

Consents

The consent situation for intensive winter grazing is generally the same as the 2021 season. Through the Court process the rule in the decisions version of plan change 8 has been updated and now reference the National Environmental Standards for Freshwater (NES-FW) and the regulations around intensive winter grazing. Until such times as these Regulations come into force the rule in the Regional Plan Water about intensive winter grazing applies. There is a permitted activity rule and then a discretionary rule. This part of the plan change will be made formally operative by Council soon.

Most people should (like last season) have existing use rights under the PC8 provisions unless they are expanding or undertaking winter grazing when they have not before. This means that people will generally not need an intensive winter grazing consent under the Regional Plan Water rules this season. However, they will be able to apply for a consent if they want to and some have been processed. These applications can be made online using our new online application tool.

Changes have been made to the NES-FW provisions that relate to intensive winter grazing. These changes follow a period of consultation by MFE. The regulations relating to IWG apply for the 2023 season. Staff will be working across the Regional Sector on resources and to ensure a consistent approach for the 2023 season, this is in line with the sector's approach to date. It is strongly encouraged that farmers have a winter grazing plan in place for 2022 and are aware of the permitted activity standards that they need to meet this winter. More information on plans for winter 2022 are provided below.

Compliance approach

Monitoring compliance with IWG regulations and the NES-FW falls within priority one of the [ORC Compliance Plan 2020-22](#) to "reduce non-compliant discharges to improve freshwater quality".

A proactive IWG compliance project has been planned to achieve the following objectives:

- To undertake proactive monitoring of IWG practices across the Otago region.
- To promote compliance of IWG rules and requirements to ensure that environmental effects are minimised as much as possible.
- To ensure the farming sector are well informed of the new rules and what they need to do.
- To deliver on the Ministers' expectation for increased IWG monitoring and reporting to ensure measurable improvements in IWG practices during the year.

A key component of the IWG compliance project are flyovers. The Compliance team are planning to complete three sets of three flights this year across the Otago region. Although the flyovers are undertaken primarily to determine the effects of IWG throughout the Otago region, compliance of other land uses including forestry, regionally significant wetlands, significant discharges and major incident investigations will also be monitored.

Following each of the flyovers, staff will complete a risk assessment of the issues identified. Site inspections and follow-ups for on-ground information gathering will be undertaken by the Compliance team and Environmental Implementation team, where appropriate. This will include providing advice on IWG regulations to the farmer. Appropriate action will be taken for any non-compliance or breaches identified in accordance with the [RMA Compliance and Enforcement Policy](#).