

Regional Leadership Committee

21 November 2024



Meeting will be held in the ORC Council Chamber, Level 2, Philip Laing House, 144 Rattray Street, Dunedin and live streamed on the [ORC YouTube Channel](#)

Members:

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

Senior Officer: Richard Saunders, Chief Executive
 Meeting Support: Kylie Darragh, Governance Support Officer

21 November 2024 09:00 AM

Agenda Topic	Page
1. WELCOME	
2. APOLOGIES No apologies received at the time of agenda publication.	
3. PUBLIC FORUM Ciaran Keogh from EcOtago will attend.	
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 on the website.	
6. PRESENTATIONS No requests for presentations were received at time of agenda publication.	
7. CONFIRMATION OF MINUTES That the minutes of the Regional Leadership Committee meeting held on 28 August 2024 be received and confirmed as a true and accurate record.	3

7.1	Minutes of the 28 August 2024 Meeting	3
8.	OPEN ACTIONS FROM RESOLUTIONS OF THE COMMITTEE	
	There are no open actions from resolutions of the Committee to be noted.	
9.	MATTERS FOR CONSIDERATION	7
9.1	Draft Annual ORC Compliance Report 2023/2024	7
	This report provides the Committee with the draft Otago Regional Council (ORC) Annual Compliance Report for the 2023/24 year.	
9.1.1	ORC Annual Compliance Monitoring Report 2023/24	11
9.2	Environmental Delivery Group regulatory Update: Quarterly Report	43
	To update the Committee on the activities of the Regulatory Teams of the Environmental Delivery Group between 1 July 2024 and 30 September 2024.	
9.3	Te Tiriti o Waitangi Audit	64
	To provide Council with the outcome of the Te Tiriti o Waitangi Audit (the Audit) ¹ undertaken by Te Kura Taka Pini Ltd (TKTP) in 2023/2024.	
9.3.1	Appendix 1 Te Kura Taka Pini Te Tiriti Audit Report June 2024	70
9.3.2	Appendix 2 Te Tiriti o Waitangi Audit Terms of Reference	84
9.4	Proposed Programme of Strategic Events and Wānaka A&P Show Review	91
	This paper recommends a revised, more strategic, 'all of council' approach to the participation in community events through a proposed strategic event programme. Additionally, the paper includes an engagement review, written by ORC's Communications and Marketing Team, for ORC's attendance at the 2024 Wānaka A&P show.	
9.5	Draft Communications and Marketing Strategy Direction	107
	This paper recommends an outline for a strategy for an all-of-council approach to the way we communicate, and market our services and calls to action. If approved, this outline will form the basis for producing a communications and marketing strategy for ORC.	
10.	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 28 August 2024, commencing at 10:00 AM.

PRESENT

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

1. WELCOME

Chair Weir welcomed Councillors, members of the public and staff to the meeting at 10 AM with a karakia. Staff present included Richard Saunders (Chief Executive), Nick Donnelly (GM Finance), Anita Dawe (GM Regional Planning and Transport), Matthew Alley (Acting GM Science and Resilience) Joanna Gilroy (GM Environmental Delivery), Tami Sargeant (GM People and Corporate), Amanda Vercoe (GM Strategy and Customer, Deputy CE), Kylie Darragh (Governance Support).

2. APOLOGIES

Resolution: Cr Weir Moved, Cr Somerville Seconded:

That the apologies for Cr Robertson for lateness, be accepted.

MOTION CARRIED

Cr Laws and Mr Hoani Langsbury joined the meeting at 10:03 am.

3. PUBLIC FORUM

There was no public forum for this meeting.

4. CONFIRMATION OF AGENDA

It was moved by Cr Weir and seconded Cr Somerville

that the agenda be confirmed as published.

MOTION CARRIED

5. DECLARATIONS OF INTERESTS

Members were 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 by the Chair.

6. CONFIRMATION OF MINUTES

Resolution: Cr Forbes Moved, Cr McCall Seconded

That the minutes of the Regional Leadership Committee of 22 May 2024 be received and confirmed as a true and accurate record.

MOTION CARRIED

7. OPEN ACTIONS FROM RESOLUTIONS OF THE COMMITTEE

There are currently no open actions to review for this committee.

8. PRESENTATIONS

There were no presentations for this meeting.

Cr Laws left the meeting at 10:20 am.

Cr Laws returned to the meeting at 10:21 am.

Cr Robertson joined the meeting at 10:36 am.

9. MATTERS FOR CONSIDERATION

9.1. Environmental Delivery Group Regulatory Activities Quarterly Update paper

[YouTube 10:00] To update the Committee on the activities of the Regulatory teams between 1 July 2023 and 30 June 2024. Alexandra King, Manager Consents, Simon Wilson, Manager Regulatory Data and Systems, Joanna Gilroy, General Manager Environmental Delivery were available to respond to questions.

Resolution RLC24-108: Cr Wilson Moved, Cr Somerville Seconded

That the Regional Leadership Committee:

1. **Notes** this report.

MOTION CARRIED

Cr Wilson left the meeting at 10:50 am.

Cr Wilson returned to the meeting at 10:53 am

9.2. Consent fee fund

[YouTube 49:40] The purpose of the report was to update the Committee on the activities that have been funded under the Consents Fee Support Fund from 1 July 2023 to 31 June 2024 and make recommendations for minor corrections to the policy. Alexandra King, Manager Consents and Joanna Gilroy, GM Environmental Delivery were present to respond to questions on the report. The recommendation was amended.

At 11:05 am It was moved by Cr Weir, seconded by Cr Noone:

That the Regional Leadership Committee adjourn for five minutes.

MOTION CARRIED

The Committee reconvened at 11:10 am.

Resolution RLC24-109: Cr Wilson Moved, Cr Malcolm Seconded

That the Regional Leadership Committee:

1. **Notes** the update on consent applications that received funding support in the 2023/2024 financial year.
2. **Supports** the recommended changes to the Resource Consent Fees Support Policy being: Corrections to job titles, dates, and minor grammatical errors and an amendment to the criteria in Section 5
3. **Notes** that staff will bring the amended resource consent fees support policy to Council for approval.

MOTION CARRIED

9.3. Flood Drainage Schemes Liaison Group

[YouTube 1:26:40] This paper was brought to the committee for noting of a proposed draft terms of reference and recommended approach to establishing Flood and Drainage Scheme Liaison Groups. Michelle Mifflin Manager Engineering and Matthew Alley as Acting GM Science and Resilience were available to respond to questions on the report.

Resolution RLC24-110: Cr Somerville Moved, Cr Forbes Seconded

That the Regional Leadership Committee:

1. **Notes** the approach and scope outlined to establish Otago Regional Council Liaison Groups for Flood Protection and Land Drainage schemes.
2. **Notes** the staff recommendation to establish three Liaison Groups for Flood and Drainage Schemes covering the Lower Taieri, Lower Clutha and Tokomairiro Schemes with the priority being the establishment of the Lower Taieri Liaison Group in the 2024 calendar year.
3. **Notes** the staff recommendation to establish the community representative members of Liaison Groups through a General Meeting of Scheme Ratepayers.
4. **Notes** the draft terms of reference for discussion at the first meeting of the Liaison Group.
5. **Notes** that reports will be prepared for future meetings to seek a nominated Councillor for the group and to approve the final terms of reference.

MOTION CARRIED

12. CLOSURE

There was no further business and Chair Weir declared the meeting closed at 12:02 pm.

Chairperson

Date

9.1. Draft Annual ORC Compliance Report 2023/24

Prepared for:	Regional Leadership Committee
Report No.	REG2408
Activity:	Regulatory
Author:	Carlo Bell, Manager Compliance
Endorsed by:	Joanna Gilroy, General Manager Environmental Delivery
Date:	21 November 2024

PURPOSE

- [1] This report provides the Committee with the draft Otago Regional Council (ORC) Annual Compliance Report for the 2023/24 year.

EXECUTIVE SUMMARY

- [2] A draft ORC Annual Compliance Monitoring Report 2023/24 has been prepared which provides an overview of the compliance monitoring and enforcement (CME) activities undertaken by the ORC in the 2023/24 year. This report shows the extensive compliance monitoring work completed by the teams and reflects the level of compliance by the Otago community.

RECOMMENDATION

That the Regional Leadership Committee:

- a) **Notes** this report and the draft ORC Annual Compliance Monitoring Report 2023/24.
- b) **Notes** that the content of the draft ORC Annual Compliance Monitoring Report 2023/24 may be updated post feedback from the Regional Leadership Committee and to correct any minor grammatical errors.
- c) **Recommends** to Council that they approve the ORC Annual Compliance Monitoring Report 2023/24, subject to the changes offered above in b) being made.

BACKGROUND

- [3] The ORC Compliance Plan 2023-26 (Compliance Plan) was originally developed in 2020 and reviewed in 2022. These plans run for a period of three years.
- [4] This Plan informs Council's work in accordance with our obligations under the Resource Management Act 1991, and the national compliance direction set for all regional councils under the Regional Sector Strategic Compliance Framework.
- [5] The Compliance Plan supports a responsive and risk-based approach to the allocation of resources for proactive compliance monitoring as well as reactive response to environmental incidents. It identifies six priorities for compliance monitoring activities focussed on issues with the highest environmental impacts. The priorities are:
- a) Reduce non-compliant discharges for improved freshwater quality
 - b) Proactive and integrated approach to monitoring large-scale activities
 - c) Monitor water takes and use to protect water quantity
 - d) Monitor structures and works in and adjacent to freshwater

- e) Reduce non-compliant air discharges to improve air quality
 f) Monitor coastal structures and oil spill preparedness

- [6] As part of implementing the Compliance Plan, annual targets are set and approved by the Regional Leadership Committee for the team's activities. These targets then support the implementation of the LTP levels of service.
- [7] In June 2023, the Regional Leadership Committee approved the Compliance Audit and Performance Monitoring Schedule for the 2023/24 year. This set the operational targets for delivering against the Compliance Plan in the 2023/24 year. Progress against these targets has been reported to the Regional Leadership Committee through the quarterly updates. The Annual Compliance Report takes all of this information and reports it in one place and provides an overview of all the compliance activities for the financial year.
- [8] The targets for 2023/2024 were:

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.

DISCUSSION

A draft ORC Annual Compliance Monitoring Report for the 2023/24 year has been prepared and is included as Attachment 1. The Compliance Report provides an overview of the CME activities and actions during the 2023/24 year and shows delivery against the approved Compliance Plan.

- [9] The report seeks to ensure the transparency of ORC CME activities and accountability to the community for our regulatory work in Otago.
- [10] Some of the CME highlights in the 2023/24 year included:

- a) 1,411 on site audits and inspections were completed (increase from 1,360 in 2022/23).
- b) 7,807 performance monitoring returns from were graded (increase from 6000 in 2022/23).
- c) 1,367 pollution incidents were responded to and investigated (decrease from 1,407 in 2022/23).
- d) 100 formal enforcement actions were taken (decrease from 151 in 2022/23).
- e) One enforcement order issued, and three prosecutions were initiated.

[11] The above and the data in the report demonstrates the overall compliance picture for Otago. It shows that our consent holders and those undertaking activities are putting effort into being compliant and engaging in our processes. This reflects the good work of our communities.

[12] It is recognised that the targets set for the teams in terms of compliance activities have been exceeded. This reflects the ongoing efficiencies that the teams have worked to put in place and is great work from the teams. Progress against the new targets for the 2024-2025 year will continue to be reported to the Regional Leadership Committee every quarter.

[13] There are some limitations in data and the Annual Compliance Report is not an exhaustive list of all the CME activities undertaken by the Regulatory Teams. The draft Compliance Report is presented for feedback from the Regional Leadership Committee.

OPTIONS

Option one - recommended

[14] The Committee provides any feedback on the draft report and recommends to Council that it is approved. This will enable the report to be published.

Option two

[15] The Committee does not support the recommendations and the report is not published. This option is not recommended as it will not enable the data and overall compliance picture to be provided to the public.

CONSIDERATIONS

Strategic Framework and Policy Considerations

[16] The ORC Annual Compliance Report and ORC Compliance Plan delivers on the ORC's commitment to implement central government directions in the regional context and effectively engage communities.

Financial Considerations

[17] Activities included in the ORC Compliance Plan 2023-2026 are reflected in the budgets approved through the LTP. There are no additional costs associated with preparing an annual compliance report.

Significance and Engagement

[18] There are no significance and engagement considerations associated with this report.

Legislative and Risk Considerations

[19] CME activities are a mandatory function under the RMA.

Climate Change Considerations

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

Communications Considerations

[21] Communication with the Otago community occurs on a regular basis to educate and inform people on regulatory matters.

NEXT STEPS

[22] The draft ORC Annual Compliance Monitoring Report will be updated in line with feedback received from the Regional Leadership Committee.

[23] The ORC Annual Compliance Monitoring Report and the Compliance Plan will be edited and designed, for publication on the ORC website, and distributed to interested parties, including the Regulatory Stakeholder group.

ATTACHMENTS

1. ORC Annual Compliance Monitoring Report 2023-24 landscape (1) (1) [9.1.1 - 32 pages]

ORC Annual Compliance Monitoring Report 2023/24

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Introduction

Otago Regional Council (ORC) is responsible for regulating activities affecting water, air, land, and the coast to promote the sustainable management of our environment. Compliance, Monitoring and Enforcement (CME) activities are a critical component of ORC's functions and responsibilities required by the Resource Management Act 1991 (RMA).

Critical CME activities include, but are not limited to,

- (1) compliance monitoring involving the receipt and assessment of performance monitoring data and requirements of consent holders under consent conditions.
- (2) site audits and inspections for resource consents and permitted activities like dairy and forestry with our plans and national regulations in line with the *ORC Compliance Plan 2023-2026* and *Compliance Audit Schedule 2023-24*.
- (3) response to complaints and notifications of pollution or potential permitted activity rule breaches through pollution hotline.
- (4) undertaking of enforcement action in line with the *ORC Resource Management Act Compliance and Enforcement Policy (2021)* and *Formal Warning Policy (2022)*.

This *ORC Annual Compliance Monitoring Report 2023/24* provides an overview of CME activities carried out by the Compliance and Regulatory Data and Systems teams over the 2023/24 financial year. This report also illustrates the delivery against the approved *ORC Compliance Plan 2023-2026* and *Compliance Audit Schedule 2023-24* which sets out the planned targets for performance monitoring and auditing by the Regulatory Group throughout the 2023/24 financial year.

Highlights

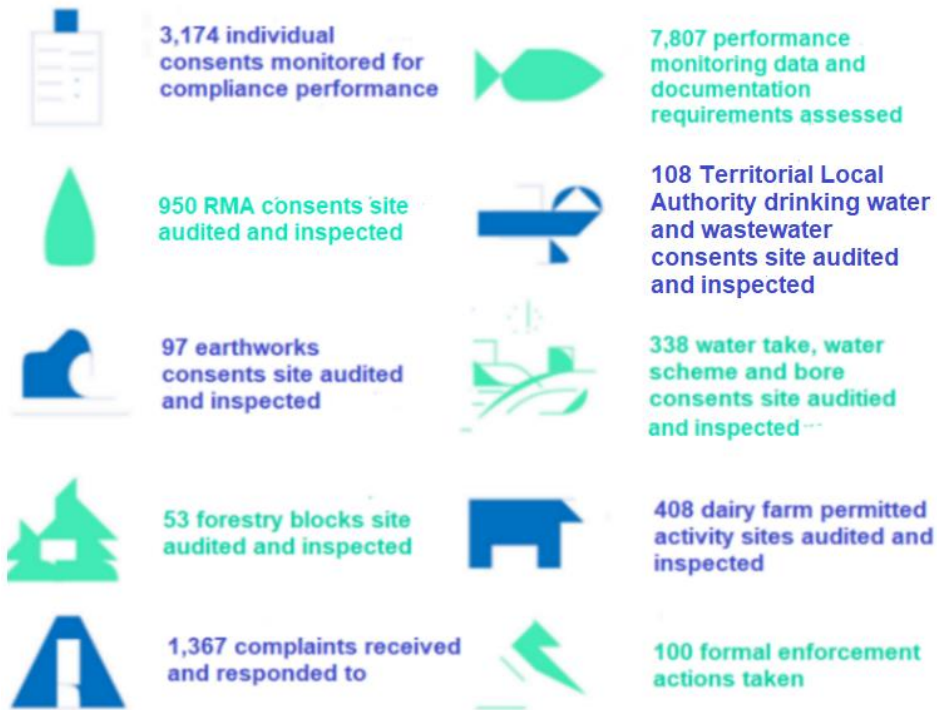


Figure 1: High level infographic providing the CME Teams performance with numerous key performance indicators measured against the approved ORC *Compliance Plan 2023-2026* and *Compliance Audit Schedule 2023-24*

Background

Compliance monitoring priorities had been established within the previously finalised *Compliance Plan 2020-2022* and apply to the 2023/24 financial year. The compliance monitoring priorities enable ORC's CME Teams to focus on the activities and issues with the highest associated environmental risks and effects.

Priority 1: Reduce non-compliant discharges to improve freshwater quality

Poorly managed discharges affect the quality of water in our lakes, rivers and the coastal environment. Additionally, the 2020 NPS and NES for freshwater and Stock Exclusion Regulations have recently introduced new rules and regulations, which require a proactive and education-based approach to supporting consent holders with compliance.

Priority 2: Proactive and integrated approach to monitoring large-scale activities

For larger-scale activities, monitoring reports provided by consent holders are reviewed. In circumstances where consent conditions are not met, the compliance team takes proactive approach to working with consent holders to achieve compliance.

Priority 3: Monitor water takes and use to protect water quantity

Maintaining river flows and lake and aquifer levels in Otago's waterbodies is critical for freshwater health and working proactively with consent holders to maintain flows protects freshwater values.

Priority 4: Monitor structures and works in and adjacent to freshwater

Monitoring Otago's wetlands is an important regional priority. Poorly designed structures and works in and near freshwater can affect the habitats of freshwater species and hydrological function. Additionally, the 2020 NPS and NES for freshwater have introduced new monitoring requirements and new rules.

Priority 5: Reduce non-compliant air discharges to improve air quality

Non-compliant domestic discharges from inefficient domestic burning during winter months can affect health. Non-compliant industrial and rural air discharges which do not have a consent or do not meet consent conditions can have localised impacts on air quality.

Priority 6: Monitor coastal structures and oil spill preparedness

Monitoring activities and structures in the coastal marine area and ensuring we can respond to incidents affecting the coast.

As at, 14 October 2024, a **total of 8,168 combined consents and permitted activities** were within the ORC’s regulatory database:

- 2,142 were allocated to Priority 1
- 2,450 were allocated to Priority 2
- 2,434 were allocated to Priority 3
- 477 were allocated to Priority 4
- 54 were allocated to Priority 5
- 611 were allocated to Priority 6

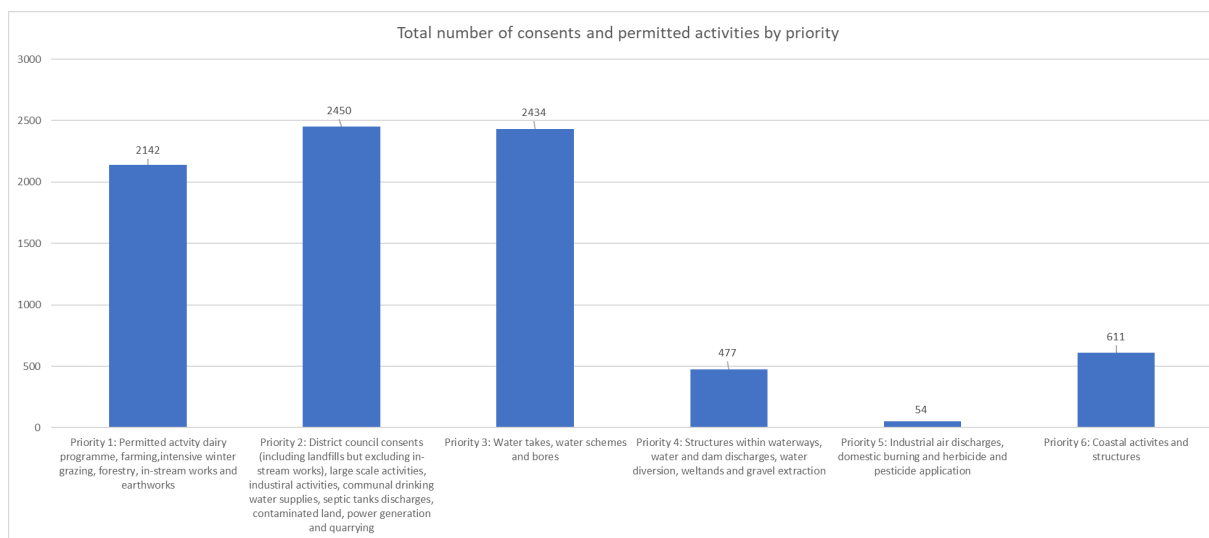


Figure 2: Total number of consents and permitted activities within the ORC’s regulatory database by Priority.

Approach to compliance monitoring

ORC’s compliance audit grading system is based on the Ministry for Environment ‘Best Practice Guidelines for Compliance, Monitoring and Enforcement under the Resource Management Act 1991’.

	Compliance Grade
1	FULL COMPLIANCE with all relevant consent conditions, plan rules, regulations and national environmental standards.
2	LOW RISK NON-COMPLIANCE Compliance with most of the relevant consent conditions, plan rules, regulations and national environmental standards. Non-compliance carries a low risk of adverse environmental effects or is technical in nature (e.g. failure to submit a monthly report).
3	MODERATE RISK NON-COMPLIANCE Non-compliance with some of the relevant consent conditions, plan rules, regulations and national environmental standards, where there are some environmental consequences and/or there is a moderate risk of adverse environmental effects.
4	SIGNIFICANT RISK NON-COMPLIANCE Non-compliance with many of the relevant consent conditions, plan rules, regulations and national environmental standards, where there are significant environmental consequences and/or there is a high-risk of adverse environmental effects.

Compliance monitoring

Analysis of performance monitoring data and documentation under consent conditions

Most consent holders are required to provide ORC with performance monitoring returns under their resource consents. Performance monitoring requirements are those specified in consent conditions and can include a variety of responsibilities such as the supply of discharge quality results, photographs of work, water meter returns, annual reports and management plans. Some consents require multiple submissions of performance monitoring per year in the case of monthly water quality results for example, while others may have no performance monitoring requirements.

During the 2023/24 financial year, **7,807 performance monitoring data and documentation requirements** were received and assessed for compliance. After having planned to complete 6,000 performance monitoring assessments for the 2023/24 financial year, the 7,807 completed by the Compliance Support, Regulatory Data and Systems, Coastal Compliance and Central Compliance Teams represent a **130% over-delivery of the 6,000 planned performance monitoring assessments** for the 2023/24 year.

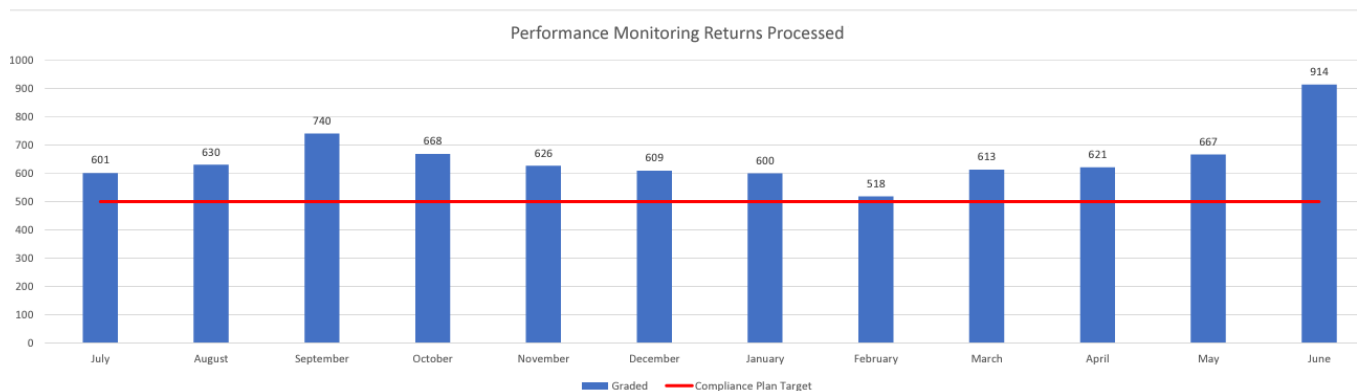


Figure 3: Monthly number of performance monitoring assessments completed within the CME Teams throughout the 2023/24 financial year. The standard approach of cleaning-up low-priority overdue performance monitoring assessments in the final month of June was implemented again during the 2023/24 financial year, contributing to an increased number of assessments completed in the final month of the financial year.

The performance monitoring assessments compliance gradings assessed during the 2023/24 financial year followed an expected distribution. Performance monitoring assessment results for the 2023/24 financial year showed that **88.6% were either in Full Compliance or were Low Risk Non-Compliant** due to administrative deficiencies that had no associated environmental effects. **1.9% were assessed as being Significantly Non-Compliant**. All Significantly Non-Compliant performance monitoring assessments were followed up by staff and either appropriate action was taken in line with the *Compliance and Enforcement Policy (2021)* or *Formal Warning Policy (2022)*, or investigations are continuing.

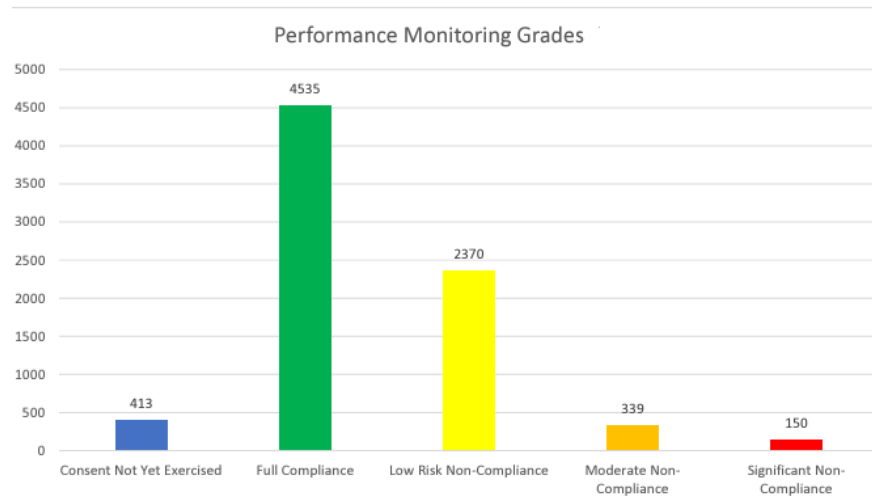


Figure 4: Compliance results awarded for performance monitoring consent requirements during the 2023/34 financial year.

During the 2023/24 financial year, the Regulatory Data and Systems Team focused on key regulatory activities, particularly those related to water use management and reviews during the dry summer months addressing and monitoring compliance with minimum flow conditions. An increased emphasis was placed on higher-risk activities, such as large-scale industrial operations and Territorial Local Authority-owned wastewater treatment plants. Efforts to address previous non-compliant activities continued to be targeted to ensure full adherence to consented environmental limits. Additionally, internal systems were streamlined, improving operational efficiency and strengthening regulatory and monitoring effectiveness. The Environmental Data Team was also relied upon by the Coastal and Central Compliance Teams to prepare Data Reviews prior to consent audits and inspections. This process continues to prove effective and guarantees that quality-controlled data is being evaluated and used by the Compliance Teams when they engage with consent holders face to face on site.

The Regulatory Data and Systems Team continued to make substantial progress towards the creation of required Aquarius dashboards during the 2023/24 financial year. A total of **1,626 dashboards and 6,007 charts have been created** to date. Aquarius dashboards offer a clear, readily accessible annualised view of the data for each consent, in turn streamlining the compliance monitoring process and allowing for complex consent conditions to be visually assessed more easily. As a result, the Regulatory Data and Systems Team are now seeing that these improvements are positively impacting overall efficiency and the quality of performance monitoring assessments and data reviews.

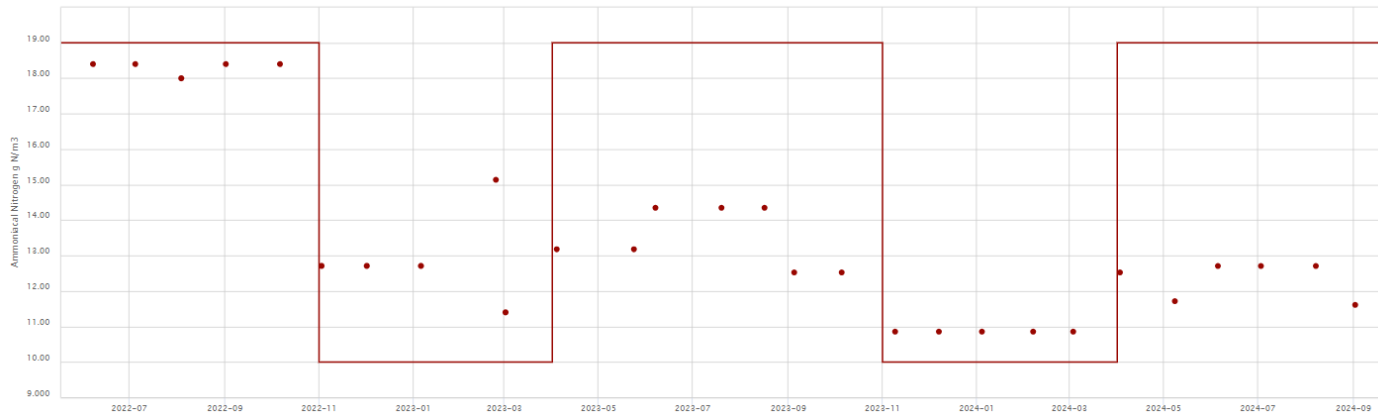


Figure 5: Example of an Aquarius chart produced illustrating compliance with fluctuational seasonal Ammoniacal Nitrogen consented limits.

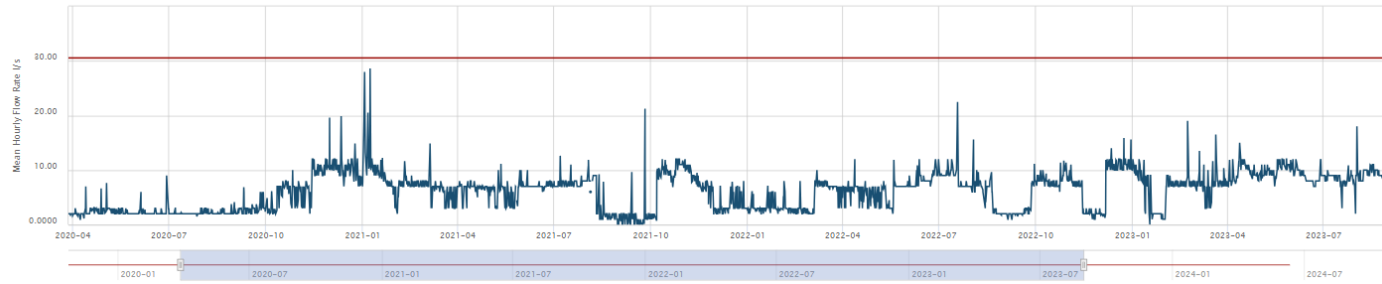


Figure 6: Example of a typical water permit Aquarius chart produced illustrating compliance with consented hourly flow abstraction volumes.

During the 2023/24 financial year, the Compliance Support Team continued to prioritise seasonally dominated compliance assessment requirements and support. Quarter 1 of the 2023/24 financial year was focused on water measuring reminders and the assessment of annual water year returns. New internal processes were developed and implemented within the Environmental Data Team specifically for Territorial Authorities' wastewater treatment plant sampling results which improved the efficiency of assessing these performance monitoring requirements. Quarter 4 of the 2023/24 financial year was dominated by the processing of the first cohort of intensive winter grazing management plans. Many of these plans were prepared at community workshops facilitated by the ORC Catchment Implementation, Consents and Compliance teams. The advice provided within workshops resulted in the preparation of comprehensive plans that contributed to the high number of Full Compliant performance monitoring grades in Quarter 4. Regular reminders and overdue letters were sent throughout the year which helped consent holders remain up to date with their performance monitoring requirements and ensured that the Compliance Support Team had a steady stream of returns to assess throughout the 2023/24 financial year.

Site audits and inspections for resource consents and permitted activities

1,000 site audits and inspections were planned within the *Compliance Audit Schedule 2023-24*. After undertaking risk assessment:

- 360 were planned within Priority 1;
- 480 within Priority 2;
- 120 within Priority 3;
- 20 within Priority 4;
- 20 within Priority 5; and
- none were planned within Priority 6.

During the 2023/24 financial year, **1,411 total site audits and inspections were completed** across both consented and permitted activities. The 1,411 completed was consistent with the 1,360 site audits and inspections completed in 2022/23 year. The site audits and inspections included **950 on-site consent audits**, a reduction compared to the 1,006 completed in the 2022/23 financial year. The 2023/24 financial year however saw an increase in the number of completed permitted activity dairy and forestry inspections, with **408 on-site permitted activity dairy audits** and **53 on-site permitted activity forestry audits** completed respectively. After having planned to complete 1,000 site audits and inspections, the 1,411 site audits and inspections completed by the Coastal and Central Compliance Teams represent a **141% over-delivery of the 1,000 planned site audits and inspections** that were planned for the 2023/24 year.

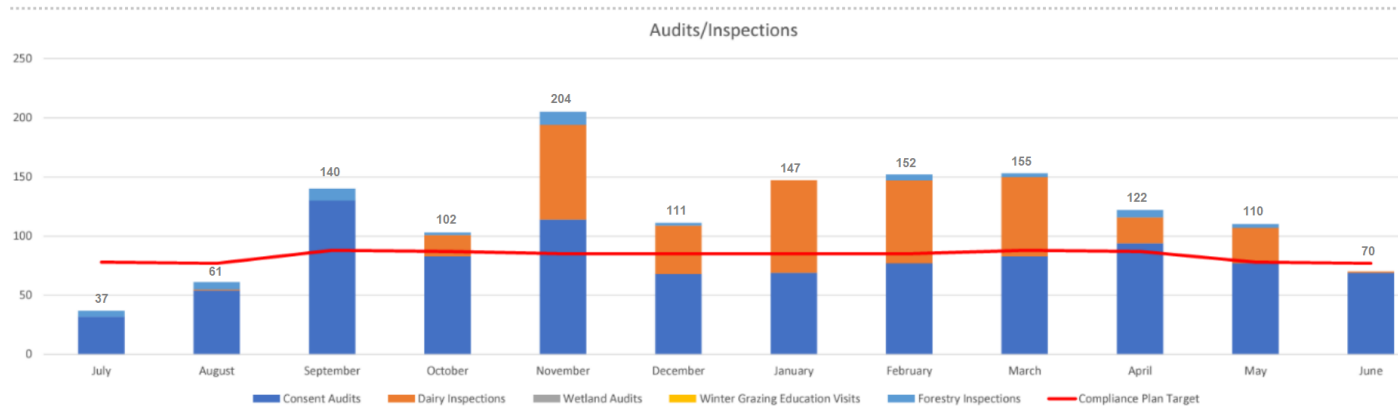


Figure 7: Consent site audits and inspections completed by both the Coastal and Central Compliance Teams each month during the 2023/24 financial year.

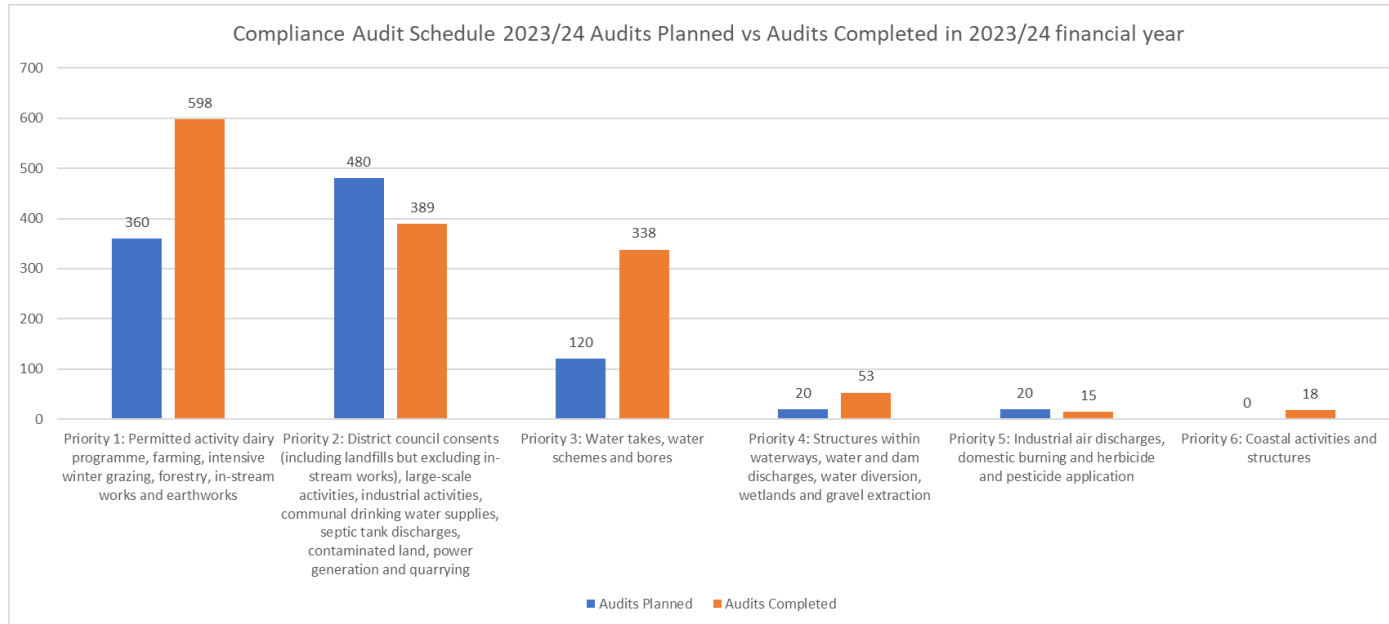


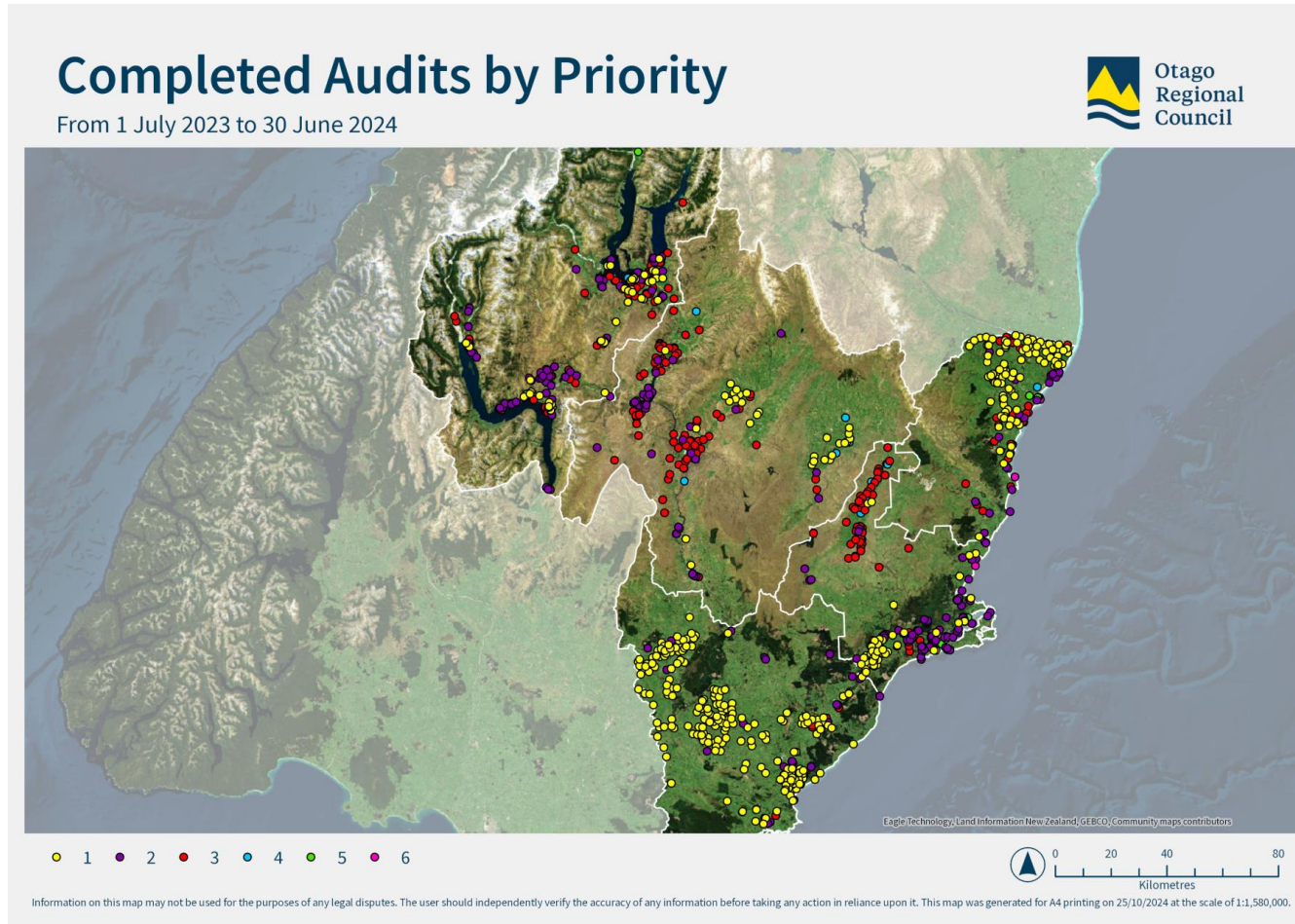
Figure 8: Comparison between the quantity of audits planned for the 2023/24 financial year and the quantity of audits completed within each Priority.

Common trends can be seen across the region that indicate the difference in the types of planned and completed site audits and inspections undertaken across the region by the Coastal and Central Compliance Teams.

The coastal districts of Waitaki, Clutha and Dunedin typically contain greater proportions of highly productive land, contributing to the completion of more Priority 1 site audits and inspections associated with farming and forestry activities by the Coastal Compliance Team. Most large-scale primary industrial consent holders such as abattoirs, milk processing factories, fertiliser factories and Port Otago are also located within the coastal districts, contributing to an increased number of Priority 2 site audits and inspections completed by the Coastal Compliance Team.

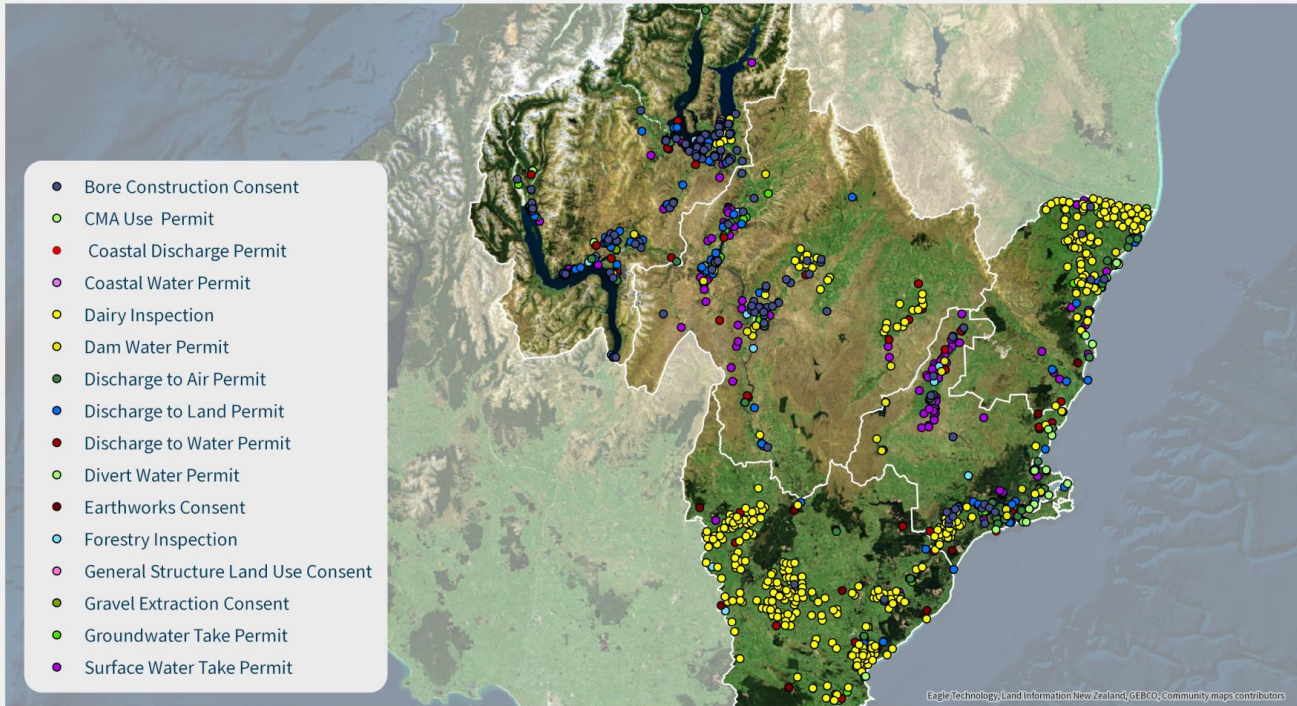
Given that the inland Queenstown Lakes and Central Otago districts contain a disproportionately large number of water schemes, water take and bore consents, the Central Compliance Team typically complete a larger number of Priority 3 site audits and inspections. The Priority 1 site audits and inspections completed in the Queenstown Lakes and Central Otago districts are typically dominated by earthworks and in-stream consented activities as opposed to farming related activities. The Central Compliance Team also completes a disproportionately large number of septic tanks and medium-sized privately owned wastewater treatment site audits and inspections under Priority 2.

Both the Coastal and Central Compliance Teams prioritise site audits and inspections of consents held by Territorial Local Authorities. Site audits and inspections are typically completed once every second year as a minimum. As a result, many of the Priority 2 site audits and inspections completed throughout the region are associated with Territorial Local Authority owned drinking water and wastewater treatment systems.



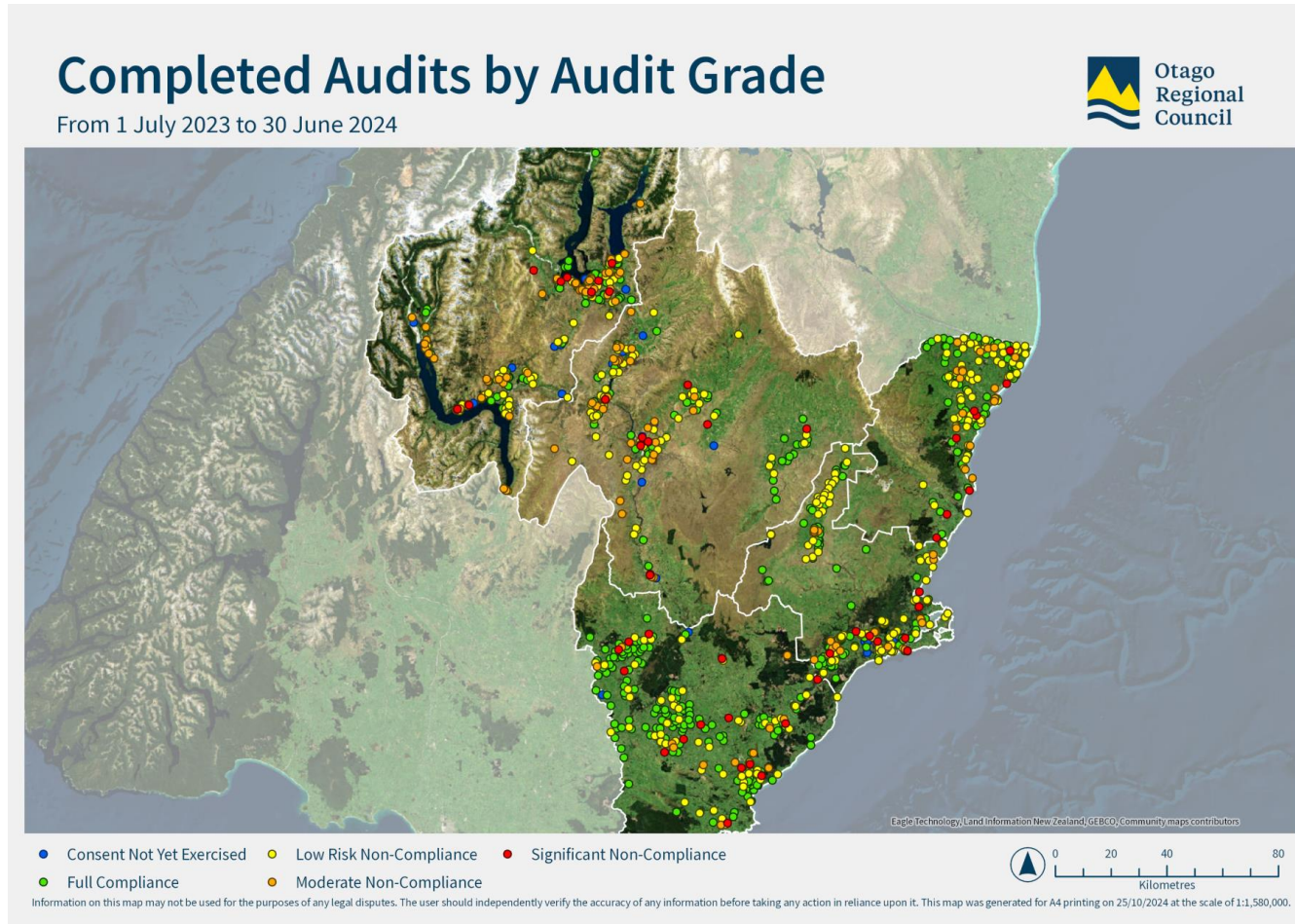
Completed Audits by Type

From 1 July 2023 to 30 June 2024



Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it. This map was generated for A4 printing on 25/10/2024 at the scale of 1:1,580,000.





Compliance results from resource consent auditing

The Coastal Compliance and Central Compliance Teams **completed 950 on-site compliance site audits and inspections** of RMA resource consents during the 2023/24 financial year. Most of the consents were assessed as Fully Compliant or Low Risk Non-Compliant. Compliance results for the 2023/24 financial year showed that **75.9% of the consented site audits and inspections were either in Full Compliance or were Low Risk Non-Compliant** due to administrative deficiencies that had no associated environmental effects. **5.7% of the site audits and inspections were assessed as being Significantly Non-Compliant**. Of the 54 Significantly Non-Compliant site audits and inspections, 42.6% related to discharge to land breaches primarily by Territorial Local Authorities and private septic system consent holders. 31.5% related to discharge to water breaches either by Territorial Local Authorities or large-scale consent holders. All Significantly Non-Compliant site audits and inspections were followed up by staff and either appropriate action was taken in line with the *Compliance and Enforcement Policy (2021)* or *Formal Warning Policy (2022)*, or investigations are continuing.

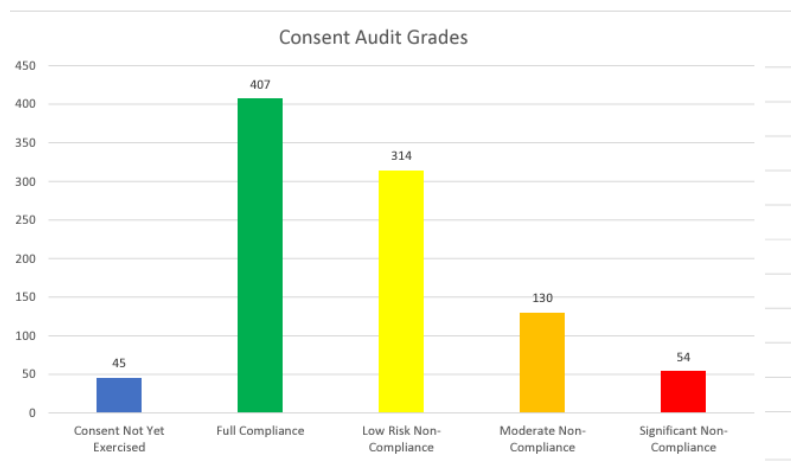


Figure 9: Compliance grading results from consented site audits and inspections during the 2023/24 financial year.

Activity summary: Earthworks monitoring

During the 2023/24 financial year, the Coastal and Central Compliance Teams continued to prioritise the monitoring of earthworks activities. A **total of 313 earthworks consents** were granted across Otago. **97 earthworks site audits and inspections were completed** during the 2023/24 financial year.

Earthworks developments in the Dunedin City area are typically smaller scale and lower density than those in the Queenstown Lakes and Central Otago Districts. In the Queenstown Lakes District alone, there are currently approximately 83 active earthworks sites, of which 56 are within the Queenstown city boundary. Both Compliance Teams work hard to engage and work with contractors, developers and consultants to achieve positive outcomes.

Due to the high actual and potential environmental effects of earthworks sites on the environment, earthworks consents are treated as a high priority within Priority 1. Actual and potential effects range from sediment discharges, chemical and fuel spills, dust, concrete discharges, stormwater network failures and the disturbance of waterways. As a result, site audits and inspections of earthworks sites can be complex and challenging.

Activity summary: Contaminated Land monitoring

Contaminated land monitoring continued to be a vital function of the Compliance Teams during the 2023/24 financial year. All owners of HAIL listed properties continued to be notified of their status. A **total of 2,611 sites have been identified on the HAIL register as contaminated or potentially contaminated**, reflecting a **17% increase in the number of recorded HAIL-affected sites from the number at the end of 2022/23 financial year**.

There has been a significant rise in soil investigations related to the redevelopment of residential properties. Soil sampling results indicated that soil on older properties was often contaminated due to the historical use of lead-based paints. As a result, several residential properties had been added to the HAIL register. Also relevant to the subject of contaminated land, a **total of 29 landfill audits were completed across the Dunedin, Waitaki, and Clutha Districts** during the 2023/24 financial year.

The 2023/24 financial year saw continued work on the management and remediation of contaminated sites that are impacted by coastal erosion. The Consents Team granted consents to Waitaki District Council to remediate three legacy coastal landfills, including the former Hampden landfill and two Beach Road landfills near Oamaru. The goal for these sites is the complete removal of the landfills and the relocation of the waste to the Palmerston Landfill. Additionally, two projects funded by the Contaminated Site Remediation Fund are ongoing, both relating to former gasworks sites. The KiwiRail redevelopment project on Hillside Road in Dunedin is progressing well and is highly likely to be completed within the 2024/25 financial year.

Compliance results from permitted activity dairy auditing programme

The Coastal Compliance and Central Compliance Teams **completed 408 on-site permitted activity dairy site audits** during the 2023/24 financial year. All high-risk dairy farms were inspected, as well as all dairy farms that had not been inspected during the two previous financial years. Follow-up audits were undertaken where required, after considering any environmental effects determined within the initial non-compliant audit.

Along with the monitoring of dairy effluent storage and discharge, the permitted activity dairy programme had a particular focus on the storage of effluent pond solids and stone trap clearings, silage leachate ponding, farm landfills and the recording of the location of farm offal pits. There was also continued focus on providing awareness and engagement with farmers on the requirements with the Stock Exclusion Regulations, NES-F, Intensive Winter Grazing and outdoor burning rules.

Most of the permitted activity dairy audits were assessed as Fully Compliant or Low Risk Non-Compliant. Compliance results for the 2023/24 financial year showed that **93.4% of the permitted activity dairy audits were either in Full Compliance or were Low Risk Non-Compliant. 1.9% of the permitted activity dairy audits were assessed as being Significantly Non-Compliant.** All Significantly Non-Compliant audits were followed up by staff and either appropriate action was taken in line with the *Compliance and Enforcement Policy (2021)* or *Formal Warning Policy (2022)*, or investigations are continuing.

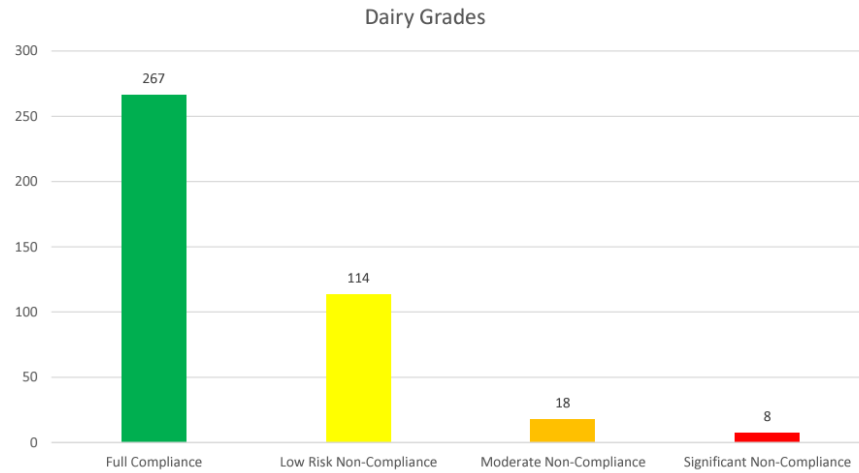


Figure 10: Compliance grading results from permitted activity dairy audits during the 2023/24 financial year.

Compliance results from permitted activity forestry auditing programme

Forestry activities are recognised within Priority 1 within the ORC *Compliance Plan 2023-2026*. This is due to the significant risk forestry activities pose to the surrounding environment, whether it be sediment or slash impacting water quality or infrastructure downstream. To better target which forestry notifications should be monitored for site audit, the Coastal Compliance Team complete a risk assessment for each notification, taking into consideration factors such as the National Environmental Standard Commercial Forestry (NES-CF) subpart activities being exercised, the environmental sensitivity of the area and the compliance history of the contractor. The Coastal Compliance Team have continued to prioritise forestry site audits for harvesting, earthworks and river crossing NES-CF subpart activities, as these activities have been shown to pose the highest level of environmental risk.

During the 2023/24 financial year, The Coastal Compliance Team **received 194 NES-CF notifications** for forestry activities. Each NES-CF notification may have included a range of subpart activities exercised within each notice. The total number of forestry subpart activities received under the NES-CF is as follows:

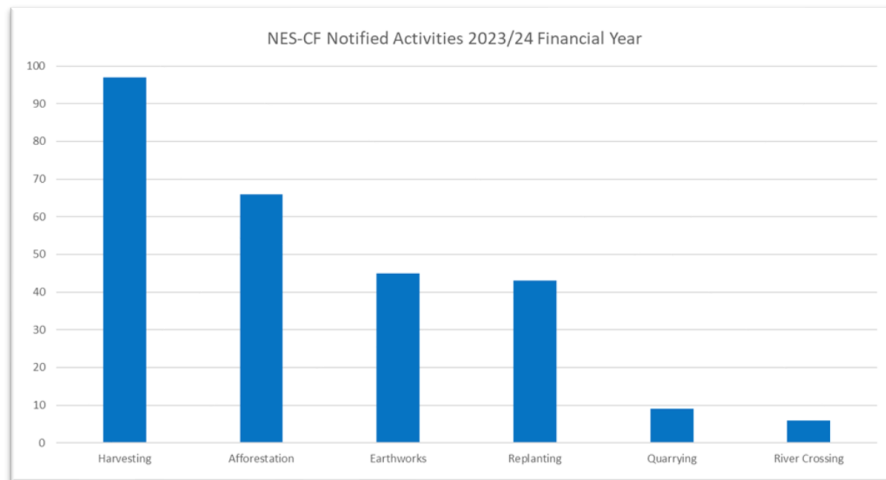


Figure 11: NES-CF notifications received, and subpart activities undertaken during the 2023/24 financial year.

The Coastal Compliance Team **completed 53 permitted activity forestry site audits** for NES-CF notifications during the 2023/24 financial year. The range of subpart activities audited are as follows (note that multiple subpart activities can be associated with one notification):

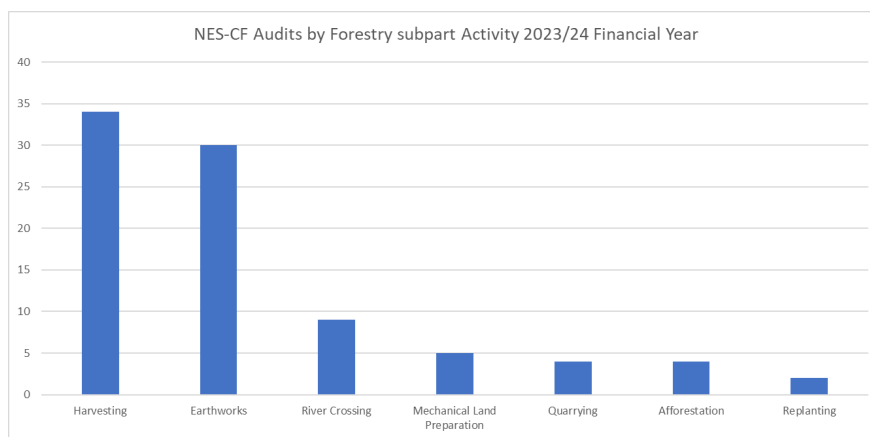


Figure 12: Forestry audits of NES-CF notifications and subpart activities during the 2023/24 financial year.

Most of the permitted activity NES-CF forestry site audits were assessed as Fully Compliant or Low Risk Non-Compliant. Compliance results for the 2023/24 financial year showed that **88.7% of the permitted activity forestry audits were either in Full Compliance or were Low Risk Non-Compliant. 3.8% of the permitted activity forestry audits were assessed as being Significantly Non-Compliant.** All Significantly Non-Compliant audits were followed up by staff and either appropriate action was taken in line with the *Compliance and Enforcement Policy (2021)* or *Formal Warning Policy (2022)*, or investigations are continuing.

Non-compliances were linked particularly to breaches of planting setbacks, an inadequate or lack of earthworks stabilisation, stormwater controls, slash placement being located within a 5% AEP flow path, discharges to waterways and incorrect river crossing specifications.

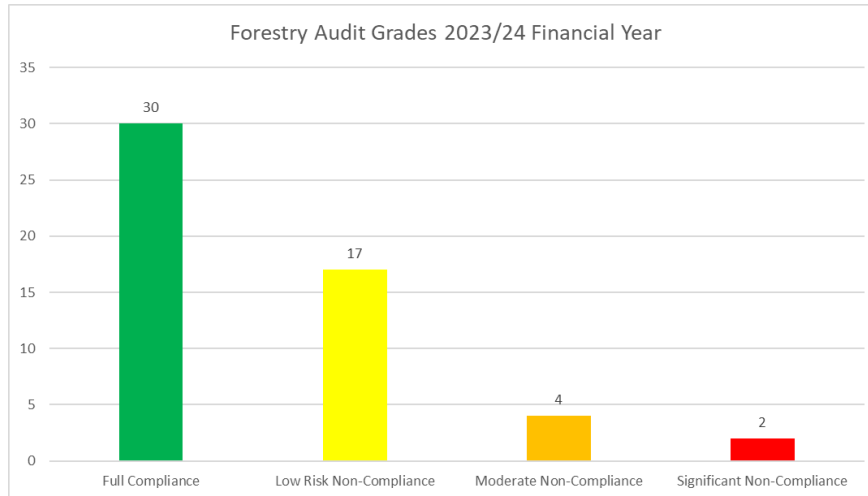


Figure 13: Compliance grading results from permitted activity forestry audits during the 2023/24 financial year.

With the original NES–Plantation Forestry (NES-PF) being amended to the NES-CF in November 2023, several regulations were altered requiring internal implementation changes. This included the changes to carbon farming that are now considered within scope of the NES-CF, the requirement for replanting to be notified to local and regional authorities, the requirement for replanting and afforestation management plans to be supplied and the requirement to amend all management plans.

Pollution response

Response to complaints and notifications of pollution or potential permitted activity rule breaches

ORC continued to provide a 24/7 pollution hotline service and responded to complaints of environmental non-compliance and pollution incidents throughout the 2023/24 financial year. The *Pollution Incident Response Procedure Manual* provides the procedure for all incident Responders on how to respond to initial incidents received through the 24/7 pollution hotline service. It also includes the Triage Plan that gives the Investigations Team the ability to consistently conduct risk assessment and prioritise the level of response to each incident.

High demand from our communities for the pollution hotline service continued throughout the 2023/24 financial year. **1,361 complaints were submitted to the pollution hotline service over the 2023/24 financial year** through either the 0800 freephone, pollution email address or online pollution notification form. After adjusting for multiple complaints that were associated with one reported incident, **1,095 individual incidents were reported through to the pollution hotline over the 2023/24 financial year**. The number of complaints and associated incidents received throughout the 2023/24 financial year were consistent with the number received within the previous 2022/23 financial year, in which 1,407 complaints associated with 1,203 incidents were received.

The most common complaints received within the 2023/24 financial year related to:

- Water pollution (294)
- Outdoor burning (260)
- Odour (203)
- Domestic chimney (89)

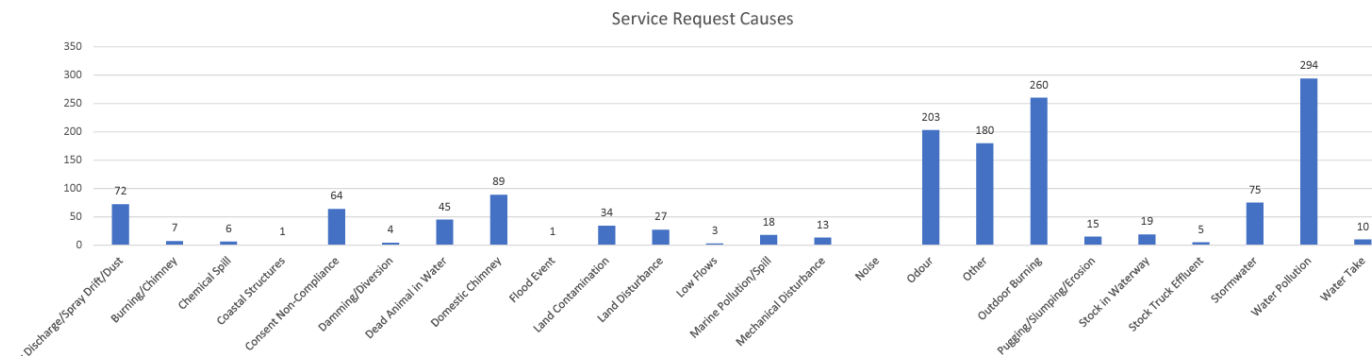


Figure 14: Complaints received during the 23/24 financial year by complaint cause.

Of the 1,095 incidents received by the 24/7 pollution hotline service during the 2023/24 financial year, **incident inspections were conducted for a total of 613 incidents** after risk-assessment and triage, reflecting that a total of **56% of the incidents received during the 2023/24 financial year had been inspected.**

Formal Enforcement Action

The Investigation, Coastal Compliance and Central Compliance Teams respond to instances of gross permitted activity breaches and Significant Non-Compliant breaches of consent conditions. During the 2023/24 financial year, **the Investigation and Compliance Teams issued 100 formal enforcement actions**, a decrease from 151 formal enforcement actions taken in the 2022/23 year. All enforcement actions were undertaken in line with the *ORC Resource Management Act Compliance and Enforcement Policy (2021)* and *Formal Warning Policy (2022)*.

Formal enforcement actions during the 2023/24 financial year included **11 formal warnings, 42 infringement notices** and **44 abatement notices**. ORC authorised **legal proceedings in 3 cases** against corporates, with a total of 9 charges laid against them for breaches of Section 15 of the RMA for the discharge of contaminants. **1 enforcement order** was also applied for through the court and was issued within the 2023/24 financial year.

Of the 86 infringement notices and abatement notices issued during the 2023/24 financial year, **26.7% of the infringement notices and abatement notices were issued against breaches of Section 15 of the RMA for the discharge of contaminants. 5.8% were issued against breaches of Section 13 of the RMA for activities undertaken in beds of lakes and rivers. 66.3% were issued against breaches of other sections of the RMA.**

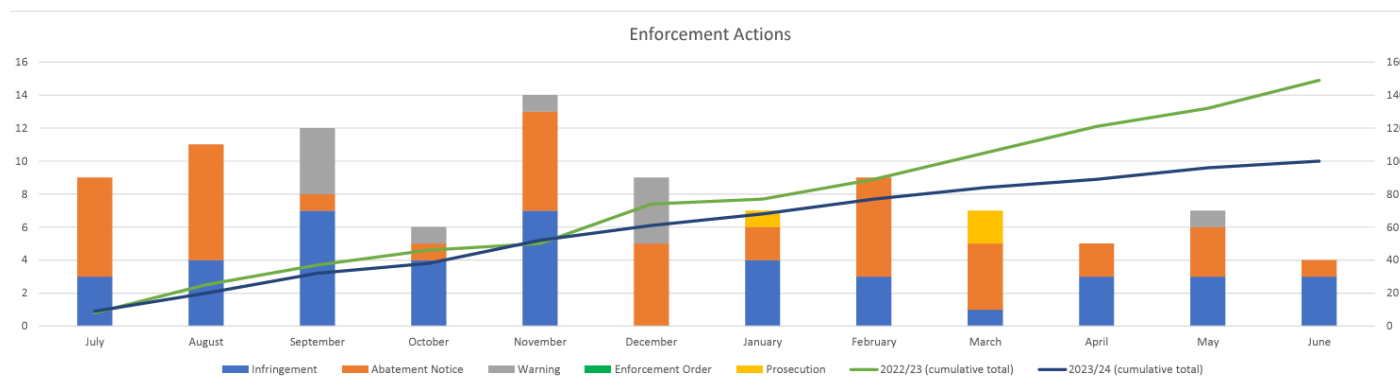


Figure 15: Enforcement actions issued monthly throughout the 2023/24 financial year by enforcement action type.

When considering the cause for enforcement action undertaken throughout the 2023/24 financial year:

- **35% related to the non-compliance of consent conditions**
- **9% related to permitted activity water pollution breaches**
- **9% related to permitted activity land disturbance breaches**
- **9% related to permitted activity outdoor burning breaches**
- **6% related to permitted activity land contamination breaches**

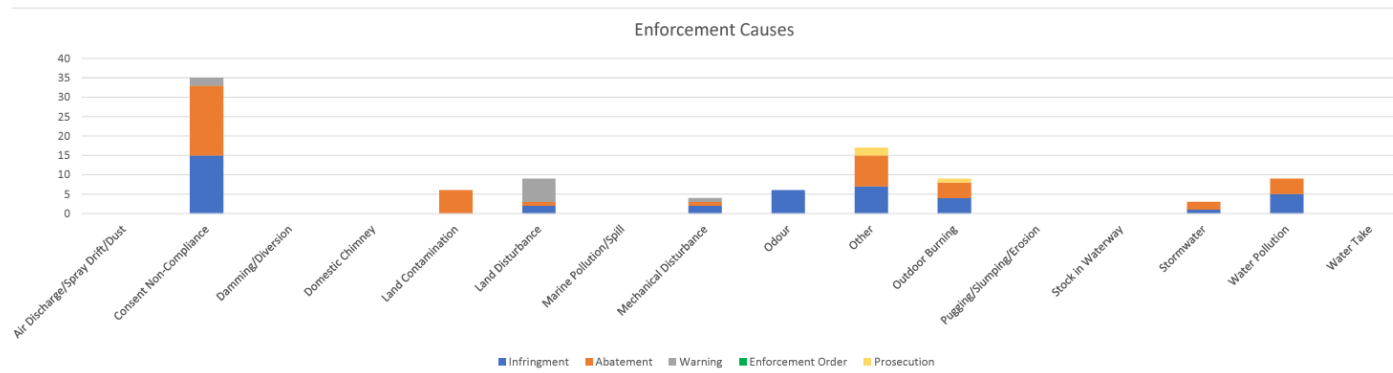
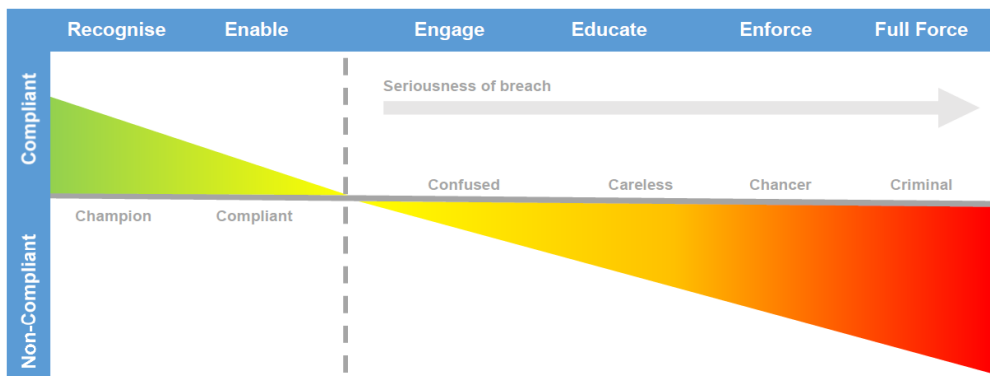


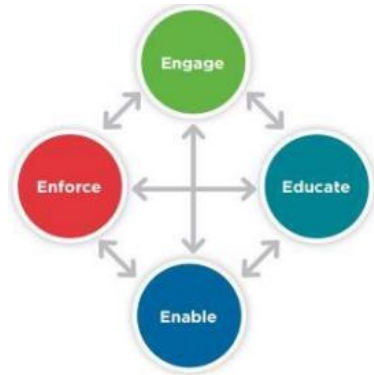
Figure 16: Enforcement actions issued during the 2023/24 financial year by enforcement cause

Approach to compliance

The Investigation and Compliance Teams continued to align its compliance approach with the *Resource Management Act Compliance and Enforcement Policy (2021)* and *Compliance Plan 2023-2026*. For consistency with the Regional Sector Strategic Compliance Framework, the Investigation and Compliance Teams utilise a 'spectrum' approach to encouraging positive behaviour change to ensure the highest levels of compliance possible.



The Investigation and Compliance Teams approach to ensuring compliance with the RMA is based on '4Es model'2 of Engage, Educate, Enable and Enforce.



The Investigation and Compliance Teams continued to support and encourage compliance through proactive engagement with landowners, consent holders and the community on compliance matters and good practice. Some of the education activities in the 2023/24 year included compliance notification and letter campaigns, the establishment of auditing projects targeting specific high-risk activities, attending community and industry events, field days and workshops, developing fact sheets and quick guides.

In April 2024, staff from the Compliance Team spearheaded an earthworks field day in Queenstown which was attended by approximately 250 individuals. The result of this field day, along with previous educational sessions hosted in previous financial years, contributed to an increase in engagement seen by developers and environmental consultants throughout the region.

Throughout the 2023/24 financial year, the Coastal Compliance Team continued to steer and lead initiatives taken by the forestry-related Southern Environmental Working Group. Focus of this group continued to be placed on the implementation of the newly administered NES-CF legislative requirements for the forestry industry and the updating of internal resources and documents to reflect to industry what the ORC's compliance expectations are.

9.2. Environmental Delivery Group Regulatory Update: Quarterly Report

Prepared for:	Regional Leadership Committee
Report No.	GOV2454
Activity:	Regulatory
Author:	Alexandra King, Manager Consents Carlo Bell, Manager Compliance Simon Wilson, Manager Regulatory Data and Systems Steve Rushbrook, Harbourmaster
Endorsed by:	Joanna Gilroy, General Manager Environmental Delivery
Date:	20 November 2024

PURPOSE

- [1] To update the Committee on the activities of the Regulatory Teams of the Environmental Delivery Group between 1 July 2024 and 30 September 2024.

EXECUTIVE SUMMARY

- [2] This report summarises the activity of the Regulatory teams over the first quarter of the financial year which includes Consents, Compliance, Harbourmaster and Regulatory Data and Systems Teams.

RECOMMENDATION

That the Regional Leadership Committee:

- 1) **Notes** this report.

DISCUSSION

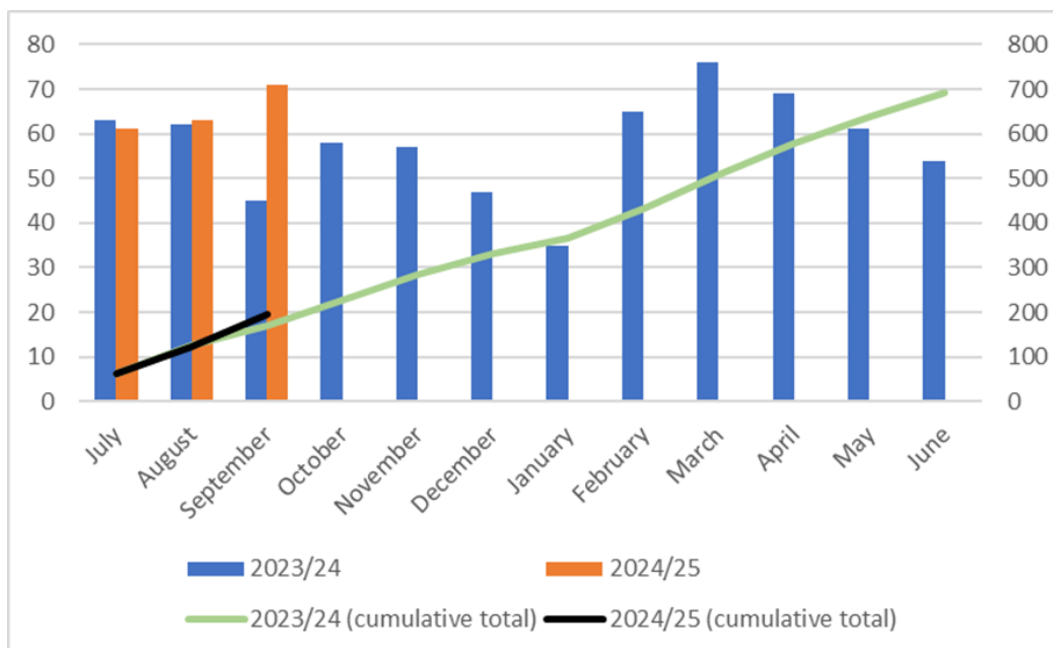
- [3] The following report provides a summary of the activity of each Regulatory team within the Environmental Delivery Group.
- [4] Attachment 1 contains maps relating to regulatory activity for the period 1 July 2024 to 30 September 2024. The charts formally located in this attachment are now part of the main document.

CONSENTS

Consent Processing

- [5] The Consents Team received 195 resource consent applications between 1 July 2024 and 30 September 2024, compared to 170 during the same period last financial year, as shown in Figure 1 below.

Figure 1: Resource Consent Applications Received



- [6] Decisions were made on 230 individual consents (cumulative total) between 1 July 2024 and 30 September 2024, compared with 226 during the same period last financial year. All of these consents were processed in compliance with the timeframes set in the Resource Management Act 1991.
- [7] Map 1 in the Appendix shows the spread of consents granted for the period 1 July 2024 and 30 September 2024 throughout Otago. As shown on the map, the main types of consents approved over the reporting period relate to effluent ponds and discharges, earthworks, bores and surface water takes. Of note there are a number of surface water consents granted in the Shag catchment after workshops were run in that area.
- [8] Consent processing is predominantly undertaken by internal staff. Consultants are only used on an as required basis and still account for less than 10% of workload processing. These are generally for applications for large scale or long-term projects and where Council is the applicant.
- [9] Five applications were limited notified between 1 July 2024 to 30 September, as shown in Figure 2 below. These applications related to consents needed for the operation of a resource recovery park, earthworks within wetlands, damming water and discharges near the coast.
- [10] No applications were publicly notified between 1 July 2024 to 30 September.

Figure 2: Notified Applications

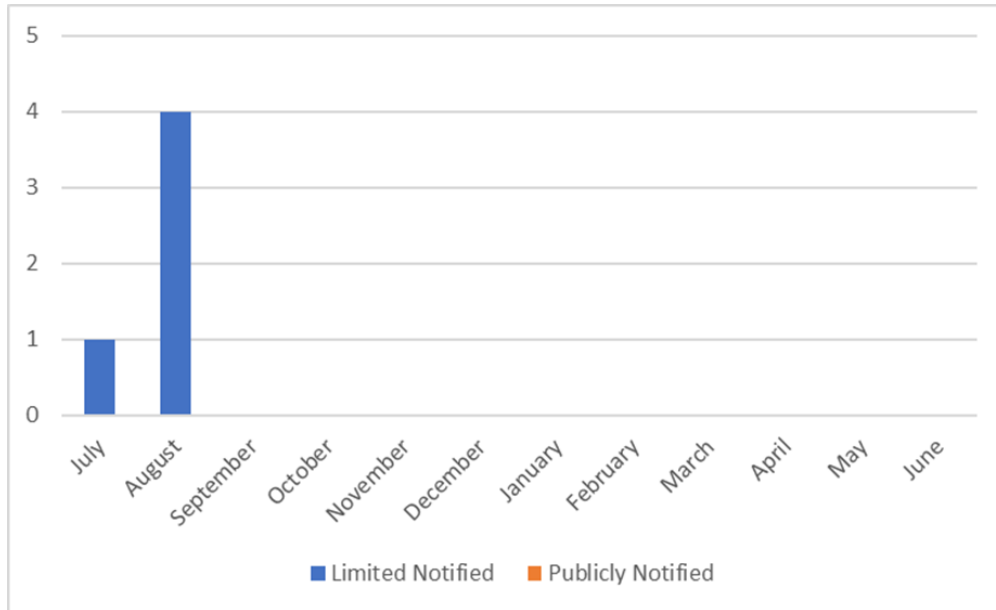


Figure 3: Other Applications Received

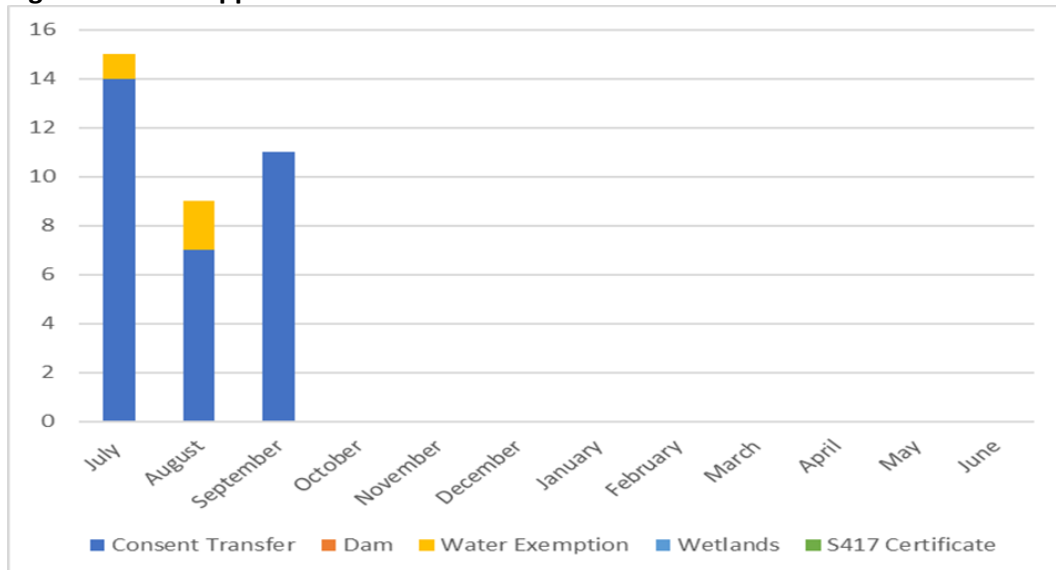
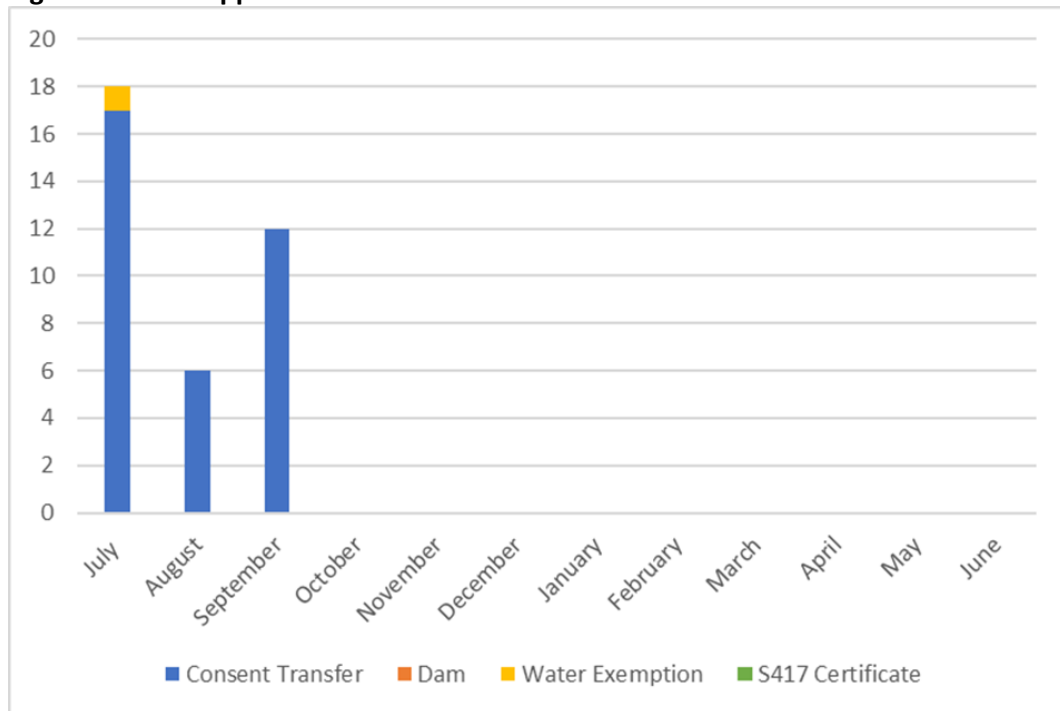


Figure 4: Other Applications Processed



Deemed Permit Replacements

- [11] 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.
- [12] Staff worked collaboratively with consultants and applicants to process deemed permit related applications. Decisions have been made on 164 applications from 1 July 2021 to 30 September 2024.
- [13] Although outside of the reporting period the final deemed permit replacement has been issued in October 2024. This is a significant achievement for the team and deemed permit holders within Otago. No specific update on deemed permits will be included in future reports, reflecting the end of this specific work programme.
- [14] Table 2 shows the decisions that have been made since July 2021 for deemed/water permit replacements.

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

Month	Number of 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
July 2023	0	0	0
August 2023	2	1	3
September 2023	2	2	3
October 2023	1	2	3
November 2023	0	2	2
December 2023	1	0	1
January 2024	0	0	0
February 2024	1	2	3
March 2024	1	5	6
April 2024	4	0	4
May 2024	0	1	1
June 2024	0	1	1
July 2024	0	0	0
August 2024	0	3	3

September 2024	0	2	2
Total	111	53	164

Appeals, objections, and reviews

- [15] No appeals or objections on consent decisions were received between 1 July 2023 to 30 June 2024.
- [16] No cost objections were received under Section 357B of the RMA between 1 July 2024 and 30 September 2024. 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.
- [17] No reviews are currently being processed and none were undertaken within the reporting period.

Public Enquiries

- [18] Responding to public enquiries remains a significant part of the workload of the Consents Team. Council received 579 enquiries from the public between 1 July 2024 and 30 September 2024, shown in Figure 3 below. Most enquiries were resolved within two days of being received, with the remaining within the three days. The location of these requests is shown in Figure 4 below. The large number of public enquiries responded to demonstrate the value of this service provided by ORC.
- [19] Requests for copies of documents, as well as information about discharges to land, farming activities and consent process are the most common enquiry types. The main method for requests is email.

Figure 5: Consent Enquiry Response Times

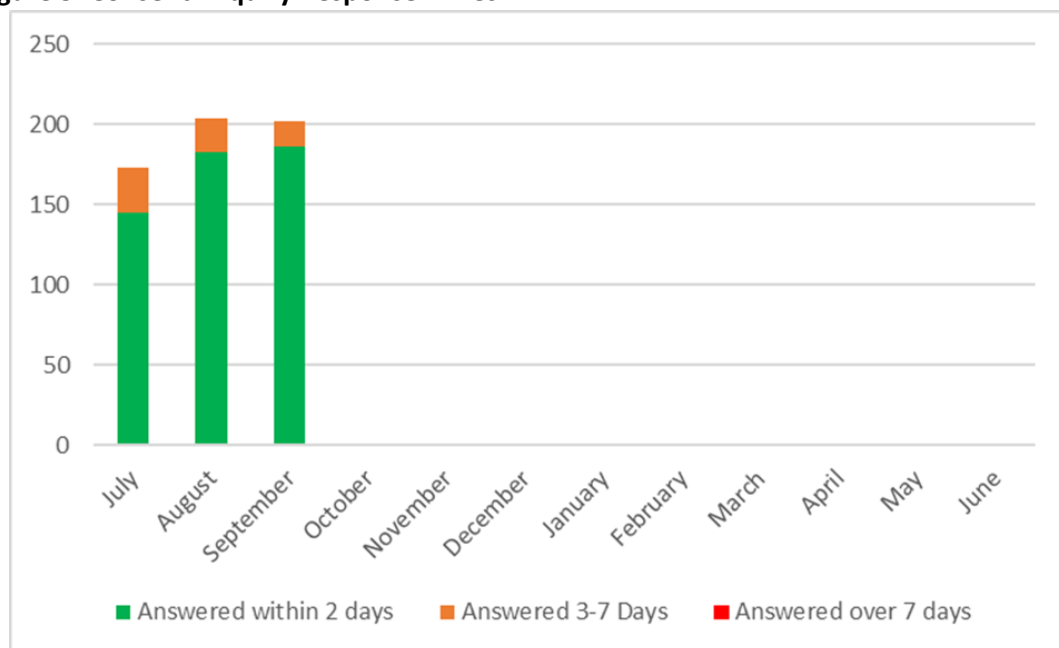
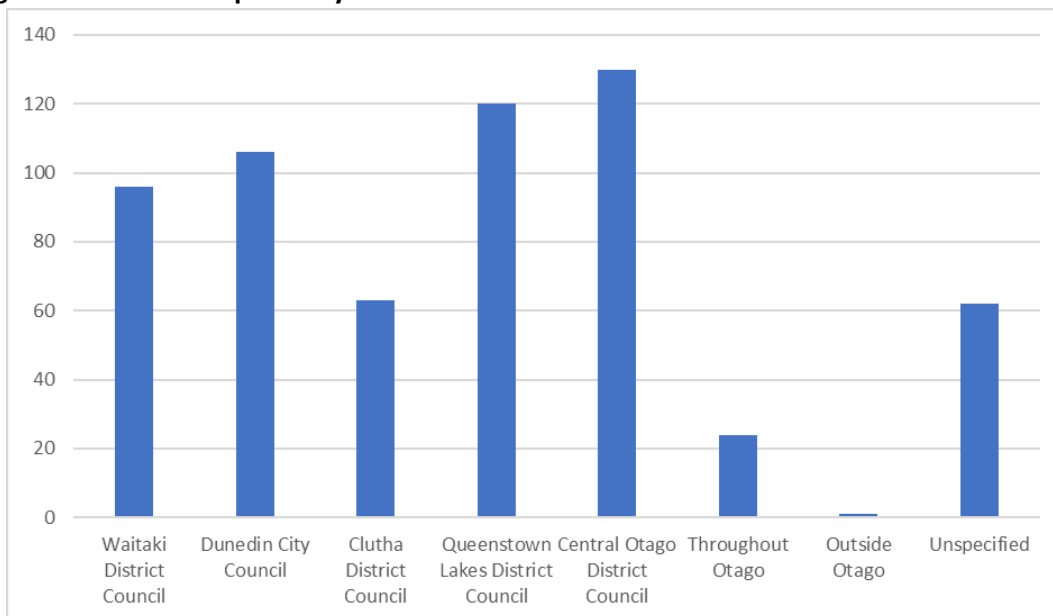


Figure 6: Consent Enquiries by Location

- [20] The Consent Enquiries team have been responding to requests for comments on applications that are seeking to use, or are using the 'Fast Track' process provided by the COVID-19 Recovery (Fast-Track Consenting). Proposals that have progressed under the existing legislation in the reporting period include:
- a) Flint's Park, Ladies Mile – Te Pūtahi
 - b) Southland Windfarm
- [21] The team have also engaged with applicants who intend to use the Fast Track Approvals Bill process. Once this legislation has been progressed staff will provide an update to Council on the new legislation and a recommended process for how Council's involvement in the process is handled. In the reporting period meetings have been held with:
- a) Homestead Bay
 - b) Bendigo Ophir Gold Mine (including a site visit)
- [22] To enhance the public enquiries service, as well as the other projects reported to date staff have led, are working on or finalised the below:
- a) Implementation work for the fast-track approvals bill including facilitating a working group with members from teams across council, refining our processes/workflows for these types of applications. This will inform advice that is provided to Council
 - b) Organisation and attendance at effluent workshops with consultants in North and South Otago. These build in the workshops that were held for farmers. Regular primary industry consultant workshops will start in the new year, off the back of the success of these effluent workshops.

- c) Modifications to the location and content of the Forestry Webpage so it is more visible on the ORC website.
- d) Continuing to assist applicants to seek funding under the Consent Fee Support programme and promoting this service with consultants who have clients with projects that may qualify for this funding.
- e) Involvement in reviewing the proposed LWRP and preparing for if the plan had been notified.

[23] All the above projects help us deliver an improved customer experience for users of the consent or public enquiries services. This work is balanced against chargeable work and is completed within an existing work programme.

COMPLIANCE MONITORING AND ENFORCEMENT

[24] Council monitors resource consents to determine compliance with conditions, with regional rules and national regulations and the impact of consented activities on the environment and Otago community. Council undertakes its Compliance, Monitoring and Enforcement work programme in line with the approved Compliance Plan 2023-2026. This Plan informs Council's work in accordance with our obligations under the Resource Management Act 1991, and the national compliance direction set for all regional councils under the Regional Sector Strategic Compliance Framework.

Performance Monitoring

[25] 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.

[26] In the period from 1 July 2024 to 30 September 2024, the Regulatory Data and Systems and Compliance teams graded 2,541 performance monitoring returns against a target of 1,500. This is up on the 1,971 returns graded in the same period last financial year. The increased volume of returns graded is reflective of changes in systems and procedures over the last few years which reduced the time it takes to grade water take and discharge consents. Water take returns are assessed annually (starting 1 July) for data compliance. With Aquarius Dashboards now built for most consents the team are working through the grading process more quickly than in previous years. An example of these dashboards is shown in Figure 7.

[27] A summary of the performance monitoring returns is shown in figures 9 and 10 below.

Figure 7 - Example Aquarius Dashboard Chart

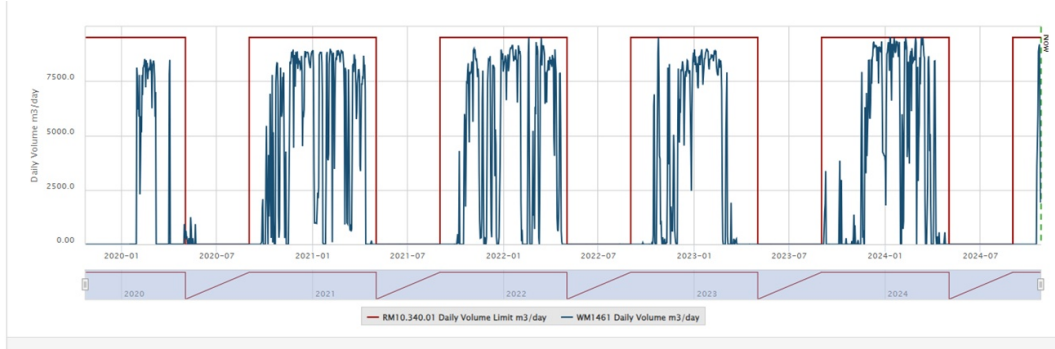


Figure 8: Performance Monitoring Returns Completed against LTP Performance Measure

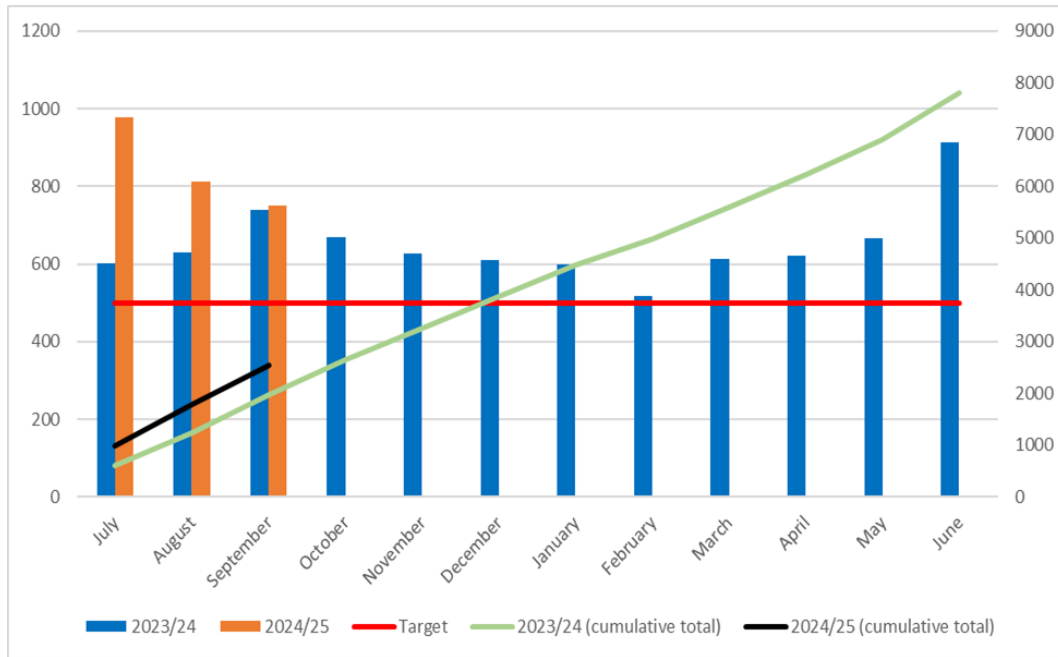
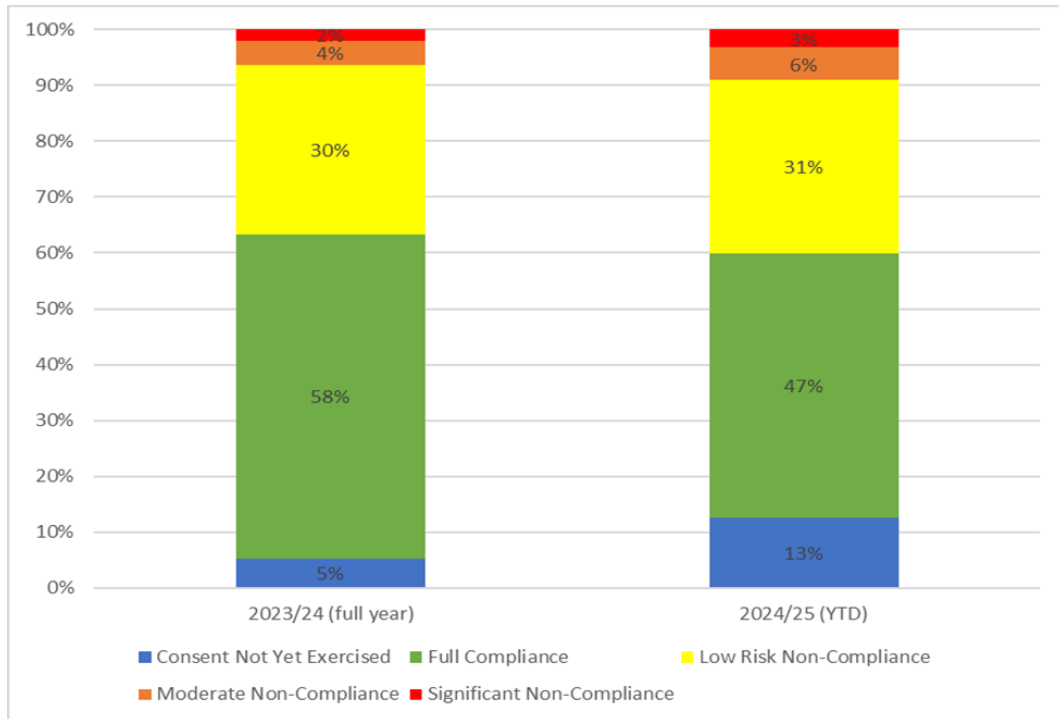


Figure 9: Performance Monitoring Grades Year on Year



ORC compliance audits and inspections

[28] In the period from 1 July 2024 to 30 September 2024, 224 on site audits and inspections were completed. The inspections relate to 200 consent audits and 24 forestry inspections. This is 92% of the planned compliance audits or field inspections.

RMA consent audits

[29] In undertaking audits and monitoring under the Compliance Plan, audits and performance Monitoring returns are assigned the grades outlined below based on a staff assessment of compliance. This grading system is in line with best practice and is based on the Ministry for Environment ‘Best Practice Guidelines for Compliance, Monitoring and Enforcement under the Resource Management Act 1991.’ These grades are shown in the table below and should be used to support the below discussion on the grades provided through audits.

Compliance Grade	
1	FULL COMPLIANCE with all relevant consent conditions, plan rules, regulations and national environmental standards.
2	LOW RISK NON-COMPLIANCE Compliance with most of the relevant consent conditions, plan rules, regulations and national environmental standards. Non-compliance carries a low risk of adverse environmental effects or is technical in nature (e.g. failure to submit a monthly report).
3	MODERATE RISK NON-COMPLIANCE Non-compliance with some of the relevant consent conditions, plan rules, regulations and national environmental standards, where there are some environmental consequences and/or there is a moderate risk of adverse environmental effects.
4	SIGNIFICANT RISK NON-COMPLIANCE Non-compliance with many of the relevant consent conditions, plan rules, regulations and national environmental standards, where there are significant environmental consequences and/or there is a high-risk of adverse environmental effects.

[30] In the period from 1 July 2024 to 30 September 2024 of the 200 consent audits undertaken, compliance with consent conditions can be considered moderate (subject to a small sample size), with most consents being considered either fully compliant (44% consents), or low risk non-compliance (23% consents). Consents are graded as low risk non-compliance when there is a likely low risk of adverse environmental effects or is technical in nature (e.g., failure to submit a monitoring report).

[31] All consent audits graded with moderate non-compliances (26 consents) and significant non-compliances (27 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. Formal enforcement action taken over the reporting period, in relation to consent non-compliance includes 6 abatement notices and 8 infringement notices.

Figure 10: Compliance Audits and Field Inspections Year on Year LTP Performance Measure

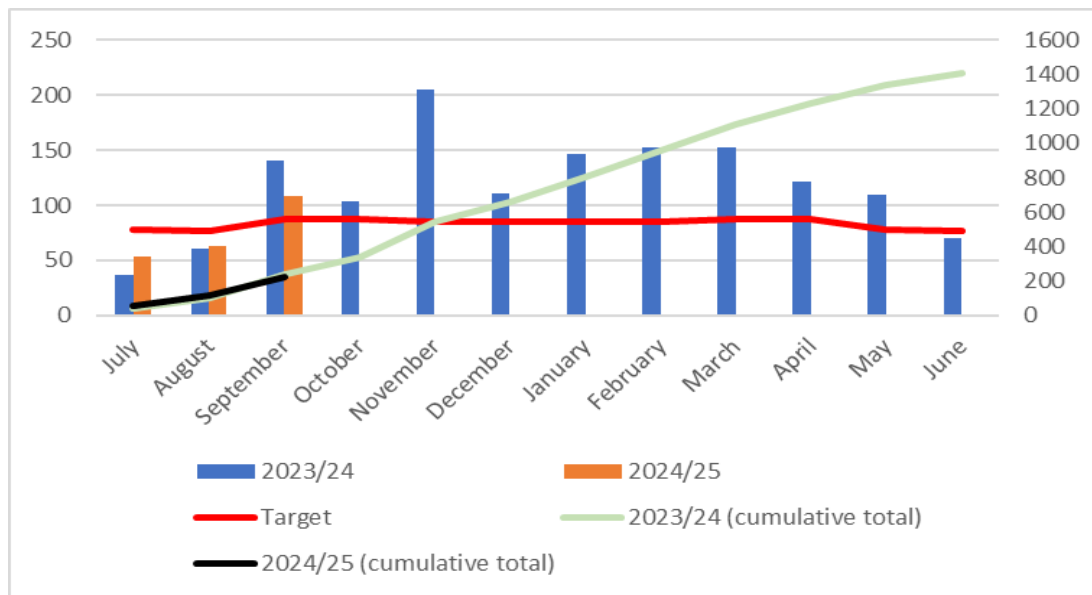


Figure 11: Compliance Audits and Field Inspections by Type

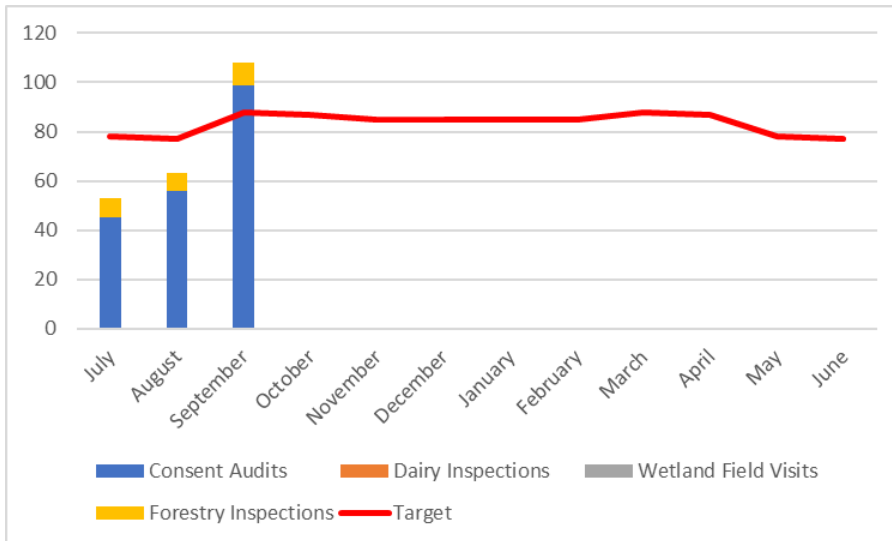
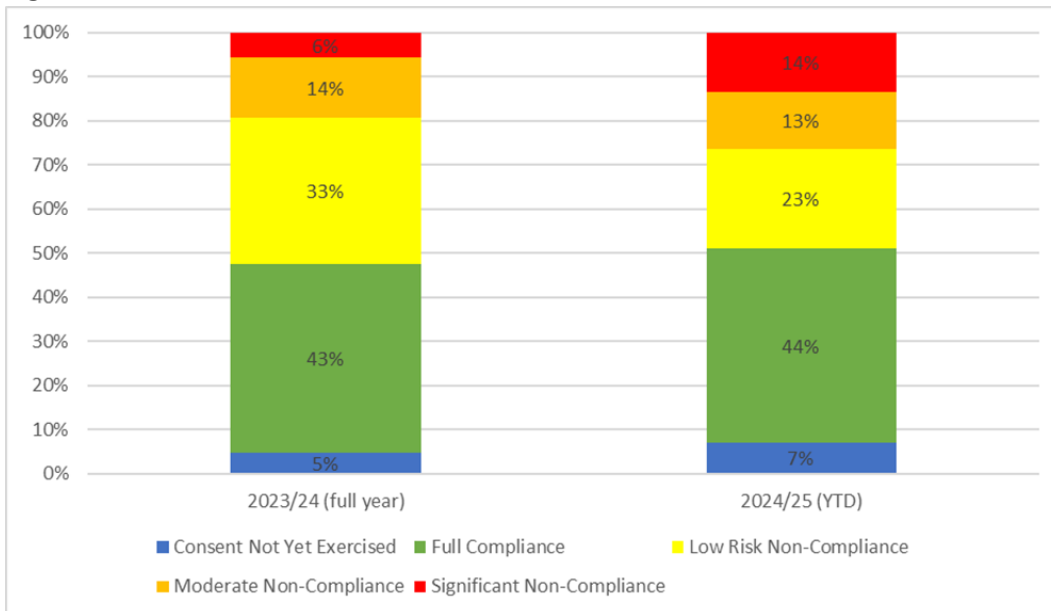


Figure 12: Consent Audit Grades Year on Year



[32] In the period from 1 July 2024 to 30 September 2024 it is noted that the percentage of significant non-compliances is higher than expected. This is largely due to a complex site audit that resulted in several non-compliances.

Figure 13: Significant Non-Compliance by Consent Type

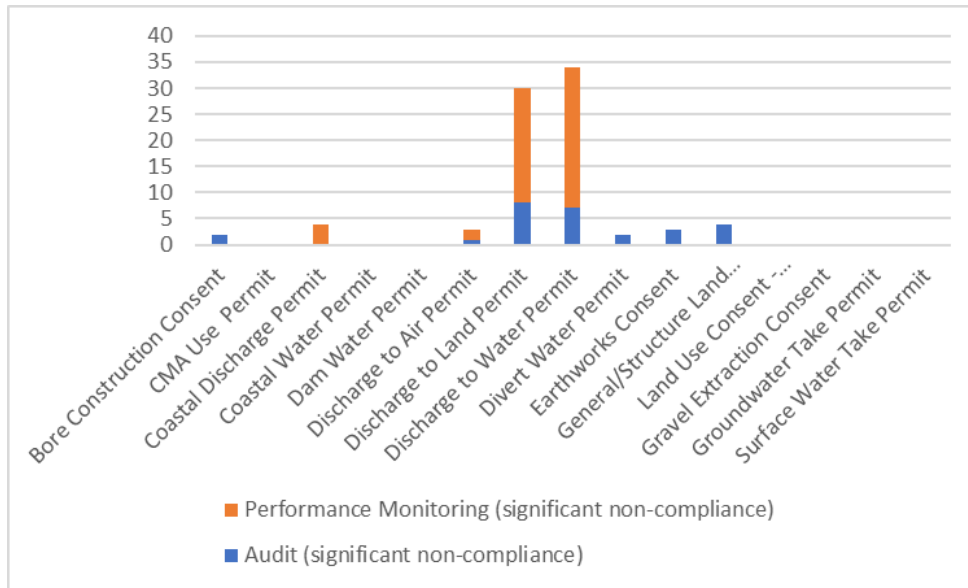
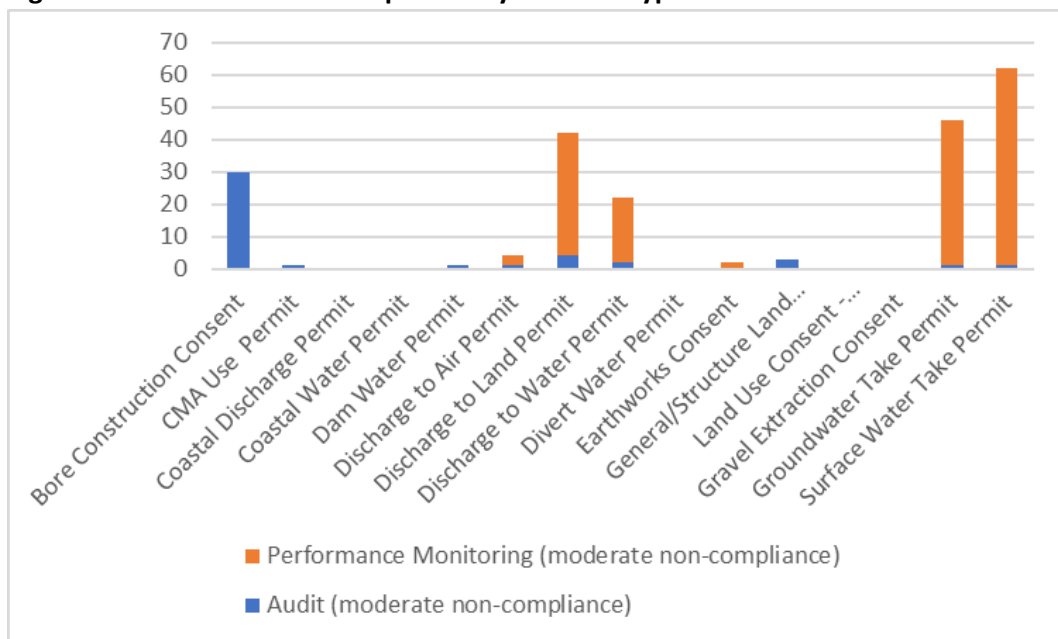


Figure 14: Moderate Non-Compliance by Consent Type



[33] Map 3 of Attachment 1 shows the spread of consents that have been audited throughout Otago in the period from 1 July 2024 to 30 September 2024.

Dairy Compliance Programme

- [34] The 2024/25 Dairy Inspection Compliance Project is seasonal and commenced in October 2024. For that reason, there is nothing to report for the period 1 July 2024 to 30 September 2024.

Commercial Forestry

- [35] In the period from 1 July 2024 to 30 September 2024, ORC received 44 forestry notifications and 84 management plans. This is under the National Environmental Standards. Most of the forestry notifications 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. In the period from 1 July 2024 to 30 September 2024, compliance staff have undertaken 24 forestry inspections. Notifications and inspections are shown in Figure 15 below.
- [36] Of the sites monitored, compliance was high with 11 forestry sites graded fully compliant and 8 forestry sites graded low-risk non-compliance. Four forestry sites were graded moderate non-compliance, and one forestry site was graded significant non-compliance. The main reasons for non-compliance related to limited sediment controls, sediment discharges, lack of stabilisation and slash left in a flow path. These matters were followed up by staff and corrective actions were made by the forestry operators. Gradings for these activities are shown in figure 16 below.
- [37] 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 participating in a Southern Forestry Environmental Working Group.
- [38] Te Uru Kahika's Compliance Special Interest Group established a Forestry Working Group this year. The purpose of the forestry working group is to support consistent interpretation and implementation of the NES-CF, and standardisation of forestry inspection assessments. ORC compliance staff actively participate in the forestry working group, including undertaking a review of forestry inspection reports across regional councils who monitor forestry activities.

Figure 15: Forestry Notifications and Inspections

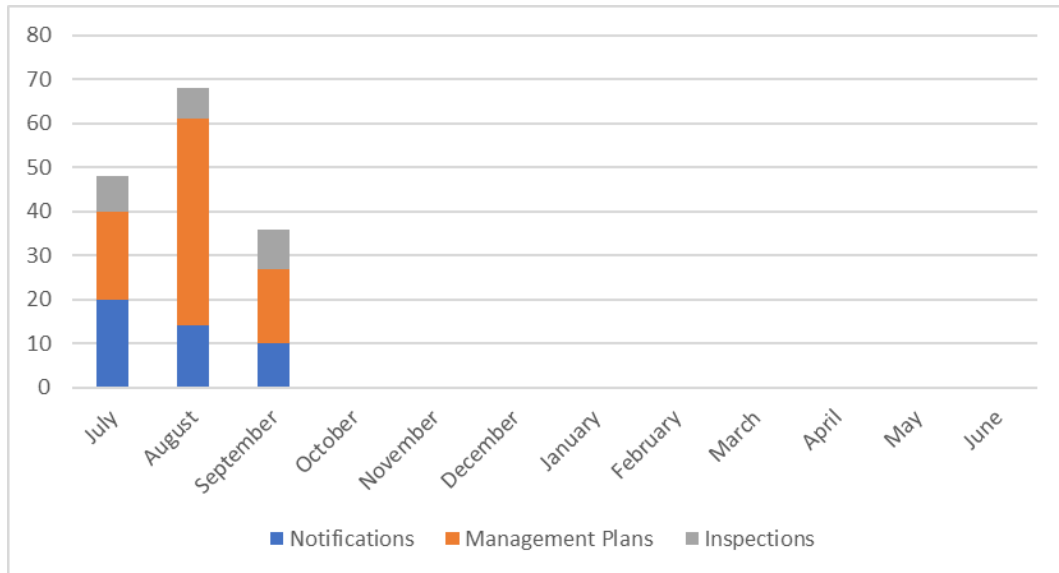
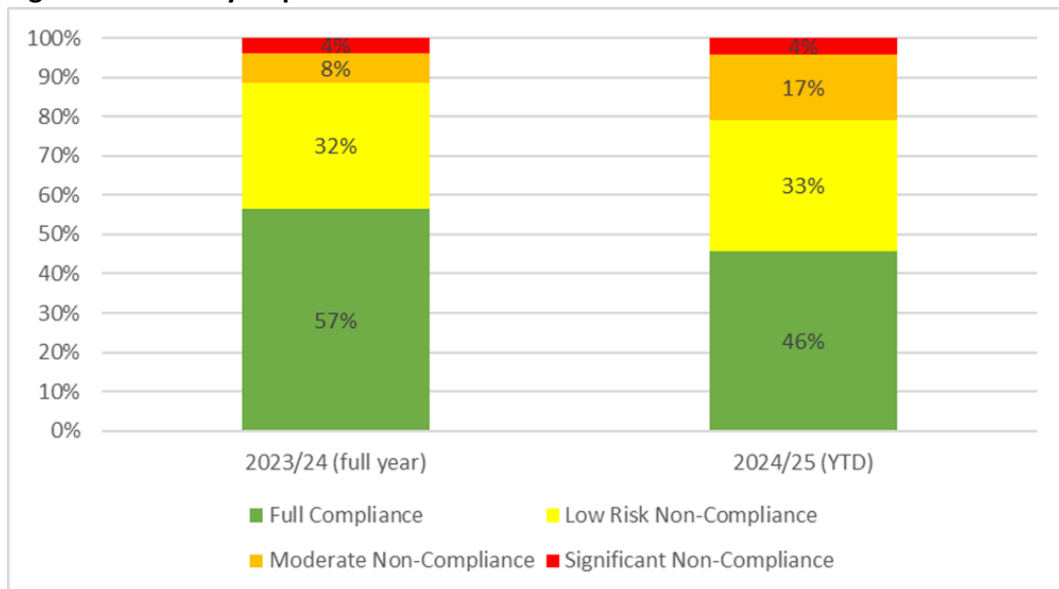


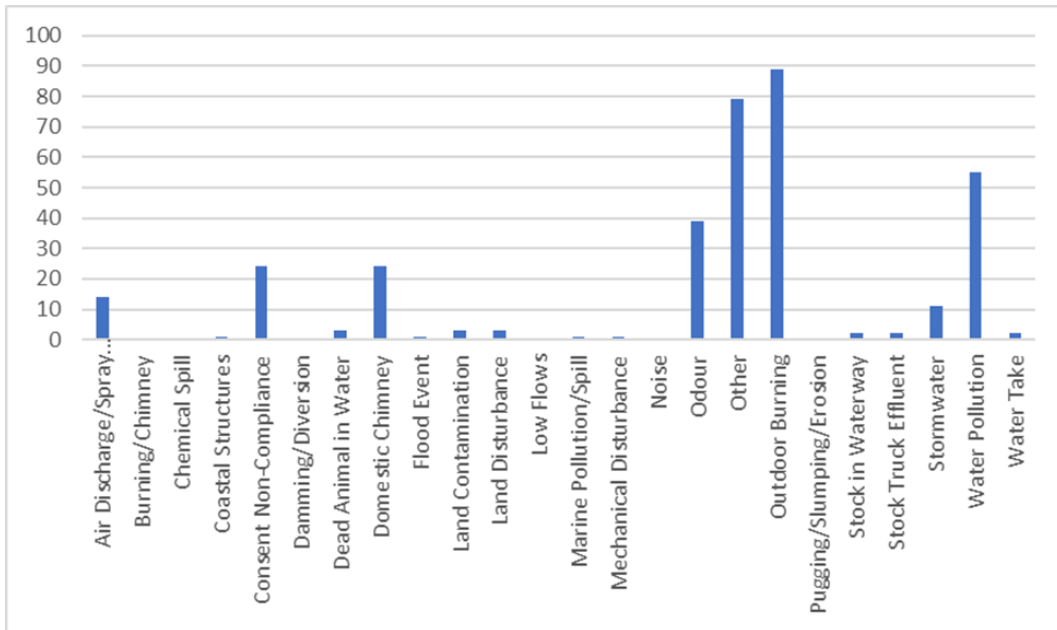
Figure 16: Forestry Inspection Grades Year on Year



Environmental pollution incidents

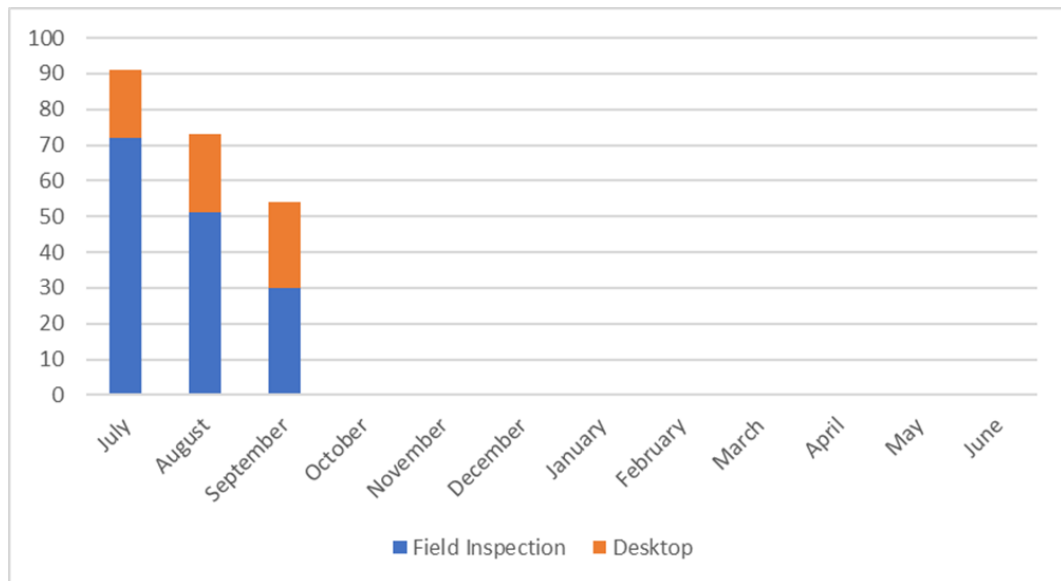
[39] In the period from 1 July 2024 to 30 September 2024, 354 service requests were received on the pollution response hotline, resulting in 218 incidents being generated. The most common reasons for requests related to water pollution (55), outdoor burning (89), and odour (39).

Figure 17: Pollution Complaints by Type



- [40] The 24/7 pollution response service was maintained in the period from 1 July 2024 to 30 September 2024.
- [41] Map 5 of Attachment 1 shows pollution incidents have occurred throughout the Otago region. Figures 17 and 18 below show when the incidents were reported and the type of incident.
- [42] The majority (70%), of the pollution incidents required a field inspection to assess compliance and investigate, and 30% of the pollution incidents were resolved through desktop analysis.

Figure 18: Incident Response Type

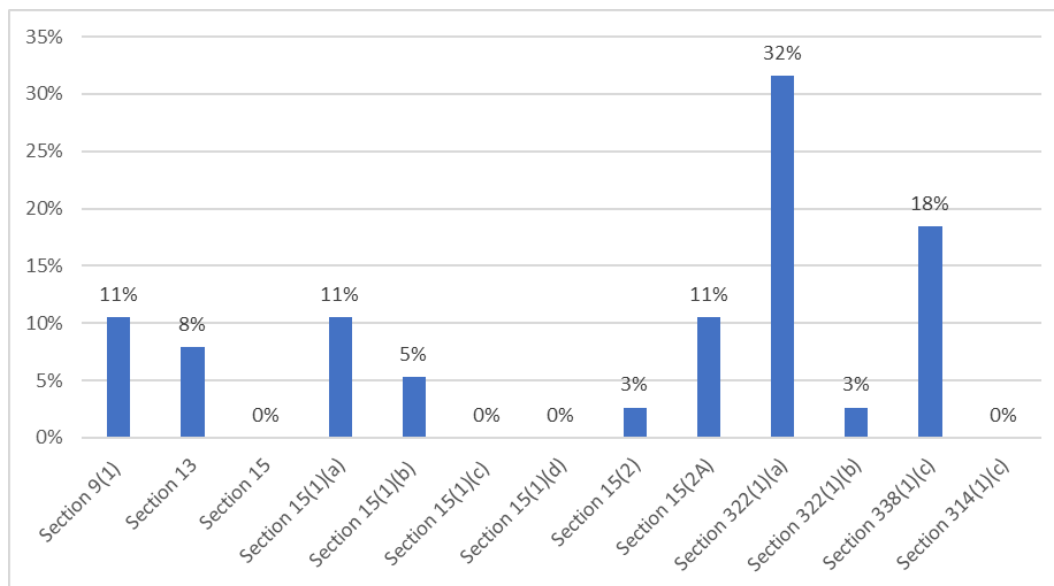


Investigations and enforcement action

- [43] In the period from 1 July 2024 to 30 September 2024 ORC issued 31 formal enforcement actions, including 19 infringement notices, 11 abatement notices and 1 formal warning.
- [44] Map 6 of Attachment 1 indicates the location of the incidents related to the formal enforcement action. It should be noted that some incidents resulted in multiple enforcement actions. For example, issuing multiple infringement notices to multiple parties; and issuing an abatement notice and infringement notice for the same incident.
- [45] In the period from 1 July 2024 to 30 September 2024, ORC issued 19 infringement notices. 12 infringement notices were paid within time limits (5 are still outstanding) and two infringement notice were withdrawn after reviewing additional evidence provided by the alleged offender. Geographically the spread of infringement notices across the districts is as follows: Clutha (7), Dunedin (5), Queenstown Lakes (2) and Waitaki (4) and Central Otago (1).
- [46] In the period from 1 July 2024 to 30 September 2024, ORC issued 11 abatement notices. Geographically the spread of abatement notices across the districts is as follows: Central Otago (4), Clutha (1), Dunedin (2), Queenstown Lakes (1) and Waitaki (3).
- [47] In the period from 1 July 2024 to 30 September 2024, 4 abatement notices were cancelled due to compliance being met. Some of these abatement notices were issued some time ago. ORC staff continue to monitor compliance with the conditions of abatement notices, and work with the parties to achieve compliance and improved environmental outcomes. Having an abatement notice cancelled reflects that compliance has been achieved and that their use has been effective.

[48] The most common RMA breaches that led to formal enforcement action in the reporting period related to use of land in a manner that contravenes a national environmental standard (section 9(1), discharges of contaminants to water (section 15(1)(a)), discharges of contaminants to air (section 15(2A)) and contravention of abatement notices (section 338). These are shown in figure 19 and the table below it explains each breach.

Figure 19: Enforcement Offences

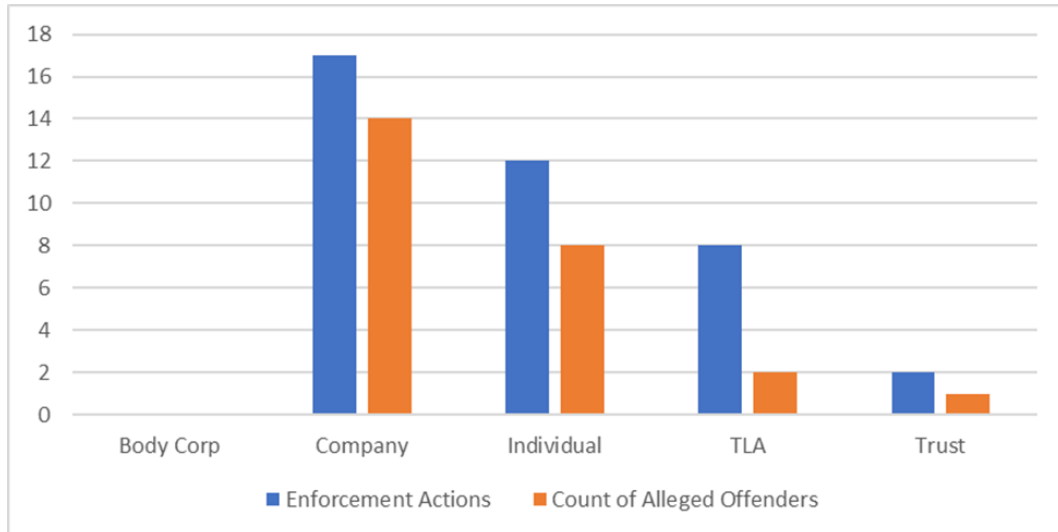


Offence Description	RMA Section
Breach Restrictions On Land Use e.g Disturbance of land/dischage of contaminant to land	9
Breach Restrictions-Lake/River Bed Uses e.g. Disturb riverbed	13
Breach Water Restrictions e.g. Water take breach/Ground water take	14
Discharge Of Contaminants Water e.g. Sediment to water/WWTP discharge breaches	15(1)(a)
Discharge of Contaminates 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)
Duty to avoid, remedy, or mitigate adverse effects	17
Abatement Notice	322
Contravention Of Abatement Notice	338(1)(c)
Enforcement Order issued as a decision of the Environment Court	314(1)(c)

[49] In the period from 1 July 2024 to 30 September 2024 formal enforcement actions were taken against 14 companies, 8 individuals, two territorial authorities and one Trust. Some parties received multiple enforcement actions for the same incident (e.g.,

infringement notice and abatement notice, and some parties were involved in multiple incidents). These are shown in figure 20.

Figure 20: Enforcement by Offender Type



[50] In the period from 1 July 2024 to 30 September 2024, no prosecutions were initiated.

Compliance engagement and education activities

[51] To support and enable compliance, ORC compliance staff work proactively with landowners, consent holders, and the community to engage on compliance matters and educate on good practices.

[52] Some of the engagement and education activities that have been undertaken by the Compliance team since the last Regulatory Update report include:

- a. Proactive communications and workshops around dairy farm audits and dairy effluent rules.
- b. Sending out educational letters in relation to domestic chimney and outdoor burning complaints.
- c. Promotion of the pollution hotline, e.g. bus advertising campaign.

HARBOURMASTER

Major Incidents

[53] 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; and
- c. Significant navigational safety issues.

- [54] There was one major incident during this period. On August 17th a 14ft vessel headed out over the bar at the Caitlins, the vessel capsized with two persons onboard. Sadly, there was one fatality and our deepest sympathies are with the family. The other person on board self-rescued back to shore. Maritime NZ have the remit to investigate and this is ongoing.

Other activities

- [55] The media plan for this year is in place, with new radios adverts recorded and newly developed videos created. All will be utilised when safer boating week kicks off in October and for the upcoming season. A recreational boating operational plan has also been completed and is available on the ORC Harbour Master webpage. This outlines the work that will be completed over the coming year and feeds into the media plan.
- [56] Drone pictures are being taken regularly over both the Karitane and Taieri Mouth Bars, to provide timely footage for persons using these locations. Pictures are uploaded to the Harbourmaster Facebook page.
- [57] Wave Buoys have all had their annual maintenance and service in September.
- [58] An overview of the Port and Harbour Marine Safety Code has been made available for people to better understand the process. This is placed on the ORC website.
- [59] In terms of collaborating with other teams, the Harbourmaster team has been:
- a) providing support for the Consents Team, collating information on coastal permits across our waterways.
 - b) supporting the Environmental Monitoring team with sampling and buoy maintenance on Lake Wakatipu, Lake Wānaka, Lake Hawea, Lake Hayes, and Lake Dunstan.
 - c) working with the Biosecurity Team on the check, clean dry and safer boating messages. This year will see shared resources across the region and shared messaging.
- [60] The Harbourmaster attended and supported a water safety education event Held at Port Chalmers on World Drowning Prevention day. The event was well attended by members of the public and some good interactions around boating safety were had.

CONSIDERATIONS

Strategic Framework and Policy Considerations

- [61] There are no policy considerations.

Financial Considerations

- [62] There are no financial considerations.

Significance and Engagement Considerations

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

Legislative and Risk Considerations

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

Climate Change Considerations

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

Communications Considerations

- [67] 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

- [68] Regulatory activities will be reported quarterly to the Regional Leadership Committee.

ATTACHMENTS

Nil

9.3. Te Tiriti o Waitangi Audit

Prepared for:	Regional Leadership Committee
Report No.	GOV2422
Activity:	Community - Governance and Democracy Community - Iwi Relationships
Author:	Andrea Howard, Manager Executive Advice
Endorsed by:	Amanda Vercoe, General Manager Strategy and Customer
Date:	21 November 2024

PURPOSE

- [1] To provide Council with the outcome of the Te Tiriti o Waitangi Audit (the Audit)¹ undertaken by Te Kura Taka Pini Limited² (TKTP) in 2023/2024.
- [2] The key objectives of the Audit were to ascertain whether the Council, as an organisation:
- is operating in a manner consistent with its commitment to partner with mana whenua, including in accordance with the Foundational Documents (listed in the Terms of Reference³); and
 - demonstrates and practices a bi-cultural approach⁴ within its organisation, including in accordance with the Foundational Documents.
- [3] This Audit focuses on the views of Kāi Tahu as takata whenua within its Takiwā (area)⁵.
- [4] As part of business-as-usual work, Council is also actively considering the most appropriate ongoing mechanism to seek the views of Iwi Māori/Ngāi Mātāwaka (Māori residing in Otago without affiliation to Ngāi Tahu) with respect to our work programmes. The first initiative focused on broader engagement with Iwi/Māori and Pasifika communities was the Council's recent participation at Otago Polyfest via an exhibition stand showcasing some of ORC's work programmes.

EXECUTIVE SUMMARY

- [5] Te Kura Taka Pini Limited (TKTP) were engaged in 2023 to assess if Council has been operating in a way which is consistent with our commitment to partner with mana whenua (as outlined in a number of key documents) and demonstrate and practice biculturalism within the organisation.

¹ See Appendix 1 for a full version of the report.

² TKTP is the freshwater management group within the Te Rūnanga o Ngāi Tahu (Te Rūnanga).

³ See Appendix 2 for the full Terms of Reference.

⁴ The Council sees biculturalism as two cultures working effectively together. The "ism" is how well the Council has worked (past), work now (present) and will work (future) to accomplish this goal.

⁵ The Takiwā of Kāi Tahu is described in section 5 of the Te Rūnanga o Ngāi Tahu Act 1996.

- [6] The Audit found that the relationship between the Council and mana whenua is robust and constructive. Council was viewed as showing a strong willingness to partner with mana whenua and is seen to be continually taking action aimed at strengthening this relationship.
- [7] The authors of the Audit believe that the Council recognises mana whenua as a Te Tiriti partner in the region (not simply a stakeholder) and repeats its commitments to go beyond legislative obligations in its partnership with mana whenua and more effectively involve Māori in decision-making.
- [8] The Audit suggests that to further progress the partnership, a shift should occur from predominantly an engagement model to a model that better enables mana whenua to contribute to the Council's decision-making and exercise the rights, responsibilities and obligations of rakatirataka in their takiwā.
- [9] The Audit acknowledged that the relationship between Council and mana whenua is currently strongest at the governance and the Papatipu Rūnaka consultancy service levels (i.e. Aukaha and Te Ao Mārama). There is a common desire to embed and strengthen relationships at an operational level.
- [10] The Audit identified a number of challenges including that mana whenua have limited capacity to engage on all issues raised by the Council within Council/statutory timeframes. The audit also highlighted a lack of certainty from the Council about the most effective next steps to take to realise its partnership objective and deepen relationships with rūnaka.
- [11] In addition to continuing to foster partnerships with mana whenua, the Council also wishes to establish better engagement with, and from, Iwi Māori/Ngā Mātāwaka (Māori residing in Otago without affiliation to Ngāi Tahu). The first initiative focused on broader engagement with Iwi/Māori and Pasifika communities was the Council's recent participation at Otago Polyfest via an exhibition stand showcasing some of ORC's work programmes.

RECOMMENDATION

That the Regional Leadership Committee:

1. **Notes** this report.
2. **Notes** that the report's recommendations will be discussed and prioritised through *Mana to Mana*, a group comprising representatives of seven papatipu rūnaka, alongside all Councillors, with decision making reports being prepared for Council as required.
3. **Notes** Council's recent engagement with Iwi Māori/Ngā Mātāwaka via the recent Otago Polyfest events.

BACKGROUND

- [12] The Audit was commissioned by the Interim Chief Executive, Pim Borren, in 2023.

- [13] Te Kura Taka Pini Limited (TKTP), on endorsement from Mana to Mana, was engaged to report on progress towards Council's goals of meaningful engagement with mana whenua (supporting the intention of the Crown to uphold the principles of the Treaty of Waitangi) and efforts to be a bi-cultural organisation.
- [14] TKTP carried out a review of the Foundational Documents and Relationship Channels listed in the Terms of Reference to understand the nature of the commitments, obligations and structures currently existing between mana whenua and the Council.
- [15] Information addressing the Audit's objectives was then gathered primarily through a series of interviews with key individuals identified by mana whenua rūnaka and the Council. This included:
- a. Mana-to-Mana Group members;
 - b. Kā Rūnaka members;
 - c. Aukaha and Te Ao Mārama;
 - d. The Council Chief Executive;
 - e. The Council's Executive Leadership Team; and
 - f. Council third tier managers.
- [16] Further information was also collected using publicly available sources.
- [17] Councillors' views, as well as additional information relating to the Terms of Reference, were gathered via email.

DISCUSSION

- [18] A summary of the overall findings is as follows:
- a. The relationship between the Council and mana whenua is robust and constructive. The Council shows a strong willingness to partner with mana whenua and is continually taking action aimed at strengthening this relationship.
 - b. The Council's commitment is reflected in the Foundational Documents, its public facing information (e.g. website) and in the, generally, positive interactions between mana whenua and the Council.
 - c. The Council recognises mana whenua as Te Tiriti partner in the region (not simply a stakeholder) and repeats its commitments to go beyond legislative obligations in its partnership with mana whenua and more effectively involve Māori in decision-making.
- [19] In order to further develop partnership arrangements, the Audit recommended that Council "shift its focus from consultation and engagement to [further] enabling Papatipu Rūnaka to exercise rights, responsibilities and obligations of rakatirataka and decision-making in their takiwā."
- [20] The Audit also found a common desire to strengthen relationships at an operational level and identify opportunities for mana whenua to exercise rakatirataka (through, for

example, opportunities to influence decision-making, strategy and management, or via the creation of senior māori leadership roles).

- [21] A number of challenges were identified during the Audit relevant to the Council realising its partnership objective. Key challenges identified include:
- a. Capacity – both mana whenua and the Council acknowledged that mana whenua may have limited capacity to engage on all issues raised by the Council within Council/statutory timeframes. This can apply at both an operational level and the rūnaka level due to competing demands from central and local government on the same few individuals.
 - b. Lack of certainty – there is a lack of certainty from the Council about the most effective next steps to take to realise its partnership objective and deepen relationships with rūnaka.
 - c. The nature of a local government means that there are some clear distinctions (and limitations) on what can be pursued at an organisational versus elected level.
- [22] The Audit made several recommendations, under the following themes:

Responsive/reactive engagement to proactive partnership

- a. The Council and mana whenua commit to move from predominantly an engagement model to a model that also includes partnership arrangements that enable mana whenua to contribute to the Council's decision-making and exercise the rights, responsibilities and obligations of rakatirataka in their takiwā. This will elevate meaningful engagement between the Council and mana whenua.
- b. The Council and mana whenua jointly explore possible partnership arrangements and opportunities. The Audit recommends that Council and mana whenua agree specific areas of focus where the parties can work together in effective partnership to enable mana whenua to exercise the rights, responsibilities and obligations of rakatirataka in their takiwā for the benefit of the environment and Otago community.
- c. It is also recommended that a clear implementation plan is co-developed to operationalise any agreed initiatives so that Council and mana whenua can work together efficiently, in a mana enhancing manner, to realise these shared objectives and monitor progress.

Development and embedding of relationship to support the partnership

- a. The Council considers further structural mechanisms at an operational level to support and grow the strength of relationships, e.g. via a Chief Executives' annual hui across the Council, Papatipu Rūnaka, Aukaha and Te Ao Mārama.
- b. The governance and operational relationship is further formalised through a co-designed Mana Whakahono ā Rohe agreement between the Council and

mana whenua or a Mana Whenua Strategic Framework is prepared that records the objectives, initiatives and implementation plan agreed between the partners.

Building capability

- a. Council continues to build its knowledge of mana whenua to help the Council better partner with mana whenua. Ensure this knowledge is across a number of Council staff rather than held by a few.
- b. Implement the Council's commitment to make mātauraka Kāi Tahu an integral part of its decision-making e.g. by developing the next stage of cultural capability training with mana whenua and exploring options for further marae visits/noho.

Organisational advancements

- a. In order to advance its bi-cultural objective, the Council should ensure that all senior leadership team members have specific accountability for this objective. Additionally, ensure dedicated funding for kaumātua/kuia/kaikōrero role/s within Council to help uphold cultural safety and tikanga processes consistently and reduce reliance on this being delivered on a voluntary basis.

CONSIDERATIONS

Strategic Framework and Policy Considerations

[23] Partnership is a focus area in ORC's newly revised Strategic Directions 2024-2034, with goals including:

- a. working in partnership with mana whenua by engaging in consultation, co-management agreements, and participation in council processes;
- b. ensuring mana whenua are resourced to actively participate in development, design and decision making; and
- c. partnering with mana whenua and ensuring mātauraka Kāi Tahu is an integral part of decision making.

Financial Considerations

[24] There are no financial considerations. The total cost of the Audit was \$52,800 and was covered within existing 2023/2024 budgets.

Significance and Engagement Considerations

[25] This paper does not trigger ORC's policy on significance and engagement, although extensive consultation took place with Council staff, elected members and rūnaka during the Audit process.

Legislative and Risk Considerations

[26] Various acts provide a legislative requirement for the Council to engage with Māori. These requirements reflect the Crown's commitment to meeting its obligations under the Te Tiriti o Waitangi and the commitment of central government to ensure local government is doing its part in this respect. Included in these commitments is legislation

(e.g. Local Government Act⁶ and the Resource Management Act⁷ that requires Council's to "take into account" or "have regard to" the principles of Te Tiriti o Waitangi.

Climate Change Considerations

[27] There are no direct climate change considerations, but the impacts of climate change are of key concern to mana whenua⁸ and Iwi/Māori.

Communications Considerations

[28] The full Audit report will be available on our website.

NEXT STEPS

[29] The Audit and its recommendations were presented at the 27 August 2024 Mana to Mana meeting. A draft implementation plan will be discussed at the next Mana to Mana meeting on 19 November. Any governance related actions will be discussed at future Regional Leadership Committee meetings. Priorities and progress on implementing operational and governance level actions will be reported back to Council periodically.

ATTACHMENTS

1. Appendix 1 Otago Regional Council Te Tiriti o Waitangi Audit Report [9.2.1 - 14 pages]
2. Appendix 2 230630 To R Otago Regional Council Tiriti Audit [9.2.2 - 7 pages]

⁶ [Local Government Act 2002 No 84 \(as at 12 April 2022\), Public Act – New Zealand Legislation](#)

⁷ [Resource Management Act 1991 No 69 \(as at 12 April 2022\), Public Act – New Zealand Legislation](#)

⁸ <https://ngaitahu.iwi.nz/te-runanga-o-ngai-tahu/our-work-pou/strategy-and-environment/climate-change/>



Te Kura **Taka Pini**

TE TIRITI AUDIT REPORT

Prepared for the Otago Regional Council

Prepared by Te Kura Taka Pini Ltd

June 2024



Otago Regional Council Te Tiriti o Waitangi Audit Report

Executive Summary

Te Kura Taka Pini Limited (TKTP) has been engaged by the Otago Regional Council (the Council) to report on progress towards its goals of meaningful engagement with mana whenua (per Te Tiriti o Waitangi principles) and its progress as a bi-cultural organisation.

In preparing this report we have engaged with the Council and with mana whenua representatives. This engagement has shown considerable mutual respect exists and there is a willingness to see the relationship continue to mature and advance. This will invariably lead to improved outcomes for both the Council and mana whenua. Positive outcomes for the regional community and ratepayers will also continue to be realised through efficient and effective engagement between the Council and mana whenua. However, our findings show that further work is required to move beyond engagement towards the partnership aspirations of both the Council and mana whenua.

The Council is continuing its journey as a bi-cultural organisation. While mana whenua are supportive of this objective, particularly where it enhances the Council's partnership capability, it was noted that priority of mana whenua is for progress to be made in relation to the Council's partnership objective.

We make a number of recommendations arising from our findings:

Responsive/reactive engagement to proactive partnership

- A. The Council and mana whenua commit to move from predominantly an engagement model to a model that also includes partnership arrangements that enable mana whenua to contribute to the Council's decision-making and exercise the rights, responsibilities and obligations of rakatirataka in their takiwā. This will elevate meaningful engagement between the Council and mana whenua.
- B. The Council and mana whenua jointly explore possible partnership arrangements and opportunities. The Audit recommends that Council and mana whenua agree specific areas of focus where the parties can work together in effective partnership to enable mana whenua to exercise the rights, responsibilities and obligations of rakatirataka in their takiwā for the benefit of the environment and Otago community. Potential issues to explore could include, but are not limited to, the following:
 - Delegation for decision-making on certain issues to the Council Committees with mana whenua representation.
 - Co-designing relevant Council committee terms of reference with mana whenua to ensure a common understanding of mana whenua priorities.
 - Investigating if the transfer of Council's functions, powers or duties (under the Resource Management Act 1991) is desirable, e.g mana whenua monitoring of waterways and the harbour.
 - Identifying joint projects and initiatives between the Council and mana whenua, e.g. 'state of the takiwā monitoring' and catchment action plans.
 - Opportunities to engage mana whenua contractors in the delivery of the Council's operational work, including training and capacity building opportunities, to support increased supplier competition and ratepayer savings.
 - The appointment of mana whenua commissioners to consent and plan hearing panels.

Mana whenua are soon to commence a review of their Natural Resources Management Plan. This review provides an opportunity for the parties to identify specific areas where the exercise of rakatirataka could enhance environmental outcomes in the Otago region.

It is also recommended that a clear implementation plan is co-developed to operationalise any agreed initiatives so that Council and mana whenua can work together efficiently, in a mana enhancing manner, to realise these shared objectives and monitor progress.

Te Kura **Taka Pini**

Development and embedding of relationship to support the partnership

- C. The Council considers further structural mechanisms at an operational level to support and grow the strength of relationships, e.g. via a Chief Executives' annual hui across the Council, Papatipu Rūnaka, Aukaha and Te Ao Marama.
- D. The governance and operational relationship is further formalised through a co-designed Mana Whakahono ā Rohe agreement between the Council and mana whenua or a Mana Whenua Strategic Framework is prepared that records the objectives, initiatives and implementation plan agreed between the partners.

Building capability

- E. Council continues to build its knowledge of mana whenua to help the Council better partner with mana whenua. Ensure this knowledge is across a number of Council staff rather than held by a few.
- F. Implement the Council's commitment to make mātauraka Kāi Tahu an integral part of its decision-making e.g. by developing the next stage of cultural capability training with mana whenua and exploring options for further marae visits/noho.

Organisational advancements

- G. In order to advance its bi-cultural objective, the Council should ensure that all senior leadership team members have specific accountability for this objective. Additionally, ensure dedicated funding for kaumātua/kuia/kaikōrero role/s within Council to help uphold cultural safety and tikanga processes consistently and reduce reliance on this being delivered on a voluntary basis.

Part 1

1. Introduction and scope

- 1.1 The Otago Regional Council (the Council), with the tautoko of mana whenua, commissioned this audit to measure its progress towards its goals of:
 - 1.1.1. meaningful engagement with mana whenua, based on the principles of Te Tiriti o Waitangi (Te Tiriti); and
 - 1.1.2. operating as a bi-cultural¹ organisation.
- 1.2 The Audit has focussed on the Council as an organisation and did not directly review the relationship between mana whenua and democratically elected councillors. The role of the elected Council is mentioned in this Report where relevant to the operation of the Council as an organisation and its relationship with mana whenua.
- 1.3 The Council appointed Te Kura Taka Pini Limited (TKTP) to conduct the Audit.

TKTP is the freshwater management group within the Te Rūnanga o Ngāi Tahu (Te Rūnanga). It is important to note that we have used the Kāi Tahu tribal dialect in this report. The 'ng' is replaced by the 'k' eg: Ranginui is Rakinui in this dialect.

2. Objectives of the Audit

- 2.1 The key objectives of the Audit, as set out in the Terms of Reference², were to ascertain whether the Council, as an organisation:
 - 2.1.1 is operating in a manner consistent with its commitment to partner with mana whenua, including in accordance with the Foundational Documents (listed in the Terms of Reference); and
 - 2.1.2 demonstrates and practices a bi-cultural approach within its organisation, including in accordance with the Foundational Documents.

¹ The Council sees biculturalism as two cultures working effectively together. The "ism" is how well the Council has worked (past), work now (present) and will work (future) to accomplish this goal.

² Refer to Schedule 1 for the full Terms of Reference.



3. About Kāi Tahu

Overview

- 3.1** Kāi Tahu is takata whenua within its Takiwā (area)³. Under Kāi Tahu tikaka, status as mana whenua can only be held by takata whenua. References in this Report to mana whenua are to Kāi Tahu on the basis Kāi Tahu is takata whenua.
- 3.2** A Kāi Tahu individual stands within their whānau. That whānau lives within a hapū. Collectively, in its simplest form, the various hapū come together and unite as an iwi.
- 3.3** In the case of Kāi Tahu, 18 Papatipu Rūnaka are spread throughout Te Waipounamu (South Island). They exist to uphold the mana of their people over the land, the sea and the natural resources. No rūnaka is the same, each has opportunities and challenges shaped by the land, the environment, the towns and cities and the people that make the region home. The Papatipu Rūnaka is the face of Kāi Tahu at a regional level.
- 3.4** Each of the 18 Papatipu Rūnaka appoints a tribal member to represent its interests at Te Rūnanga), the representative body corporate of Kāi Tahu Whānui established 24 April 1996. Te Rūnanga was created to manage the collective assets of the iwi and in doing so support Papatipu Rūnaka in a way that allows each of them to exercise their raketirataka so they can build and sustain their communities for generations to come.

Kāi Tahu in the Otago region

- 3.5** The Takiwā of Kāi Tahu covers the entire Otago region. Seven Papatipu Rūnaka have interests in the region:
- 3.5.1 Otago mana whenua rūnaka (Kāi Tahu Ki Otago), are:
- Te Rūnanga o Moeraki;
 - Kāti Huirapa Rūnaka ki Puketeraki;
 - Te Rūnanga o Ōtākou; and
- 3.5.2 Southern mana whenua rūnaka (Ngāi Tahu ki Murihiku), are:
- Hokonui Rūnanga;
 - Awarua Rūnanga;
 - Waihopai Rūnaka; and
 - Ōraka-Aparima Rūnaka.
- 3.6** The mana, raketirataka and Te Tiriti partnership and relationship in the Otago region ultimately lies with individual Otago and Southern rūnaka.
- 3.7** At an operational level, however, Kāi Tahu Ki Otago are represented by Aukaha Limited and Ngai Tahu ki Murihiku are represented by Te Ao Marama Incorporated. These Papatipu Rūnaka consultancy services provide a first point of contact for the Council and facilitate Kāi Tahu engagement on a range of matters, including resource management processes. From time to time, Te Rūnanga may be the appropriate first point of contact for Council (for example, on matters relevant to the Ngāi Tahu Claims Settlement Act 1998), or legislation which requires engagement with the iwi authority.

4. About the Otago Regional Council

- 4.1** The Council is responsible for sustainably managing Otago's natural resources on behalf of its community. It is also responsible for promoting the economic, social, cultural and environmental wellbeing of the region. The Council is governed by 12 councillors, elected by the residents of Otago every three years.

5. Values, duties and aspirations of parties

Kāi Tahu

- 5.1** Kāi Tahu do not see their existence as separate from Te Ao Tūroa, the natural world, but as an integral part of it. Through whakapapa, genealogy, all people and life forms descend from a common source. Whakapapa binds Kāi Tahu to the mountains, forests and waters and the life supported by them, and this is reflected in their approach to the natural world and resource management.

³ The Takiwā of Kāi Tahu is described in section 5 of the Te Rūnanga o Ngāi Tahu Act 1996.

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5.2 Whakawhanaukataka, the process of maintaining relationships, embraces whakapapa, through the relationship between people, and between people and the environment. The nature of these relationships defines people's rights and responsibilities in relation to the use and management of resources. All things have the qualities of wairua, spiritual dimension, and mauri, life force or life supporting capacity, and have a genealogical relationship with each other.

- 5.3** Mauri provides the common centre between the natural resources, taoka, the people or guardians who care for the taoka, the kaitiaki, and the management framework, tikaka, of how taoka are to be managed by the kaitiaki. It is through kawa, protocol, that the relationship between taoka, tikaka and kaitiakitaka is realised. Each Papatipu Rūnaka has its own takiwā determined by natural boundaries such as headlands, mountain ranges and rivers. This political and operational authority over an area is undertaken by takata whenua and encompasses kaitiakitaka and rakatirataka. An integral element of the concepts of kaitiakitaka and rakatirataka is the recognition that Kāi Tahu have their own traditional means of managing and maintaining resources and the environment. This system of rights and responsibilities is inherited from previous generations and has evolved over time. The resources in any given area are a point of prestige for the people who reside there and are a statement of identity. Traditionally, the abundance or lack of resources directly determines the welfare of every tribal group, and so affects their mana.
- 5.4** Within that context, the following is an overview of Kāi Tahu values as they relate to its relationship with the Council. It is not a complete or absolute list of Kāi Tahu values:
- 5.4.1** **Ki Uta Ki Tai** is a Kāi Tahu term that has become synonymous with the way Kāi Tahu think about natural resource management. Ki uta ki tai, from the mountains to the sea, is the concept used to describe holistic natural resource management. Ki uta ki tai is the Kāi Tahu way of understanding the natural environment, including how it functions, how people relate to it and how it can be looked after appropriately.
- 5.4.2** **Rakatirataka** is about the exercise of authority in accordance with Kāi Tahu tikaka and kawa, including in the management of the natural world. The rakatirataka of Kāi Tahu existed prior to Kāi Tahu signing Te Tiriti. It is inherent in Kāi Tahu and does not derive from the Crown or New Zealand Parliament.⁴ The rakatirataka of Kāi Tahu resides within the Papatipu Rūnaka. It is located at distinct but mutually reinforcing scales within the tribe. It is something to be protected and enhanced for future generations: mō tatou ā mō ngā uri ā muri ake nei.
- 5.4.3** **Kaitiakitaka** is the exercise of guardianship by Kāi Tahu of an area in accordance with tikaka Māori in relation to natural and physical resources and includes the ethic of stewardship. This statutory definition of kaitiakitaka is, however, a starting point only for Kāi Tahu, as kaitiakitaka is a much wider cultural concept than guardianship. Kaitiakitaka entails the active protection and responsibility for natural and physical resources by Kāi Tahu. Kaitiakitaka is fundamental to the relationship between Kāi Tahu and the environment. The objectives of kaitiakitaka are to protect the life supporting capacity of the environment and to pass the environment on to future generations in an enhanced state. For Kāi Tahu, kaitiakitaka is not passive custodianship, nor is it simply the exercise of traditional property rights, but it entails an active exercise of responsibility in a manner beneficial to the resource.
- 5.4.4** **Tikaka Māori** encompasses the beliefs, values, practices and procedures that guide appropriate codes of conduct, or ways of behaving. In the context of natural resource management, observing tikaka is part of the ethic and exercise of kaitiakitaka. It is underpinned by a body of Mātauraka Māori, Māori knowledge, and is based on a general understanding that people belong to the land and have a responsibility to care for and manage the land. It incorporates forms of social control to manage the relationship of people and the environment, including concepts such as tapu, noa and rāhui. Tikaka is based on traditional practices but is dynamic and continues to evolve in response to different situations.
- 5.4.5** **Taoka** encompasses all natural resources, air, land, water, and indigenous biological diversity. Taoka are treasured resources that are highly valued by Kāi Tahu, derived from the atua, gods, and left by the tūpuna, ancestors, to provide and sustain life. In the management of natural resources, it is important that the habitats and wider needs of taoka species are sustainably managed and enhanced.
- 5.4.6** **Mahika Kai** is one of the cornerstones of Kāi Tahu cultural identity. Mahika kai is a term that literally means "food workings" and refers to the customary gathering of food and natural materials and places where those resources are gathered or produced. The term also embodies the traditions, customs and collection methods, and the gathering of natural resources for cultural use, including raraka, weaving, and rokoā, traditional medicines. Maintaining mahika kai sites, gathering resources, and continuing to practice the tikaka that governs each resource, is an important means of passing on cultural values and mātauraka Māori, traditional knowledge, to the next generation.

⁴ Kāi Tahu rangatiratanga was confirmed (not created) by Te Tiriti (1840), Te Kāreme (1997) and the Ngāi Tahu Claims Settlement Act 1998.

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- 5.5** A key aspiration of Kāi Tahu relates to their ability to exercise rakatirataka. Kā rūnaka have exercised their rights, responsibilities and obligations of rakatirataka in their takiwā from before 1840 to the present day, however, the exercise of that rakatirataka has been continually encumbered and constrained by the Crown and local government over time.
- 5.6** Just as the Crown and local government exercise kāwanataka, Kāi Tahu exercises rakatirataka. Where kāwanataka and rakatirataka should operate together, kā rūnaka will exercise their rakatirataka in good faith alongside the Crown and local government.
- 5.7** An aspiration of Kāi Tahu is for legislation governing environmental management and local government to be amended over time to unencumber the ability of Kāi Tahu to exercise rakatirataka.⁵ In the short-term, however, there is much that can be done within the existing system through continuing to work constructively with Council (and vice versa) to enhance the rakatirataka of rūnaka in their takiwā.

Otago Regional Council values, duties and aspirations

(This section will need to be confirmed with Council)

- 5.8** The Council's vision is "Otago's communities, through engagement, trust us to make well-informed decisions and enable solutions".⁶ This is informed/underpinned by its six values that guide its daily interactions. The Council sets out its values on its website as follows:
- 5.8.1 Caring, Kākau Māhaki:** We take great care in all we do, using resources appropriately and being responsive to the needs of our communities. We value the opinions and diversity of others and take time to connect with people.
- 5.8.2 Trustworthy, Matatika:** We do the right thing even when it's not the easy thing. We act ethically and with mana in everything we do. We will ask for help when it's needed, and we do all of this to enable the best outcomes for our communities.
- 5.8.3 Open and honest, Pono:** We encourage openness and honesty, especially when the conversations are challenging. We believe in active listening and being approachable. We speak with integrity, seeking feedback from our community and stakeholders. We bring a "no surprises" approach to our interactions with each other, our stakeholders, and our community.
- 5.8.4 Collaborative, Mahi Kātahi:** We believe in actively building constructive relationships and networks to support our 'one team' approach to collaboration. We support our partners, and each-other, by sharing knowledge and resources to achieve common goals. Building these relationships helps us to achieve great things for the people of Otago.
- 5.8.5 Accountable, Noho Haepapa:** We believe in taking the initiative and understanding the role we play in our community. We encourage honest, constructive conversations and having clear roles and responsibilities. We are objective and we own our decisions.
- 5.8.6 Creative, Wairua Auaha:** We are creative in our problem solving, challenging the 'status quo'. We are bold and curious in our thinking, always seeking better ways of doing things, and challenge our peers to do the same. We have the courage to leave things better than we found them.⁷
- 5.9** Specifically in relation to mana whenua, the Council has a range of legislative requirements to engage and involve Māori in local decision-making, as well as take into account the principles of Te Tiriti. The Council recognises the status of Kāi Tahu as Te Tiriti partners in the region.
- 5.10** The Council's aspiration, as stated on its website, is to go beyond statutory responsibilities to ensure meaningful engagement with mana whenua that is based on the principles of Te Tiriti and to benefit from the value that engagement with mana whenua adds through the sharing of their knowledge and wisdom. This aspiration encompasses its commitment to make mātauranga Kāi Tahu an integral part of its decision-making and continue its journey to involve mana whenua more effectively in decision-making.

⁵ There is a duty on the Crown to actively consider such enabling of rangatiratanga. Cabinet Circular 19(5), in operation since 22 October 2019, sets out guidelines agreed to by Cabinet for policy-makers to consider the Treaty of Waitangi in policy development and implementation. Paragraphs 47 to 54 require officials to consider whether a proposal should allow for the exercise of rangatiratanga while recognising the right of the Crown to govern.

⁶ <https://www.orc.govt.nz/our-council-our-region/our-council/strategic-directions>

⁷ <https://joinus.orc.govt.nz/working-with-us#our-values>

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5.11 The Council's website also describes the following as its commitment to partner with mana whenua:

Our commitment is to partner with mana whenua and make mātauranga Kāi Tahu an integral part of our decision-making. This recognises the status of mana whenua as the Treaty partner in the Otago region and the need to continue the journey that Council has begun to more effectively involve Māori in decision making.⁸

6. Process followed by Audit

- 6.1** TKTP carried out a review of the Foundational Documents and Relationship Channels listed in the Terms of Reference to understand the nature of the commitments, obligations and structures currently existing between mana whenua and the Council.
- 6.2** Information addressing the Audit's objectives was then gathered primarily through a series of interviews with key individuals identified by mana whenua rūnaka and the Council. This included:
- 6.2.1 Mana-to-Mana Group members;
 - 6.2.2 Kā Rūnaka members;
 - 6.2.3 Aukaha and Te Ao Marama;
 - 6.2.4 The Council Chief Executive;
 - 6.2.5 The Council's Executive Leadership Team; and
 - 6.2.6 Council third tier managers.
- 6.3** Further information was also collected through the use of publicly available sources.
- 6.4** Councillors' views, as well as additional information relating to the Terms of Reference, was gathered via email.

7. Overview of Foundational Documents

7.1 The Terms of Reference for the Audit identified a broad range of Foundational Documents underpinning the relationship between the Council and mana whenua. The following section of the Report provides a brief description of those documents.

7.2 Te Tiriti o Waitangī

- 7.2.1 Te Tiriti is one of New Zealand's founding documents. It is an agreement, in Māori and English, made between the British Crown and Māori rangatira (chiefs). It establishes Te Tiriti partnership between the Crown and Kāi Tahu referred to throughout this Report.
- 7.2.2 Legislation, such as the Resource Management Act 1991 and the Local Government Act 2002, recognise the Crown's responsibilities under Te Tiriti and impose corresponding obligations on local government.

7.3 Ngāi Tahu Deed of Settlement and Ngāi Tahu Claims Settlement Act 1998

- 7.3.1 The Ngāi Tahu Deed of Settlement (Deed of Settlement) and Ngāi Tahu Claims Settlement Act 1998 (NTCS Act) settle the historical grievances of Ngāi Tahu against the Crown under Te Tiriti.
- 7.3.2 The Deed of Settlement and NTCS Act confirm the rangatiratanga of Ngāi Tahu and its relationship with the natural environment and whenua within its takiwā. The NTCS Act also states that the Crown seeks to enter into a new age of co-operation Ngāi Tahu.⁹
- 7.3.3 The NTCS Act also identifies some taoka species, establishes tōpuni, statutory acknowledgements, dual place names and nohoaka sites, recognising the special association of Ngāi Tahu with these areas and resources. Local authorities are required to have regard to statutory acknowledgements in resource consent processing in deciding whether Te Rūnanga is a person who may be adversely affected by the granting of a resource consent for activities within, adjacent to or impacting directly on the statutory area.¹⁰
- 7.3.4 Along with Te Tiriti, these documents define the contemporary relationship between the Crown and Ngāi Tahu. They form a binding legal and constitutional relationship between Ngāi Tahu and the Crown and entrench Ngāi Tahu rangatiratanga and Te Tiriti partnership.

⁸ <https://www.orc.govt.nz/our-council-our-region/our-council/partnership-with-kai-tahu>

⁹ Ngāi Tahu Claims Settlement Act 1998, section 6, paragraph 8.

¹⁰ Ngāi Tahu Claims Settlement Act 1998, section 208.

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7.4 Te Rūnanga o Ngāi Tahu Act 1996

- 7.4.1 Te Rūnanga o Ngāi Tahu Act 1996 prescribes, amongst other things, the status of Te Rūnanga, the members of Ngāi Tahu Whānui and their entitlements, the papatipu rūnanga that are members of Te Rūnanga and the provisions for electing Representatives.

7.5 Memorandum of Understanding – Kāi Tahu mana whenua ki Otago

- 7.5.1 Effective from 22 January 2003, the Memorandum of Understanding and Protocol between Otago Regional Council, Te Rūnanga o Ngāi Tahu and Kāi Tahu ki Otago for Effective Consultation and Liaison (the MoU) sets out mechanisms intended to support effective consultation and liaison between the parties on a range of matters, including resource consents and Regional Plan changes.
- 7.5.2 The MoU also recognises the Council's need to consult with Otago mana whenua rūnaka and Te Rūnanga on specific matters and establishes an iwi liaison role (Kaitakawaenga) to help facilitate this.
- 7.5.3 In accordance with the MoU, the Council has entered into a Partnership Protocol with Aukaha Limited.

7.6 Charter of Understanding with Te Ao Marama Inc.

- 7.6.1 Dated March 2016, He Huarahi mō Ngā Uri Whakatupu, The Charter of Understanding (the Charter) is between Environment Southland, Invercargill City Council, Southland District Council, Gore District Council, Queenstown Lakes District Council, Clutha District Council and Otago Regional Council and Te Ao Marama Inc.¹¹ This Charter provides for the ongoing relationship between the signatories in the context of the Resource Management Act 1991, the Local Government Act 2002 and the Local Electoral Act 2001. The signatories agree a common goal of the sustainable management of the region's environment and for the social, cultural economic and environmental needs of communities, for now and into the future.
- 7.6.2 The Charter sets out a number of mechanisms to support this goal, including establishing quarterly meetings of a political level governance group made up of elected representatives from each of the Council signatories and the Murihiku papatipu rūnanga (Te Rōpū Taiao).¹²
- 7.6.3 Consistent with the objectives in the Charter, the Council has entered into a Partnership Protocol with Te Ao Marama Incorporated.

7.7 He Mahi Rau Rika, Otago Regional Council Significance, Engagement and Māori Participation Policy

- 7.7.1 Dated 2022, He Mahi Rau Rika (the Policy) sets out, at a high-level, the Council's approach to engagement with mana whenua, stakeholders and the community.
- 7.7.2 The Policy confirms the Council's commitment to partnering with mana whenua, outlines a range of existing relationship arrangements and sets out key factors it considers when determining a matter's significance to mana whenua.

7.8 Partially operative Otago Regional Policy Statement 2019

- 7.8.1 The Partially operative Otago Regional Policy Statement 2019 (RPS 19) is a high-level policy framework for the sustainable integrated management of resources, identifying regionally significant issues, the objectives and policies that direct how natural and physical resources are to be managed and setting out how this will be implemented by the region's local authorities.
- 7.8.2 The Council developed the RPS 19 in consultation with Kāi Tahu and creates general guidance for engaging with Kāi Tahu on resource management matters by setting out Kāi Tahu values and interests.

One of the five outcomes sought by the Council in the RPS 19 is for: Kāi Tahu values, and interests to be recognised and kaitiakitaka to be expressed.

Mana whenua feedback noted that the change of leadership at Chief Executive Officer level influenced a marked change in the relationship, which fed into positions on the 'policy committee'.and helped ensure positive input to the development of RPS 19.

7.9 Otago Regional Council Proposed Regional Policy Statement 2021

- 7.9.1 The Proposed Otago Regional Policy Statement 2021 (RPS 21) identifies the significant resource management issues for the region, explains how national direction on resource management will be applied in Otago, and provides direction on how to balance potentially conflicting requirements. Its role is to provide high-level guidance and establish the framework for Otago's regional and district plans in which more specific resource management policies, objectives and rules will sit.

¹¹ Te Ao Marama Inc is authorised to represent Te Rūnaka O Awarua, Hokonui Rūnanga, Ōraka/Aparima Rūnaka, and Waihōpai Rūnaka.

¹² The Charter, clauses 2.3.1 & 2.7.2.2.

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7.9.2 The Council takes the objectives and policies set out in iwi management plans¹³ into account when developing RPS 21.

7.10 Otago Regional Council Long Term Plan 2021-31 and Otago Regional Council Annual Plan 2022-23

7.10.1 The Otago Regional Council Long Term Plan 2021-31 (LTP) provides direction for Council decision-making and sets the Council's work programme priorities. In its most recent LTP, the Council confirmed its commitment to work in partnership with mana whenua and committed to processes and initiatives to help give effect to this commitment, for example:

- building mana whenua participation in Council decision-making through a Treaty based partnership approach in engagement; and
- developing Target Integrated Catchment Action Plans (CAPs) in collaboration with iwi and community.

7.10.2 The Council's Annual Plan 2022-2023 (AP) sets out adjustments, if any, that are adopted to the Council's LTP. The Council made no significant adjustment to the AP relating to its commitment to work in partnership with mana whenua.

8. Overview of Relationship Channels

8.1 The Audit Terms of Reference identify a number of Relationship Channels committed to by the Council in its engagement with mana whenua. The following section of the Report outlines these channels.

8.2 Mana-to-Mana Group

8.2.1 The Mana-to-Mana Group is a governance level forum between the Council and Kāi Tahu ki Otago Papatipu Rūnaka aimed at strengthening collaboration between the parties around environmental management and provide a forum for structured and robust governance level engagement. It builds on the MoU between the two parties that was signed in 2003.

8.2.2 The parties of the Mana-to-Mana Group are:

- the Council represented by its Chairperson and all Councillors; and
- Kāi Tahu Papatipu Rūnaka represented by the Chairperson (or delegate) of:
 - Te Rūnanga o Moeraki;
 - Kāti Huirapa Rūnaka ki Puketeraki;
 - Te Rūnanga o Ōtākou; and
 - Hokonui Rūnanga.
- Due to shared interests, Southern rūnanga are also invited to all meetings and are able to participate as full members.

8.2.3 The Mana-to-Mana Group Terms of Reference state that the Chief Executives of the Council and Aukaha and the Kaupapa Taiao Manager of Te Ao Marama Inc. shall attend meetings in a supporting capacity.

8.3 Council Committee representation

8.3.1 Under the Local Government Act 2002, council can appoint non-elected members to its committees.¹⁴ The Council has invited Kāi Tahu to be members of the following committees:

- **The Environmental Science and Policy Committee** has two Kāi Tahu members, including Co-Chair. The remit of this Committee is to provide advice and guidance to Council on the development of Otago's environmental (water, land, air, biodiversity and biosecurity) plans, policies and strategies under the Resource Management Act 1991, Biosecurity Act 1993 and other national directions. It also helps ensure the Council partnership with Kāi Tahu is reflected in these matters.
- **The Regional Leadership Committee** has one Kāi Tahu member. The remit of the Committee is to provide recommendations and advice to Council on Regional Leadership activities set out in the LTP. It also monitors governance, communications, and regulatory functions of Council and champions the Council's partnership with Kāi Tahu.

8.3.2 Neither Committee currently has general decision-making or financial delegations from the Council but can make recommendations to the Council.

¹³ There are four iwi planning documents lodged with the local authorities in the Otago Region: Te Rūnanga o Ngāi Tahu Freshwater Policy 1999; Kāi Tahu ki Otago Natural Resources Management Plan 2005; Te Tangi a Tauria: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008; and Waitaki Iwi Management Plan 2019.

¹⁴ Refer Schedule 7, clause 31(3).

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8.4 Land and Water Regional Plan Governance Group

8.4.1 Mana whenua are represented on this Council appointed working group that is responsible for:

- safeguarding the integration of the fundamental concept Te Mana o Te Wai, and its articulation, in the National Policy Statement for Freshwater Management as well as the objectives, policies and the Freshwater Management Unity/Rohe visions in the Proposed Regional Policy Statement; and
- overseeing the project management-related aspects of the development of the Land and Water Regional Plan.

8.5 Internal cultural awareness training/induction

8.5.1 The Council has developed and implemented a programme of cultural awareness and competency training for its staff. This includes offering training in Te Reo Māori, Te Tiriti and tikanga from a Kāi Tahu perspective. Since 2021, this training has included, for example:

- a Bicultural Competency Certificate offered through Otago Polytechnic developed with input from mana whenua; and
- bespoke training offered for particular roles, including training with mana whenua (e.g. the Council's Science and Policy directorate undertook a noho marae visit in 2021 to learn about cultural values relevant to water planning and noho marae visits for newly elected councillors).

8.6 Engagement with mana whenua: Aukaha and Te Ao Marama

8.6.1 At an operational level, Papatipu Rūnaka consultancy services provide a first point contact for the Council on a range of matters relevant to mana whenua, including resource management processes. Kāi Tahu Ki Otago are represented by Aukaha Limited and Ngāi Tahu ki Murihiku are represented by Te Ao Marama Incorporated.

Part 2

Findings

1.1 The following section of the Report outlines the key findings of the Audit in relation to each key objective set out in the Terms of Reference. Recommendations as a result of these findings are set out in Part 3 of the Report.

1.2 Objective 1: Is the Council, as an organisation, operating in a manner consistent with its commitment to partner with mana whenua, including in accordance with the Foundational Documents (partnership objective)

1.3 Overall findings

- 1.3.1 Overall, the relationship between the Council and mana whenua is robust and constructive. The Council shows a strong willingness to partner with mana whenua and is continually taking action aimed at strengthening this relationship.
- 1.3.2 The Council's commitment is reflected in the Foundational Documents, its public facing information (e.g. website) and in the, generally, positive interactions between mana whenua and the Council.
- 1.3.3 Overall, the Council recognises mana whenua as Te Tiriti partner in the region (not simply a stakeholder) and repeats its commitments to go beyond legislative obligations in its partnership with mana whenua and more effectively involve Māori in decision-making.
- 1.3.4 The next step towards the Council realising its commitment to partner with mana whenua is to shift its focus from consultation and engagement to [further] enabling Papatipu Rūnaka to exercise rights, responsibilities and obligations of rakatirataka and decision-making in their takiwā.
- 1.3.5 While there is structure underpinning the relationship between mana whenua and the Council at the governance or strategic level (primarily the Mana-to-Mana Group), the relationship at the operational level (beyond statutory requirements for consultation) relies heavily on the commitment, good will and discretion of individuals. This can make the Council's progress on its partnership objective sporadic.
- 1.3.6 The relationship between Council and mana whenua is currently strongest at the governance and the Papatipu Rūnaka consultancy service levels. There is a common desire to embed and strengthen relationships at an operational level and identify opportunities for mana whenua to exercise rakatirataka.
- 1.4 A number of challenges were identified during the Audit relevant to the Council realising its partnership objective. Key challenges identified include:

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- 1.4.1 Capacity – both mana whenua and the Council acknowledged that mana whenua may have limited capacity to engage on all issues raised by the Council within Council/statutory timeframes. This can apply at both an operational level and the rūnaka level due to competing demands from central and local government on the same few individuals.
- 1.4.2 Lack of certainty – there is a lack of certainty from the Council about the most effective next steps to take to realise its partnership objective and deepen relationships with rūnaka.
- 1.4.3 The nature of a local government means that there are some clear distinctions (and limitations) on what can be pursued at an organisational versus elected level.
- 1.5** In assessing whether the Council is meeting its partnership objective, the Terms of Reference directed the Audit review the following areas:
- 1.5.1 Alignment of values and aspirations**
- 1.5.1.1 On their face, there is no apparent conflict between the Council's values and aspirations and those of mana whenua.
- 1.5.1.2 However, the Council's values (outlined at paragraph 5.8 above) are expressed at a conceptual level and there is no specific alignment of values relating to the ability of mana whenua to exercise rakatirataka and decision-making. As mana whenua and the Council continue to work together, the parties will need to ensure they are aligned on what partnership looks like in practice (e.g. ensure consultation and meaningful engagement are not used as a substitute for partnership and the exercise of rakatirataka) and what concrete steps will help realise their aspirations.
- 1.5.2 The effectiveness of the Foundational Documents and whether obligations and commitments are being upheld**
- 1.5.2.1 The Foundational Documents listed in the Terms of Reference vary widely in nature from Te Tiriti to legislation to Council policy documents. Accordingly, the documents were considered from the following perspectives:
- 1.5.2.1.1 Legislative consultation requirements – the parties acknowledged that meeting statutory consultation timeframes can be challenging for mana whenua due to capacity restraints, but no general issues were raised about the Council from a relationship perspective around legislative consultation requirements. It is acknowledged that neither the Council nor mana whenua have control over these statutory consultation requirements.
- Relationship agreements (the MoU and Charter) – the overall intent of these relationship agreements is being honoured by the parties. The strengthening and growth in sophistication in the relationship between mana whenua and the Council has meant that a small number of mechanisms in these agreements no longer need to be utilised (e.g. the Kaitakawaenga role has been vacant since November 2009). Resource could potentially be spent reviewing and updating these agreements to address these minor matters. However, the Audit found that the efforts of the parties would be better focused on advancing the partnership between the parties through concrete actions to advance the partnership.
- 1.5.2.1.2 Council policy documents (e.g. RPS 19 and LTP) – no specific concerns were identified about the high-level obligations and commitments identified in these documents.
- More specifically, the Audit found that the Council met its performance measures set out in the LTP relating to the goal of building mana whenua participation in Council decision-making through a treaty-based partnership approach in its engagement.¹⁵
- It should also be noted that the recent *Report and recommendations of the Non-Freshwater and Freshwater Hearings Panels to the Otago Regional Council* on RPS 21 recognised the Council's efforts to engage with mana whenua on the development of RPS21 (efforts that were also recognised by Kāi Tahu).¹⁶ The report acknowledged that the Council had "made genuine and repetitive efforts in the preparation of the [RPS21] and in the hearing of submissions to

¹⁵ The Council measured its performance against: work done in partnership with iwi by increasing the number of outputs and groups working together on projects; and building the bicultural competency of its staff through number of participants in a programme (refer <https://www.orc.govt.nz/media/15717/annual-report-2022-2023-web.pdf>).

¹⁶ Otago Regional Council. (2024). *Proposed Otago Regional Policy Statement 2021: Report and recommendations of the Non-Freshwater and Freshwater Hearings Panels to the Otago Regional Council*. Page 30, [106-108].

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engage in a meaningful manner with Kāi Tahu entities and individuals”,¹⁷ resulting in few major issues impacting mana whenua that the Panel needed to consider.

There is an ongoing need to ensure alignment between mana whenua and the Council on what realisation of some of the partnership commitments looks like in practice. Opportunities were also identified to engage mana whenua earlier in the formation of some these documents, rather than consultation on their content, so that mana whenua are not simply “fitting-in” to the Council’s structure and processes.

1.5.3 The Council’s engagement with mana whenua across the organisation, including the effectiveness of the Relationship Channels

1.5.3.1 The Audit Terms of Reference specify a broad range of Relationship Channels, the most significant findings of the Audit in relation to the Relationship Channels are that:

- 1.5.3.1.1 The Council’s engagement at the governance and senior levels is the strongest and is underpinned by the structure of the Mana-to-Mana Group. Overall, this mechanism was viewed as positive and a respectful forum that works well. It was noted that not all Councillors attend this forum which can negatively impact buy-in from the Council on matters discussed. However, overall the Mana-to-Mana Group is a critical mechanism underpinning the relationship between the mana whenua and the Council and provides a forum to engage on key and strategic issues.
- 1.5.3.1.2 Appointment of mana whenua representatives on two Council Committees, including a co-chair role, was viewed as a positive step by mana whenua and provided an opportunity to advise and participate at a strategic level. It was noted by mana whenua that the work required by members of these committees was significant and it was vital that communications channels about the planning and outcomes of these meetings are robust. However, the current lack of delegated decision-making to the Council Committees means membership provides an opportunity for engagement, rather than an ability to exercise rākatirataka.
- 1.5.3.1.3 A lack of structured mechanism for engagement between mana whenua and the Council at an operational level (outside the resource management area) was identified. Engagement at this level relies heavily on the staff members involved and its effectiveness can be sporadic.
- 1.5.3.1.4 There were clear channels for engagement between the Council and Aukaha and Te Ao Marama, as first points of contact on operational matters.
- 1.5.3.1.5 The Council has a range of cultural awareness training available for staff that can improve staff awareness of how to engage with mana whenua. Since 2021, over 150 staff have participated in some form of the cultural capability training offered by the Council. There is opportunity to build on this training with an increased focus on the Council’s partnership obligations and build knowledge of Kāi Tahu tikaka and mātauraka across all staff. The Council acknowledged that mana whenua capacity will be required to deliver this effectively.

1.5.4 Guidelines and mechanisms in place to assist Council staff with mana whenua engagement

1.5.4.1 The Audit found that the Council has limited guidelines and mechanisms in place to assist staff’s engagement with mana whenua. Some high-level guidance does exist, including, for example:

- 1.5.4.1.1 He Mahi Rau Rika sets out the Council’s approach to engagement with mana whenua (as well as stakeholders) but is a publicly facing document rather than internal guidance for staff.
- 1.5.4.1.2 Council policy documents such as the LTP outline the key priorities of mana whenua as they relate to the Council. This content was drafted with mana whenua and can provide a useful starting point for staff to understand issues of significance to mana whenua.

1.5.4. The lack of official guidance and mechanisms to assist staff to engage with mana whenua at an operational level is consistent with/mirrors the lack of structured relationship mechanisms at this level, as discussed earlier in the Report.

1.6 Does the Council demonstrate and practice a bi-cultural approach within its organisation, including in accordance with the Foundational Documents (bi-cultural approach objective)

1.6.1 The Audit found that the Council has taken a range of concrete steps towards practising a bi-cultural approach in its day-to-day operations including:

¹⁷ Otago Regional Council. (2024). *Proposed Otago Regional Policy Statement 2021: Report and recommendations of the Non-Freshwater and Freshwater Hearings Panels to the Otago Regional Council*. Page 58 [16].

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- 1.6.1.1 providing cultural capability training for staff, as committed to in a range of the Foundational Documents (e.g. LTP);
- 1.6.1.2 recently employing a Senior Advisory Iwi Partnerships and Engagement Advisor to further uplift internal capability;
- 1.6.1.3 involving mana whenua in the design of new Council headquarters and strategic directions refresh; and
- 1.6.1.4 incorporating the use of te reo Māori in its day-to-day operations.
- 1.6.2 The Council also clearly acknowledges its commitment to partner with mana whenua on its website, in key strategic and public facing documents and in its recruitment material.
- 1.6.3 The Council is at the beginning of its journey in terms of its bi-cultural approach objective. Achievements towards this objective are likely to create a more culturally relevant and safe space for staff, potentially improving the Council's ability to recruit and retain Māori staff. The Audit did not find anything in the Council's values, as listed on its website, that would prevent its ability to continue on its journey towards a bi-cultural organisation.
- 1.6.4 However, some concerns and areas for awareness were raised during the Audit that, if unaddressed, could impact the Council's progress towards realising this objective, including:
 - 1.6.4.1 There is an ongoing need to ensure that the Council's commitment to, and responsibility for, a bi-cultural approach is embedded throughout the organisation and does not sit with one team or one individual.
 - 1.6.4.2 A need to grow internal Te ao Māori capability and not be reliant on community leaders and others volunteering their time.
 - 1.6.4.3 That growth of internal Māori capability with Council does not replace direct engagement with mana whenua but can support and complement it.
- 1.6.5 Overall, the Audit found that the focus and priority for mana whenua is on how the Council (and its staff) understands and implements its commitment to partner with mana whenua, not on its ability to practice a bi-cultural approach. While some measures towards a more bi-cultural approach may support the Council's ability to partner with mana whenua (e.g. training and guidance specific to understanding better Kāi Tahu history, values, priorities), it should be clear that they are distinct objectives. The priority of mana whenua is for progress to be made in relation to the Council's partnership objective.

Part 3

Recommendations

Based on our findings we make the recommendations below within 'theme' areas identified for the overall package of recommendations.

Responsive/reactive engagement to proactive partnership

- A. The Council and mana whenua commit to move from predominantly an engagement model to a model that also includes partnership arrangements that enable mana whenua to contribute to the Council's decision-making and exercise the rights, responsibilities and obligations of rākatirataka in their takiwā. This will elevate meaningful engagement between the Council and mana whenua.
- B. The Council and mana whenua jointly explore possible partnership arrangements and opportunities. The Audit recommends that Council and mana whenua agree specific areas of focus where the parties can work together in effective partnership to enable mana whenua to exercise the rights, responsibilities and obligations of rākatirataka in their takiwā for the benefit of the environment and Otago community. Potential issues to explore could include, but are not limited to, the following:
 - Delegation for decision-making on certain issues to the Council Committees with mana whenua representation.
 - Co-designing relevant Council committee terms of reference with mana whenua to ensure a common understanding of mana whenua priorities.
 - Investigating if the transfer of Council's functions, powers or duties (under the Resource Management Act 1991) is

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desirable, e.g. mana whenua monitoring of waterways and the harbour.

- Identifying joint projects and initiatives between the Council and mana whenua, e.g. 'state of the takiwā monitoring' and catchment action plans.
- Opportunities to engage mana whenua contractors in the delivery of the Council's operational work, including training and capacity building opportunities, to support increased supplier competition and ratepayer savings.
- The appointment of mana whenua commissioners to consent and plan hearing panels.

Mana whenua are soon to commence a review of their Natural Resources Management Plan. This review provides an opportunity for the parties to identify specific areas where the exercise of rakatirataka could enhance environmental outcomes in the Otago region.

It is also recommended that a clear implementation plan is co-developed to operationalise any agreed initiatives so that Council and mana whenua can work together efficiently, in a mana enhancing manner, to realise these shared objectives and monitor progress.

Development and embedding of relationship to support the partnership

- C. The Council considers further structural mechanisms at an operational level to support and grow the strength of relationships, e.g. via a Chief Executives' annual hui across the Council, Papatipu Rūnaka, Aukaha and Te Ao Marama.
- D. The governance and operational relationship is further formalised through a co-designed Mana Whakahono ā Rohe agreement between the Council and mana whenua or a Mana Whenua Strategic Framework is prepared that records the objectives, initiatives and implementation plan agreed between the partners. .

Building capability

- E. Council continues to build its knowledge of mana whenua to help the Council better partner with mana whenua. Ensure this knowledge is across a number of Council staff rather than held by a few.
- F. Implement the Council's commitment to make mātauraka Kāi Tahu an integral part of its decision-making e.g. by developing the next stage of cultural capability training with mana whenua and exploring options for further marae visits/noho.

Organisational advancements

- G. In order to advance its bi-cultural objective, the Council should ensure that all senior leadership team members have specific accountability for this objective. Additionally, ensure dedicated funding for kaumātua/kuia/kaikōrero role/s within Council to help uphold cultural safety and tikanga processes consistently and reduce reliance on this being delivered on a voluntary basis.

Otago Regional Council Te Tiriti o Waitangi Audit -Terms of Reference

Otago Regional Council (**the Council**) works with Kāi Tahu, as mana whenua and representatives of Te Tiriti o Waitangi (**Te Tiriti**) partner in the region to develop a trusted and enduring relationship, and to enable the development of mana whenua capacity to contribute to decision making.

The Council's aspiration, as described on its website, is to go beyond statutory responsibilities to ensure meaningful engagement with mana whenua that is based on the principles of partnership of Te Tiriti.

Alongside this, the Council aspires to operate and be recognised as a bicultural institution. As part of measuring progress towards these goals, the Council has committed to undertake a Te Tiriti Audit.

Background: Mana whenua and Otago Regional Council relationship

The Council is responsible for sustainably managing Otago's natural resources on behalf of its community. It is also responsible for promoting the economic, social, cultural and environmental wellbeing of the region.

The Council is governed by 12 councillors, elected by the residents of Otago every three years. The Council's work is overseen by Chief Executive (**CE**), Richard Saunders, and a team of six general managers.

Otago mana whenua rūnaka are Moeraki Rūnaka, Kāti Huirapa Rūnaka ki Puketeraki, Ōtakou Rūnaka, and Hokonui Rūnaka. They can be jointly represented through Aukaha at operational level.

Southern mana whenua rūnaka are Awarua Rūnaka, Waihopai Rūnaka and Ōraka Aparima Rūnaka. They can be represented by Te Ao Marama at operational level.

Although Aukaha and Te Ao Marama may represent kā rūnaka at an operational level, the mana, decision-making and partnership relationship ultimately lies with the individual rūnaka.

The relationship between the Council and mana whenua is currently underpinned and given expression to by the **Foundational documents** listed at **Appendix One**, and via the **Relationship Channels** listed at **Appendix Two**.

Te Tiriti o Waitangi Audit

The Council's CE has appointed Te Kura Taka Pini (**TKTP**) to conduct a Te Tiriti Audit. Mana whenua rūnaka tautoko this appointment and an audit being undertaken.

The key objectives of Te Tiriti Audit will be to ascertain whether the Council, as an organisation:

1. is operating in a manner consistent with its commitment to partner with mana whenua, including in accordance with the Foundational Documents.
2. Demonstrates and practices a bi-cultural¹ approach within its organisation, including in accordance with the Foundational Documents.

¹ The Council sees biculturalism as two cultures working effectively together. The 'ism' is how well we have worked (past), work now (present) and will work (future) to accomplish this goal.

TKTP will provide a report detailing its findings and provide recommendations to assist the Council in achieving its objectives. This will include an assessment of whether the implementation of a Māori Strategic Framework could be appropriate.

Areas for investigation

The Council has requested that TKTP focus on four key areas of investigation to inform its findings. The primary area of investigation is an assessment of the Council's commitment to Te Tiriti Partnership. Within this, TKTP will also consider

1. Kāi Tahu values and the Council's values;
2. Recruitment Process; and
3. Public persona.

Commitment to Te Tiriti Partnership

TKTP's primary area of investigation is an assessment of the Council's commitment to Te Tiriti Partnership with mana whenua.

The Council's website identifies the following as its commitment to partner with Kāi Tahu mana whenua:

'To recognise the value that engagement with mana whenua adds through sharing their knowledge and wisdom, Council works with Kāi Tahu as mana whenua and representatives of the Treaty partner in the region.

This is to develop a trusted and enduring relationship, and to enable the development of mana whenua capacity to contribute to decision making.'

'Commitment: to partner with Mana Whenua and **make mātauranga Kāi Tahu** an integral part of decision-making.

Acknowledge: historic grievances and respect Kāi Tahu customs and beliefs

Continue: to build a trusted and enduring relationship which requires an ongoing commitment'

TKTP will assess whether the Council is meeting its obligations to mana whenua, including fostering an effective partnership whereby mana whenua effectively contribute to decision-making- and exercise rangatiratanga. This will include consideration of:

- The effectiveness of the Foundational Documents and whether the obligations and commitments made are being upheld;
- The Council's engagement with mana whenua across the organisation, including the effectiveness of the Relationship Channels.
- Guidelines and mechanisms in place to assist the Council's staff with mana whenua engagement.

Additionally, TKTP will also consider:

1. The degree of alignment between Kāi Tahu values and the Council's values in practice, including whether Council values allow it to be an effective Tiriti partner and achieve its goal of biculturalism.
2. Whether the Council is providing a culturally relevant and safe space for its employees, and how current practices may impact the Council's ability to recruit mana whenua/Māori into roles with the Council.
3. The effectiveness of the public face of the Council in expressing its commitment to being a bicultural organisation that values its Tiriti partnership with Kāi Tahu mana whenua, as well as being a values driven organisation.

Te Tiriti Audit Process

In addition to the tasks described under each area for review, the Council and mana whenua rūnaka will provide a list of people to TKTP that they wish to be interviewed as part of Te Tiriti Audit. Potential participants may include, but is not limited to, the following:

- Mana to Mana Governance group
- Kā Rūnaka members
- Aukaha and Te Ao Marama
- The Council's CE
- The Council's Executive Leadership Team
- The Council's second and third tier management
- Focus groups for field staff/regional offices/corporate staff (all participants within a focus group will be given the option of returning for a one-on-one discussion).

The Council will arrange suitable locations across their regional offices where participants will be invited to hui with TKTP if they wish.

TKTP will, with the consent of participants, record the interviews and take written notes from their hui with participants. These notes will be used for assisting with the preparation of a written report, but will not be provided alongside the final written report.

TKTP will initially be provided with two weeks to review the Foundational Documents and undertake hui with participants. Where the number of participants or participant availability hinders TKTP's to undertake its hui within this timeframe, a renewed timeframe will be agreed upon with the Council and mana whenua rūnaka to ensure that the appropriate people are able to participate in Te Tiriti Audit.

TKTP will then have two weeks to assess the information that has been gathered and prepare a draft written report.

The draft report will contain:

- An overview of Te Tiriti Audit process.

- TKTP's findings in relation to the key objectives (including reference to, and findings made in relation to, the four key areas of investigations).
- Recommendations that TKTP consider may assist the Council's in achieving the key objectives of Te Tiriti Audit, including in relation to the key areas of investigation. This will include an analysis of whether the implementation of a Māori Strategic Framework may be beneficial.

The draft report will be provided in the first instance to Mana to Mana Governance Group and the Council's CE. Feedback may be provided on the written report, which TKTP will consider. TKTP will make any amendments it considers necessary, and release the report again to these groups for further consideration if required.

APPENDIX ONE: Foundational documents

- Te Tiriti o Waitangi
- Ngai Tahu Deed of Settlement
- Ngai Tahu Claims Settlement Act 1998
- Te Rūnanga o Ngāi Tahu Act 1996
- Memorandum of Understanding with Kāi Tahu mana whenua ki Otago
- Charter of Understanding with TAMI (Southern Runaka)
- He Mahi Rau Rika
- The ORC Partially Operative Regional Policy Statement
- The ORC Proposed Regional Policy Statement (pRPS)
- The ORC Long Term Plan (LTP)
- The ORC Annual Plan (AP)

together “**the Foundational Documents**”

APPENDIX TWO: Relationship channels

- Mana to Mana Governance Group (the Council's CE and Councillors, Mana Whenua Rūnaka Chairs)
- Council Committee representation: 2 x mana whenua representatives, 1 as Co-Chair – Environmental Science and Policy Committee (with voting rights); 1 x mana whenua representative – Regional Leadership Committee (voting rights)
- Land and Water Regional Plan Governance Group: 2 x mana whenua representatives (1 as co-chair)
- Internal cultural awareness training/induction
- Engagement with mana whenua: Aukaha and Te Ao Marama as first points of contact.

together **“the Relationship Channels”**

Appendix Three: Values Diagram



9.4. Proposed Programme of Strategic Events and Wānaka A&P show review

Prepared for:	Regional Leadership Committee
Report No.	ENG2401
Activity:	Council-wide Communications and Engagement
Author:	Kate Pettit, Senior Advisor Strategic Engagement
Endorsed by:	Amanda Vercoe, General Manager Strategy and Customer
Date:	21 November 2024

PURPOSE

- [1] This paper recommends a revised, more strategic, 'all of council' approach to the participation in community events through a proposed strategic event programme. Additionally, the paper includes an engagement review, written by ORC's Communications and Marketing Team, for ORC's attendance at the 2024 Wānaka A&P show.

EXECUTIVE SUMMARY

- [2] ORC's revised Engagement Approach, endorsed by Council on June 26th 2024, has been designed to strengthen engagement with communities across Otago. The emphasis of this approach is on listening to community views, perspectives, and feedback, while also continuing efforts to better foster community awareness and understanding of ORC's work.
- [3] This paper proposes the option to increase 'all of organisation' engagement and is informed by suggestions for extending our engagement reach through opportunities identified by Councillors.
- [4] In order to be as efficient as possible, the paper recommends focusing on attendance at pre-existing events.
- [5] The paper recommends to pilot small scale engagement at recommended events using existing resources.
- [6] It should be noted that this paper focuses on engagement points classified as 'all of organisation' events. Regardless of this proposal, individual teams will continue to participate in regional events for more targeted or localised engagement purposes and will continue to play a pivotal role in ORC's engagement activities.

RECOMMENDATION

That the Regional Leadership Committee:

1. **Agrees** to a pilot for future 'all of Council' engagement events (incorporating any changes requested by Councillors within available budget).
2. **Notes** the engagement review undertaken by the Communications and Marketing Team for ORC's attendance at the Wānaka A&P show.

BACKGROUND

- [7] ORC's Engagement Approach, endorsed by Council on June 26th 2024, has been designed to strengthen how we engage with our communities. Central to this is growing engagement opportunities that build genuine relationships that support increasing ORC's visibility and social license. The emphasis is on fostering community awareness and understanding of ORC's work, while also gathering and listening to community views, perspectives, and feedback.
- [8] During the Councillor workshop held on June 26th 2024, councillors offered valuable input regarding key community events that could be prioritised for consistent council attendance (Appendix A). These suggestions have directly informed the recommendation to extend our visibility and reach across the region by participating in these events.
- [9] The council has been attending the Wānaka A&P show for six years, with the Communications and Marketing Team leading this initiative. The review of ORC's attendance at the 2024 event, written by ORC's Communications and Marketing Team and included as part of this paper, was undertaken to evaluate outcomes and highlight the value of participating in this event. The findings from this review will help inform decision-making regarding future event participation.

DISCUSSION

A resource-efficient engagement strategy

- [10] The proposed approach will see ORC focusing on attending pre-existing region wide events, as opposed to setting up a range of standalone ORC only content events. A strategic and equitable presence at community events throughout the Otago Region offers significant value by providing a practical and resource-conscious approach to extending ORC's engagement reach. It allows us to connect with a broader audience, strengthen relationships, and promote understanding of council's work—all while making the best use of our available resources.
- [11] In addition to extending our reach, these events provide a powerful platform to strengthen our relationship with the community, promote understanding of our work, and present an invaluable opportunity to listen to the voices of those we serve. Engaging directly in conversations about local priorities, concerns, and feedback allows us to ensure our actions reflect what matters most to the community. This feedback is essential to informing how our strategies and work programmes are implemented and where improvements can be made, fostering a stronger connection and more responsive relationship with those we serve.

- [12] By attending established events with high community foot traffic, ORC can engage a more diverse audience, including individuals and groups we may not typically reach through other engagement methods. This offers a cost-effective way to enhance our visibility and foster stronger connections with the community.
- [13] One of the key advantages of participating in existing community events is that it allows us to leverage the infrastructure and audience already in place. While attending these events will still require resourcing—such as staff time, event planning, attendance costs and budget allocations for equipment, materials, and promotional items—these costs are relatively small compared to the potential impact of engaging with large, diverse audiences in established settings.
- [14] Adopting a cross-council representation at these events maximises the value of our participation by showcasing the full breadth of ORC’s diverse work. This collaborative approach highlights the positive impact we have across multiple workstreams, while simultaneously providing a unique opportunity to gather community insights that can inform and improve council decision-making processes.

The Layers of Engagement at Events

- [15] While it is critical to adopt a strategic, council-wide approach to attending key events across the region, it’s important to acknowledge the multiple layers of existing and potential engagement opportunities within ORC. This paper focuses solely on the top layer of strategic, all-of-council events. These are identified in the visual below in blue. They are large, high-visibility events spread across the region that require comprehensive council representation and meet specific engagement criteria.
- [16] However, beyond this top tier, individual teams will continue to participate in regional events for more targeted or localised engagement purposes. These team-led initiatives will be managed and driven by the relevant teams, as they align with specific projects or strategic directions relevant to team level work programmes. These secondary and tertiary engagement layers are identified in orange in the visual below and will continue to play a pivotal role in ORC’s engagement activities.



Objectives and expected outcomes

[17] The following objectives and outcomes are intended to guide the council’s participation in community events in a way that is both strategic and meaningful. This approach ensures that our presence at these events delivers tangible benefits for both the council and the community, strengthening our relationships, increasing visibility, and providing valuable opportunities to gather community insights.

Objectives	Expected Outcomes
<p>Increase Council Visibility</p> <ul style="list-style-type: none"> - Strengthen council’s presence in community to foster familiarity and trust, while actively listening to what matters most to people, ensuring their voices help shape our work. 	<p>Enhanced social license</p> <ul style="list-style-type: none"> - Improved public perception, stronger community confidence in the council, and greater acceptance of council decisions informed by community feedback.
<p>Raise Awareness and Understanding</p> <ul style="list-style-type: none"> - Educate the public about council work programmes and initiatives. 	<p>Increased Public Awareness and understanding.</p> <ul style="list-style-type: none"> - A more informed community that understands and supports council’s role and work programmes.
<p>Facilitate Community Understanding</p> <ul style="list-style-type: none"> - Create opportunities for meaningful interactions with community members, allowing us to better understand their priorities and needs, and gather feedback to shape and enhance council initiatives. 	<p>Greater Community Participation</p> <ul style="list-style-type: none"> - Encourage deeper community involvement by aligning our engagement efforts with what matters most to community, leading to higher participation in council activities and decision-making processes.

<p>Engage a diverse demographic</p> <ul style="list-style-type: none"> - Increase participation in cultural events to strengthen relationships with all demographics. 	<p>Stronger relationships</p> <ul style="list-style-type: none"> - Stronger relationships across all demographics, resulting in a more inclusive and culturally responsive council.
<p>A cohesive and unified approach to ORC attending events</p> <ul style="list-style-type: none"> - Establish a consistent and coordinated approach to event attendance that conveys the importance of event participation and how it aligns with strategic directions. 	<p>Clear strategic direction and coordinated council presence</p> <ul style="list-style-type: none"> - A clearly communicated, strategically focussed event programme that aligns with broader council goals, leading to increased staff participation and an engaged presence at events.

Strategic event criteria

[18] To guide the council in making informed decisions about which community events to prioritise, the following criteria have been developed. These criteria ensure that our resources are used efficiently while maximising both community engagement and the overall impact of our participation. It is crucial that we remain selective and deliberate, choosing events that best align with our strategic goals. Attendance at such events will be continuously evaluated and remain flexible and adaptable to the changing needs of our communities.

<p>Regional representation</p>	<p>Ensure an inclusive balance between events in the main hubs and smaller, rural areas to cover the region fairly.</p>
<p>Event attendance & accessibility</p>	<p>Events with high track record attendance over a wide demographic range to maximise community reach and impact.</p> <p>Events that accessible to community in location and cost.</p>
<p>Community relevance</p>	<p>Events that are particularly important or traditional to the community, reflecting cultural and social values.</p>
<p>Alignment with objectives & outcomes</p>	<p>Events which have appropriate engagement opportunities which meet the objectives and outcomes.</p>
<p>Event timing & resourcing</p>	<p>Events that fit well within the council’s operational calendar and do not overlap with other critical council activities.</p> <p>Consider the availability of staff resourcing to effectively participate in and support the event.</p>

Proposed strategic events programme

[19] The recommended events outlined in the table below are designed to align with the council's strategic event criteria and are expected to deliver the desired outcomes of

increased community engagement, visibility, and impact. These events have been carefully selected, incorporating Councillor feedback, to ensure resource efficiency while maximising the benefits for both the council and the communities we serve.

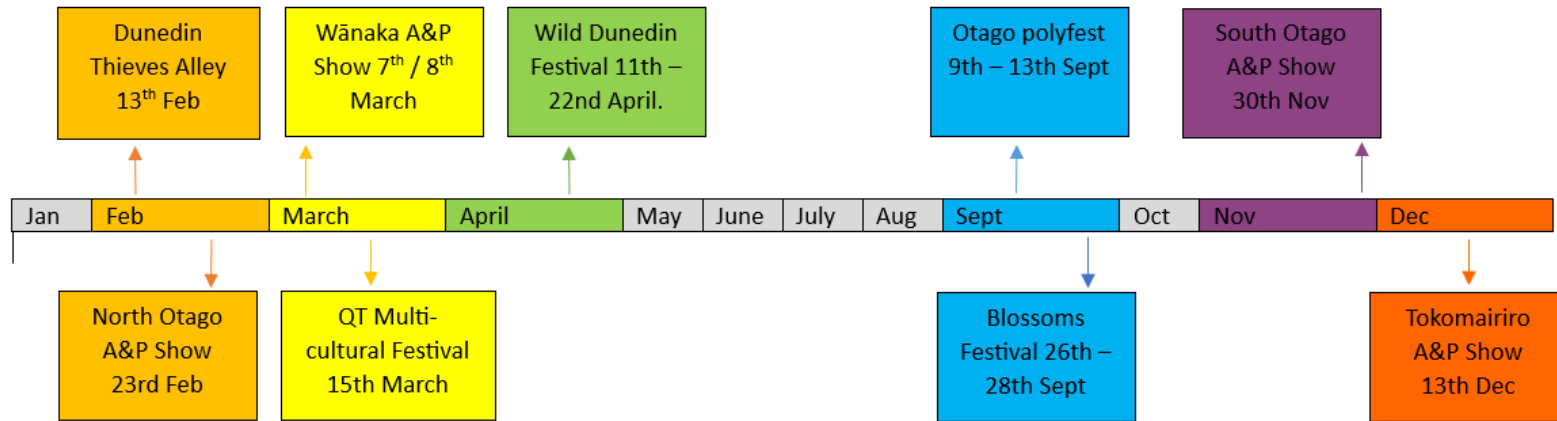
- [20] New events can be added to the list as they are recommended or identified, following a process to assess them against criteria and determine whether they qualify as a Tier 1 event; or Tier 2 event for individual teams to consider.

Suggested by Councillors	Name of event	Event overview	Attendance & Demographic and accessibility	Accessibility	Time of year
✓	Dunedin Thieves Alley Market Day	The Biggest market in Otago with over 250 stalls filled with creative works, gifts, delicious treats. Kids zones, food, vintage clothing, arts and crafts, two entertainment stages.	5,000 – 10,000 people Local demographic Broad age range	Free	February
✓	North Otago A&P show	The oldest A&P show in the South Island, the North Otago A&P show attracts people from Otago, Gore and Christchurch. Entertainment, animal judging, craft, trade, food stalls. 120 exhibitors.	Broad demographic Broad age range Attendees: 4000-5000	\$10 per person	February
✓	Wānaka A&P show	One of South Island's largest and most popular A&P events, it brings town and country together to showcase the latest in farming innovations, tasty food and lively entertainment. Livestock, equestrian, and home industry events, rides, food trucks, races, music, and more. 513 exhibitors in 2024.	Broad age and demographic: Southland and Central Otago. 44,000 attendees (2024)	\$17.50 per adult ticket \$5 youth ticket	March
✓	Queenstown Multicultural Festival	Community event designed to showcase Queenstown's cultural diversity. Sustainability lens, unique performances, live cultural music, activities and workshops, games, craft stalls, diverse food. Event changed date to align with UN International Day for the Elimination of Racial Discrimination.	Local diverse demographic All ages 1000+ attendees (2023)	\$39 per person	March

✓	Wild Dunedin	<p>Run by Dunedin Wildlife Trust, Wild Dunedin/ NZ Festival of Nature works with local community groups, businesses, conservationists and nature lovers to showcase the wildlife capital of Aotearoa and the work to support populations of native animals and all kinds to flourish.</p> <p>140 events across Dunedin</p> <p>A number of partners, stakeholders and community groups partner with Wild Dunedin Festival.</p>	<p>Broad age and demographic</p> <p>28,300 attendees (2024)</p>	<p>Range of costs of different events.</p> <p>Lots of free events</p>	April
✓	Otago ECE and Schools Polyfest	<p>One of the oldest festivals in Aotearoa New Zealand, celebrating Māori and Pasifika culture. It began in 1993 as a half-day event and has now expanded into a five-day celebration.</p> <p>The 2023 edition marked 30 years of cultural performances that connect young people with their heritage and languages. As a significant annual event in Otago, it promotes participation, inclusion, and positive cross-cultural relationships.</p>	<p>160 groups ECE and Schools.- ages 3-19</p> <p>From across the Otago region.</p> <p>Runs over five days.</p> <p>4000 Participant aged 3-19. with around 8600 support people, including teachers, tutors, and parental support.</p> <p>Public through the door over 10,000.</p>	<p>Gold coin donation (\$1-\$2)</p>	Sept

✓	Alexandra Blossom Festival	<p>Celebrating the arrival of spring, the festival has a unique feel of a country fair in a modern age.</p> <p>Sport competitions, activities for children, music, art galleries, Mardis Gras, garden tours, FMX, truck show, grand parade and more.</p>	<p>Broad age and demographic: Otago wide.</p> <p>15,000 attendees (2023)</p>	<p>Range of free events</p> <p>\$10 per person</p>	Sept
✓	South Otago A&P show / Tokomairiro A&P show (Alternating years)	<p>South Otago A&P show: A significant community event in the Clutha District, the show brings locals and visitors together to celebrate and support the region’s agricultural heritage.</p> <p>Entertainment, freestyle mountain biking, animal judging, craft, trade, food stalls. 120 exhibitors</p>	<p>Local demographic Broad age range</p> <p>Attendees: 4000-5000</p>	<p>\$40 per person</p>	November
		<p>Tokomairiro A&P show</p>	<p>Local demographic Broad age range</p> <p>Attendees 4000-5000</p>	<p>\$</p>	December

Suggested Events - Summary Timeline



Resourcing and Budget Considerations

- [21] In order to effectively deliver on a strategic programme of community event attendance, staff have considered what can be achieved within the current budget for 2025. Thorough evaluation and feedback will be presented back to Councillors with options around the approach for the future.

Delivery Under Current Resourcing (Pilot Small-Scale Delivery of Recommended Events)

- [22] Currently, most events in the recommended list are already attended by individual teams, with only one event, the Wānaka A&P Show, organised as an 'all of council' initiative. With existing resources, a "light touch" engagement approach across recommended strategic events could be achieved.
- [23] Light touch engagement would enhance a cohesive approach with a strategic lens, promoting a whole of ORC perspective, evaluating impact and involve a small, core team representing the council and showcasing the engagement materials we already have available, with the option to include more teams to attend where possible.
- [24] As a conservative estimate, this approach would cost approximately \$5,000 per event, allowing for a cost-effective, small-scale presence that ensures the council maintains visibility and engagement at key events. This can be managed within existing team budgets, providing a starting point for getting this initiative off the ground.
- [25] This approach would allow us to pilot the programme, demonstrate its value, and potentially secure additional funding for future years.
- [26] With 1 FTE currently proposed for engagement in next year's budget, this resource would include leading the strategic planning and execution of events, ensuring effective delivery without impacting staff BAU.

Communications Team - Wānaka A&P Show Review**The value of ORC attending:**

- [27] The Wānaka Show attracts over 44,000 people across two days and has over 500 exhibitors. It is described as one of New Zealand's largest agricultural, pastoral and community events.
- [28] Attending the Wānaka Show is of significant value for ORC, as it meets ORC objectives and desired outcomes — it is impactful and beneficial for both the council and the community. This value can be enhanced if we were more strategic (have better measures of success) when attending future shows.
- [29] The Wānaka Show increases council visibility (QLDC and Wai Wānaka also attend), raises/increases awareness and understanding and facilitates community participation by allowing two-way dialogue.
- [30] The event size, attendance, and attraction of a wide range of demographics ensures resources (time and money) are put to good use and enables us to maximise community reach and impact.
- [31] The number of interactions staff have with the public is very high (in future we need to record this more accurately), especially the engagement with the environmental implementation and biosecurity team's pest plants and animals and riparian planting. This year we had Amy from Trap and Trigger attend with her scat dog Toby. This, along with the stuffed wallaby, the natural hazards game, and the regional overview of the natural hazards for Lake Hāwea and Wānaka, proved popular and attracted visitors to our tent. Staff commented on the value of meeting farmers and other concerned members of the public, and the variety of queries/questions received.

Evaluation:

- [32] Evaluation is a critical aspect for any community engagement. For future attendance at the Wānaka Show, this needs to be more formalised.
- [33] Attendance at the 2024 Wānaka Show did achieve its objectives and accomplished what it set out to do. Although, as identified through team feedback, there are a lot of learnings to enhance this even more, and clearer measures of success are needed. Team feedback also identified the need for better information gathering to evaluate external outcomes.
- [34] The purpose/goals of engagement were to increase the visibility of ORC and awareness of our role. With most teams being represented, and through the information that was highlighted and the conversations that occurred, there was notable satisfaction expressed showing changes to knowledge, attitudes, and beliefs, highlighting the benefit of face to face communications
- [35] Another objective was increasing the facilitation of two-way conversation and allowing individuals to feel as though we were engaging/listening to them. The staff and

councillors that attended represented ORC well through their extensive knowledge and passion for what ORC does. These interactions would have increased trust and individuals' positive perception of ORC. We were able to answer all the questions asked or put people in touch with someone who could. These interactions go a long way in encouraging community buy-in.

- [36] From the observations afterwards reported to us of staff and councillors present, this engagement was a success, as teams were accessible to talk to and it enabled the desired level of public participation. We were more visible to a demographic that we don't usually interact with, e.g. families that are ratepayers but don't need to interact with ORC other than paying rates. It was a great opportunity for them to see the areas that their rates go towards. Without formal feedback from public attendees, it was felt that those who visited would have rated the quality of the engagement very high – many positive comments were received.
- [37] Staff who attended felt that people who had questions or concerns left our tent feeling grateful for the opportunity to voice their concerns face to face, and interactions were positive and meaningful. Compared to some other tents, the ORC event felt well-attended and bustling.

Who represented ORC and what information did we share:

- [38] Consents and Compliance answered questions and covered earthworks, had posters on the consent process and pollution hotline.
- [39] Environmental Implementation/Biosecurity answered numerous questions about pests, and there was a steady stream of attendees at this stand. Staff covered Rabbit-proof fencing and had an example of one, wallabies (had a stuffed one), wilding conifer control, stream health, Catchment Action Planning. They also had plants to give away, which was a great way to make the tent look inviting. These were very popular when given away to show attendees.
- [40] Natural Hazards had their hazards game for people to play.
- [41] Environmental Monitoring had a computer set up with the Data Portal for demos. Also, they talked with people about air quality.
- [42] Science had an interactive display that showed the science behind stream and soil health.
- [43] Communications had a fishing game which educated youngsters and their parents about the fish native to the Wānaka/Otago area, Toby the MPI tracking dog, face painting, 'spot the wallaby' colouring in. Comms staff also helped to direct people to staff or councillors they needed to speak to, and cover breaks where needed. These staff did the set-up and packed down.
- [44] Councillors (4) were present to answer any public questions.

How much was spent:

- [45] \$13,000.00 (not including travel and accommodation) was spent on the event. Costs included the site, marquee and furniture, advertising, printing (fliers and posters), tickets for staff attending, giveaways (plants) and a face painter. We had a good-size tent and a great position in an activity area with lots of foot traffic.

Learnings/ Opportunities for future:

- [46] Clear objectives and measures of success established would help with evaluating the outcomes being achieved in a more formal way.
- a. A need for more strategic collaboration and co-ordination across ORC topics.
 - b. Have clear written, shared objectives and measures of success.
 - c. Clear communication and responsibilities at event
- [47] A quiet spot in back corner of tent for people to sit down with consents and compliance staff in order to work through more detailed conversations.
- [48] ORC could invest in more interactive displays that are informative as well as interactive to support attendance.
- [49] Have a board for people to mark where they are from on a map, and highlight a list of council-related topics they are interested in or have concerns with (example: farming, natural environment, biosecurity, transportation, natural hazards, etc.) to help build engagement.

OPTIONS**Option A – Recommended**

- [50] The Committee recommends that Council endorses the pilot small scale delivery of recommended events approach. The benefits of this are:
- *Light touch engagement at recommended events using existing resources in 2025.*
 - *Thorough evaluation and feedback will be brought back to Councillors to consider options for the future.*

Option B

- [51] The Committee does not recommend that Council endorses the pilot small scale delivery.

CONSIDERATIONS**Strategic Framework and Policy Considerations**

- [52] Effective and strategic engagement opportunities are crucial to enhancing the wellbeing of our region. By increasing visibility and building ORC's social license, we strengthen the connection between the organization and the community, ensuring our work supports the environmental, social, cultural, and economic vitality of the region. A holistic approach is essential to fostering cohesive, engaged communities that are deeply connected to both the environment and one another.

Financial Considerations

- [53] Pilot small scale delivery of recommended events: No additional funding required, relying on existing resources.

Significance and Engagement Considerations

- [54] The recommended programme of strategic events aligns with He Mahi Rau Rika, as it supports ORC's approach to effective community engagement. By fostering trust, understanding and confidence in council's work, it enhances council's ability to connect with communities in a meaningful way.

Legislative and Risk Considerations

- [55] NA

Climate Change Considerations

- [56] NA

Communications Considerations

- [57] By attending existing events, we capitalise on their marketing and advertising budget. We can advertise our attendance at these events via our existing and free platforms e.g. Facebook, website).

NEXT STEPS

- [58] Confirm place at events dependant on Council approval.
- [59] Development of strategic approach to event attendance, including the building of planning processes.

Appendix A – Councillor feedback on attendance at regional events

Dunedin City		Queenstown Lakes District	
<ul style="list-style-type: none"> - Strath Taieri A&P Show - Thieves Alley - Santa Parade - Wild Dunedin - OUSA Sustainability Week or Market Days - Dunedin Science Festival - O Week tent city - South Dunedin Street Festival - Waititi Show (Blueskin Bay) - CreekFest - Middlemarch show - Diwali Festival of Lights - Moana Pasifika Festival - Otago PolyFest 		<ul style="list-style-type: none"> - Wanaka A&P - Lakes Hayes A&P show - Lake Hayes Show – Waiwhakaata - WAO Wanaka Summit - Queenstown Multicultural Festival - Matariki Arrowtown 	
Clutha District	Central Otago District	Waitaki District	
<ul style="list-style-type: none"> - South Otago A&P - Tokomairiro A&P show - West Otago A&P Show - Waimumu Field Days in Gore - 	<ul style="list-style-type: none"> - Alexandra Blossom Festivals - Central Otago A&P - Maniototo A&P Show 	<ul style="list-style-type: none"> - North Otago A&P - Palmerston and Waihemo A&P 	
Other			
<ul style="list-style-type: none"> - School gatherings – (working with Enviro-schools on this) - Hui at marae on environmental topics (Te Roopu Taiao and Mana to Mana are the current mechanisms) - Event Sponsorship: sport, water, music, food (This is outside of the scope of this initiative, but a future opportunity that ORC s keen to investigate) - Primary Industry events: Fed Farmers, Dairy NZ, Beef & Lamb (Out of scope - targeted stakeholder events – considered as part of the wider engagement approach) - Free bus travel to events - Creating and launching ORC events (out of scope but an opportunity to consider in future). 			

ATTACHMENTS

Nil

9.5. Draft communications and marketing strategy direction

Prepared for: Regional Leadership Committee

Report No. COMS2404

Activity: Governance Report

Author: Jo Galer, Manager Communications and Marketing, Vicki Roach, Team Leader Marketing and Brand, Sarah Bedford, Team Leader Media and Communications

Endorsed by: Amanda Vercoe, General Manager Strategy and Customer

Date: 21 November 2024

PURPOSE

- [1] This paper recommends an outline for a strategy for an all-of-council approach to the way we communicate, and market our services and calls to action. If approved, this outline will form the basis for producing a communications and marketing strategy for ORC.

EXECUTIVE SUMMARY

- [2] Staff were tasked by the Council to produce a communications and marketing strategy for ORC. This paper provides the outline (phase 1) of this strategy and seeks Council input into the key directions.
- [3] This paper outlines a proposed vision and goals of the strategy and sets the direction for success measures.
- [4] A SWOT analysis (strengths, weaknesses, opportunities and threats) is provided below and has helped shape the draft strategy outline. This was informed by the October 2024 survey to councillors, appointed members, and staff. This will also help to inform the actions developed when work progresses to the implementation phase of this strategy.
- [5] The intention is for the strategy to set out the expectations for the Otago Regional Council and how we will communicate effectively with our communities. The strategy applies to all staff and representatives to support Council's vision, which is to ensure our environment and communities are healthy and connected, Ki uta ki tai (from mountains to sea)
- [6] If signed off, this outline will then form the basis for phase two — producing a communications and marketing strategy for ORC.

RECOMMENDATION

That the Regional Leadership Committee:

1. **Receives** this paper
2. **Provides** feedback on the proposed outline of the strategy
3. **Notes** that a full strategy will be brought back in 2025

BACKGROUND

- [7] ORC does not have an adopted communications and marketing strategy. However, the communications and marketing team is currently strategic in their approach, backed up with evidence about channels from community survey data.
- [8] By creating a holistic strategy that guides the ORC's organisational approach to communications and marketing, we can be more joined up and strategic and focus on actions and success measures that support the goals set out in the strategic directions.
- [9] This outline sets expectations for how we will communicate effectively. It creates a shared vision for how ORC teams communicate with communities and the benefits of doing this.

DISCUSSION

- [10] Communicating the work of ORC and raising awareness about the work we do has been identified as important in the Community Survey conducted annually over the past three years.
- [11] The first step towards a proposed new council-wide Communications and Marketing Strategy is a common vision, followed by six goals. We have outlined possible ways of measuring these goals. However, these will be further refined once actions are determined in the second phase, following council approval of this framework.
- [12] Success of the strategy, which will be backed up by an operational implementation plan, will be regularly reviewed. The implementation plan will include roles and responsibilities for the organisation, as well as tasks and timeframes. Some actions will take longer than others and most will be designed to be achievable with existing resources.

SCOPE

- [13] The strategy once finalised would work alongside the ORC's strategic directions, engagement framework, and other internal guiding documents.
- [14] This framework acts as an enabler to ORC's guiding principles as outlined in the Strategic Directions document and ORC's recently approved Engagement Strategy. This guides the approach to 'how' we communicate and our organisational commitment to that.
- [15] The proposed strategy is not a new set of obligations to follow. What is new is the 'whole of organisation' approach, designed to build on internal buy-in to our Communications and Marketing Vision and goals.
- [16] It does not cover strategic engagement but is rather the "push" to support this.

Draft strategy content for review

[17] **Vision**

ORC effectively communicates with our communities transparently, in plain language, raising awareness and understanding of our work and ORC's role.

[18] **Goals**

1. All ORC representatives communicate in plain language so that the audience can understand easily and completely, in a timely way.
2. ORC explores opportunities to increase the use of Te Reo Māori in its communications and improve accessibility for all audiences.
3. All ORC representatives communicate transparently risks/issues, with our diverse audiences, using channels and language targeted and relevant to those communities.
4. ORC embraces opportunities to share the work we do and our community-based activities to inform, raise awareness and support behaviour change.
5. ORC works collectively to communicate timely, accurate information about the services we provide, and the rules and guidelines people need to know. We do more than the minimum.
6. Through consistency of brand and visual identity we build trust and recognition with our communities.

[19] **Measures of success**

- a. Through sharing stories across multiple channels, ORC’s wide-ranging work is highly visible for communities. This helps to show the value in the rates people pay (measures include customer service data and social media queries reflecting understanding of what rates are for).
- b. Our community understands our communications, because they’re in plain language, accessible and support inclusivity (measures include stakeholder feedback; fewer complaints that indicate confusion with our information, customer services success measures and Google analytics trends).
- c. Communities are engaged with and connected to ORC and show understanding of the relevance of the work we do for their communities (engagement numbers, e.g. surveys and event attendance, social media metrics and sentiment monitoring).
- d. The community feels well informed and heard through closing the communications loop and showing how their feedback was used (possible use of data metrics).
- e. People understand when they see our branding and marketing who is speaking to them. (Measures include Community Survey results, customer services success measures.)

[20] **SWOT analysis**

Strengths	Weaknesses
<ul style="list-style-type: none"> • New website — easier to navigate / find info, provides more engaging ways to inform. 	<ul style="list-style-type: none"> • Resourcing - budget and time limitations to reach diverse audiences with diverse needs.

<ul style="list-style-type: none"> • Good data — community survey, web, Facebook engagement provides insights on audiences: how they like to receive info, what they know about ORC, and their thoughts on our level of service. • Expertise — staff knowledge and skills across a range of areas. • Relationships <ul style="list-style-type: none"> ▪ Mana whenua: through Mana to Mana and relationships with Aukaha and Te Ao Mārama Inc. ▪ Media: strong and our responses are always prioritised. ▪ Stakeholder relationships, e.g. TLAs, community catchment groups. • Increased reach through range of channels i.e. digital, Te Mātāpuna, and between staff and communities. 	<ul style="list-style-type: none"> • Legal obligations - often, we are bound by legal obligations and other factors that make it difficult to talk about some things. • Risk averse – sometimes we miss an opportunity to share information or news. • Complexity of local government planning processes under different pieces of legislation can impact communications (for example, Resource Management Act, Land Transport Act, Biosecurity Act, Local Government Act) • Finding the good stories. • Process of achieving both plain language and technical accuracy. • Limited ability to look at our digital strategy beyond Facebook and the website, to explore channels such as Instagram, X and TikTok.
<p>Opportunities</p> <ul style="list-style-type: none"> • Continuing to build a consistent and joined up approach to ORC’s communications and marketing activities across all areas of the organisation’s work internally. • Digital Channels allow for video and creativity to encourage increased engagement — show rather than tell. • Sharing community work — what do we share and what don’t we. Need to be more proactive. • Work with community champions so they can help sell our stories. • Further communicate the importance of long-term goals, e.g. biodiversity. • Communication of what we do — but we need to do more and broader on all the roles. 	<p>Threats</p> <ul style="list-style-type: none"> • Audience: Can’t take a ‘one size fits all’ approach. • Our audience is diverse and their reasons for engaging with us are different. • Size of the geographic area population covers. • Differences between communities and the channels they prefer to consume news. • Media channels and distribution: A fragmented distribution model. <ul style="list-style-type: none"> ▪ Print, digital and radio have many different suppliers and options across the region. ▪ The cost of print and direct mail. ▪ How people source information has changed — single-channel approach not effective. • Confusion over different organisations responsibilities – there is confusion about the roles of councils (district and regional) and our functions for example DCC and the bus hub. • As we have many different teams, important to ensure we aren’t overwhelming our communities with too

	<p>much information at any one time.</p> <ul style="list-style-type: none"> • With environmental work, it's difficult to make an immediate connection between spending and results, which impacts on sentiment and has reputational risks. • Perceptions that we are not doing enough, have broken promises, or are not engaging properly or listening to people. • The rise and prevalence of misinformation and disinformation in the community.
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OPTIONS

[21] This paper presents a draft outline for the intended communications and marketing strategy, feedback on its direction is welcome to inform the final version.

CONSIDERATIONS

Strategic Framework and Policy Considerations

[22] Effective and strategic communications and marketing are crucial to delivering on ORC's strategic directions. By communicating with our communities transparently, in plain language, raising awareness and understanding of our work and the Council's role we will help achieve objectives set out in the Strategic framework. A holistic approach supports informed and engaged communities.

Financial Considerations

[23] No additional funding required, relying on existing communications and marketing resources.

Significance and Engagement

[24] The recommended framework for an organisational communications and marketing strategy aligns with He Mahi Rau Rika, as it supports ORC's approach to effective community engagement. By fostering trust, understanding and confidence in ORC's work, it enhances ORC's ability to connect with communities in a meaningful way.

Legislative and Risk Considerations

[25] This paper has no legislative considerations. However, several of ORC's communications and marketing activities are related to statutory timeframes and directions. There is risk to ORC if we don't communicate effectively.

Climate Change Considerations

[26] N/A

Communications Considerations

[27] The strategy development will support our overall communications and marketing activities at ORC.

NEXT STEPS

- [28] To reflect on feedback and develop this outline into a draft Communications and Marketing Strategy and Implementation Plan. This would also include definitive actions, measures of success and roles and responsibilities.
- [29] Present the strategy to the Regional Leadership Committee for endorsement in the first quarter of 2025.

ATTACHMENTS

Nil