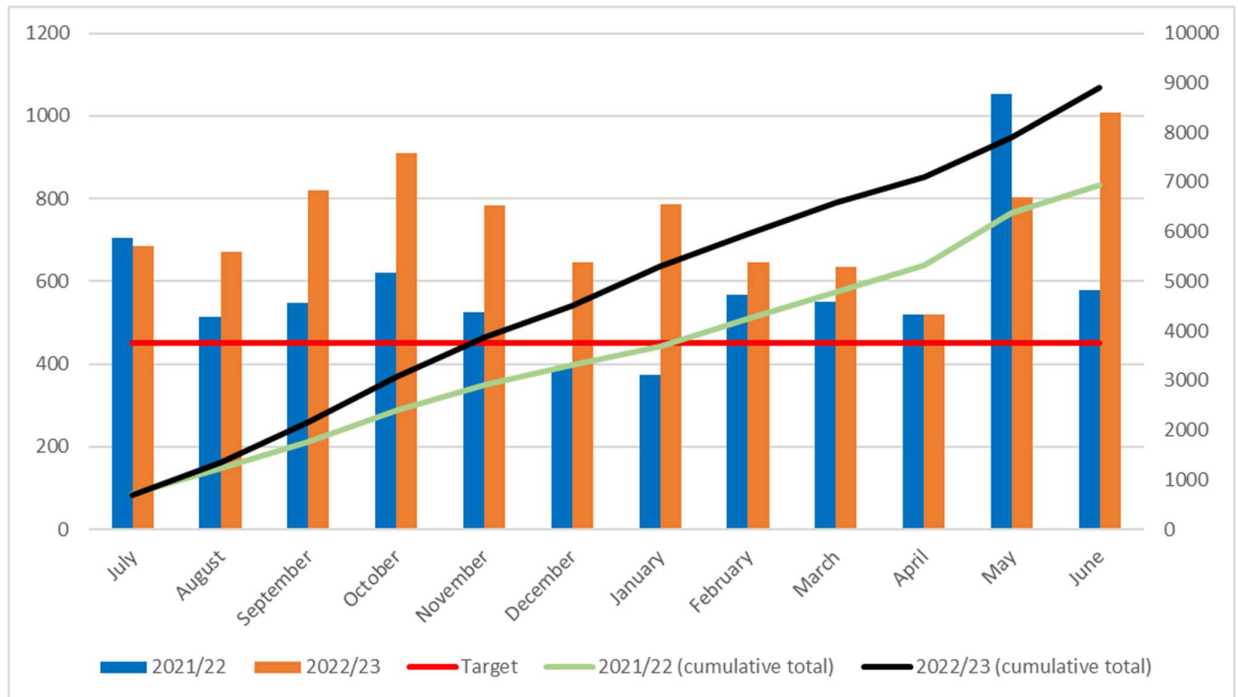


Figure 12: Performance Monitoring Grades Year on Year

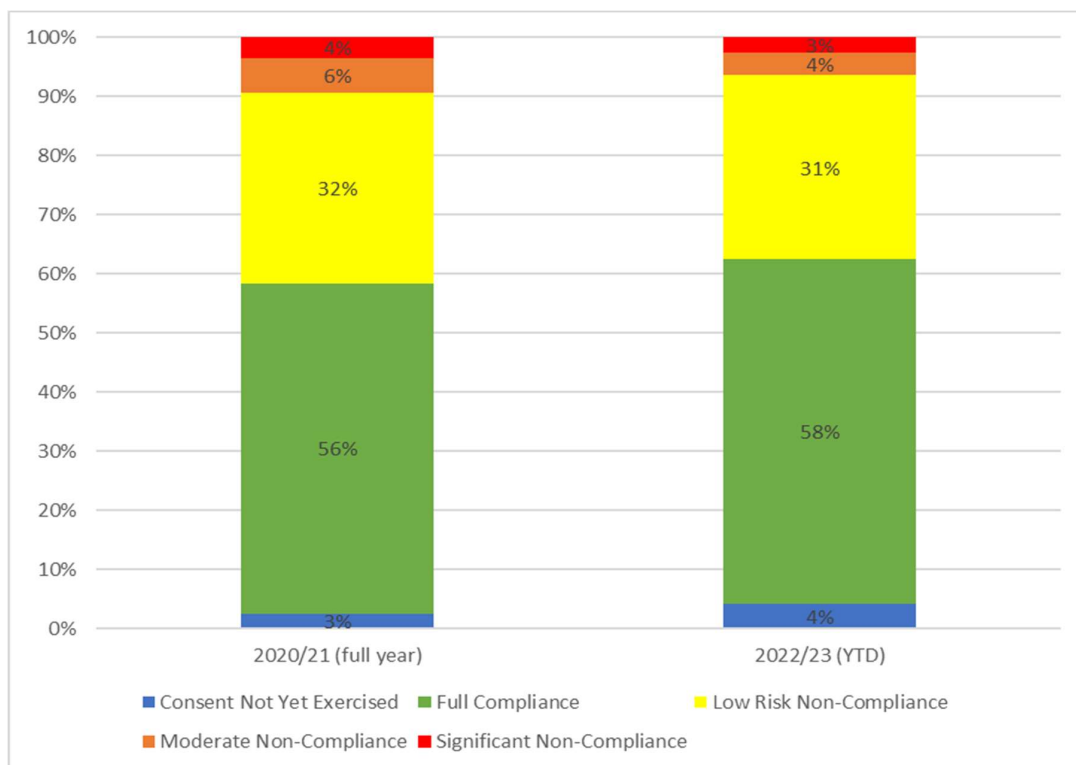


Figure 13: Compliance Field Inspections Year on Year
LTP Performance Measure

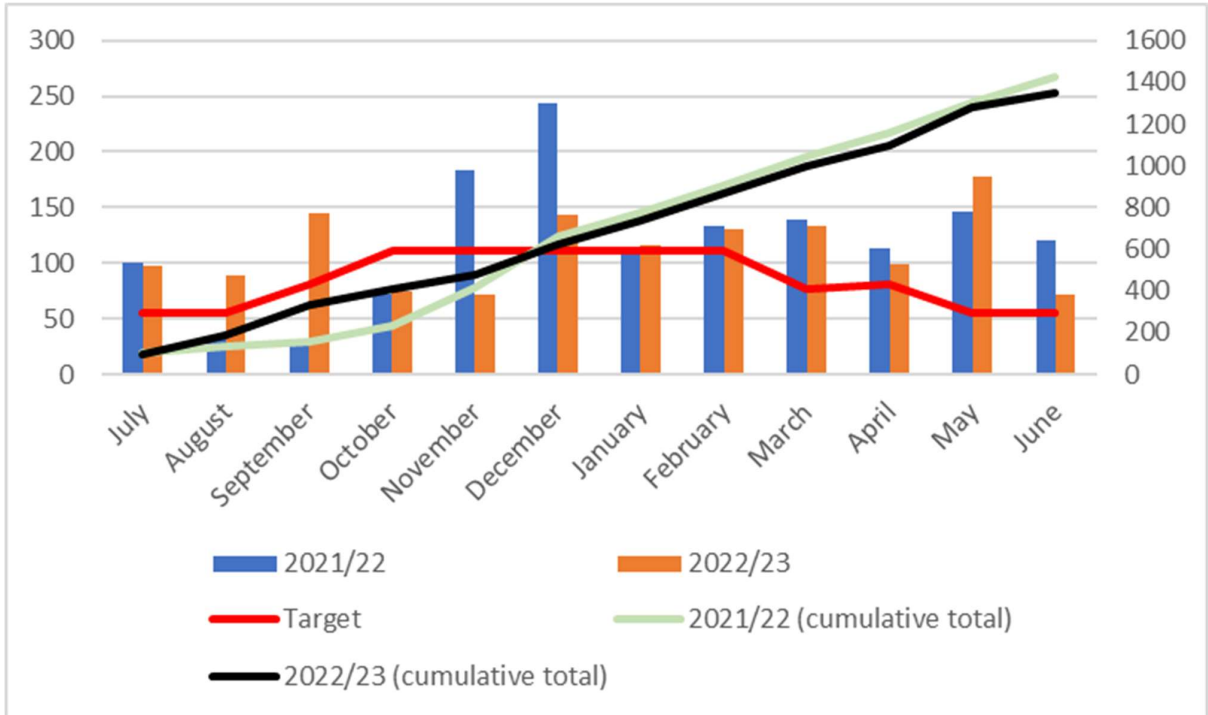


Figure 14: Compliance Field Visits by Type

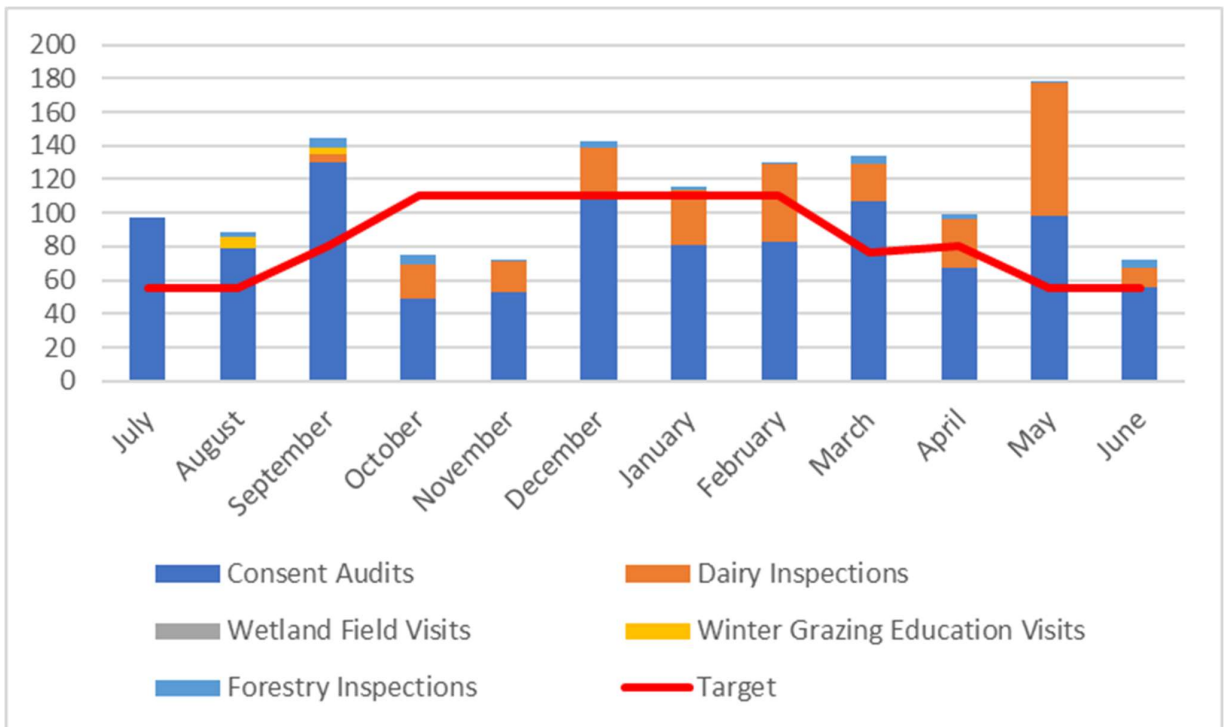


Figure 15: Consent Audits by Consent Type

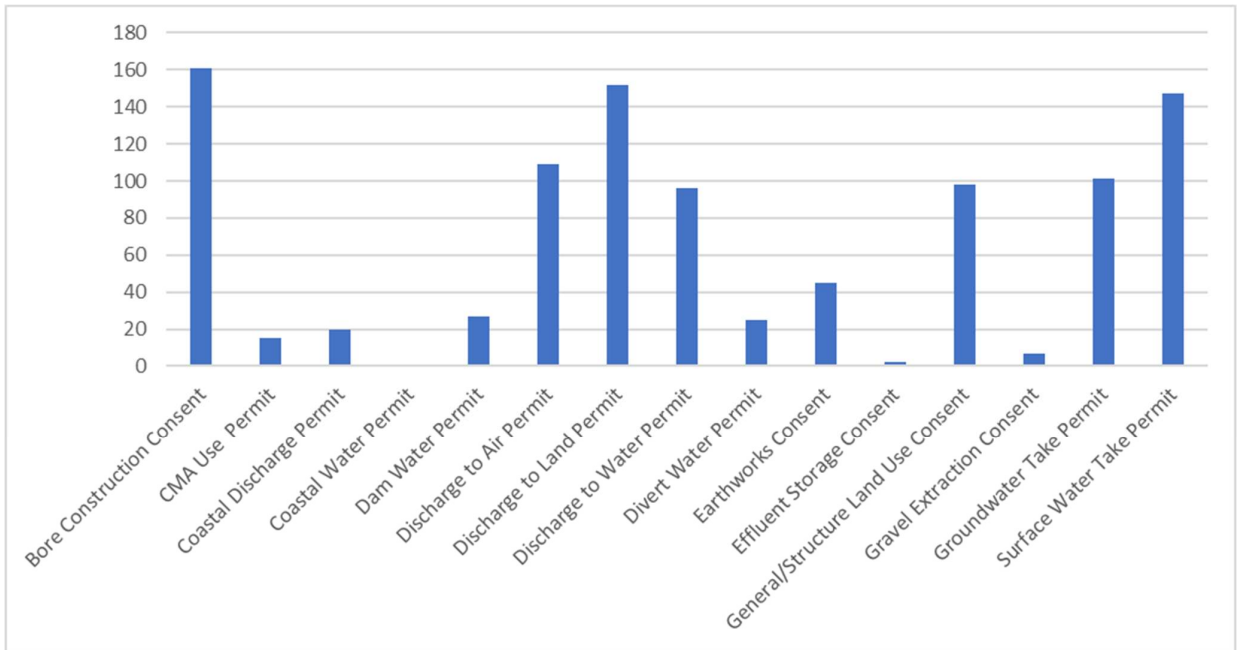


Figure 16: Consent Audit Grades Year on Year

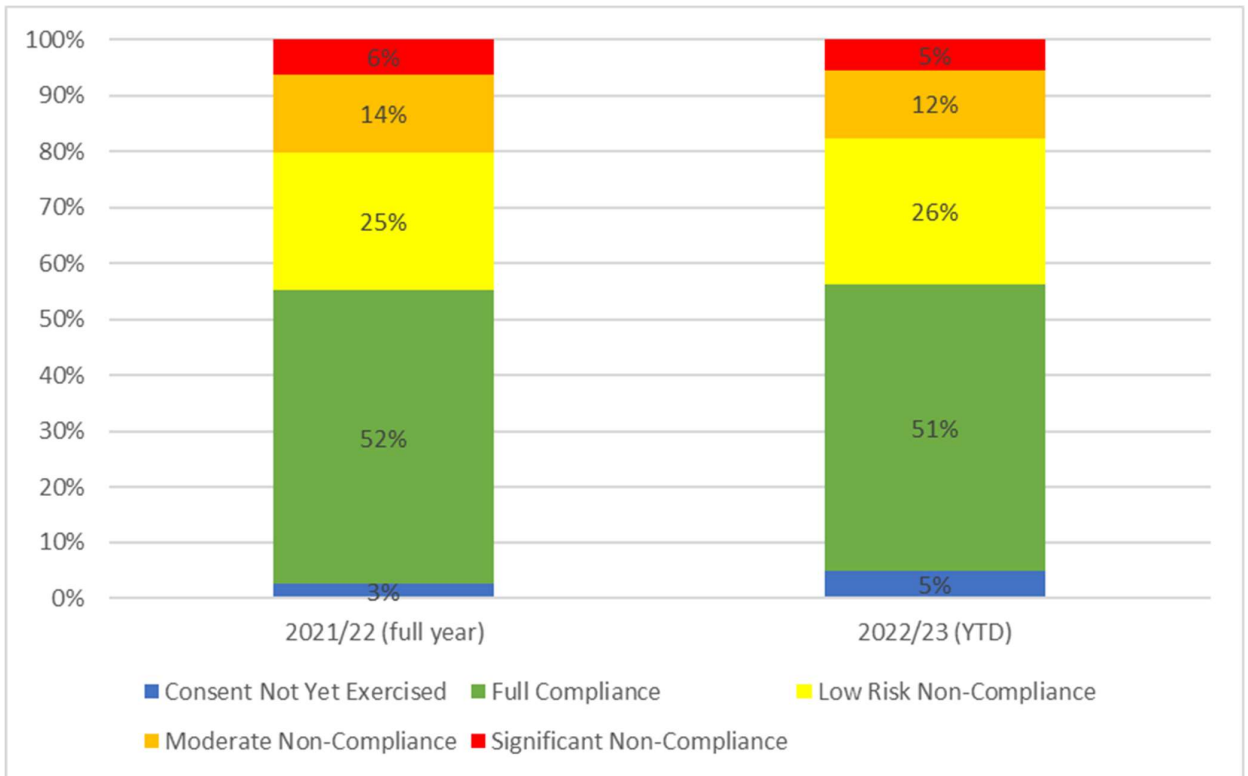


Figure 17: Significant Non-Compliance by Consent Type

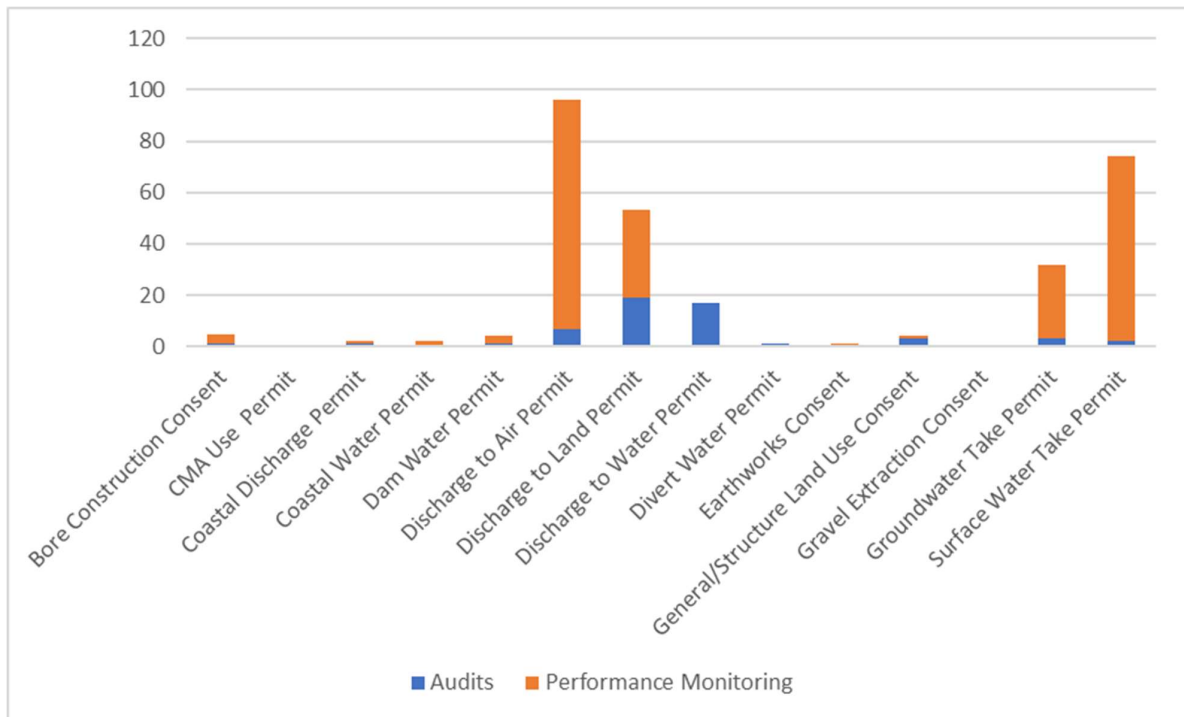


Figure 18: Dairy Inspection Grades Year on Year



Figure 19: Forestry Notifications and Inspections

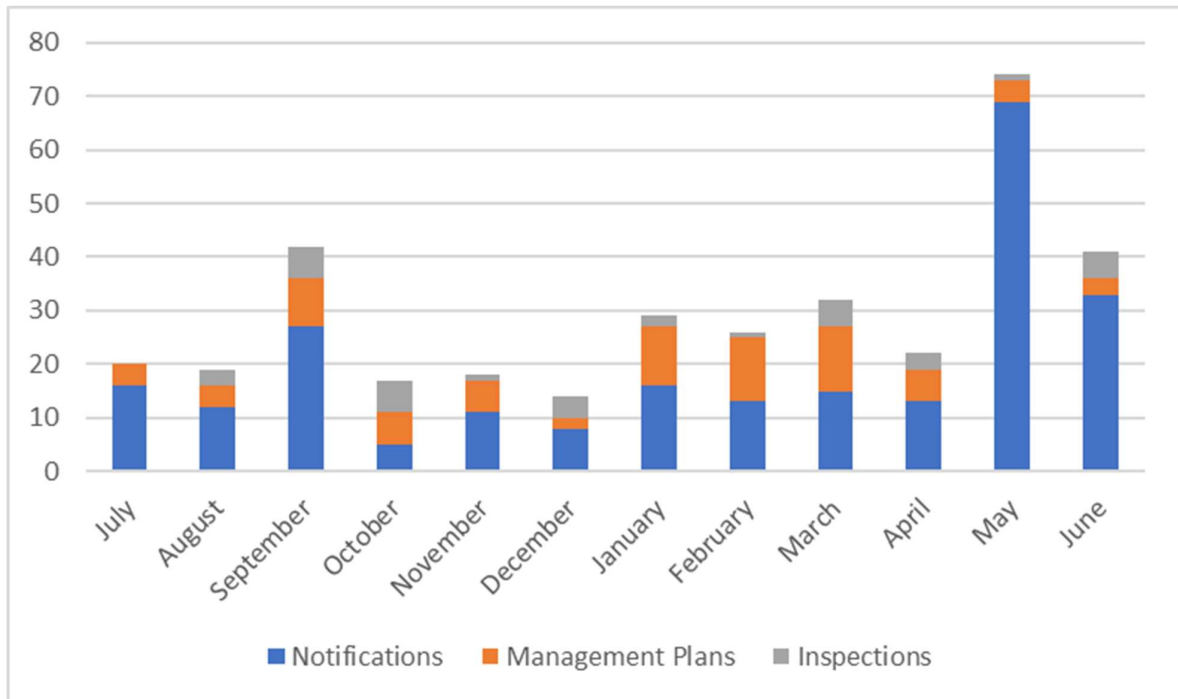


Figure 20: Forestry Inspection Grades Year on Year

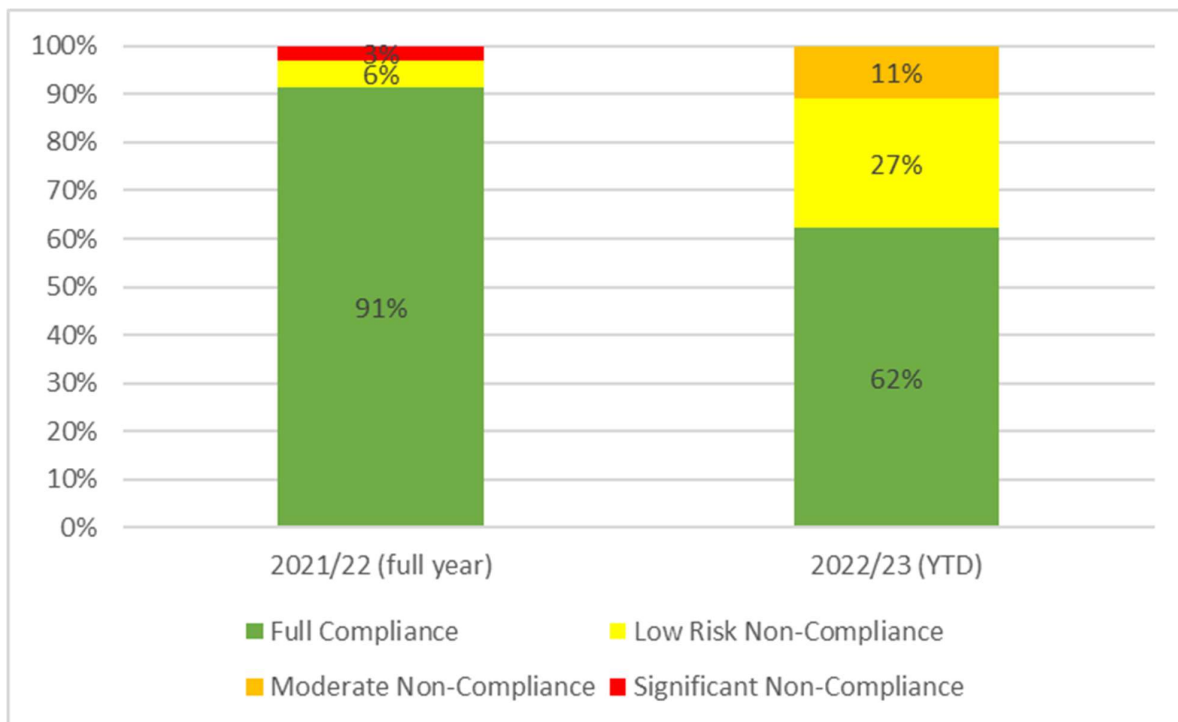


Figure 21: Service Requests

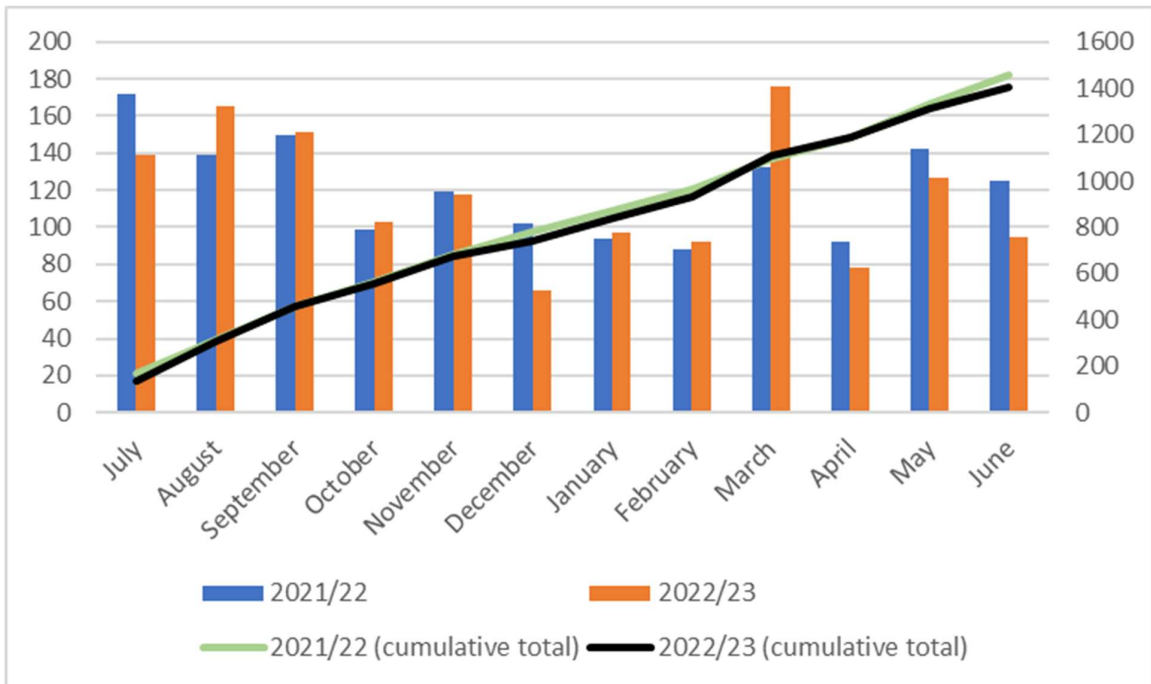


Figure 22: Service Requests by Type

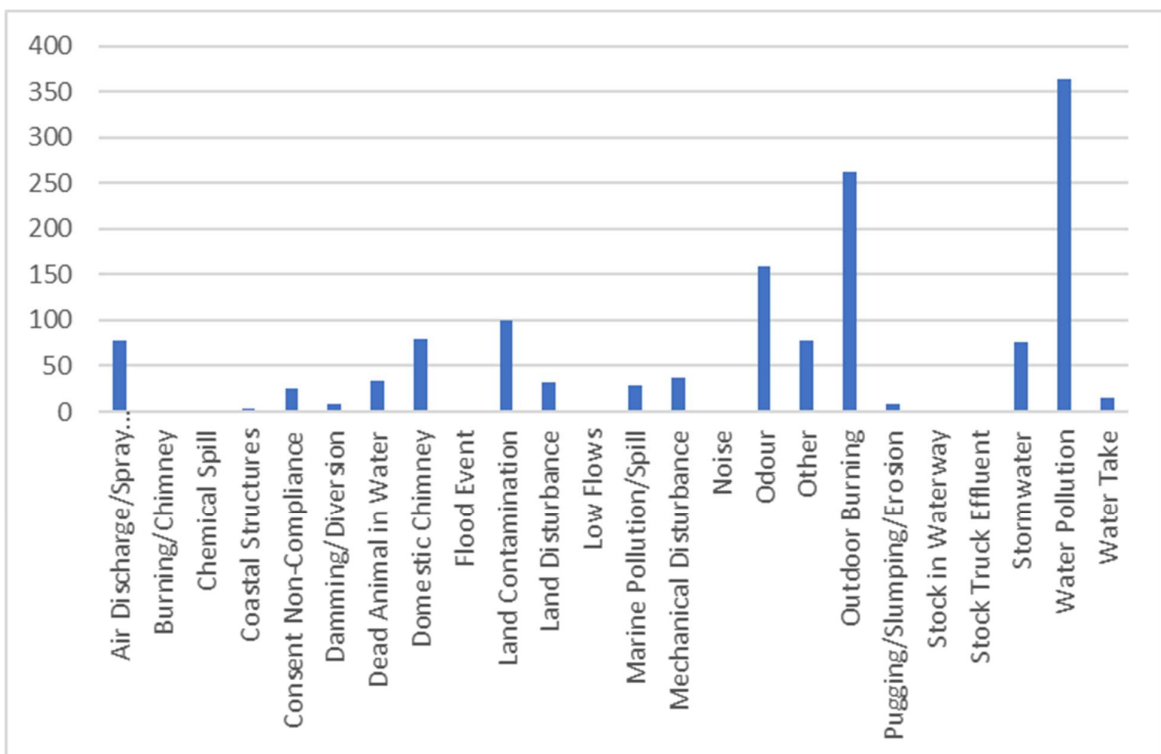


Figure 23: Enforcement Actions

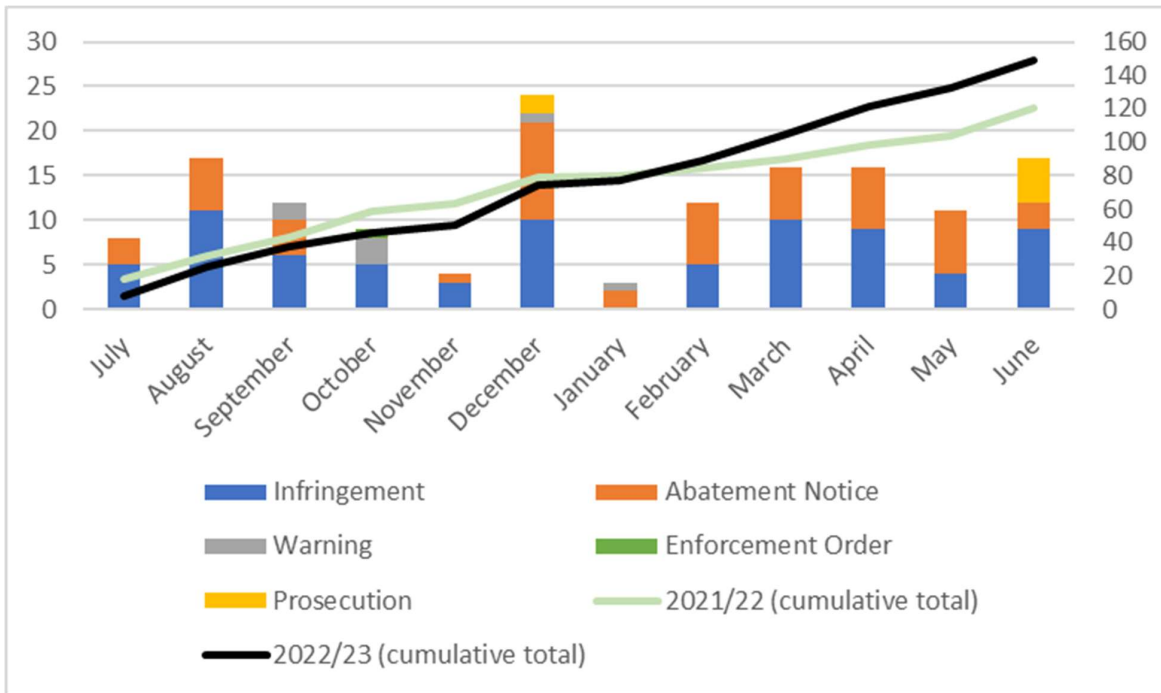
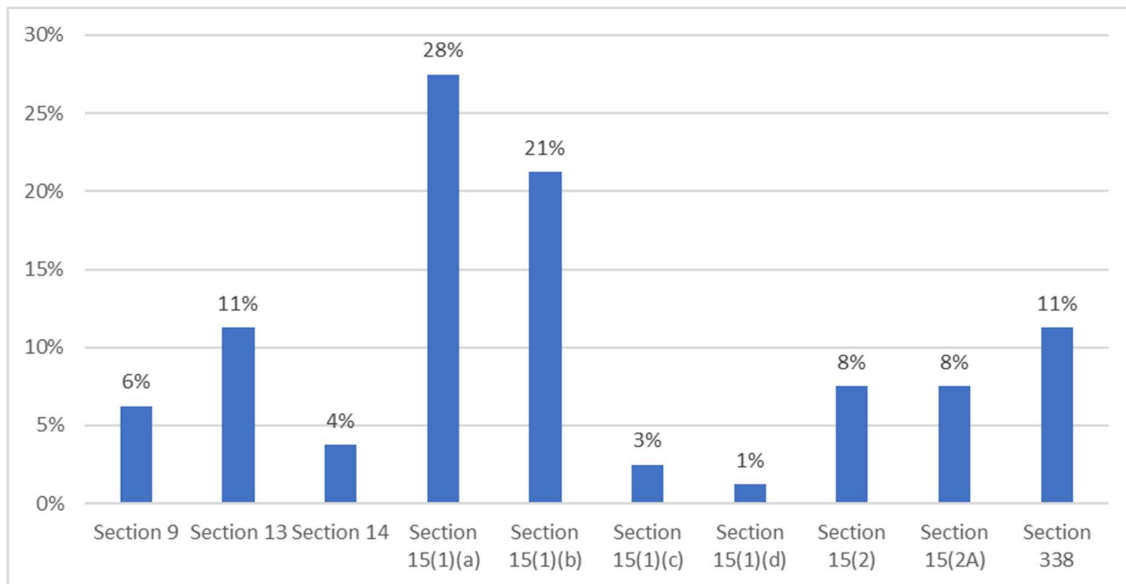


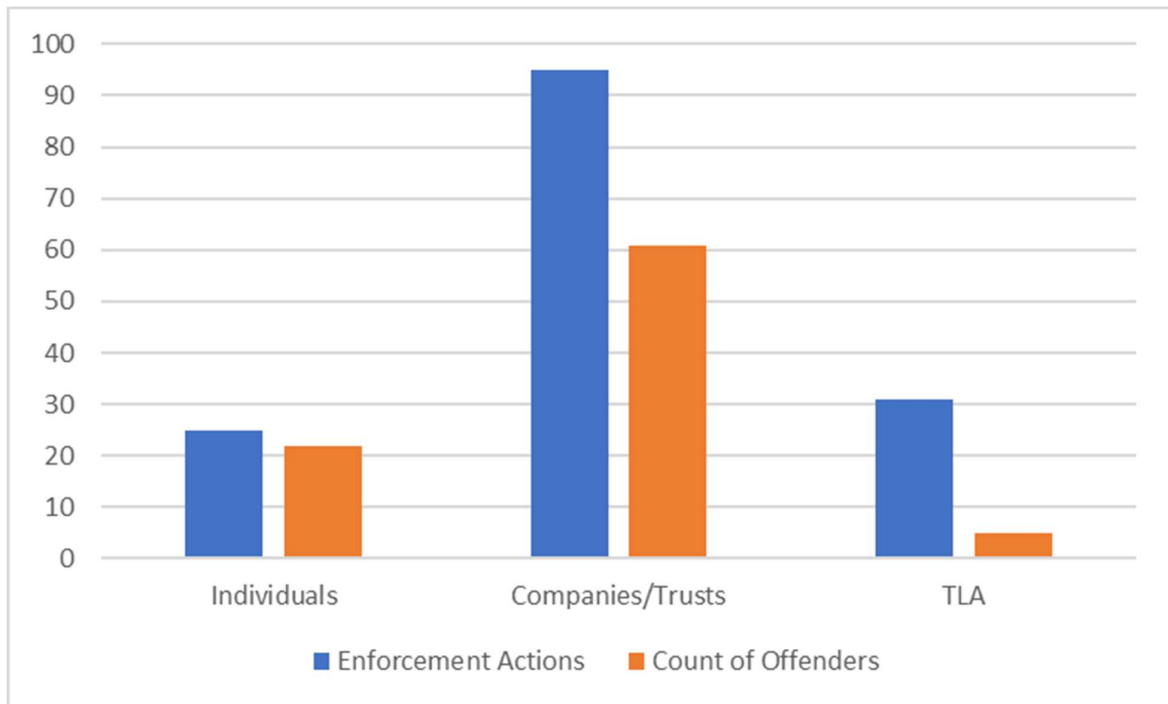
Figure 24: Enforcement by Territorial Authority Area



Figure 25: Enforcement Offences

Offence Description	RMA Section
Breach Restrictions On Land Use e.g Disturbance of land/discharge of contaminant to land	9
Breach Restrictions-Lake/River Bed Uses e.g. Disturb riverbed	13
Breach Water Restrictions e.g. Water take breach/Ground water take	14
Discharge Of Contaminants Water e.g. Sediment to water/WWTP discharge breaches	15(1)(a)
Discharge of Contaminants onto-into land that may result in that contaminant entering water	15(1)(b)
Discharge of Contaminates into the environment from industrial and trade premises into air	15(1)(c)
Discharge of Contaminates into the environment from industrial and trade premises onto land	15(1)(d)
Discharge Of Contaminant In On To Air Or Land e.g. Outdoor Burning	15(2) & 2A)
Contravention Of Abatement Notice	338(1)(c)

Figure 26: Enforcement by Offender Type



Compliance Audit and Performance Monitoring Schedule 2023-24

	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Planned performance monitoring grades	500	500	500	500	500	500	500	500	500	500	500	500	6,000
Audits/inspections	78	77	88	87	85	85	85	85	88	87	78	77	1,000
Type of audits/inspections by priority as identified in the Compliance Plan 2023-26													
Priority 1: Permitted activity dairy programme and forestry, discharges to water, earthworks, winter grazing	20	20	35	35	35	35	35	35	35	35	20	20	360
Priority 2: District council consents, landfills, power generation and other large-scale activities	40	40	40	40	40	40	40	40	40	40	40	40	480
Priority 3: Water take consents and water flows during dry periods	10	10	10	10	10	10	10	10	10	10	10	10	120
Priority 4: Monitoring regionally significant wetlands, culverts and dams/other structures	3	2	3	2					3	2	3	2	20
Priority 5: Monitoring industrial air discharges	5	5									5	5	20
Priority 6: Monitoring coastal structures													0

*Total consents planned for monitoring (including grading of information, audits and inspections) in 2023-24 is 2,750.

8.3. Freshwater Farm Plans

Prepared for: Regional Leadership Committee
Report No. REG2304
Activity: Governance Report
Author: Libby Caldwell, Manager Environmental Implementation
Endorsed by: Joanna Gilroy, Acting General Manager - Regulatory
Date: 10th August 2023

PURPOSE

- [1] To provide background on Freshwater Farm Plans (FWFPs) and the proposed approach to the implementation of FWFPs in Otago.

EXECUTIVE SUMMARY

- [2] Freshwater Farm Plans (FWFPs) were introduced as part of the Government's Freshwater Package in 2020. The regulations supporting these plans were gazetted in early June 2023 and will come into force from the 1st of August 2023. These regulations will be turned on in Otago in early 2024. Council endorsed a proposed rollout order for Otago at the 28 June 2023 meeting.
- [3] FWFPs will be property specific and provide farmers and growers the flexibility to find the right solution for the farm and catchment. These plans need to include property specific actions relating to freshwater, based on the context of the catchment. The plans will then be certified and audited.
- [4] Farm plans are a national system that Council must implement. To ensure Council achieves this, a draft implementation plan and communications plan have been developed. The aim is to take a collaborative approach to implementation to ensure that farmers and growers are supported on the FWFP journey. It is recognised that for successful rollout of FWFPs within Otago, relationships with industry, mana whenua and catchment groups are essential.

RECOMMENDATION

That the Regional Leadership Committee:

- 1) **Notes** this report, implementation plans, and the complexity of work associated with delivering the freshwater farm plan system for Otago.

BACKGROUND

What are freshwater farm plans?

- [5] FWFPs were introduced as part of the Government's Essential Freshwater Package in 2020. The regulations supporting these plans were gazetted in early June 2023. The Government's stated aims with the Freshwater Package and Farm Plans are to:
-

- a) Stop further degradation of New Zealand’s freshwater resources and improve water quality within five years; and
 - b) Reverse past damage and bring New Zealand’s freshwater resources, waterways, and ecosystems to a healthy state within a generation.
- [6] FWFPs will be property specific and provide farmers the flexibility to find the right solution for their farm and catchment. Many farmers already have a farm environment plan or are part of an industry programme and freshwater farms plans will build on that work. In the long run the FWFP system intends to pull together many of the Essential Freshwater threads at a catchment and farm level by consolidating rules, regulations and plans into a single property specific plan.
- [7] Under the regulations plans will be needed for properties if they trigger the land use thresholds. These triggers are shown below:
- a) 20 or more hectares of the farm is arable land use; or
 - b) 5 or more hectares of the farm is horticultural land use; or
 - c) 20 or more hectares of the farm is pastoral land use; or
 - d) a prescribed area of the farm is other agricultural land use prescribed in regulations made under section 217M(1)(b); or
 - e) 20 or more hectares of the farm is a combination of any 2 or more of the land uses described above.

DISCUSSION

What is included in a FWFP?

- [8] The specific content of a FWFP is specified in the regulations. This includes:
- a) Administrative details about the farm;
 - b) Maps;
 - c) Catchment context information;
 - d) Identification and assessment of risks to freshwater and freshwater ecosystems; and
 - e) Identifying actions with timeframes to avoid, remedy or mitigate effects on freshwater and freshwater ecosystems.
- [9] There is no specified format or template for FWFPs in the regulations. This enables people to use existing plans or tailor a document to their site. Not having a template was a specific choice made by MfE.

Process for the farm plans

- [10] The process for FWFPs is shown in the below diagram. The general process is that a farmer, or grower will:
- a) Need to determine if they are covered by the regulations.
 - b) Prepare the plan themselves or arrange for someone to prepare it for them.
 - c) Have their plan certified within 18 months of the regulations turning on in their part of Otago and then again, every 5 years;
 - d) Implement their actions in line with their plan; and

- e) Get their plan audited in the first 12 months of having it certified and then again at a frequency based on their last audit grade.

FWFP System Overview



Figure 1: Freshwater Farm Plan Process. Source: MFE, 2023.

Certification and Auditing Process

- [13] FWFPs will need to be certified and audited. This is a new approach for some farmers and growers in Otago. A certifier will assess if a plan meets the certification requirements, which includes deciding if the plan has appropriately identified and assessed on farm risks to freshwater, selected actions to manage risks and accounted for their catchment context. The auditor will assess whether the farmer is implementing the FWFP as set out in the certified farm plan. A person can be a certifier and an auditor but cannot audit a plan they prepared or certified.
- [14] The system of certifiers and auditors will largely be administered at the national level, with there being mandatory national training. The national training will be run by a third-party appointment process manager (AsureQuality). Once certifiers and auditors have completed national training, they will need to undertake regional training as developed by Council. Councils must develop the regional training modules but can decide to engage a third party to deliver the training. Once appointed and trained, the tasks of auditing and certifying FWFPs happen separate to Council.
- [15] The legislation does not allow for FWFPs to be certified prior to the area which the farm is located in regulations going live.

Use of existing farm plans

- [16] It is envisaged that existing farm plans will be able to be used as a starting point for FWFPs, but they will need to be amended to meet the requirements in the FWFP regulations.
- [17] It has been signalled that FWFPs may become a module of the integrated farm plan system in due course.

Data ownership and records

- [18] FWFPs will contain information about a property, some of which will need to be supplied to Council by Certifiers and Auditors. This information is limited and includes: administrative details, the certified action plan, maps, a statement of where the plan is being used to meet other regulatory requirements, a conflict-of-interest declaration, audit report and audit grade. All other data and information included in the plan does not need to be proactively supplied to Council.
- [19] A system called the Integrated National Farm Data Platform (INFDP) is being developed to provide Councils with the ability to track certified FWFP action plans, identify farms still to obtain a certified FWFP and to report on actions taken and planned to improve freshwater. Until this is in place a bridging system will be used.

Catchment challenges, context, and values

- [20] There is a requirement for Council to develop Catchment Challenges, Context and Values (CCCV) to align with the proposed rollout order. The purpose of the CCCV is to provide catchment information to be included in the FWFPs so that people can understand the risks in their catchment and target their onsite actions to the specific issues in their catchment. A CCCV developed by Council must include matters such as:

- a) Existing local information for example, soil data, freshwater data, significant sites, priority contaminants and significant species;
- b) Identified cultural matters of importance to tangata whenua;
- c) Freshwater objectives, policies, rules in relevant RPS or regional plan.
- d) Relevant freshwater matters in plans recognised by an iwi authority and lodged with Council; and
- e) Actions plans made by the Regional Council under the NPS-FW.

[21] CCCV relies on information already held by Councils. It is not a process to introduce new requirements for farmers or growers. It is to be based on currently available information and does not require specific community consultation. A CCCV is to be publicised as soon as possible after the regulations are turned on in the region. For the North Otago FMU, this CCCV would need to be published by February 2024 at the very latest.

[22] The CCCV will be displayed geospatially on our website. Matters such as specified keys for maps will also be considered through the development of this platform. The CCCV can be updated on an as needed basis.

Cross-regional boundaries

[23] Properties that require a FWFP may cross regional, or rollout boundaries. A farm operator who has a farm that straddles a boundary, either within a region created by intra-regional phasing or a boundary between two Regional Councils will only be required to submit a FWFP to a certifier when the latter of the two Councils, or areas of the region have had the regulations turned on. They will only need to prepare one plan.

[24] Certifiers and auditors certifying/auditing a FWFP that straddles a council boundary need to be appointed in both regions.

Links to Existing Legislation and Planning Documents

[25] FWFPs link to other legislation including the National Environmental Standards for Freshwater (NES-FW) and the National Policy Statement for Freshwater (NPS-FW). Subject to outcomes of a current round of consultation FWFPs may also link to the Stock Exclusion Regulations. Currently these links relate to:

- a) FWFPs being a vehicle to give effect to the NPS-FW; and
- b) The ability to use FWFPs as a pathway to demonstrate effects of activities specified in legislation are the same or similar to if they were a permitted activity. As a result, a consent would not be required. This pathway is currently available for activities such as intensive winter grazing.

[26] Te Mana o te Wai is the central concept in the NPS-FW for all freshwater management. Te Mana o te Wai prioritises the health and wellbeing of freshwater ecosystems, then the health of people, followed by commercial use. Under the NPS-FM Councils will involve mana whenua, as well as others, in the regional freshwater planning process. The local approach to giving effect to Te Mana o te Wai, and the content of regional

plans will be reflected in freshwater farm plan through the catchment context, challenges, and values requirements.

- [27] Otago has existing regional freshwater planning documents, including a Regional Plan Water (RPW) and a Regional Policy Statement (proposed and partially operative). The FWFP Regulations and the direction for Council to write a CCCV do not duplicate work that has already occurred through the RPW or various versions of the RPS. Instead, the information and policy direction contained in these will be used to help write the CCCV ensuring efficiency.
- [28] The FWFPs will not provide a pathway to replace resource consents required under our current Regional Plan Water (RPW). In their FWFP people will need to reference the regulatory environment which will be provided as part of the CCCV and their current consents.
- [29] The proposed Land and Water Regional Plan (pLWRP) and FWFPs may work in tandem to deliver water quality improvements in the region. The pLWRP must be notified by 30 June 2024. It is anticipated that the pLWRP will set out outcomes and standards to be incorporated in the catchment context, and it may also include other requirements relating to the development and certification of FWFPs. Any matters related to FWFPs and use in, or links to the pLWRP will follow the set process for the pLWRP.
- [30] Integrated Catchment Management (ICM) work is underway within Council. This work will eventually be able to be incorporated into the CCCV for the different FMUs and rohe and support the implementation of FWFPs. This work will align with FWFPs where it is able to.

Benefits of FWFPs for farmers and growers

- [31] Whilst it is recognised that FWFPs are an additional requirement for parties to complete, there are a number of benefits of FWFPs. Broadly these benefits include:
- a) For activities where the pathway is specified in legislation, the farm plans can be used instead of applying for a consent.
 - b) Combining and building on existing plans and reducing potential for duplication.
 - c) Providing a structured approach for farmers and growers to maintain and, if needed lift performance.
 - d) Ownership in understanding and managing risks on farm. There are many actions farmers and growers are already taking and this can support getting those down on paper.
 - e) Provide farmers with a flexible framework to review their environmental impact and achieve positive outcomes. FWFPs are relevant to individual farms and their catchment context.
 - f) Provide a tool for farmers/growers to report on actions undertaken to maintain and improve freshwater in their catchment.

Compliance Monitoring

- [34] Regional Councils are required “to monitor compliance by farm operators with their duties under this Part and with any requirements in regulations”. Regional councils can

employ all the tools available to them under the RMA to enforce compliance with the freshwater farm plan regulations.

- [35] The focus of compliance monitoring and enforcement (CME) activities will be on educating and supporting farmers to understand the FWFP requirements. Engagement is already underway with primary industry stakeholders, and discussions with farmers when staff are on-site.
- [36] If non-compliance is identified, appropriate action will be undertaken in accordance with the RMA Compliance and Enforcement Policy.
- [37] A CME strategy for the FWFP system will be developed. ORC will work closely with Te Uru Kahika to develop our approach, and particularly with Environment Southland and Environment Canterbury to support best practice and consistency across the regional boundaries.

Roles of parties involved in FWFPs

- [32] The national system is designed in a way which involves several parties. As well as the roles outlined above for certifiers and auditors within the regulations, there are distinct roles for Council and Mana Whenua.

Council's role

- [33] Council expertise, local knowledge and relationships will contribute to the successful roll out of the system and help shape FWFPs in each region. The system requires Councils to:
 - a) Provide the CCCV as detailed above.
 - b) Engage with the community to let them know how the FWFP system will be implemented.
 - c) Developing regional-specific training for certifiers and auditors.
 - d) Appointing certifiers and auditors as per guidance provided and support of the national process being established with Asure Quality.
 - e) Keeping records of certified FWFPs and audits of FWFPs undertaken using the INFDP.
 - f) Developing and implementing a CME strategy for the FWFP system as detailed above.

The role of Mana Whenua

- [34] Under the National Policy Statement for Freshwater Management (NPS-FM) Councils must involve mana whenua, as well as others in the regional freshwater planning process. Engagement with mana whenua on development of the FWFP process has commenced and is ongoing through Aukaha and Te Ao Marama. Rūnaka have provided input to help determine the proposed rollout sequence for Otago and are supportive of the proposed rollout.
- [35] The Regulations include specific requirement for mana whenua involvement. This is specifically noted in the below sections of the regulations:

- a) Clause 46, where Council must collate information on CCCV including values and matters of importance to mana whenua.
- b) Schedule 2 requires that certifiers and auditors must be able to demonstrate an understanding of the Treaty of Waitangi (te Tiriti o Waitangi), te ao Māori, Te Mana o Te Wai and sites or species of cultural significance as defined by mana whenua. This information will be included in the regional training for auditors and certifiers and will be developed by mana whenua.
- c) Clause 5 in Schedule 2 requires Council to engage with mana whenua in the preparation and delivery of training for certifiers on catchment context, and on the competencies for certifiers. Council must also engage with mana whenua regarding practical assessments of certifiers if practical assessments are required as part of the certifier appointment process.
- d) Clause 12 in Schedule 2 has the above requirement regarding auditor training.

[36] Staff will continue to work with Aukaha and Te Ao Marama to determine the role and input of mana whenua into these parts of the system.

Proposed approach to Implementation

- [37] The aim is to take a collaborative approach to implementation to ensure that farmers and growers are supported on the FWFP journey. It is recognised that for successful rollout of FWFPs within Otago ORC's relationships with industry, mana whenua, catchment groups and our farmer/grower community are essential. It is important that farmers and growers in Otago feel supported through this new process and there is positive engagement through attendance at workshops or other methods of communicating with the ultimate goal of supporting water quality enhancement across the region.
- [38] In advance of the rollout order (proposed rollout order is included in attachment one) for Otago being confirmed, an internal working group has been set up which includes staff representatives from Regulatory, Operations, Corporate Services, Policy and Science Groups as well as representatives from Aukaha and Te Ao Marama. This is a similar approach taken to the intensive winter grazing implementation.
- [39] The purpose of the implementation plan is to provide clarity on the actions that are required to implement FWFPs in Otago. It will guide the development of workstream project plans and be used as a basis for discussion with mana whenua and key stakeholders. A communications plan will support education across the region around what FWFPs are and what is expected of them to meet the regulatory requirements.
- [40] A draft implementation plan is included as attachment two to this report. The purpose of this plan is to guide the development of workstreams to be delivered as part of the FWFP journey and to be used as a basis for discussion about implementation. The implementation plan includes a timeline for when different activities across the region will occur and who the lead is for that workstream.
- [41] There has been some engagement already in regards to implementation for FWFPs and feedback from this has been included in the development of the draft implementation plan. Initial engagement on implementation, since the last paper to Council includes:

- a) Meeting with North Otago catchment groups and irrigation companies.
 - b) Industry group briefing on FWFPs.
 - c) Attendance at Hort NZ meeting in Alexandra so growers are aware of FWFPs and what this means for them.
- [42] The initial focus of the implementation plan is on the North Otago FMU as this is the area that is proposed to go live first in Otago. However, the focus will also be on ensuring general awareness of farm plans and discussing them with industry, individuals, and groups in advance of the rollout in their area. This is referenced in the draft communications plan.
- [43] Several initiatives are planned as part of the implementation and communication plans. Any other opportunity to have a conversation and to engage will also be looked at and considered. Examples of the initiatives already planned include:
- a) Setting up a number of groups to work and communicate with, including: rural professionals; industry groups; stakeholders; a catchment group forum and rural bankers and agents.
 - b) Drop-in sessions and meetings to explain FWFPs and what they include.
 - c) Supporting and running 1:1 on farm sessions.
 - d) Podcasts and social media use.
 - e) Holding, or joining webinars or meetings set up by other groups.
- [44] It is acknowledged that for the rollout in Otago to be successful industry and catchment groups will play a crucial role in implementation and supporting farmers and growers to understand what the regulations are and how they can be compliant with these. The implementation plan focusses on these relationships and industry and catchment groups will be engaged with to ensure that this is working for everyone throughout this process. There is also a clear need to effectively engage and work with farmers and growers in each area where the plans will be rolled out. This will occur through our implementation and communication plans.
- [45] Links with other Councils, including those in the first rollout group and with the wider regional sector will also be key to the successful implementation of FWFP in Otago. Otago Regional Council is part of Te Uru Kahika (collective name), which has been set up by the Regional Sector to support collaboration. Te Uru Kahika has established a FWFP team to ensure collaboration, consistency, and efficiency on the implementation of FWFPs. They have committed to supporting Regional and Unitary Councils with FWFP implementation and are working with MfE to ensure implementation of FWFP regulations is well coordinated across the country and is as efficient as possible. Council will be using these resources as much as possible.

Communications Plan

- [46] A draft communications plan has been developed for the implementation of FWFP's. This plan is attached to the paper as attachment three. The goals of the plan include to:
- a) Educate farmers and growers across Otago about what a Freshwater Farm Plan is and to ensure they feel supported through this new process.

- b) Provide all information relating to this new regulation in an easy to understand format.
- c) Have a farming and growing community that are actively engaging with ORC and accepting assistance to complete their FWFPs.
- d) See positive engagement when encouraging attendance of workshops online, good numbers showing up to events and a positively engaging audience.
- e) See implementation of the actions identified in FWFPs following submission and certification.

CONSIDERATIONS

Strategic Framework and Policy Considerations

[47] The FWFP programme and implementation is consistent with the ORC Strategic framework. This includes supporting our vision for Otago including:

- a) An environment that supports healthy people and ecosystems;
- b) A sustainable way of life for everyone in Otago; and
- c) Te Ao Māori and Mātauranga Kāi Tahu are embedded in Otago communities.

[48] The programme will deliver on a number of commitments made in the strategic directions including:

- a) Effectively engaging communities
- b) Collaborating to deliver
- c) Mātauranga Kāi Tahu is an integral part of our decision-making.
- d) Focus on Community Needs

Financial Considerations

[49] Operational costs will apply to Council in the roll-out of FWFPs. Initially this is in the development of the CCCV and any training Council provides to certifiers and auditors. Currently across the organisation there is 1 FTE set aside for this work.

[50] Further financial consideration will be required and will occur through the LTP process.

[51] There will be financial costs to farmers and growers as part of this process. These costs relate to the preparation of the plans and the certification and audit process, which will all be run independently of Council.

Significance and Engagement Considerations

[52] The implementation of FWFPs throughout Otago will involve ongoing partnership with mana whenua as well as engagement with key stakeholders, industry, individuals and communities. Official consultation is not required on any parts of implementing the regulations.

Legislative and Risk Considerations

[53] FWFPs are a legal instrument established under Part 9A of the RMA (sections 217A to 217M). Council must implement this legislation.

Climate Change Considerations

[54] Not applicable.

Communications Considerations

- [55] Communications are being led at the national level and Te Uru Kahika (Regional Council Sector Group) and MfE have provided support to Councils in this regard. Council will be able to utilise this support through a package of work which provides guidance and tools for local media initiatives and to assist with answering questions. Where appropriate materials will be tailored to the Otago region.
- [56] A draft communications plan has been developed which sits alongside the implementation plan and a copy is attached.

NEXT STEPS

- [57] There are a number of steps in the FWFP process that staff will be working on over the next 3 months. These include:
- a) Ongoing engagement and communications regarding Freshwater Farm Plans.
 - b) Incorporating any feedback from this meeting into the draft implementation and communications plans
 - c) Development and finalisation of CCCV for North Otago prior to 1st February 2024.
 - d) Development of Otago specific training for certifiers and auditors.
 - e) Providing an update on the FWFP implementation at the next Regional Leadership Committee meeting.

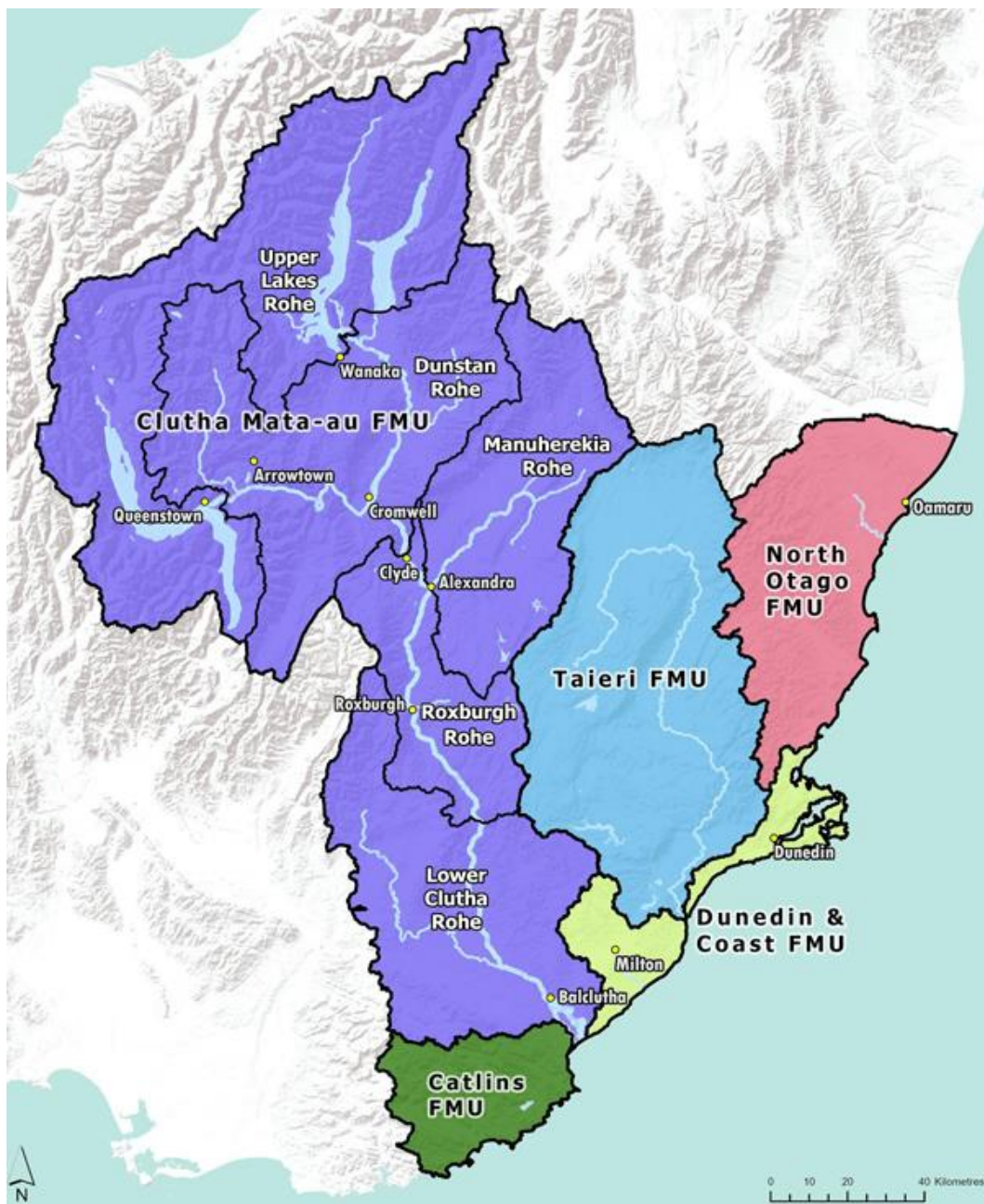
ATTACHMENTS

1. Attachment 1 rollout order and map [**8.3.1** - 2 pages]
2. Attachment 2 28 July 2023 ORC Draft Project Implementation Plan [**8.3.2** - 17 pages]
3. Attachment 3 Freshwater Farm Plans Draft Communications Plan 2023 [**8.3.3** - 7 pages]

Proposed phasing order for Otago

Order	Catchment	Commencement date	Anticipated Number of farms	Approximate area to be covered by FWFPs (hectares)*
1	North Otago FMU	February 2024	756	265,264.22
2	Lower Clutha rohe	August 2024	821	337,327.65
3	Rest Clutha FMU (Upper Lakes, Dunstan, Manuherekia, Roxburgh)	February 2025	913	1,033,254.2
4	Taieri FMU	August 2025	520	484,742.14
4	Catlins FMU	August 2025	185	83,944.39
5	Dunedin and Coast FMU	December 2025	342	86,338.81

*note that some of these measurements cover farms which are across FMU boundaries so are do incorporate parts of farms.



Freshwater management Units (FMUs) and rohe areas for Otago.

Otago Regional Council Freshwater Farm Plans: Draft Implementation Plan

July 2023

1. Purpose

This Draft Implementation Plan provides clarity on the actions required to implement FWFPs in Otago. It is submitted as a draft, to provide an opportunity to provide feedback and direction on the implementation plan.

The intention is that the implementation plan will remain a living document, used to achieve two primary purposes:

1. To guide the development of workstream project plans
2. To use as a basis for discussion with iwi and key stakeholders

2. Context

As part of the Government's Essential Freshwater Package Freshwater Farm Plans (FWFPs) are a legal instrument established under Part 9A of the RMA (sections 217A to 217M) in 2020. FWFPs will encourage actions to reduce a farm's impact on freshwater. They will provide farmers the flexibility to find the right solution for their farm and catchment. Many farmers already have a farm environment plan or are part of an industry programme and freshwater farms plans will build on that work.

A FWFP will be required if the farm is:

- 20 hectares or more in arable or pastoral use
- Five hectares or more in horticultural use
- 20 hectares or more of combined use.

The Resource Management (Freshwater Farm Plans) Regulations 2023 (FWFP regulations) were gazetted on 6 June 2023. The Otago Region is part of the second tranche of councils required to implement FWFPs, where regulations are expected to take effect by 1 February 2024. Refer to Council Paper, *Freshwater Farm Plans*, prepared for Council Meeting 28 June 2023, for additional background and context for FWFPs.

Council has endorsed the proposed rollout order across the Otago Region, which commences with North Otago in February 2024, followed by Lower Clutha in August 2024 (see Table 1 below for all FMU rollout dates). This proposed order is yet to be confirmed by the Ministry for the Environment (MfE) but this confirmation is expected in August 2023.

Table 1: Proposed Otago FWFP Rollout dates, from Council meeting paper, 28 June 2023.

Order	Catchment	Commencement date	Anticipated Number of farms	Approximate area to be covered by FWFPs (hectares)*
1	North Otago FMU	February 2024	756	265,264.22
2	Lower Clutha rohe	August 2024	821	337,327.65
3	Rest Clutha FMU (Upper Lakes, Dunstan, Manuharekia, Roxburgh)	February 2025	913	1,033,254.2
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5	Dunedin and Coast FMU	December 2025	342	86,338.81

*note that some of these measurements cover farms which are across FMU boundaries and incorporate parts of farms.

Otago Regional Council will have a significant role in supporting the implementation of FWFPs in the Otago Region. ORC's responsibilities include:

- Creating, compiling and providing Catchment Context Challenges and Values (CCCV) information.
- Providing regional training to certifiers and auditors and appointing these certifiers and auditors.
- Ensuring compliance with FWFP regulatory obligations.
- Embedding FWFPs in the regional regulatory framework (LWRP).
- Providing clarity to farmers, growers, industry groups, catchment groups and rural professionals on regulatory expectations and where to get support.

Central government, iwi and those listed above will also have roles within the FWFP system, and these roles will be critical to timely delivery of regulatory objectives and delivery of community outcomes. Some of these roles and responsibilities are illustrated in figure 1 below, which aligns with the farmer journey towards developing a FWFP.

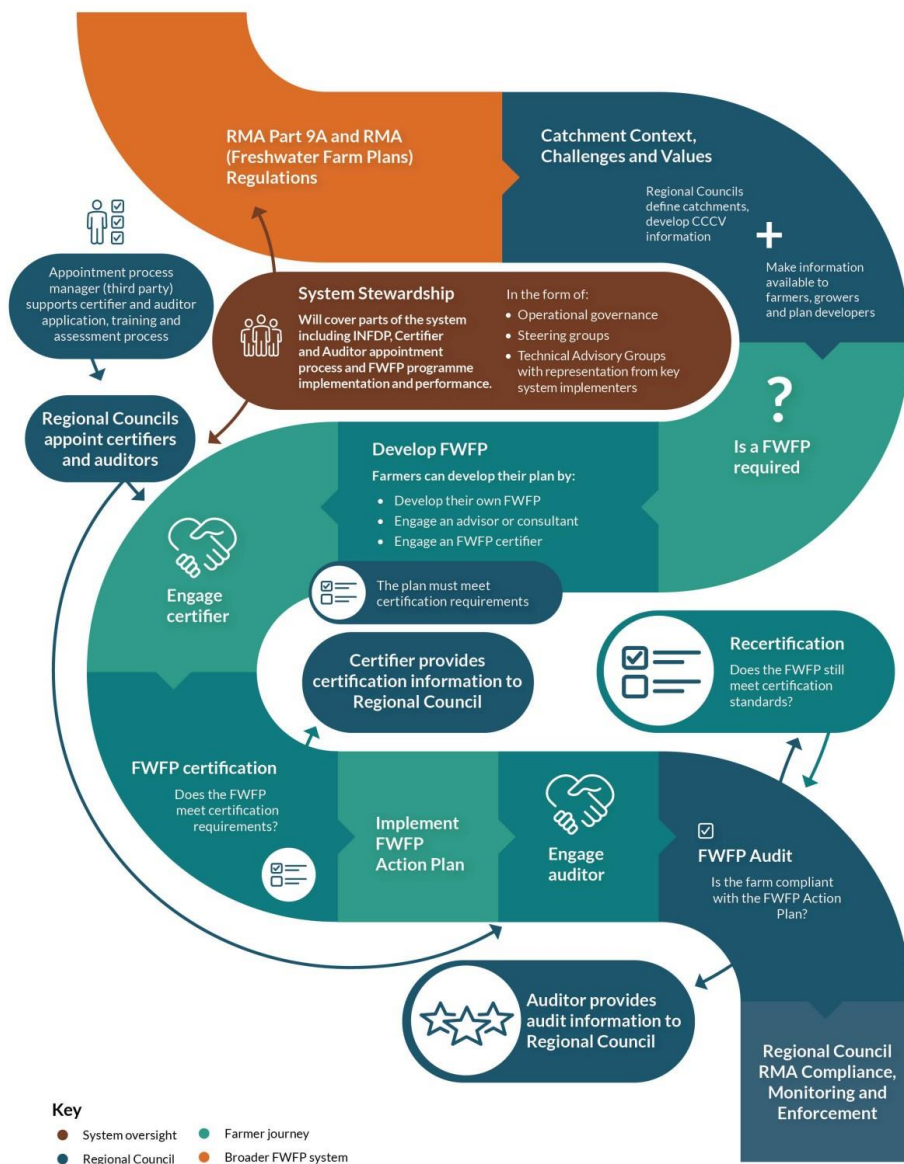


Figure 1 The Farmer Freshwater Farm Plan Journey. Source: MfE

3. Scope

This plan sets out the outcomes, objectives, activities, deliverables, tasks and ORC teams responsible for the implementation of Freshwater Farm Plans under the Resource Management (Freshwater Farm Plans) Regulations 2023. It also identifies potential roles and responsibilities of iwi, key stakeholders, key risks and mitigation strategies.

The implementation plan covers the period from gazettal of regulations (June 2023) to full implementation of these regulations across the Otago Region (mid 2027).

Please note that this draft implementation plan does not consider the resourcing requirements needed for delivery. The draft plan focusses on what needs to be delivered, rather than the resourcing required to deliver it.

4. Structure of Plan

- i. The Draft Implementation Plan begins by setting out the principles and approaches that have guided its development.
- ii. A logic model conceptualises FWFP system delivery.
- iii. Roles and responsibilities of those involved in FWFP implementation and risks and mitigations to delivery are identified.
- iv. A summary of delivery phases captures key dates and activities. More detail on these phases, workstreams, objectives, deliverables and tasks is set out in a table following the summary.

5. Principles and Approaches

Time for delivery of freshwater farm plans is short.. Additionally, implementation of Freshwater Farm Plans may require a step change for the farming and growing community, and those supporting them. Significant resources will be required to achieve community engagement and implementation. ORC has a critical role in providing clarity and support and due to the new approach of Certifiers and Auditors will need to partner with others to achieve shared outcomes. Given these factors, this implementation plan adopts the following principles and approaches:

1. **Avoid re-inventing the wheel.** Utilise other regional approaches and central government support effectively to support efficient delivery.
2. **ORC resources are limited.** Work closely with parallel ORC workstreams to maximise efficient use of ORC resources.
3. **Freshwater Farm Plan implementation will require work at multiple scales.** For example, stakeholder engagement is needed at regional, FMU and catchment scale.
4. **Freshwater Farm Plans require a relationship-based approach.** Partner with others to leverage stakeholder networks and achieve behaviour change.
5. **Monitor and adapt as you go.** Set up monitoring and evaluation processes to capture learnings and improve as needed.

6. Roles and responsibilities

It is important to understand the roles that ORC, iwi/rūnaka and stakeholders could potentially or be expected to play in delivery of the FWFP system. This understanding will assist ORC in planning its activities to align and fill gaps where needed.

Some of the roles are more certain, such as MfE's role in overall system oversight. Others are yet to be explored and confirmed with iwi and stakeholders.

Table 1 Stakeholder and Iwi Roles and Responsibilities

Organisation/s	Potential/expected role
MfE	Oversight of system FWFP Guidance
Te Uru Kahika	<ul style="list-style-type: none"> ○ FWFP guidance, coordination, and support.
ORC	<ul style="list-style-type: none"> ○ Compliance Monitoring and Enforcement ○ Compilation of CCCV information and CCCV training ○ Appointment and reviewing competency levels of certifiers and auditors ○ Maintain a certifier and auditor database. ○ Regional training

Organisation/s	Potential/expected role
	<ul style="list-style-type: none"> ○ Support for rural sector ○ Regulatory framework, i.e.: LWRP.
Iwi/rūnaka	<p>Potential roles suggested in MfE guidance: Actual role/s will be shaped by ORC/iwi/rūnaka discussions.</p> <ul style="list-style-type: none"> ○ Contributing to the collation of catchment context information ○ Preparing and delivering certifier and auditor training on catchment context – competencies for certifiers and auditors ○ Oversight of the system, including review and monitoring of system effectiveness, in delivering objectives and outcomes¹
Milk processors	<p>Farmer support</p> <ul style="list-style-type: none"> ○ Transitioning farmers from FEPs to FWFPs
Certification Authority (Assure Quality)	<p>Appointment and certification of certified freshwater farm planners. Assess capability against national (core) requirements:</p> <ul style="list-style-type: none"> ○ Qualification Pathway: in Farm systems/ Natural resource management ○ Experience Pathway: Regulations, Te Ao Māori, Farm systems <p>Undertake core training for certifiers. Maintain a database of certifiers.</p>
NZARM	<ul style="list-style-type: none"> ○ Build capability across the country to support the delivery of FW-FP ○ Support regional assessment of FW-FP delivery that is regionally tailored (to be determined by councils in August 2023). ○ Maintain ongoing networks and communities of practice.
Meat processors	<p>Farmer support</p> <ul style="list-style-type: none"> ○ Transitioning farmers from FEPs to FWFPs
Sector groups	<p>Farmer support</p> <p>Industry environmental programmes, e.g.:</p> <ul style="list-style-type: none"> ○ NZGAP ○ ZQ NZ Merino
Catchment Groups	<p>Catchment groups work within their community and may work with regional councils to identify their catchment priorities. They could also play a key role in:</p> <ul style="list-style-type: none"> ○ supporting the uptake of freshwater farm plans ○ sharing and setting group outcomes ○ advances in farming practice ○ evaluating farm plans as a group to progress catchment outcomes.²
Farm Planners, certifiers, auditors	<p>Current businesses including farm consultants becoming certifiers, auditors or farm planners. They can play a key role in:</p> <ul style="list-style-type: none"> ○ Supporting the uptake of freshwater farm plans ○ Advances in farming practice ○ Evaluating farm plans ○ Undertake certification and auditing process <p>Planners can work alongside farms to progress actions</p>
Irrigation Schemes	<p>Provide support and education. Encourage people to go to meetings and events. Bring in experts (for example NOIC, with MPI funding)</p>

¹ *Tangata Whenua and the Freshwater Farm Plan System. A Guide for Regional Councils. MfE, 2023.*

² MfE [Freshwater farm plans | Ministry for the Environment](#)

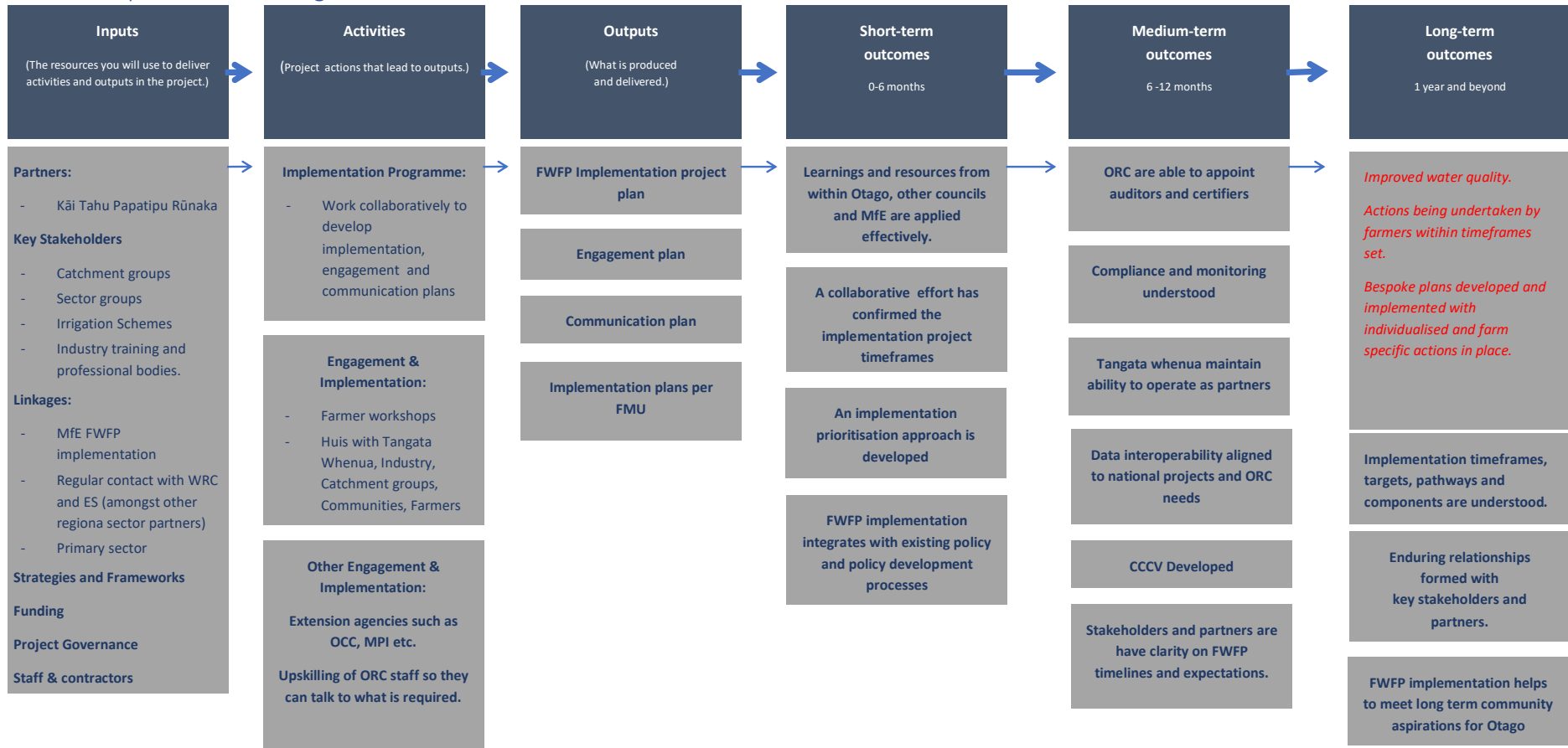
7. Risks and mitigations

These are some significant risks in delivery of FWFPs in Otago. Identifying these risks and potential mitigations is a useful first step in minimising these risks.

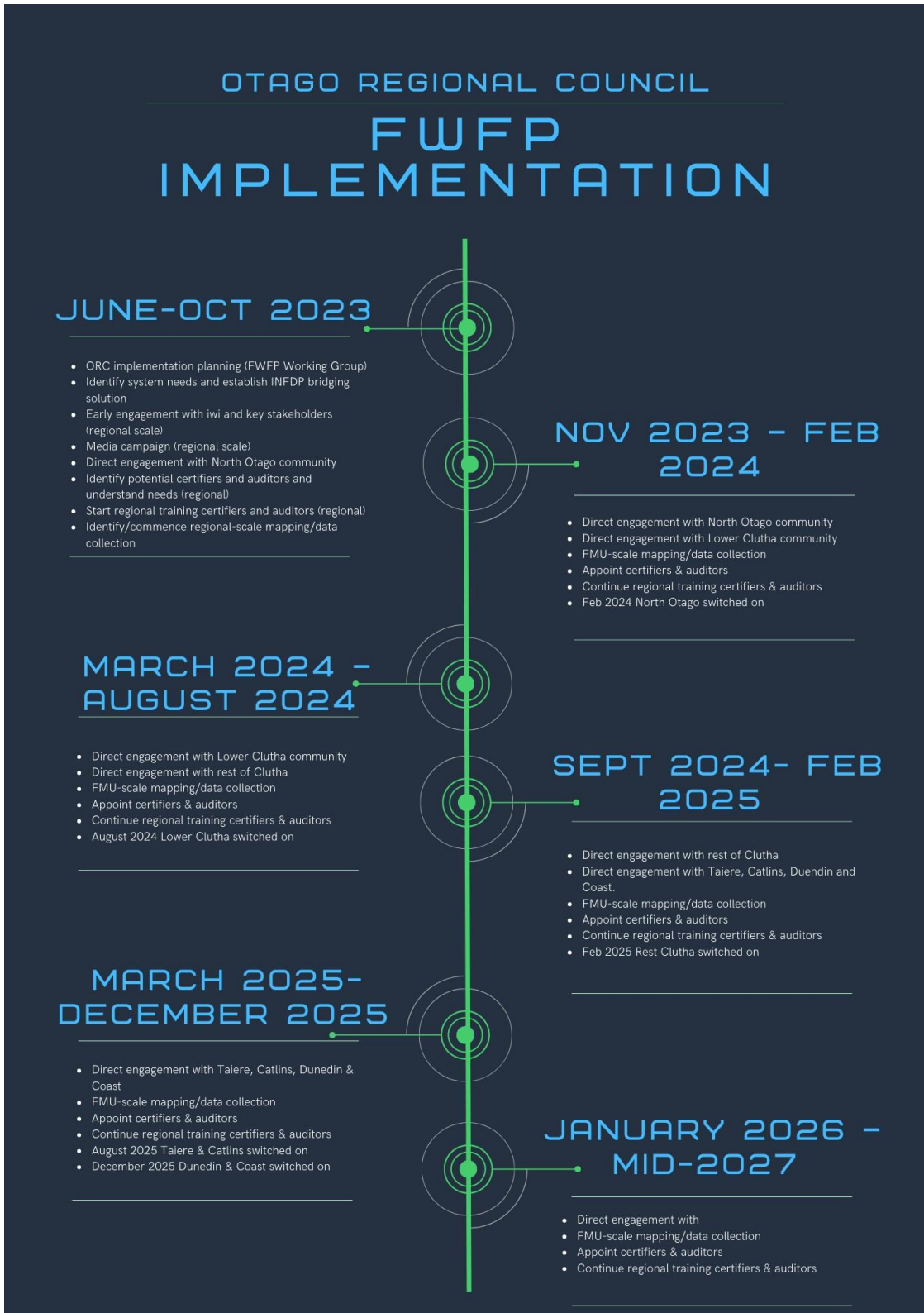
Risks	Mitigations
<p>ORC may not have sufficient capacity to deliver FWFP obligations and maximise the opportunity for farmer engagement, enduring behaviour change farmer change and improved environmental outcomes.</p>	<ul style="list-style-type: none"> ○ Identify ORC and stakeholder outcomes, resourcing needs to deliver these outcomes, available capacity and additional resourcing needs. ○ Work closely with stakeholders such as industry, irrigation schemes and catchment groups to align efforts and ensure efficient and effective delivery. ○ Capture and apply learnings from, and share resources with, other regions where FWFPs will be implemented before Otago. E.g.: Southland and Waikato. Capture and apply learnings from Environment Canterbury Farm Environment Plan system. ○ Leverage resourcing available from national bodies, industry, New Zealand Association of Resource Managers (NZARM), New Zealand Institute of Primary Industry Management (NZIPIM), MfE and MPI where national scale capacity is available.
<p>There will not be enough FWFP planners, certifiers and auditors. E.g.: milk companies may not want to, or have the ability to, certify plans, costs of becoming a certifier or auditor may be considered prohibitive</p>	<ul style="list-style-type: none"> ○ Identify value proposition for becoming a planner/certifier/auditor. Include this in messaging to Rural Professionals. ○ Leverage sector networks to promote becoming a FW farm planner, certifier, auditor. ○ Promote opportunity with iwi. ○ Promote with regional employment agencies/training entities. ○ Design regional training with value and accessibility in mind, especially for busy professionals. ○ Leverage existing programmes to develop capability and capacity such as NZARM. ○ Work with MFE and Te Uru Kahika to identify and support resourcing opportunities for Otago.
<p>Farm operators and certifiers may not agree on required actions.</p>	<ul style="list-style-type: none"> ○ Train certifiers in difficult conservations.

Risks	Mitigations
	<ul style="list-style-type: none"> ○ Allow farmers to be aware of their options if they disagree with any aspect of the certifier's preliminary decision and assessment report to engage with a second certifier (MfE FWFP certification guidance, p. 22). ○ Establish a dispute and compliant register/process, this may include assessment of the certifiers actions.
<p>Certifiers and auditors may take a permissive approach to actions needed for certification and passing audits to secure work.</p>	<ul style="list-style-type: none"> ○ Require certifiers and auditors to sign a code of ethics when operating in Otago. ○ If complaints are received, auditors and certifiers can have appointment revoked. ○ Recertification process, with on-farm assessment. Certifier guidance and procedures to follow.
<p>Farmers may not undertake required actions to have a certified FWFP by the due date.</p>	<ul style="list-style-type: none"> ○ Identify barriers to behaviour change and design strategies and actions to address these. ○ Utilise sector and farmer networks, promote farmer champions for peer-to-peer influence. ○ Communication strategy to inform well before required dates.
<p>Tangata whenua may not have resourcing available to fully participate.</p>	<ul style="list-style-type: none"> ○ Discuss potential opportunities for tangata whenua participation as a package for tangata whenua to indicate interest and desired involvement and determine their priority of effort. ○ Consider how ORC resourcing could be made available to support tangata whenua involvement.
<p>Farmers may not undertake required actions within their certified FWFP and ongoing degradation occurs.</p>	<ul style="list-style-type: none"> ○ Invest in stakeholder engagement to co-design implementation as far as resourcing allows, leverage off farmer, industry and catchment group networks. ○ Understand barriers to change and develop messaging, support and resources to address these barriers. ○ Develop a Compliance and Enforcement strategy that dovetails with delivery of ORC Education and Advice.
<p>Farmers may not understand how the FWFP system relates to the LWRP.</p>	<ul style="list-style-type: none"> ○ Provide clarity on how the FWFP fits with LWRP requirements via Comms channels.

8. FWFP Implementation Programme



9. Summary of Implementation Phases



10. FWFP Implementation Timeline

Workstream	Objectives	Deliverables (overall/whole region)	June 23-Oct 2023	Nov 2023 – Feb 2024	March 2024 – August 2024	September 2024 – February 2025	March 2025 – December 2025	January 2026- mid 2027
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Tangata whenua partnership Iwi, rūnaka	Give effect to He Mahi Rau Rika in FWFP implementation. Other work undertaken between ORC and Kai Tahu is utilised. TW are provided with the following opportunities: <ul style="list-style-type: none"> contributing to the collation of catchment context information preparing and delivering certifier and auditor training on catchment context – competencies for certifiers and auditors oversight of the system, including review and monitoring of system effectiveness, in delivering objectives and outcomes³. 	Kaupapa for engaging with Kai Tahu/rūnaka (process and desired outcomes, areas of interest/involvement). Tangata whenua engagement plan (including monitoring and evaluation)	Identify related ORC workstreams/key people. Establish Kaupapa for engaging with Kai Tahu/rūnaka. Understand what successful engagement with Kai Tahu/rūnaka means. Identify areas of tangata whenua interest and desired involvement. Build steps above into implementation plan.	Dependent on outcomes of work done in early engagement phase.	Dependent on outcomes of work done in early engagement phase.	Dependent on outcomes of work done in early engagement phase.	Dependent on outcomes of work done in early engagement phase.	Dependent on outcomes of work done in early engagement phase.

³ Tangata Whenua and the Freshwater Farm Plan System. A Guide for Regional Councils. MfE, 2023.

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<p>Stakeholder engagement and Comms.</p> <p>Sector groups Farmers and growers Rural professionals - farm planners/certifiers/auditors - Farm advisors/lenders Catchment Groups/collectives</p>	<p>Give effect to He Mahi Rau Rika in FWFP implementation. Other work undertaken by ORC with stakeholders is utilised.</p> <p>Sector groups, farmers, growers, rural professionals, and catchment groups/collectives are provided with clarity on FWFP timelines and expectations.</p> <p>Sector group input into and support for ORC implementation approach is achieved.</p> <p>Sector group, rural professionals and catchment group/collective networks are used effectively for FWFP messaging.</p>	<p>Stakeholder mapping</p> <p>Stocktake of farm environment plans, assurance schemes.</p> <p>Stakeholder engagement plan (including monitoring and evaluation).</p> <p>Comms Plan</p> <p>X monthly meetings with ORC FWFP Working Group</p> <p>X meetings with sector groups</p> <p>X RP events</p> <p>X meetings/workshops with catchment collectives (catchment groups, irrigation companies).</p> <p>X direct farmer engagement meetings/events.</p> <p>Regular social media and traditional media.</p> <p>Gap analysis of resources available.</p> <p>Resources such as templates and guidelines.</p>	<p>Hold ORC FWFP Working Group monthly meetings (ongoing).</p> <p>Communicate FWFP objectives, timing and needs to community engagement team.</p> <p>Undertake stakeholder mapping (roles in FWFP delivery/interest/influence)</p> <ul style="list-style-type: none"> • Region-wide • North Otago • Lower Clutha <p>Identify stakeholder objectives and outcomes.</p> <p>Identify comms. messages (including value propositions for target groups), audience, channels & timing.</p> <p>Undertake gap analysis of ORC and external resources.</p> <p>Understand communications overlap alignment with other projects.</p> <p>Develop and deliver media campaign:</p> <ul style="list-style-type: none"> • Rural news, • sector groups • catchment networks. 	<p>Undertake stakeholder mapping (roles/interest/influence)</p> <ul style="list-style-type: none"> • Rest of Clutha <p>Identify stakeholder outcomes (ORC and above stakeholders’ desired outcomes & expectations of ORC).</p> <p>Targeted communication to North Otago farmers and growers (FWFP due date, CCCV package being developed, where to get support).</p> <p>Targeted North Otago farmer workshops, in partnership with sector groups and catchment groups.</p> <p>Region wide communication ongoing.</p>	<p>Undertake stakeholder mapping (roles/interest/influence)</p> <ul style="list-style-type: none"> • Taieri, Catlins <p>Identify stakeholder outcomes (ORC and above stakeholders’ desired outcomes & expectations of ORC).</p> <p>Targeted communication to Lower Clutha farmers and growers (FWFP due date, CCCV package being developed, where to get support).</p> <p>Targeted Lower Clutha farmer workshops, in partnership with sector groups and catchment groups.</p> <p>Targeted communication to North Otago farmers (FWFP due date, CCCV package available, where to get support).</p> <p>Targeted North Otago farmer workshops, in partnership with sector groups and catchment groups.</p> <p>Region wide communication ongoing.</p>	<p>Undertake stakeholder mapping (roles/interest/influence)</p> <ul style="list-style-type: none"> • Dunedin, Coast <p>Identify stakeholder outcomes (ORC and above stakeholders’ desired outcomes & expectations of ORC).</p> <p>Targeted communication to Taieri and Catlins farmers and growers (FWFP due date, CCCV package being developed, where to get support)</p> <p>Targeted Taieri and Catlins farmer workshops, in partnership with sector groups and catchment groups.</p> <p>Targeted communication to Lower Clutha farmers and growers (FWFP due date, CCCV package available, where to get support)</p>	<p>Re-engagement with North Otago and Lower Clutha farmers and growers to assess progress and needs.</p> <p>Targeted communication to North Otago farmers and growers (FWFP due date, CCCV package available, where to get support)</p> <p>Targeted Dunedin and Coast farmer workshops, in partnership with sector groups and catchment groups.</p> <p>Targeted Taieri and Catlins farmer workshops, in partnership with sector groups and catchment groups.</p>	<p>Re-engagement with rest of Clutha, Taieri and Catlins farmers and growers to assess progress and needs.</p> <p>Targeted communication to Lower Clutha farmers and growers (FWFP due date, CCCV package available, where to get support)</p> <p>Targeted Dunedin and Coast farmer workshops, in partnership with sector groups and catchment groups.</p>

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			Develop stakeholder engagement plan and Comms plan. Promote/develop resources as required. Meetings with sector groups RP events (potential to combine/piggyback on other events) Community workshops with OCC, NOSLaM, NOIC, Lower Waitaki Irrigation, industry.			available, where to get support). Targeted Lower Clutha farmer workshops, in partnership with sector groups and catchment groups.		
CCCV	Learnings and resources from other councils and MfE are applied effectively. CCCV information incorporates content requirements from MfE Guidelines. ⁴ CCCV information is compiled in a timely manner.	Project plan for CCCV workstream. Participation in regional sector FWFP implementation forums. Defined catchments and scale that CCCV is implemented. Required CCCV information. CCCV gap assessment.	Develop Project Plan for CCCV workstream. Identify regional sector collaboration and information sharing opportunities and establish working relationships. Define North Otago catchments Identify North Otago CCCV information needed ⁶ Compile and assess gaps in North Otago CCCV information held.	Undertake work to fill gaps in North Otago CCCV information according to priority and available resourcing. Review and update North Otago CCCV package. Define Lower Clutha catchments Identify Lower Clutha CCCV information needed ⁷	Undertake work to fill gaps in Lower Clutha CCCV information according to priority. Review and update Lower Clutha CCCV package. Define rest of Clutha catchments. Identify rest of Clutha CCCV information needed ⁸	Undertake work to fill gaps in rest of Clutha CCCV information according to priority. Review and update rest of Clutha CCCV package. Define Taieri and Catlins catchments. Identify Taieri and Catlins CCCV information needed ⁹ Compile and assess gaps in Taieri and Catlins information held.	Undertake work to fill gaps in Taieri and Catlins CCCV information according to priority. Review and update Taieri and Catlins CCCV package Define Dunedin and Coast catchments. Identify Dunedin and Coast CCCV	Refine and update CCCV packages. Ongoing training in CCCV.

⁴ Guidance on Preparing Catchment Context and Values Information. Table 1, p.10.

⁶ *Ibid*

⁷ *Ibid*

⁸ *Ibid*

⁹ *Ibid*

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	<p>CCCV information is engaging, and farmer focussed.</p> <p>Catchment communities' views on CCCV are incorporated. Tangata whenua views on CCCV are incorporated.</p>	<p>CCCV information prioritised list.⁵</p> <p>New CCCV information (to fill identified gaps)</p> <p>CCCV end user design</p> <p>End user testing results</p> <p>Refined CCCV information.</p> <p>Published CCCV information.</p> <p>Certifiers and auditors trained in CCCV.</p> <p>CCCV review process developed.</p>	<p>Design interim CCCV information for North Otago communities.</p> <p>Test interim North Otago CCCV package with farmers and growers.</p> <p>Publish interim North Otago CCCV package.</p> <p>Train North Otago certifiers and auditors in CCCV.</p> <p>Decide priority gaps to fill in North Otago CCCV information, when and how.</p>	<p>Compile and assess gaps in Lower Clutha CCCV information held.</p> <p>Design interim CCCV information for Lower Clutha communities. Test interim Lower Clutha CCCV package with farmers and growers.</p> <p>Publish interim Lower Clutha CCCV package.</p> <p>Train Lower Clutha certifiers and auditors in CCCV.</p> <p>Decide priority gaps to fill in Lower Clutha, when and how.</p>	<p>Compile and assess gaps in rest of Clutha information held.</p> <p>Design interim CCCV information for rest of Clutha communities. Test interim rest of Clutha package with farmers and growers.</p> <p>Publish interim rest of Clutha CCCV package.</p> <p>Train rest of Clutha certifiers and auditors in CCCV.</p> <p>Decide priority gaps to fill in rest of Clutha, when and how.</p>	<p>Design interim CCCV information Taieri and Catlins communities.</p> <p>Test interim Taieri and Catlins package with farmers and growers.</p> <p>Publish interim Taieri and Catlins CCCV package.</p> <p>Train Taieri and Catlins certifiers and auditors in CCCV.</p> <p>Decide priority gaps to fill in Taieri and Catlins, when and how.</p>	<p>information needed¹⁰</p> <p>Compile and assess gaps in Dunedin and Coast information held.</p> <p>Design interim CCCV information for Dunedin and Coast communities.</p> <p>Test interim Dunedin and Coast package with farmers and growers.</p> <p>Publish interim Dunedin and Coast CCCV package.</p> <p>Train Dunedin and Coast certifiers and auditors in CCCV.</p> <p>Decide priority gaps to fill in Dunedin and Coast, when and how.</p>	
Integration with policy and planning - RPS - PLWRP	RPS and PLWRP processes and outputs are utilised for FWFP	Assessment of RPS and PLWRP process and outputs and potential	Communicate FWFP objectives, timing and needs to policy team.	Compile Lower Clutha FMU policy and planning information.	Compile rest of Clutha FMU policy and planning information.	Compile Taieri and Catlins FMU policy and planning information.	Compile Dunedin and Coast FMU policy and	

⁵ Informed by MfE guidance.

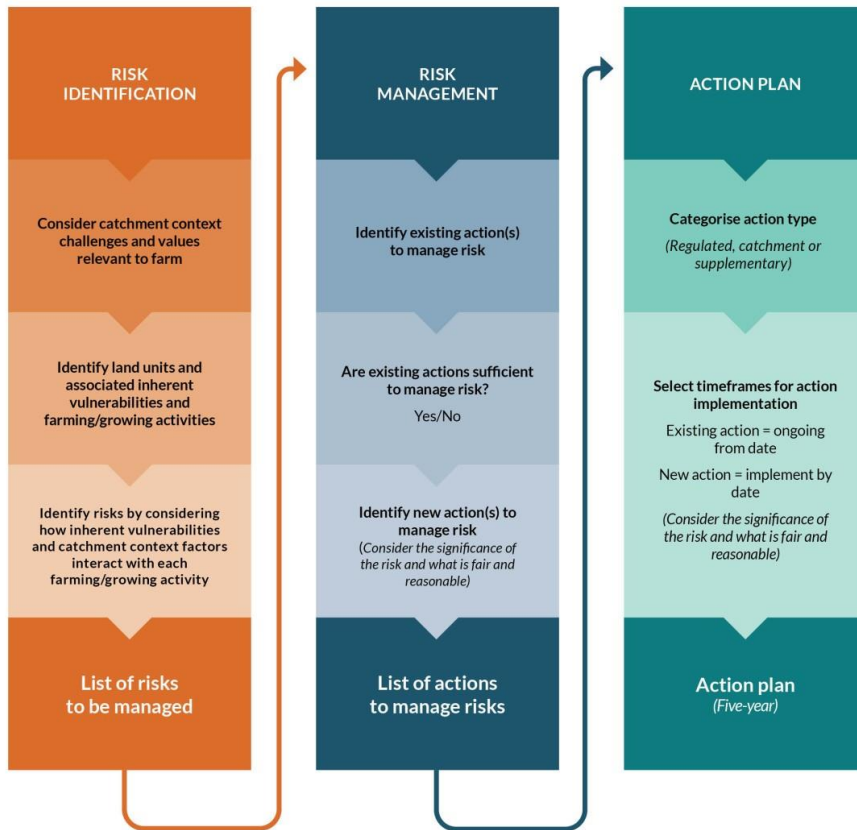
¹⁰ Ibid

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	<p>implementation to avoid consultation fatigue and enable efficient use of ORC resources.</p> <p>CCCVs integrate with regional planning and policy work on CCCVs.</p> <p>FWFPs align/give effect/are integrated with RPS and PLWRP provisions</p>	<p>alignment with FWFP implementation..</p> <p>Project plan for integration of FWFP implementation with policy and planning. Including process for integrating new regulation.</p> <p>Collation of CCCV policy and planning information (including central government policy).</p>	<p>Identify RPS and PLWRP processes and outputs of relevance to FWFP implementation.</p> <p>Develop project plan.</p> <p>Identify and compile North Otago FMU policy and planning information. Include central government policy and region-wide policy.</p>				planning information.	
Data management	<p>Ensure a data management and reporting system that:</p> <ul style="list-style-type: none"> - Integrates with existing systems (IRIS) - Enables data storage and tracking of FWFP status. <p>Enables reporting internally, to MfE and other interested parties.</p>	<p>Data management system that is fit for purpose.</p>	<p>Data gap analysis:</p> <ul style="list-style-type: none"> - Ascertain the alignment or gaps with current ORC data processes and what is required in the RMA, and needed for ORC to undertake its functions in FWFP. <p>Understand INFDP role. Its timelines and its integration with ORC and industry plans.</p>	<p>Project plan for data management complete. Data storage, reporting and security project underway.</p> <p>Data management project tested and reviewed.</p> <p>Data management project finalised.</p>	<p>CCCV and farming impacts data available to the public.</p> <p>FWFP data used to inform reporting.</p> <p>FWFP data used for monitoring and evaluation to support topics and places that may require additional support, effort and resourcing.</p>			
Certification and Auditing	<p>Understand resourcing and capability available.</p> <p>Appoint certifiers and auditors.</p>	<p>X number of certifiers</p> <p>X number of auditors</p> <p>Guidance and training procedures for certifiers and auditors.</p>	<p>Create certification strategy, including procedures, appointment process and requirements for certifiers and farmers.</p>	<p>Implement appointment process of certifiers.</p> <p>Training of certifiers through written guidance and workshops.</p>	<p>Trial certification process on select number of North Otago farms.</p>	<p>North Otago FMU certification requirement triggered.</p> <p>Communicate with farmers certification</p>	<p>Review Certification process, and progress on plans certified.</p>	

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	Develop guidance and training aligned to CCCV, PLWRP and internal government guidance.	Workshops and/or training events for certifiers.	Identify and compile a list of businesses/people who are able and indicate interest in being certifiers. Define the amount of resourcing and capacity needed. Identify certifier and auditor needs.		Gain feedback on the process, adjust where required. Create and implement a complaints and second certification procedures and process	requirements and processes. Identify and appoint auditors. Training and guidance prepared and distributed to auditors.	North Otago FMU auditing requirement triggered. Lower Clutha FMU certification requirement triggered.	
Compliance and enforcement	Effective policies and procedures in place for compliance monitoring and enforcement.	CME Strategy Stocktake of farm environment plans, assurance schemes. Policies and procedures in place for compliance monitoring and enforcement. Audit data management system.	Undertake stocktake of farm environment plans, assurance schemes.	Identify where FWFPs may be required. Undertake risk assessment to understand where compliance efforts may need to be focussed and where proactive and targeted education may be needed.		Make data management tool available for auditors to register farm grades. Targeted comms to North Otago farmers.	North Otago FMU due – commence compliance monitoring.	
Advice and information workstream	Advice and information requests are responded to efficiently and effectively. Clear and timely advice is provided to ORC and the community.	Triaged and allocated requests. Responses to requests, where appropriate. Register of requests and responses to Frequently Asked Questions Scalable approaches that provide efficient ways to communicate are developed (website, field sheets, powerpoints).	Identify ORC technical experts, communicate workstream needs and/or seek manager approval, where outside of ORC FWP working group. Establish register of requests and responses to Frequently Asked Questions Establish process for translating/communicating FAQs through Comms. channels.	Maintain register of requests and responses to FAQs. Translate FAQs and communicate through Comms. channels.	Maintain register of requests and responses to FAQs. Translate FAQs and communicate through Comms. channels.	Maintain register of requests and responses to FAQs. Translate FAQs and communicate through Comms. channels.	Maintain register of requests and responses to FAQs. Translate FAQs and communicate through Comms. channels.	Maintain register of requests and responses to FAQs. Translate FAQs and communicate through Comms. channels.

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			Translate FAQs and communicate through Comms. channels.					

Attachment 1: FWFP Development



COMMUNICATIONS AND MARKETING PLAN

Project name: Freshwater Farm Plans - public awareness and education/encouragement to create/submit plans

BAM MAC lead: Tim Ware

Reviewed by TL/manager: Jo Galer

Project SharePoint folder link for all assets: [Project Folder](#)

Approved by SME: Libby Caldwell/Jo Gilroy

Cost Code:

Size by budget	Small, medium , high
Priority by risk	Small, medium , high
Weighting	BAM or MAC or both
Internal deadline	Oct 2023
In market deadline	Nov 2023

About the project

Freshwater Farm Plans

Freshwater Farm Plans are a key part of the New Zealand Government's wider Essential

Freshwater reforms and aim to protect and improve freshwater quality and ecosystems.

Looking after the environment is important to farmers. That is why Freshwater Farm Plans will be property-specific, tailored to the individual farming or growing enterprise and its unique surrounding environment to give farmers and growers the flexibility to find the right solutions for their farm and catchment area. These plans are there to support and focus on-farm actions to address any impacts on freshwater, wetlands and eco-systems and will be certified and audited.

All pastoral or arable land of more than 20 hectares will require a Freshwater Farm Plan, as will all horticultural land of 5 hectares or more or 20 hectares of combined use.

ORC will fully support this implementation with staff available to help on the phone or in person, Farmers and operators will be encouraged to reach out to ORC for support in the form of one-on-one consultations or through the attendance of workshops held throughout each FMU or rohe.

ORC will work closely with sector groups, iwi, farmers and industry on the implementation of these regulations, and will provide the relevant catchment information; context, challenges and values which farmers and operators will need to develop Freshwater Farm Plans across the region.

Timeframe

The rollout of this new requirement of farmers and growers starts on 1 August in Southland and Waikato, while Otago, the West Coast and Manawatu are listed in the second phase of the rollout, which is expected to begin early next year. Otago phasing is likely to follow the boundaries of the ORC's existing five Freshwater Management Units (FMU)/rohe areas, beginning with North Otago and it is expected the full rollout will be completed by the end of 2025 (still to be confirmed by MfE).

North Otago FMU,	Feb 2024
Lower Clutha Rohe	Aug 2024
Upper Lakes Rohe, Dunstan Rohe, Manuherekia Rohe, Roxburgh Rohe	Feb 2025
Taieri FMU, Catlins FMU	Aug 2025
Dunedin and Coast FMU	Dec 2025



Farmers and operators in these areas will have 18 months from the above dates to have completed their Freshwater Plans.

Our challenges

ORC's role is to facilitate and support the creation and certification of these plans. Our Comms and Marketing challenge is to raise the profile of the need for freshwater farm plans among landowners, creating an educational/awareness campaign that will rely on ORC ensuring timelines, requirements to certify plans and locations are easily recognised and understood – information is readily accessible to target groups.

Using our website as the key information source, we will promote events, advertise in targeted channels and produce media releases and newsletter stories that promote the value of obtaining plans and guide landowners towards finding the information they need from staff or from our website.

The bar has been set high during the winter grazing consents campaign: Likewise, our goal is to ensure there is widespread buy-in to the need for freshwater farm plans and ultimately the successful implementation of plans on as many properties as possible within the pre-set timelines and following the order of rollout.

Risks we will need to proactively address include the perception of regulation overload, and the perception of costs associated with plans. This will be a combined effort involving our ORC team and all organisations involved in educating and assisting landowners towards these goals. The first step has been taken in refreshing the information on the Freshwater Farm Plans web page on the ORC website <https://www.orc.govt.nz/consents-and-compliance/the-farmers-guide/freshwater-farm-plans>.

Our goals

- To educate and support farmers and growers across Otago about what a Freshwater Farm Plan is, why it is now a requirement, and what is expected of them and under what timeframes. To ensure they feel supported through this new process and ensure messaging is localised, but also in line with that of MPI and MfE's.
- To provide all information relating to this new regulation in an easy to understand, easy to access/brief format including updated web content on the ORC website, a possible PDF/brochure sent to groups and stakeholders, and ensuring Customer Experience and Catchment Advisors have the details to answer questions or point people in the right direction.
- To have a farming and growing community that are actively engaging with ORC and accepting assistance to complete their Freshwater Farm Plans.
- To see positive engagement when encouraging attendance of workshops online, good numbers showing up to events and a positively engaging audience.
- To see Freshwater Farm Plans being submitted and certified.
- To see implementation of the actions identified in Freshwater Farm Plans following submission and certification.

Our approach

Each of the five stages of the Otago rollout will require an **educational phase** (detailing the reasons for Freshwater Farm Plans, what will be required of farmers, growers and operators, timeframe for plans and certification, and reminding them of the support that ORC will offer, including workshops, over this time) in the two months prior to the area being switched on, a **reminder phase** (reminding farmers and operators of the due date for plans, the need for certification, and where they can find support) six months after the area has been switched on, and a **final reminder phase** (again, reminding farmers and operators of the due date for plans, the need for certification, and where they can find support) a month before plans are due to be certified.

Stage one: North Otago FMU (switched on Feb 2024)

Educational phase – Nov 2023 (2 weeks), Jan 2024 (2 weeks) *EXCLUDE DEC DUE TO XMAS*

Reminder phase – Aug 2024 (2 weeks)

Final reminder phase – Jul 2025 (2 weeks)

Stage two: Lower Clutha Rohe (switched on Aug 2024)

Educational phase – Jun 2024 (2 weeks), Jul 2024 (2 weeks)

Reminder phase – Feb 2025 (2 weeks)

Final reminder phase – Jan 2026 (2 weeks)

Stage three: Rest of Clutha rohes (switched on Feb 2025)

Educational phase – Nov 2024 (2 weeks), Jan 2025 (2 weeks) *EXCLUDE DEC DUE TO XMAS*

Reminder phase – Aug 2025 (2 weeks)

Final reminder phase – Jul 2026 (2 weeks)

Stage four: Taieri and Catlins FMUs (switched on Aug 2025)

Educational phase – Jun 2025 (2 weeks), Jul 2025 (2 weeks)

Reminder phase – Feb 2026 (2 weeks)

Final reminder phase – Jan 2027 (2 weeks)

Stage five: Dunedin & Coast FMU (switched on Dec 2025)

Educational phase – Oct 2025 (2 weeks), Nov 2025 (2 weeks)

Reminder phase – Jun 2026 (2 weeks)

Final reminder phase – May 2027 (2 weeks)

Educational phase will include:

Web

- Ensuring all the latest information is live eg. timelines, catchment context, challenges, values

Letters to landowners



- Those that fit the threshold (comms to support)

Media release

Social post

Digital advertising (2 weeks)

Print (2 ads - Southern Rural Life and local paper)

Radio (2 weeks on 2 or 3 local rural stations)

- Detailing the area/s involved in this stage, timelines, requirements, background info
- Workshop details
- All to link to our Freshwater Farm Plans web page

Workshops

- Web page update with workshop times/venues
- Facebook events created and shared to stakeholders/catchment groups
- Social post with all venues/dates encouraging attendance

Key messages:

- What is a Freshwater Farm Plan and why are they required?
- Who will need to create one/what is required from farmers/growers?
- Timeframe for plan and certification
- ORC is here to support farmers and operators through the process
- Reach out to ORC for support/questions
- Come along to the ORC workshops

Reminder phase will include:

Social post

Digital advertising (2 weeks)

- Reminder of timeframes, certification and where farmers and growers can find support

Final reminder phase will include:

Social post

Digital advertising (2 weeks)

- Reminder of due date for plan and certification the following month, and where farmers and growers can find support

Audience message channels

More detail below

Audiences	Location	Key Messages	Channels
Farmers and growers		What a Freshwater Farm Plan is. Why they are required. What is required from them. ORC is here to support them through the process.	<ul style="list-style-type: none"> • Targeted communications: • Rural radio stations • Rural community FB pages • Local newspapers and local newsletters • Google digital advertising in rollout area • Podcasts alongside OCC



Major stakeholders and partners including mana whenua			<ul style="list-style-type: none"> Comms to support staff eg consents and EIT team messaging to stakeholders and mana whenua
The region as a whole			<ul style="list-style-type: none"> Te Mātāpuna On Stream ODT
Community Groups (relevant contacts of the Environmental/Catchment Team)	Farming groups Growers/orchards	Tag relevant groups and encourage them to reach out for more information or group and one-on-one consultations.	<ul style="list-style-type: none"> Comms to support any messaging to these groups Social posts and Workshop events on FB
ORC staff			<ul style="list-style-type: none"> Tiaki News Story Muffin Talk

Key collaborators

Team/person		
SME	Libby (EIT) Jo Gilroy (Regulatory)	Regular communication to comms of any new information, and as workshops and events are confirmed. Confirmation of advertising messaging and timing of comms.
Catchment Advisors/Environmental Implementation Team		Working with Catchment Advisors/Environmental Implementation team to promote workshops within each rollout stage.
CX Team		Making sure they have all the basic information around Freshwater Farm Plans (similar to web page content) and details of all workshops being held. If this information does not satisfy the query, it can be directed to Libby Caldwell, Manager Environmental Implementation.

Finer details – some to come as project progresses

Internal spokesperson/subject matter experts are:

Libby Caldwell – Manager Environmental Implementation

Jo Gilroy – Acting General Manager Regulatory



Comms/Marketing Project lead to get key information from Jaz and Vicky for this list. Please then copy paste these details into the project summary or each individual task in Asana.

Individual assets should each be put into Asana separately.

- Supplier if know or seek advice:
- Amount of particular asset:
- Delivery date of printed final or final proof:
- Delivery address:
- Goods/services provided:

TASKS	Detail (SUB-TASKS)
Web copy Structure, plain language, consolidation	<ul style="list-style-type: none"> • New Freshwater Farm Plans web page is now live. • Workshop details will need to be added to web page as they are confirmed. • Catchment context, challenges and values to be added to web page once confirmed
Social media	<ul style="list-style-type: none"> • Create FB posts for each stage of the rollout and potentially share MfE posts. • Facebook events to be created for workshops.
Other media - release, interviews	<ul style="list-style-type: none"> • Initial media release has gone out. • A media release to go out ahead of each of the five stages of the Otago rollout.
Print Resources e.g., letter, brochure, flyer/specs/sizes	<ul style="list-style-type: none"> • Letter to landowners (quotes being requested) • Flyer/brochure for Catchment Advisors to have on hand and for at workshops (1000?)
Advertising – print/online/radio/specs if known or advice taken	<ul style="list-style-type: none"> • Google (\$50/day for 8 weeks = \$2800 per stage) • Print (2 ads/2 local papers = \$1500 per stage) • Rural radio (2 or 3 rural stations for 2 weeks = \$4000 per stage) • Need images!
Events	<ul style="list-style-type: none"> • Workshops in each area each stage of the rollout
Internal comms (staff, exec, home team, councillors)	<ul style="list-style-type: none"> • Home Team - making staff aware of these general changes and workshops occurring. • Tiaki Story
Customer experience involvement	<ul style="list-style-type: none"> • Keeping them up to date with general information and workshop details. • Where to point enquiries for more information.
TOTAL:	\$8000 for each stage of the Otago rollout

Assessment:

Did you achieve goals and how do you show for it?

What feedback was received – in person, through other channels?

How well was this information received?

How many took up the opportunity to have ORC help them with their plan?

How many confirmed versus how many showed up to workshops?

How many plans came in after 3 months, 6 months, 9 months...?



Work with Henry for digital results, and external suppliers for other results.

[Links to more information:](#)

Recent media release:

<https://www.orc.govt.nz/news-and-events/news-and-media-releases/2023/july/freshwater-farm-plans-on-horizon-for-otago#:~:text=Media%20Release%20%2D%2007%20July%202023&text=The%20Freshwater%20Farm%20Plan%20regulations,August%20in%20Southland%20and%20Waikato.>

ORC web page:

<https://www.orc.govt.nz/consents-and-compliance/the-farmers-guide/freshwater-farm-plans>

MPI web page:

<https://www.mpi.govt.nz/agriculture/farm-management-the-environment-and-land-use/protecting-freshwater-health/freshwater-farm-plans/>

MfE web page:

<https://environment.govt.nz/acts-and-regulations/freshwater-implementation-guidance/freshwater-farm-plans/>

8.4. Engagement Approach to Long-Term Plan

Prepared for:	Regional Leadership Committee
Report No.	CS2325
Activity:	Governance Report
Author:	Mike Roesler, Manager Corporate Planning Andrea Howard, Manager Executive Advice
Endorsed by:	Nick Donnelly, General Manager Corporate Services and CFO
Date:	10 August 2023

PURPOSE

- [1] This paper details the planned engagement approach for the Otago Regional Council's (ORC) Long Term Plan (LTP) 2024-34, which includes different engagement approaches with mana whenua, strategic stakeholders and region-wide community engagement.

EXECUTIVE SUMMARY

- [2] ORC is implementing the LTP 2024-34 process, which will set the strategic direction and priorities for the Otago Region over the next 10 years. Engagement is a fundamental part of the LTP process because it helps ORC to understand and reflect the community's needs and aspirations in the LTP.
- [3] ORC staff have developed the engagement approach for the LTP 2024-34, which reflects legislative requirements, *He Mahi Rau Rika*, Council direction, lessons learnt from previous LTP processes [including from the Office of the Auditor General (OAG)] and engagement best practice.
- [4] ORC intends to develop and deliver tailored engagement approaches for mana whenua, strategic stakeholders and the region-wide community. This reflects ORC's different requirements, working relationships and delivery practicalities with different groups. It is proposed that the engagement be done through a mix of Councillor and staff opportunities.
- [5] ORC plans to engage with Kāi Tahu, as mana whenua, through existing forums such as Mana to Mana. This engagement aims to enable ORC-mana whenua partnerships, enable mana whenua expertise to shape ORC's work, enable ORC work seeking mana whenua expertise and improve our bi-cultural competency.
- [6] ORC has identified strategic stakeholders who have specific interests in, or will be impacted by, ORC's work. These include territorial authorities, catchment groups, businesses, and key interest and peak body groups in Otago. ORC will work with each strategic stakeholder to understand their needs and aspirations and seek their feedback on the LTP.
- [7] ORC will also engage with the region-wide community. This community engagement could include key steps ahead of formally consulting on the LTP through the Special

Consultative Procedure (SCP), such as targeted engagement, communication of information, and promotion and awareness activities. A proposed communications plan for the LTP consultation/SCP will come to Council for consideration in late September. This will include discussion around using digital technologies and closing the engagement loop after the community has provided feedback.

- [8] Feedback from engagement activities will inform the advice coming to Council on LTP issues as the planning process evolves.

RECOMMENDATION

That the Regional Leadership Committee:

- 1) **Notes** Council (including both councillors and staff) will engage with mana whenua, strategic stakeholders, and undertake region-wide community engagement as part of developing the Long-Term Plan 2024-34.
- 2) **Notes** that feedback from engagement opportunities will inform the advice coming to Council on the draft LTP development.
- 3) **Notes** that Council will be provided with a paper to consider communications options for the formal LTP consultation/SCP in late September 2023.

BACKGROUND

- [9] ORC is implementing the LTP 2024-34 process, which will set the strategic direction and priorities for the Otago Region over the next 10 years. The LTP process involves engagement so that ORC understands the community's needs and aspirations to help inform what services ORC will deliver to the community over the next 10 years, the scale or cost of service, how it will be funded and how progress is measured. There is also an opportunity to use engagement through the LTP process to communicate ORC's broader marketing and communications objectives (eg improving the perception of the council, educating people about ORC's work).
- [10] The Local Government Act 2002 [the Act] requires transparency, accountability, and participation in council decision-making, including the LTP process. The Act also requires councils to facilitate Māori participation in decision-making, which recognises the Crown's responsibility to uphold the principles of the Treaty of Waitangi.
- [11] ORC needs to give effect to the *He Mahi Rau Rika: ORC's Significance, Engagement and Māori Participation Policy*¹ through the LTP process. *He Mahi Rau Rika* sets out how engagement and communications will occur, including with Māori in recognition of our partnership approach. The Policy outlines how ORC will facilitate partnering with Māori and identifies how and when communities can expect to be engaged with. *He Mahi Rau Rika* enables people to contribute to Council decision making in a transparent and equitable way, enabling better outcomes for the region.
- [12] *He Mahi Rau Rika* also sets out the International Association for Public Participation (IAP2) framework and principles that guide effective public participation. IAP2 outlines that there are five levels of engagement that can be adopted – inform, consult, involve,

¹ <https://www.orc.govt.nz/plans-policies-reports/corporate-plans-and-reports/significance-and-engagement-policy>

collaborate, empower – depending on the stakeholder and the objectives of engagement.

- [13] In establishing ORC’s LTP engagement process, staff also incorporated feedback and recommendations from past LTP processes and sector experts. This includes:
- a. Society of Local Government Management [SOLGM] practice forums.
 - b. Sector guidance material
 - c. Office of Auditor General Assessments of LTP ORC has provided advice on how to incorporate OAG advice into the LTP process, and
 - d. Feedback from service providers to Council.
- [14] ORC’s engagement approach reflects the direction provided by Council, which was to:
- a. Use plain English;
 - b. Get out and about amongst the community;
 - c. Understand key stakeholder projects;
 - d. Engage in different ways;
 - e. Encourage diversity of input, and
 - f. Listen and make sure we have understood what is said.

DISCUSSION

- [15] This section outlines ORC’s proposed engagement for the LTP 2024-34. This includes different approaches for:
- a. Iwi/Māori (mana whenua/ Māata waka) Partnerships
 - b. Strategic Stakeholders and Aligned Environmental Groups², and
 - c. Community.
- [16] ORC is using different engagement approaches for different groups to reflect our requirements, working relationships, and delivery practicalities. There will be a mix of opportunities for councillors and staff to undertake engagement activities and feedback from these will inform advice coming to Council on LTP development.

Iwi/Māori Partnership

Mana whenua

- [17] In Otago, Kāi Tahu are mana whenua. The four Kāi Tahu ki Otago Rūnaka are Te Rūnanga o Mōeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga, with three marae located in the region. Awarua Rūnanga, Waihopai Rūnaka and Ōraka Aparima Rūnaka also share interests in South Otago, the Mata-au Clutha River, and the inland lakes and mountains.
- [18] Enabling mana whenua engagement will ensure ORC considers the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna and other taonga as required by legislation (section 77(1)(c) of the Act). It will also facilitate our ongoing journey to work more closely with mana whenua to build a strong and enduring partnership.

² For the purposes of this paper, *aligned environment groups* refers to those groups who have consistently sought and/or received large scale funding from ORC but don’t meet the ‘strategic stakeholder’ criteria.

- [19] As outlined above, the Act requires councils to facilitate participation by Māori in local decision-making processes, which recognises the Crown’s responsibility to uphold the principles of the Te Tiriti o Waitangi. This means ORC has additional engagement and consultation requirements for Māori compared to the broader community or strategic stakeholders.
- [20] It is proposed ORC use existing communication channels and formal working groups to work with mana whenua across various workstreams in the LTP process. Table 1 below summarises the workstreams, mechanisms and timeframes for mana whenua engagement through the LTP process. This will be discussed at the next Mana to Mana meeting, to ensure it works for mana whenua.

Table 1. Summary of planned engagement with mana whenua through the LTP

Workstreams	Mechanisms	Timeframe
1. Enabling ORC-Mana Whenua partnerships.	<ul style="list-style-type: none"> • Mana to Mana – annual reflections on partnership funding and achievements and identification of challenges and opportunities. • Te Tiriti Audit recommendations. • Kanohi ki te kanohi (in person) discussions with Aukaha and Te Ao Mārama. 	August/November 2023
2. Enabling Mana Whenua expertise to shape ORC work programs.	<ul style="list-style-type: none"> • Kanohi ki te kanohi (in person) discussions with Aukaha and Te Ao Mārama. 	August/September 2023
3. Enabling ORC work programs seeking Mana Whenua expertise.	<ul style="list-style-type: none"> • Kanohi ki te kanohi (in person) discussions with Aukaha and Te Ao Mārama. 	August/September 2023
4. Improving organisational bi-cultural competency.	<ul style="list-style-type: none"> • Kanohi ki te kanohi (in person) discussions with Aukaha and Te Ao Mārama. • Tiriti Audit recommendations. 	Before December 2023

Ngā matawaka/māata waka

- [21] Under the Act, ORC has responsibilities to engage with ngā matawaka / māata waka (other Māori living within Otago who are not affiliated with Ngāi Tahu), to provides for Tino Rangatiratanga while not diminishing ORC’s partnership commitments Kāi Tahu as mana whenua and Treaty partners.
- [22] For the LTP 2024-34, ORC will invite ngā matawaka/ māata waka perspectives to be shared via our existing mana whenua led processes and directly via general consultation initiatives.

Strategic Stakeholders

- [23] In implementing *He Mahi Rau Rika*, ORC has identified stakeholders to prioritise engagement with based on their interest in, and potential impact of, ORC’s work. Strategic stakeholders are the people or groups who are most likely to be positively or negatively impacted by ORC’s core business. ORC’s strategic stakeholders include

territorial authorities, government agencies, regional councils that share a border with Otago, catchment groups, key businesses, and key industry and peak body groups.

- [24] ORC has developed a new programme of advanced engagement with strategic stakeholders, as part of the LTP process. This programme will provide ORC with the opportunity to:
- a. Update strategic stakeholders on future plans and priorities.
 - b. Understand strategic' stakeholders' views on ORC's past performance and future needs and aspirations, and
 - c. Identify how to engage with strategic stakeholders through the rest of the LTP process.
- [25] ORC will consider the most appropriate way of inviting strategic stakeholders to meet with staff and Councillors. This will likely involve a mix of kanohi ki te kanohi (in person) discussions, groups meetings and feedback via a survey will be used to share information.

Aligned Environmental Groups

- [26] ORC has identified organisations whose core focus strongly aligns with that of the ORC and who have indicated that they would like to continue existing funding, or are seeking new funding, above the amount ordinarily allocated through Council's Ecofund³.
- [27] While these groups do not necessarily meet the definition of strategic stakeholder, it is beneficial for ORC to understand their needs and aspirations as part of the LTP process.

Community engagement

- [28] ORC is required to engage with the broader community as part of the LTP process under the Act. This section outlines five elements that make up the ORC's approach to engaging with the community. The elements include:
1. Targeted engagement
 2. Communication and Information
 3. Promotion and awareness
 4. Engagement on the LTP Consultation Document/SCP and
 5. Closing the engagement loop.

Targeted engagement [pre SCP]

- [29] Targeted engagement is used to provide council with information to help shape service or policy options that are being considered for inclusion in the draft LTP/Consultation Document. It provides valuable community insights ahead of the LTP consultation/SCP
- [30] It is optional and used where Council feels it needs a deeper community perspective to develop the options leading into full consultation.
- [31] Council can decide about using this element as it develops its understanding about the key LTP proposals, and how decision-making might benefit from targeted engagement.
- [32] The LTP programme indicates that Council may be in a position from late September 2023 to understand what the key proposals or topics might be.

Communication of information [pre SCP]

³ See appendix 1 for a draft list of those considered as part of this group of stakeholders.

- [33] ORC has implemented customer awareness and communication initiatives to improve general awareness about its work across the community.
- [34] Te Matapuna / The Source, may be used to provide information to the community about the ORC's proposed future direction ahead of full consultation on the LTP process.

Promotion and awareness – participation [pre SCP]

- [35] ORC will promote, market and build awareness in the lead-up to the release of the LTP consultation document/SCP and supporting information. It is a marketing exercise that seeks to compete for people's time to seek out, consider and respond to our consultation document. Some of the detailed communications planning may consider or include:
- a. Release of promotional material advertised in print and digital media, including the use of Te Matapuna.
 - b. Develop a social media programme.
 - c. Hold 'In person/face to face' activities, which will create awareness and involve engagement with people about ORC's intentions.
- [36] Detailed analysis and planning by the communications team over the next month will determine which of the above are likely to be the most effective.

Engagement on LTP Consultation Document [SCP]

- [37] This stage is focused on delivering the LTP consultation/SCP, as required by the Act. This stage includes:
- a. Access to a LTP proposal [consultation document]
 - b. Feedback opportunity on the consultation document
 - c. Opportunity to present feedback [hearing]
 - d. Council consideration of feedback [deliberation], and
 - e. Communication of final decisions in relation to the feedback.
- [38] ORC will consider the use of digital technologies to provide the community with access to the LTP consultation document and to provide feedback on the proposals.
- [39] ORC detailed communications planning may also consider:
- a. Drop-in meetings (online)
 - b. Online submission tool, and
 - c. Social media to support access to the Consultation Document.
- [40] To engage face to face ORC may focus on leveraging existing planned events as bespoke LTP consultation meetings have had historical low attendance, are resource intensive, and result in low-value feedback for the LTP.

[41] The above will come to Council for consideration and direction in late-September.

Council consideration of feedback

- [42] The management and reporting of feedback to Otago's Regional Councillors is a fundamental element of the SCP. This includes:
- a. Submissions recorded on an ORC Survey form (either digital or hard-copy), and

- b. Submitters own personal letter/document format (which have been entered into the engagement system).

- [43] Submitters have the option to verbally present their submission. For ORC, this represents approximately ten percent of total submissions. Historically, ORC has provided a formal hearing for the verbal submitters offering a modest time slot [eg 10 mins including question time].
- [44] Leading into the Hearings, Councillors are provided with a report summarising all submission feedback. Post Hearings Councillors are provided with a formal meeting to decide what changes, if any, are required to the LTP proposal based on the submissions. This is called 'deliberation' and precedes formal adoption of the LTP.
- [45] The Council posts all of the submissions on its website so that they are available to the public. While names of the submitters are made public, personal contact details are not.

Closing the engagement loop [post SCP]

- [46] This stage is focused on providing feedback to all those involved in the LTP process about the final decisions of Council. The approach to this may be to send:
- a. Letters to Strategic Stakeholders
 - b. Generic email response to those that made a submission and provided their address, and
 - c. Advertised information for the wider regional community.

CONSIDERATIONS

Strategic Framework and Policy Considerations

- [47] The approaches presented in this report consistent with Council's '*He Mahi Rau Rika: Significance, Engagement and Māori Participation Policy*'.

Financial Considerations

- [48] The cost of the ORC's engagement approach will be funded from planned budgets. Options to scale to approach may need to be considered if cost estimates exceed available budget.

Significance and Engagement Considerations

- [49] At this stage of the LTP process there are no decision that require consideration of significance and engagement. As the process progresses, the Council will apply its judgement about what it deems as the key proposal it intends to consult on and this will shape the engagement with the broader community under the SCP.

Legislative and Risk Considerations

- [50] The approaches presented in this report comply with relevant legislative requirements and indeed seek to go beyond. The community approach reflects a strong weighting towards providing the LTP consultation/SCP to a high quality. The LTP consultation/SCP

supports decision-making through involving the broader community. Indicators of quality include:

- a. Level of community awareness of the key proposals and opportunity for feedback
- b. Clarity of communication material enabling community feedback, and
- c. Clarity and timeliness of reporting community feedback to the Otago Regional Councillors.

Climate Change Considerations

[51] Climate change considerations are not applicable.

Communications Considerations

[52] Communications considerations have been outlined in the 'Background' and 'Discussion' sections of this report and will be further detailed in the LTP communications plan presented to Council in late September 2023.

NEXT STEPS

[53] ORC staff and councillors will begin implementing the engagement approach for:

- a. mana whenua
- b. strategic stakeholders

[54] ORC staff will prepare a proposed communications plan for the September Council meeting. This will provide further detail about how the 'community engagement' will be implemented.

ATTACHMENTS

Nil