

# Regional Leadership Committee 9 April 2025



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 Mephram
  - 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

09 April 2025 03:00 PM

Agenda Topic	Page
1. WELCOME	
2. APOLOGIES	
No apologies received at the time of agenda publication.	
3. PUBLIC FORUM	
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. <a href="#">ORC Councillor interests are published on the website.</a>	
6. PRESENTATIONS	
No requests for presentations were received at time of agenda publication.	
7. CONFIRMATION OF MINUTES	3
That the minutes of the Regional Leadership Committee meeting held on 21 November 2024 be received and confirmed as a true and accurate record.	
7.1 <a href="#">Minutes of the 21 November 2024 Meeting</a>	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 [Environmental Delivery Group Regulatory Update: Quarterly Report](#) 7

To update the Committee on the activities of the Regulatory Teams of the Environmental Delivery Group between 1 July 2024 and 31 January 2025.

#### 9.1.1 [Attachment - 1 July 2024 to 31 January 2025](#) 25

#### 9.1.2 [2023/2024 Compliance Monitoring and Enforcement Metrics](#) 31

### 9.2 [Overview of Summer Activities of the Harbourmaster Team](#) 108

The purpose of this report is to update the Committee on Harbourmaster activity and operations following the completion of the 2024/2025 summer season (1 November 2024 to 28 February 2025).

### 9.3 [Territorial Authority Wastewater Treatment Plant Compliance Summary Report](#) 111

The purpose of this report is to provide the Committee with a summary of the compliance of Territorial Local Authority (TLA) wastewater treatment plants (WWTPs) and the actions that have been taken by Council to achieve compliance. This report covers the period 1st April 2023 to 31st December 2024 inclusive.

### 9.4 [LGNZ Local Electoral Reform Draft Position Paper](#) 125

This paper invites feedback on Local Government New Zealand's (LGNZ's) local electoral reform draft position paper (attached).

#### 9.4.1 [Local Electoral Reform Draft Position Paper](#) 129

## 10. CLOSURE



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**Regional Leadership Committee  
MINUTES**

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**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 Thursday 21 November 2024, commencing at 9:00 AM.**

[https://www.youtube.com/live/heJqzrFRY\\_w?si=afF48j-L3MGXq8TQ](https://www.youtube.com/live/heJqzrFRY_w?si=afF48j-L3MGXq8TQ)

**PRESENT**

Cr Michael Laws	<i>(Chair)</i>
Cr Alexa Forbes	<i>(Online)</i>
Cr Gary Kelliher	<i>(Online)</i>
Mr Hoani Langsbury	<i>(Online)</i>
Cr Kevin Malcolm	
Cr Lloyd McCall	
Cr Tim Mephram	
Cr Andrew Noone	
Cr Gretchen Robertson	<i>(Online)</i>
Cr Alan Somerville	
Cr Elliot Weir	<i>(Online)</i>
Cr Kate Wilson	

**1. WELCOME**

Chair Laws welcomed Councillors, members of the public and staff to the meeting at 9 am. Staff present included Richard Saunders (Chief Executive), Tom Dyer (GM Manager Science and Resilience) Joanna Gilroy (GM Environmental Delivery), Amanda Vercoe (GM Strategy and Customer, Deputy CE), Kylie Darragh (Governance Support).

**2. APOLOGIES**

It was noted that Cr Kelliher and Cr Weir were not present at the start of the meeting.

**3. PUBLIC FORUM**

Mr Ciaran Keogh from EcOtago spoke on consenting costs and process. There was an opportunity for questions, Chair Laws thanked Mr Keogh for his attendance.

**4. CONFIRMATION OF AGENDA**

The agenda was confirmed as published.

**5. DECLARATIONS OF INTERESTS**

No changes to Councillor Declarations of Interests were noted.

**6. PRESENTATIONS**

No presentations were held.

**7. CONFIRMATION OF MINUTES**

**Resolution: Cr Noone Moved, Cr Wilson Seconded**

*That the minutes of the Regional Leadership Committee of 28 August 2024 be received and confirmed as a true and accurate record.*

**MOTION CARRIED**

**8. OPEN ACTIONS FROM RESOLUTIONS OF THE COMMITTEE**

Open actions from resolutions of the Committee were reviewed. No changes were noted.

*Cr Weir joined the meeting 9:18 am*

*Cr Gary Kelliher joined the meeting at 9:32 am*



## 9. MATTERS FOR CONSIDERATION

### 9.1. Draft Annual ORC Compliance Report 2023/24

[Youtube 20:49] This report provided the committee with the draft Otago Regional Council (ORC) Annual Compliance Report for the 2023/24 year. Carlo Bell, Manager Compliance, Simon Wilson Manager Regulatory Data and Systems and Joanna Gilroy, General Manager Environmental Delivery were available to respond to questions on the report.

#### Resolution RLC24-111: Cr Mephram Moved, Cr Noone Seconded

*That the Regional Leadership Committee:*

1. **Notes** this report and the draft ORC Annual Compliance Monitoring Report 2023/24.
2. **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.
3. **Recommends** to Council that they approve the ORC Annual Compliance Monitoring Report 2023/24, subject to the changes offered above in b) being made.

#### MOTION CARRIED

*Cr Laws left the meeting at 10:01 am.*

*Cr Laws returned to the meeting at 10:04 am.*

### 9.2. Environmental Delivery Group Regulatory Update: Quarterly Report

[YouTube 57:00] This paper updated the Committee on the activities of the Regulatory Teams of the Environmental Delivery Group between 1 July 2024 and 30 September 2024. Alexandra King, Manager Consents, Carlo Bell, Manager Compliance, Simon Wilson, Manager Regulatory Data and Systems, Steve Rushbrook, Harbourmaster and Joanna Gilroy, General Manager Environmental Delivery were available to respond to questions.

#### Resolution RLC24-112: Cr Laws Moved, Cr Wilson Seconded

*That the Regional Leadership Committee:*

1. **Notes** this report.

#### MOTION CARRIED

### 9.3. Te Tiriti o Waitangi Audit

[YouTube: 1:12:05] This paper provided the Committee with the outcome of the Te Tiriti o Waitangi Audit (the Audit) undertaken by Te Kura Taka Pini Limited<sup>2</sup> (TKTP) in 2023/2024. Andrea Howard, Manager Executive Advice, Sarah Martin, Senior Advisor Iwi Partnerships and Engagement, and Amanda Vercoe, General Manager Strategy and Customer were available to respond to questions on the report.

#### Resolution RLC24-113: Cr Mephram Moved, Cr Noone Seconded

*That the Council:*

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.

#### MOTION CARRIED

*Cr Laws voted against.*

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

[YouTube: 1:49:37] This paper recommended 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. Andrea Howard, and Amanda Vercoe General Manager Strategy and Customer, and Vicki Roach, Team Leader Brand and Marketing, were available to respond to questions.

#### Resolution RLC24-114: Cr Noone Moved, Cr Malcolm Seconded

*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.

**MOTION CARRIED**

#### 9.5. Draft communications and marketing strategy direction

[YouTube 2:02:11] 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. Amanda Vercoe and Vicki Roach were available to respond to questions.

#### Resolution RLC24-115: Cr Malcolm Moved, Cr Wilson Seconded

*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

**MOTION CARRIED**

#### 10. CLOSURE

There was no further business and Chair Laws declared the meeting closed at 10:59 am.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Date

### 9.1. Environmental Delivery Group Regulatory Update: Quarterly Report

**Prepared for:** Regional Leadership Committee

**Report No.** GOV2524

**Activity:** Regulatory

**Author:** Alexandra King, Manager Consents  
Carlo Bell, Manager Compliance  
Simon Wilson, Manager Environmental Delivery Data and Systems

**Endorsed by:** Joanna Gilroy, General Manager Environmental Delivery

**Date:** 20 March 2025

#### PURPOSE

- [1] To update the Committee on the activities of the Regulatory Teams of the Environmental Delivery Group between 1 July 2024 and 31 January 2025.

#### EXECUTIVE SUMMARY

- [2] This report summarises the activity of the Consents, Compliance and Environmental Delivery Data and Systems Teams from 1 July 2024 to 31 January 2025. An update on Harbourmaster activities is provided in a separate paper.

#### RECOMMENDATION

*That the Regional Leadership Committee:*

1. **Notes** this report.
2. **Notes** the 2023/2024 Analysis of the Compliance Monitoring and Enforcement Metrics prepared for Te uru Kahika Regional and Unitary Councils.

#### DISCUSSION

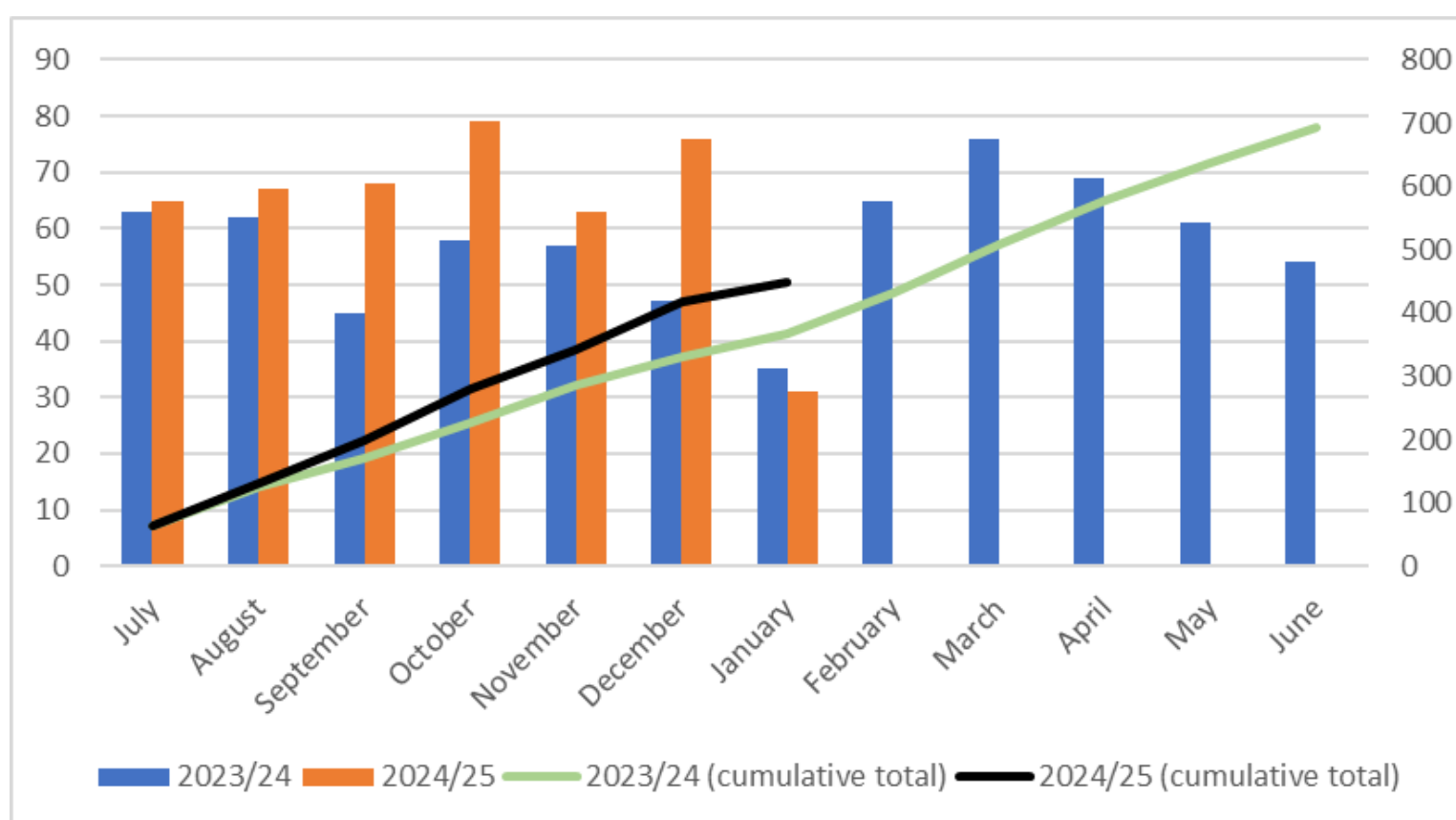
- [3] The following report provides a summary of the activity of the Consents, Compliance, Harbourmaster and Environmental Delivery Data and Systems Team within the Environmental Delivery Group.
- [4] Attachment 1 contains maps relating to regulatory activity for the period 1 July 2024 to 31 January 2025. The charts formally located in this attachment are now part of the main document.

#### CONSENTS

##### Consent Processing

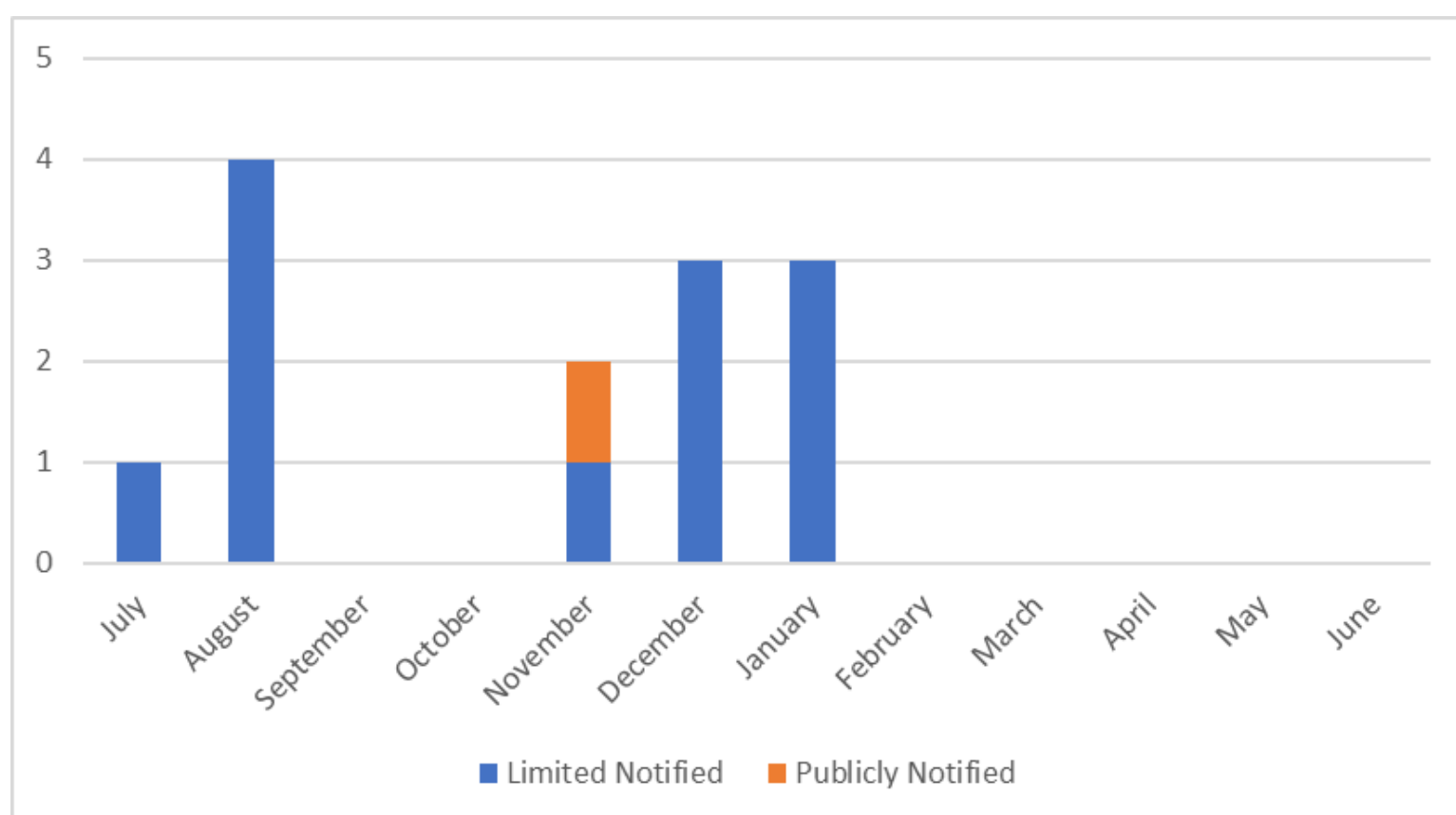
- [5] The Consents Team received 449 resource consent applications between 1 July 2024 and 31 January 2025, compared to 367 during the same period last financial year, as shown in Figure 1 below.

#### Figure 1: Resource Consent Applications Received

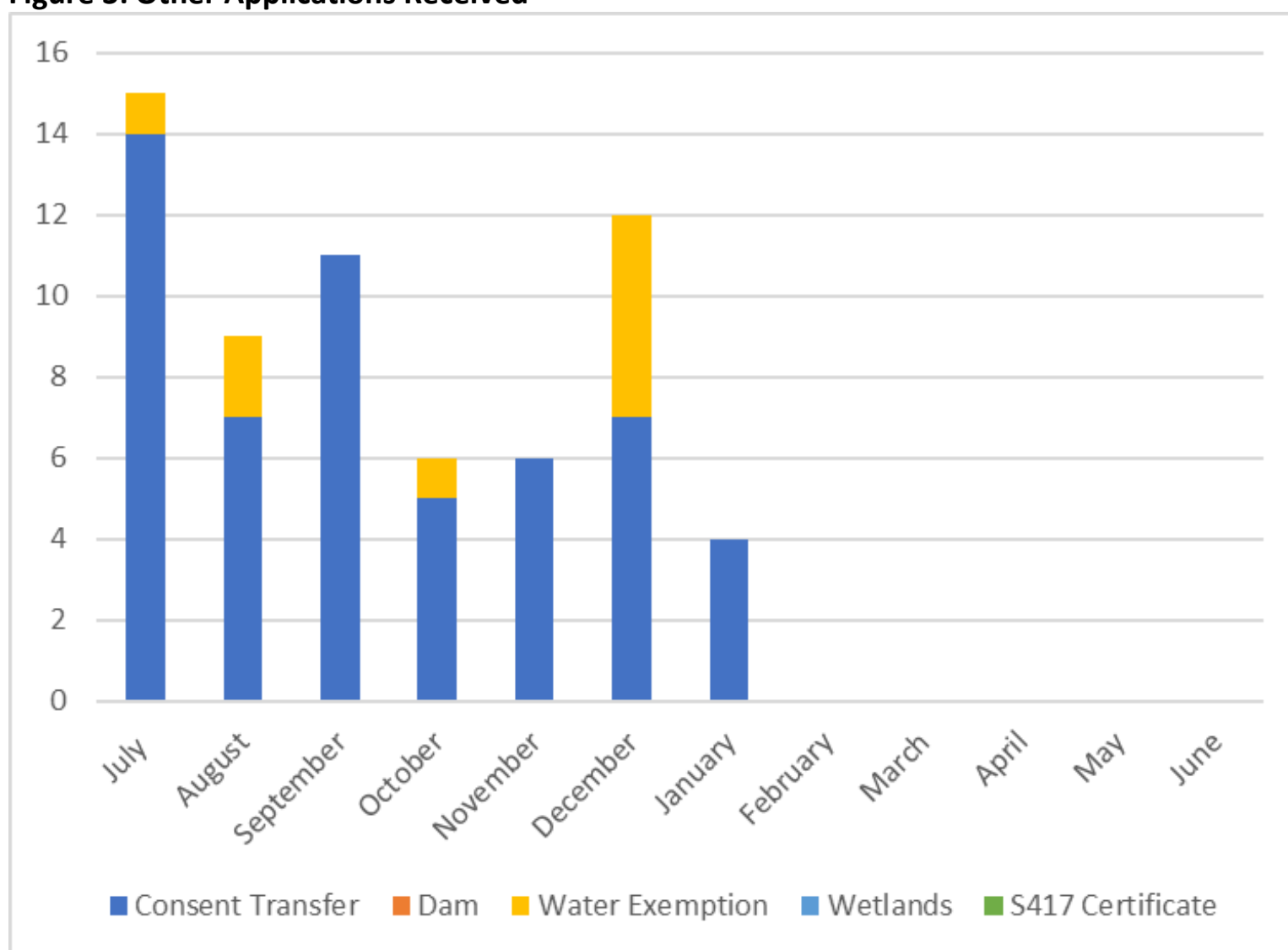


- [6] Decisions were made on 560 individual consents (cumulative total) between 1 July 2024 and 31 January 2025 compared with 418 during the same period last financial year. All of these consents were processed in compliance with the timeframes set in the Resource Management Act 1991.
- [7] Map 1 in the Appendix shows the spread of consents granted for the period 1 July 2024 and 31 January 2025 throughout Otago. As shown on the map, the main types of consents approved over the reporting period relate to effluent ponds and discharges in North and South Otago, earthworks in Central Otago, bores and both ground and surface water takes in North and Central Otago. 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] Twelve applications were limited notified between 1 July 2024 to 31 January 2025, as shown in Figure 2 below. These applications related to consents needed for the operation of a resource recovery park, extension of a landfill, earthworks within wetlands, damming water, discharges near the coast and a discharge to air consent.
- [10] One application was publicly notified between 1 July 2024 to 31 January 2025. This was the Green Island Landfill which has a hearing scheduled for 18 and 19 March.

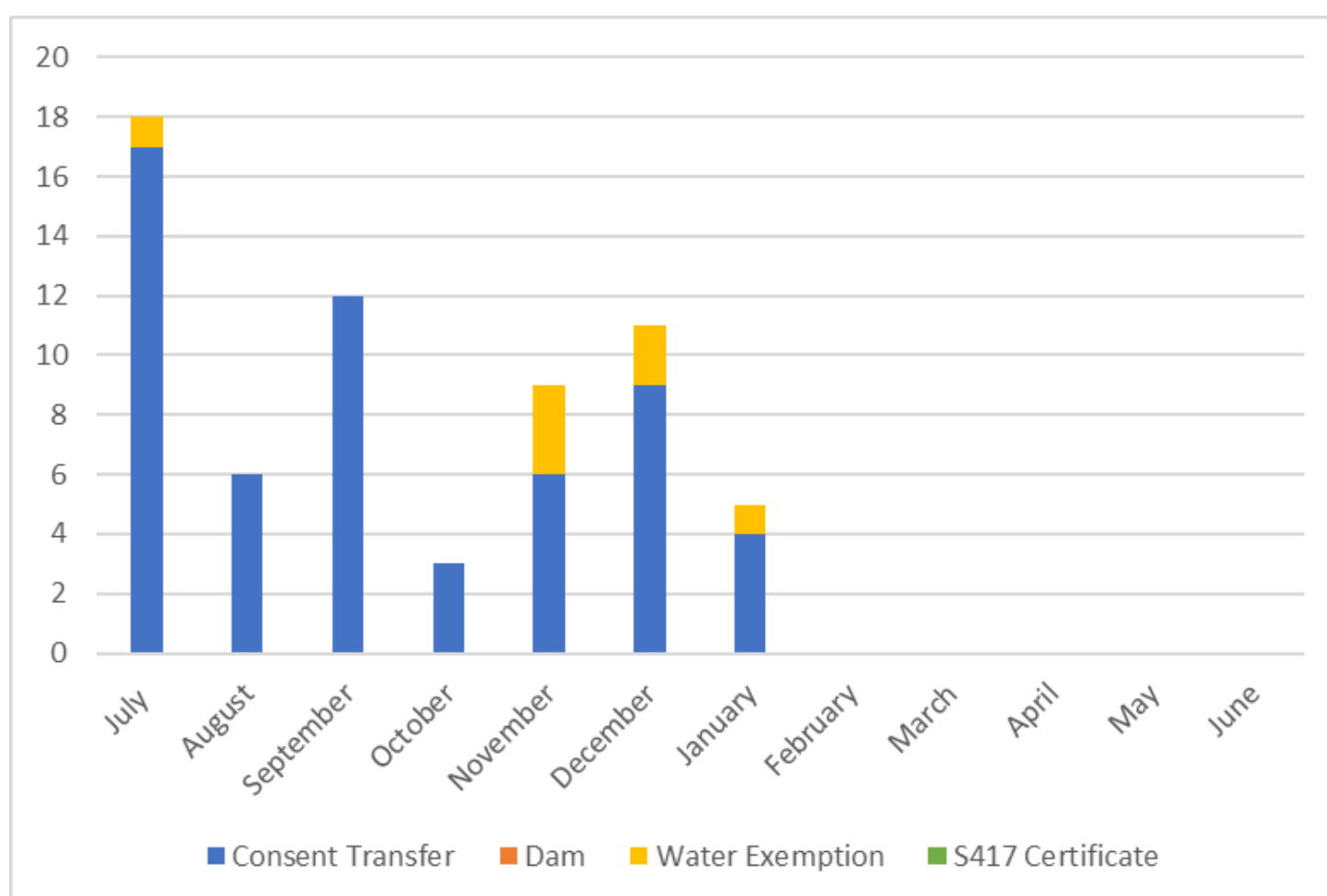
**Figure 2: Notified Applications**



**Figure 3: Other Applications Received**



**Figure 4: Other Applications Processed**



### Appeals, objections, and reviews

- [11] No appeals or objections on consent decisions were received between 1 July 2023 to 31 January 2025
- [12] Two cost objections were received under Section 357B of the RMA between 1 July 2024 and 31 January 2025. These objections were not upheld and costs were not waived. 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.
- [13] No reviews are currently being processed, and none were undertaken within the reporting period.

### Consent Enquiries

- [14] Responding to consent enquiries remains a significant part of the workload of the Consents Team. Council received 1,175 enquiries from the public between 1 July 2024 and 31 January 2025, shown in Figure 5 below. Most enquiries were resolved on the day or within two days of being received, with the remaining within the three days. The location of these requests is shown in Figure 6 below. The large number of public enquiries responded to demonstrate the value of this service provided by ORC.
- [15] 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**

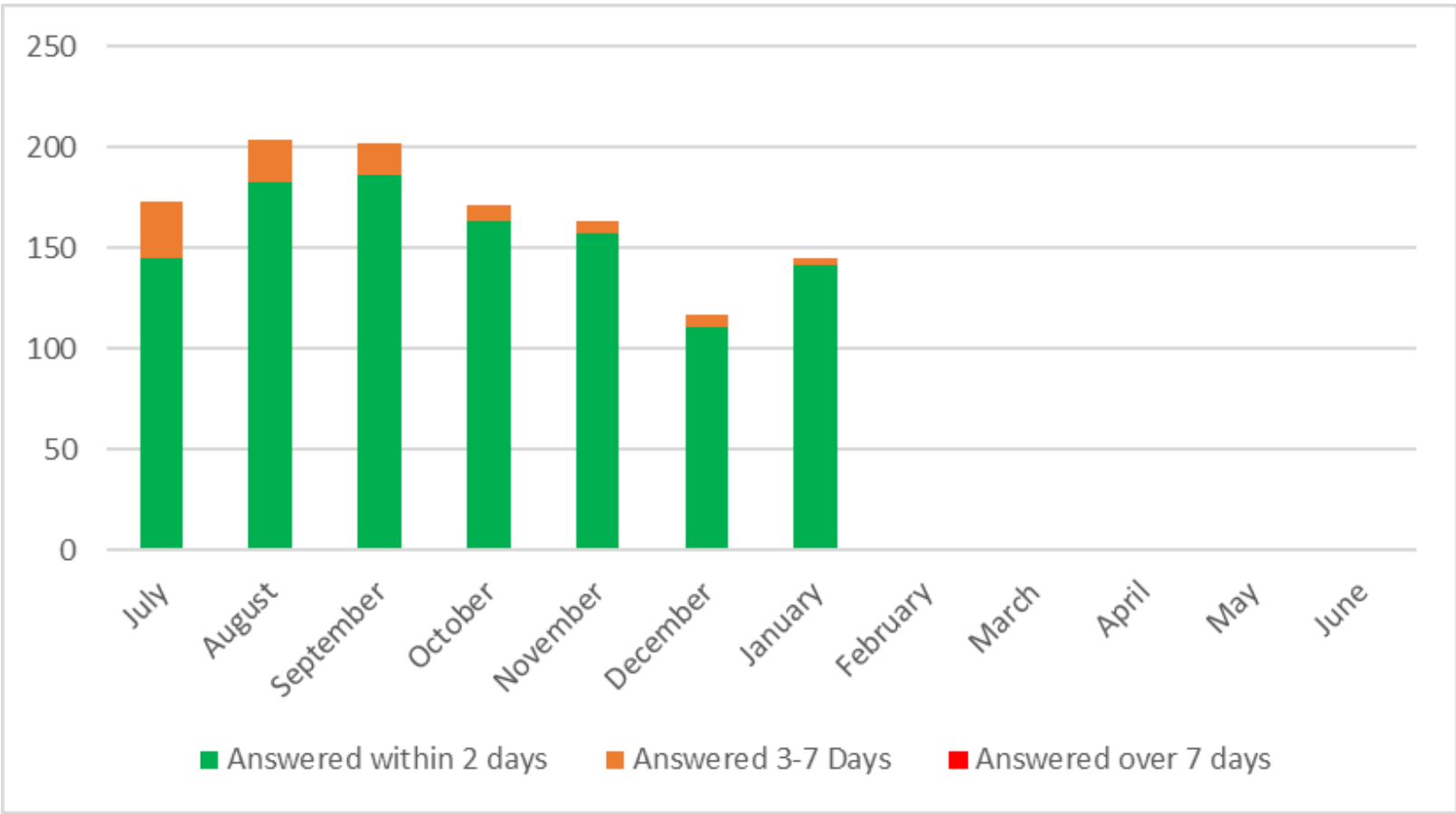
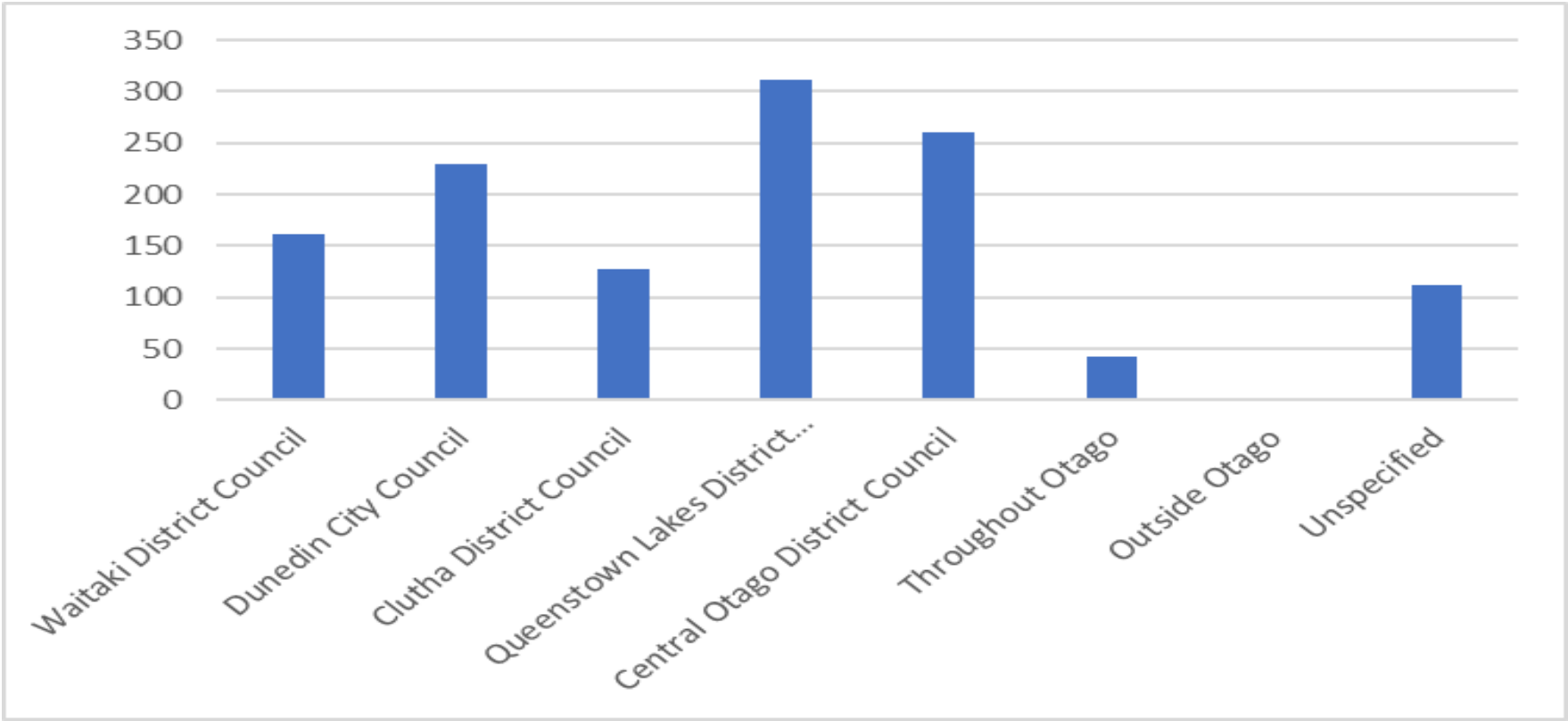


Figure 6: Consent Enquiries by Location



- [16] The Consent Enquiries team have been responding to requests for comments on applications that are using the ‘Fast Track’ process provided by the COVID-19 Recovery (Fast-Track Consenting) Act 2020 or the Natural and Built Environment (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act 2023. Proposals that have progressed under the existing legislation in the reporting period include:
- a. Flint’s Park, Ladies Mile – Te Pūtahi
  - b. Southland Windfarm
- [17] There is also the new Fast Track Approvals Act 2024. This is a new process that operates separately from the COVID-19 Recovery (Fast-Track Consenting) Act 2020 or Resource

Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act 2023.

- [18] In the reporting period meetings have been held or arranged with:
- a. Homestead Bay
  - b. Bendigo Ophir Gold Mine (including a site visit)
  - c. Port Otago logistics and freight hub
- [19] 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 Fast Track and leading a working group with members from across council, liaising with applicants, technical experts and interested groups;
  - b. Supporting IWG workshops preparations;
  - c. Continuing to support applicants to seek funding under the Consent Fee Support, promoting the service and fielding questions;
  - d. Updates to website due to legislation change eg. Intensification, stock exclusion and IWG; and
  - e. 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 first part of 2025, off the back of the success of these effluent workshops.
- [20] 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**

- [21] 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**

- [22] 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.
- [23] In the period from 1 July 2024 to 31 January, the Environmental Delivery Data and Systems and Compliance teams graded 5,250 performance monitoring returns against a



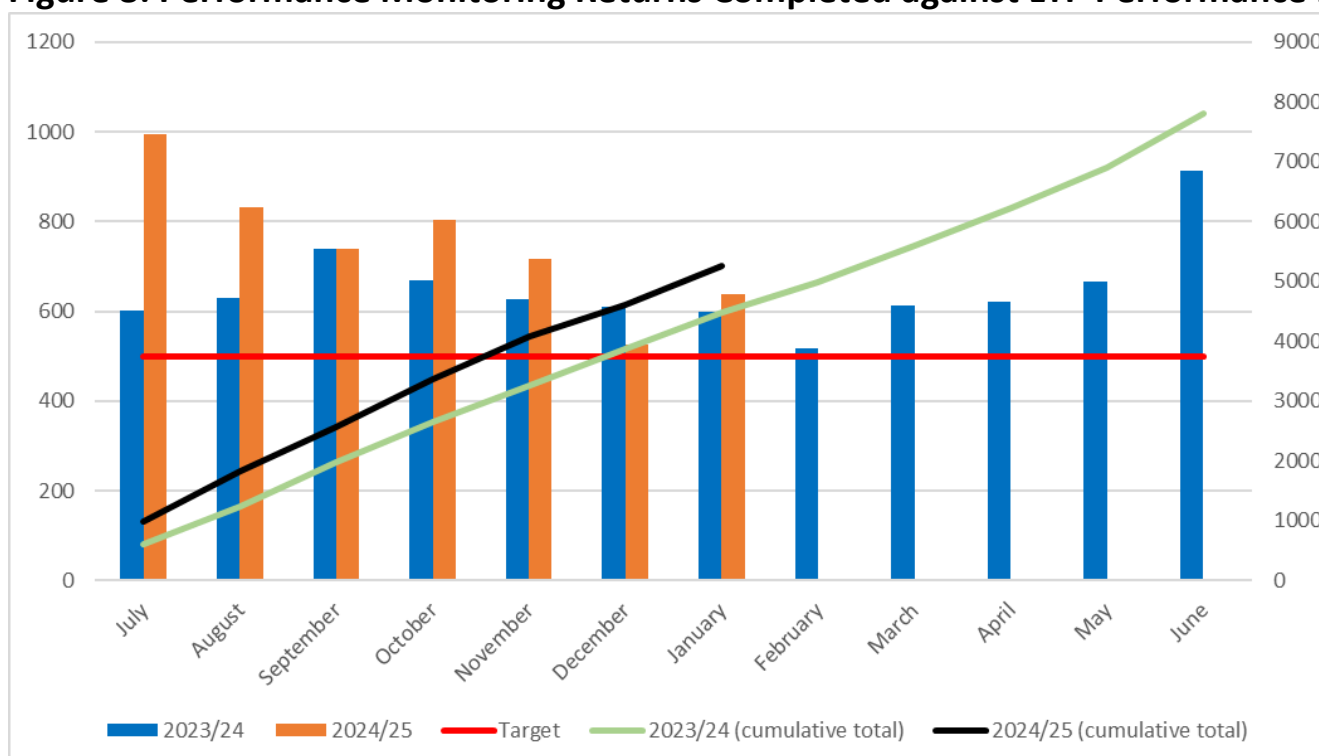
target of 3,500. This is up on the 4,474 returns graded in the same period last financial year. The increased volume or returns graded is reflective of changes in systems and procedures over the last few years which reduced the time it takes to grade water take and discharge consents. Water take returns 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.

- [24] A summary of the performance monitoring returns is shown in figures 8 and 9 below.
- [25] This quarter the Environmental Delivery Data and Systems Team has created a report that will be on Council's website once a month that provides an overview of the key statistics presented in this report. This is a pilot project and the aim is to show the work Council is doing and to give the community access to regular information.

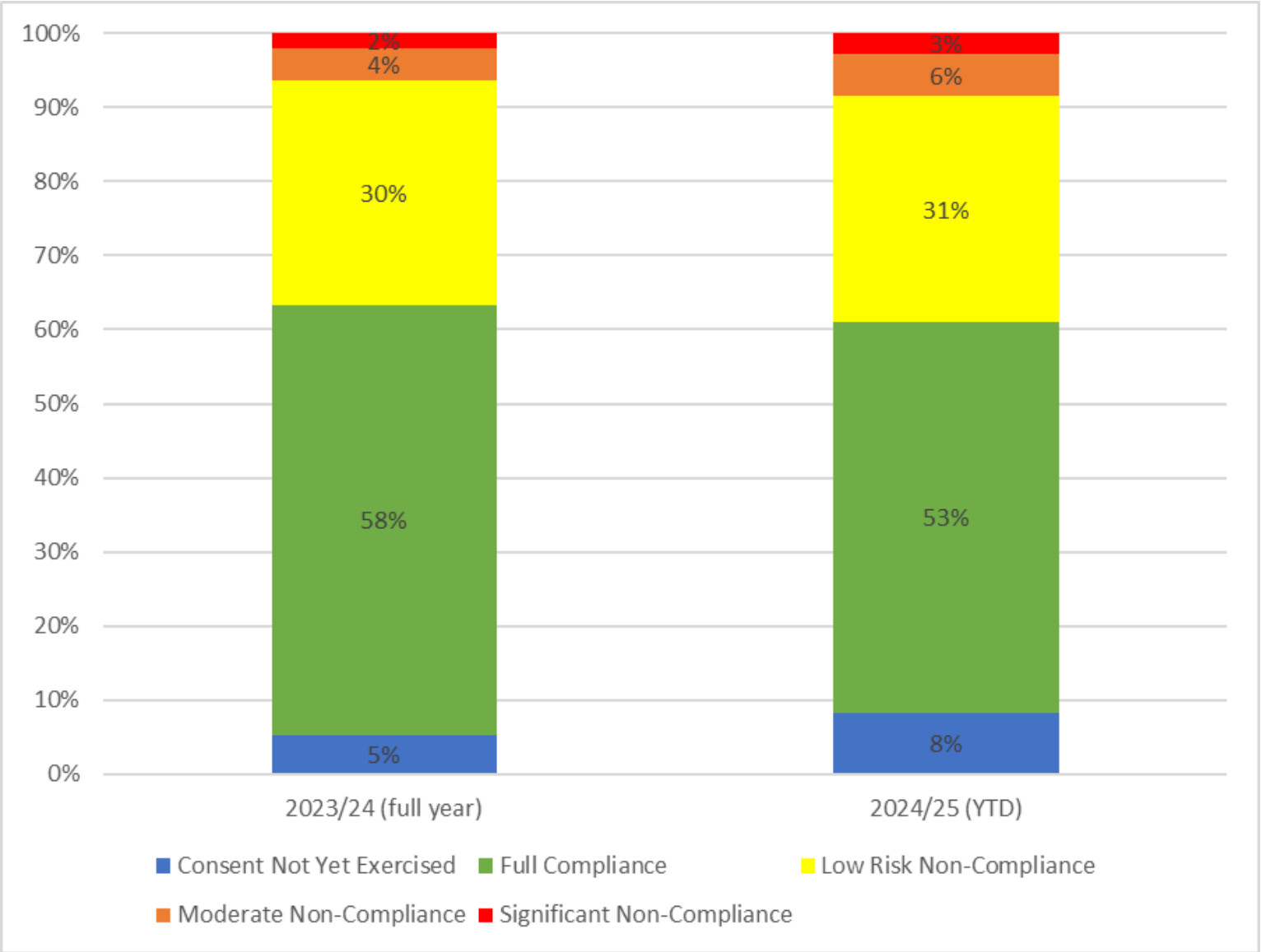
**Figure 7- Example Aquarius Dashboard Chart**



**Figure 8: Performance Monitoring Returns Completed against LTP Performance Measure**



**Figure 9: Performance Monitoring Grades Year on Year**



**ORC compliance audits and inspections**

[26] In the period from 1 July 2024 to 31 January 2025, 755 on-site audits and inspections were completed. This includes 572 consent audits, 151 dairy inspections and 32 forestry inspections. This is 129% of the planned compliance audits or field inspections.

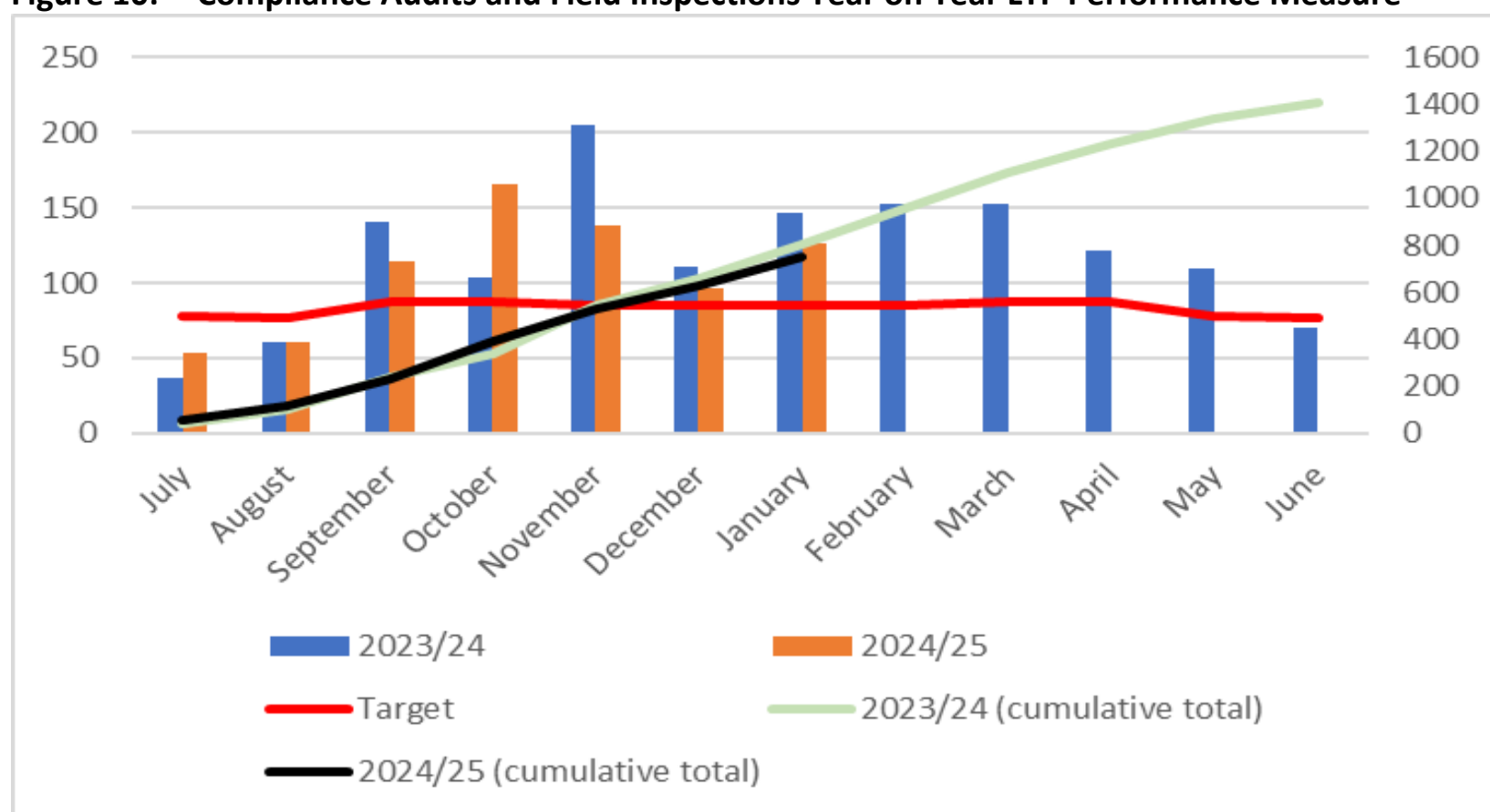
**RMA consent audits**

[27] 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.

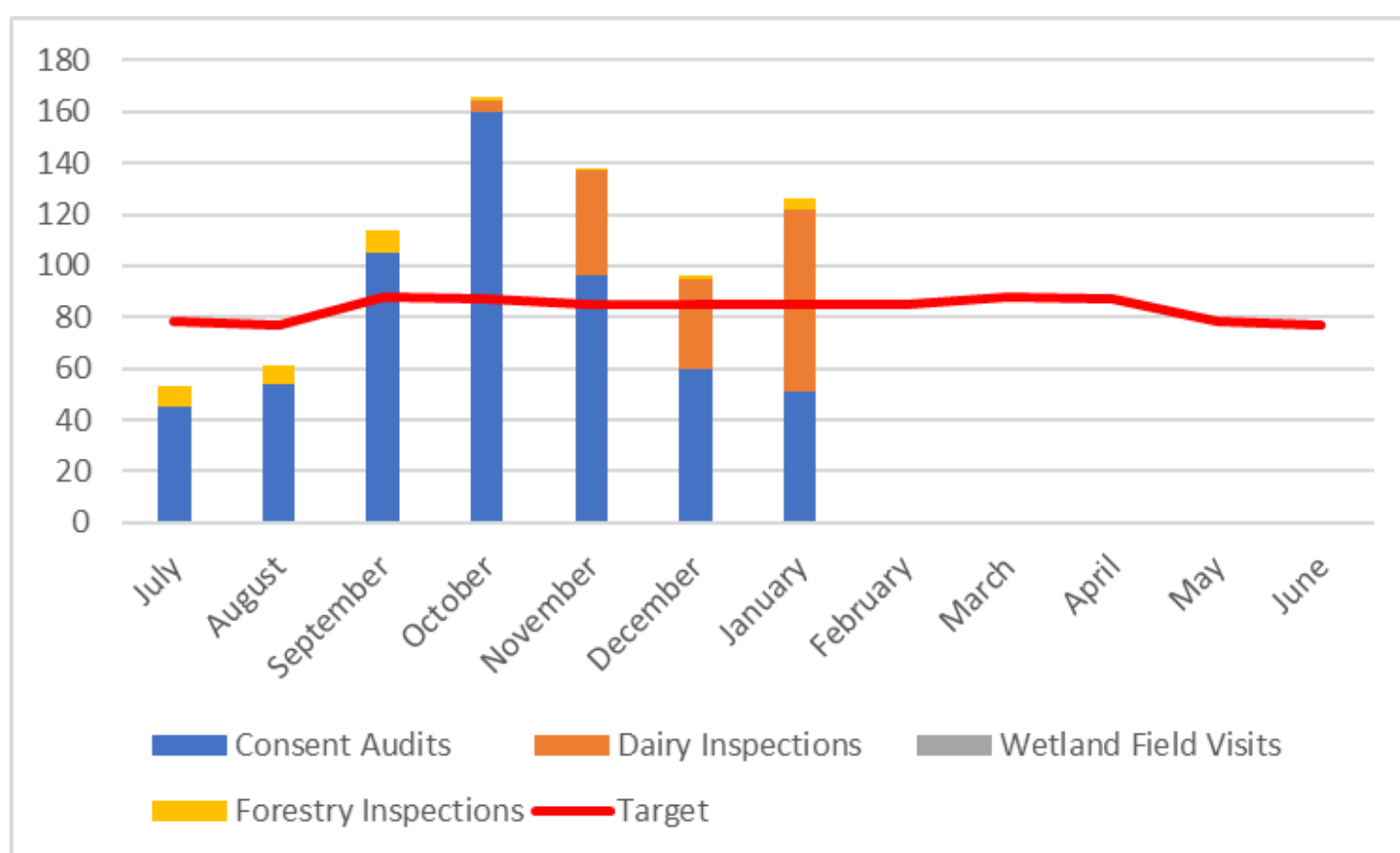
Compliance Grade	
1	<b>FULL COMPLIANCE</b> with all relevant consent conditions, plan rules, regulations and national environmental standards.
2	<b>LOW RISK NON-COMPLIANCE</b> Compliance with most of the relevant consent conditions, plan rules, regulations and national environmental standards. Non-compliance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

- [28] In the period from 1 July 2024 to 31 January 2025 of the 572 consent audits undertaken, compliance with consent conditions can be considered moderate with most consents being considered either fully compliant (38% consents), or low risk non-compliance (25% 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).
- [29] All consent audits graded with moderate non-compliances (84 consents) and significant non-compliances (110 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.

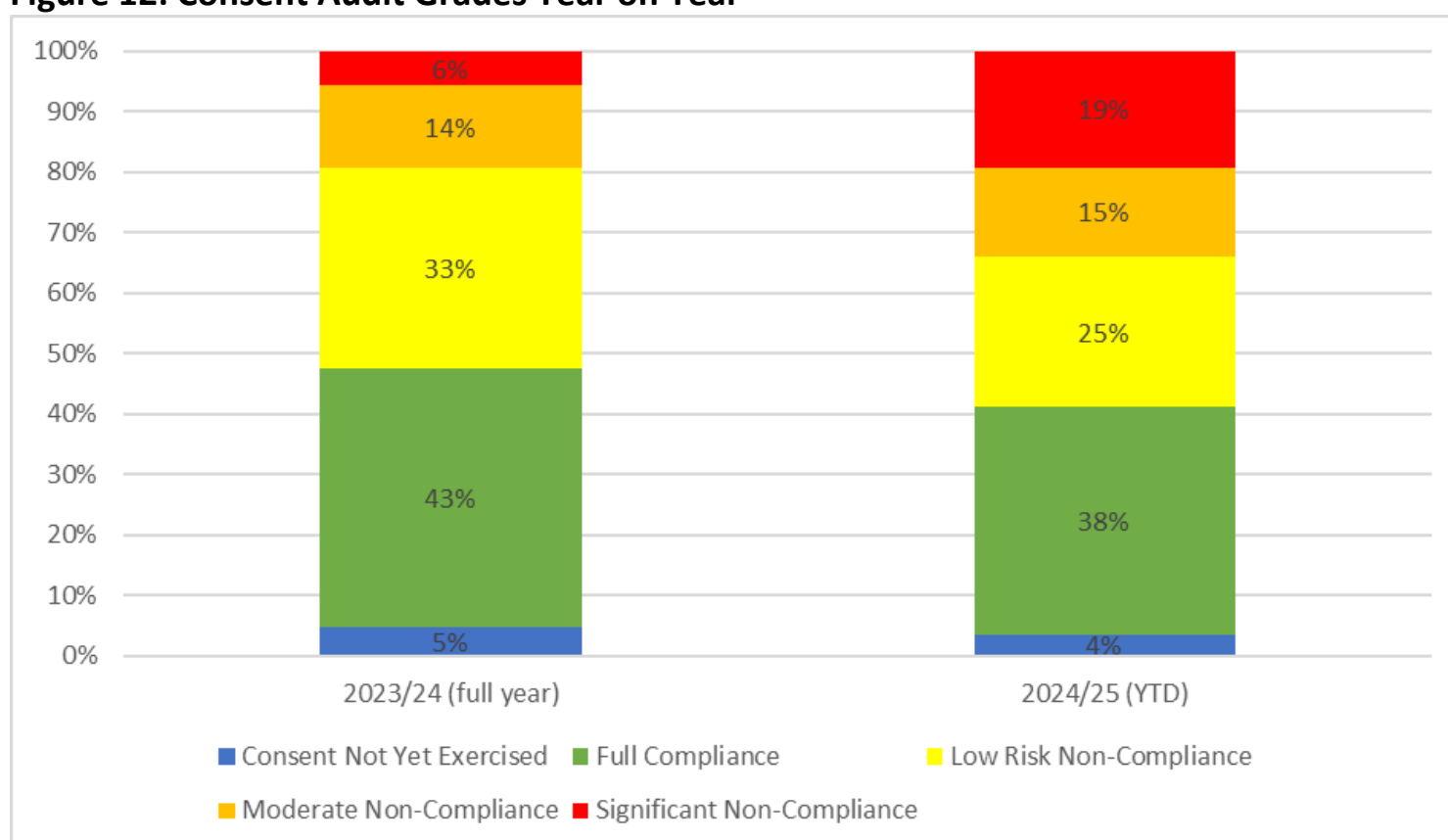
**Figure 10: Compliance Audits and Field Inspections Year on Year LTP Performance Measure**



**Figure 11: Compliance Audits and Field Inspections by Type**



**Figure 12: Consent Audit Grades Year on Year**



- [30] In the period from 1 July 2024 to 31 January 2025 it is noted that the percentage of significant non-compliances is higher than expected. This is largely due to a complex site audit where multiple consents exist for the same site resulting in multiple significant non-compliances. The breaches largely related to incidents of reporting that were either missed or submitted late. The consent holder has since brought their reporting back into compliance, so it was determined that enforcement action was not appropriate at the present time. This matter was considered in line with Council's Compliance and Enforcement Policy.

**Figure 13: Significant Non-Compliance by Consent Type**

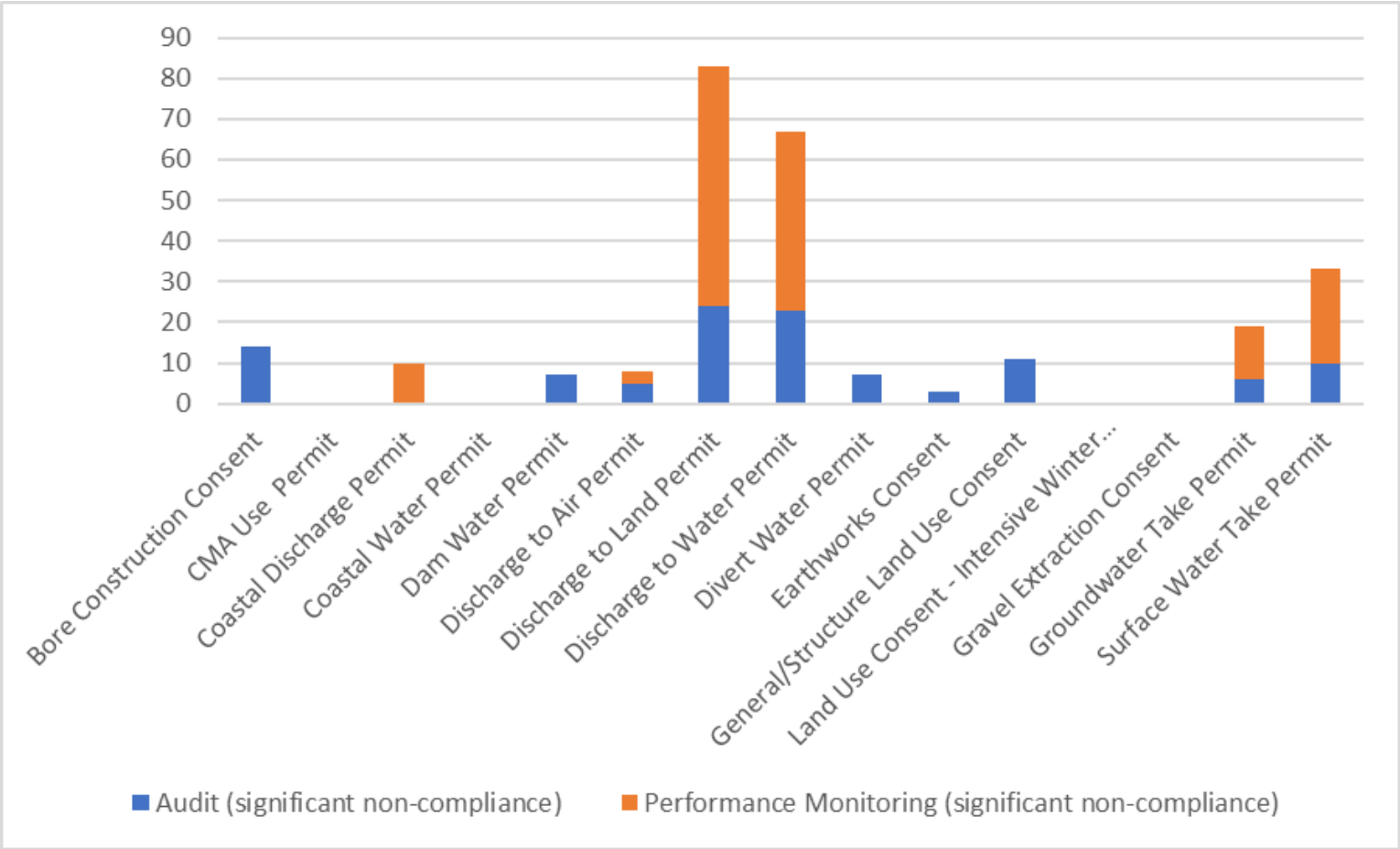
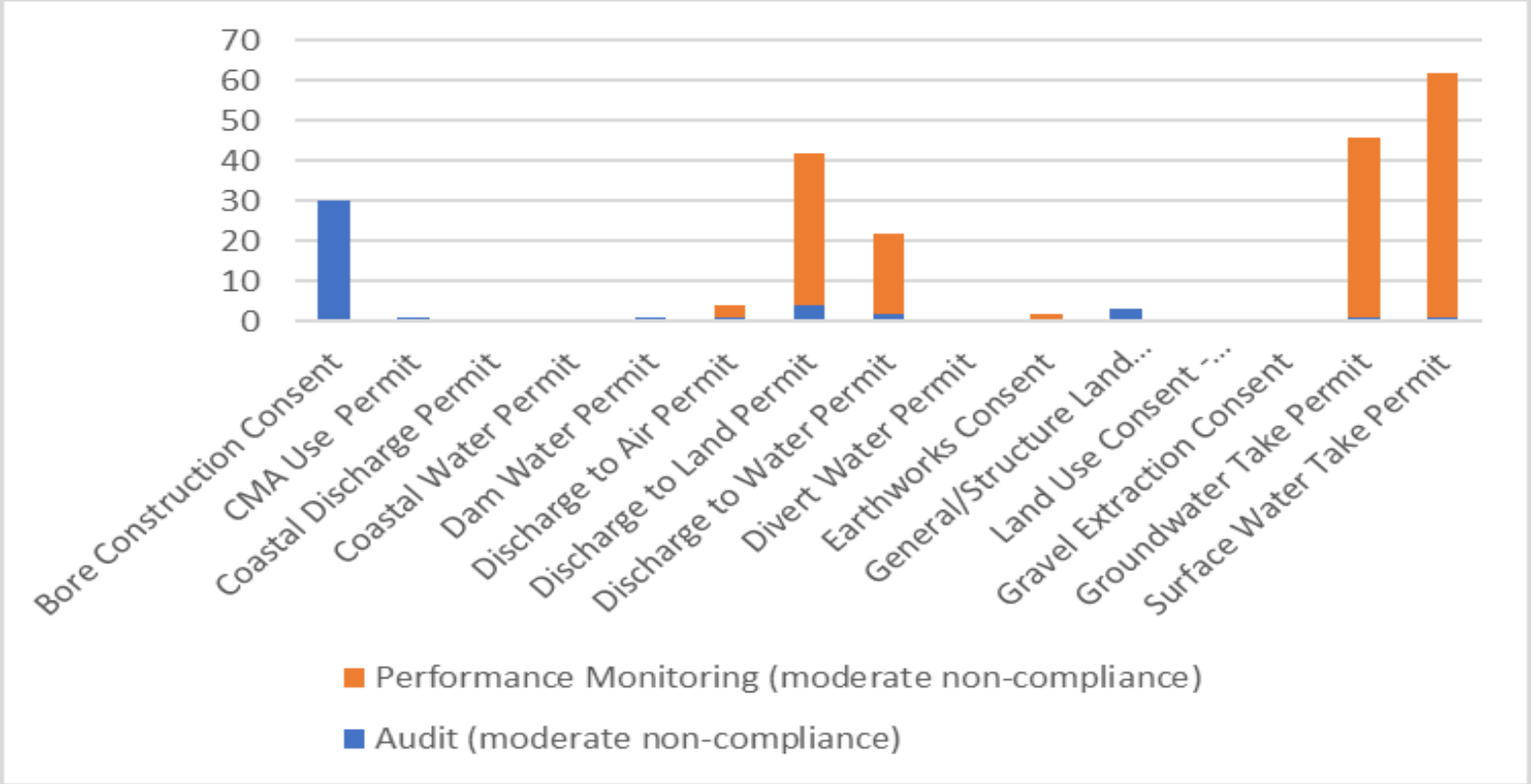


Figure 14: Moderate Non-Compliance by Consent Type

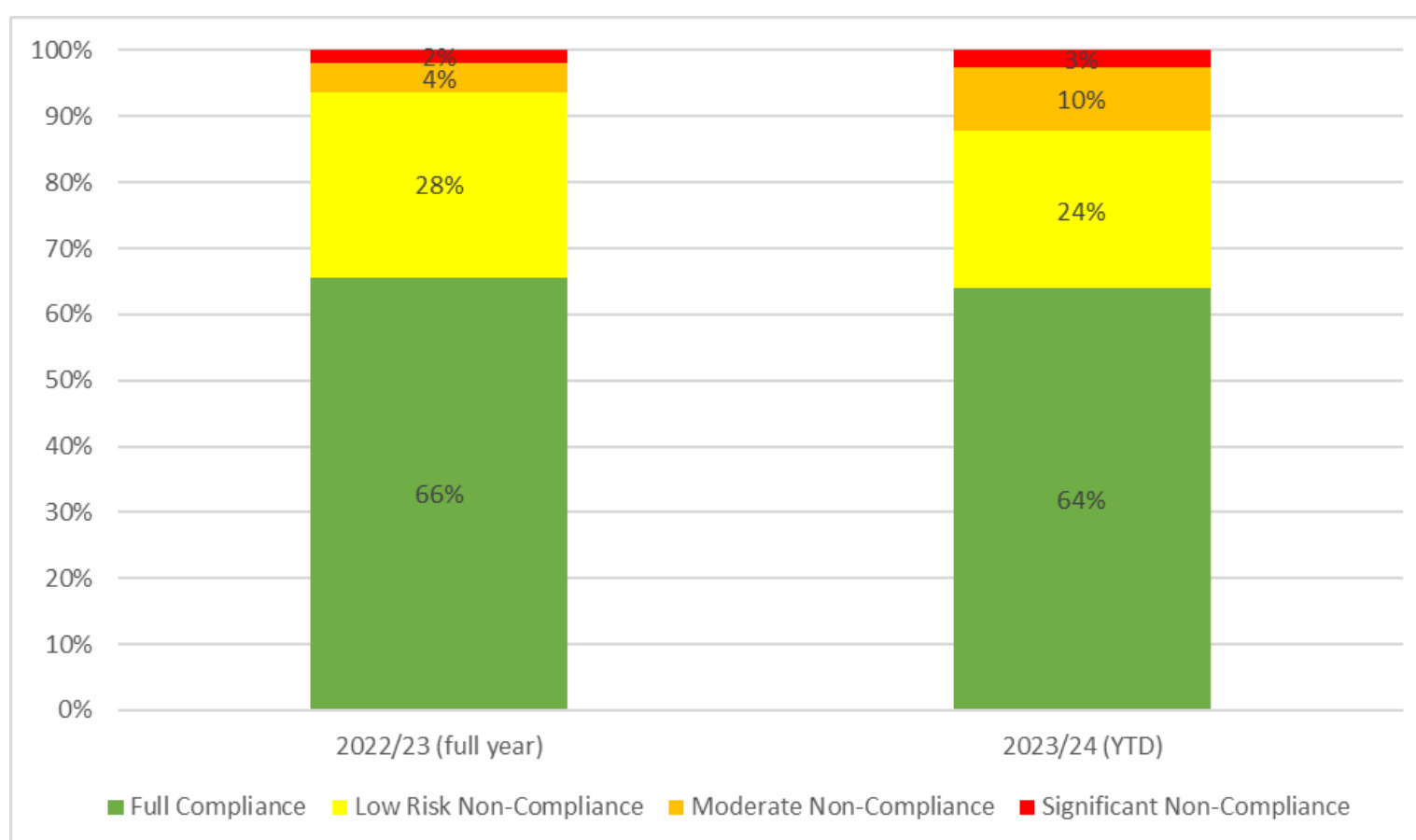


[31] Map 3 of Attachment 1 shows the spread of consents that have been audited throughout Otago in the period from 1 July 2024 to 31<sup>st</sup> January 2024.

**Dairy Compliance Programme**

[32] The 2024/25 Dairy Inspection Compliance Project is seasonal and commenced in October 2024. In the period 1 July 2024 to 31 January 2025, 151 dairy audits have been completed with most farms considered either fully compliant (64%), or low risk non-compliance (24%)

Figure 15: Dairy Audit Grades Year on Year



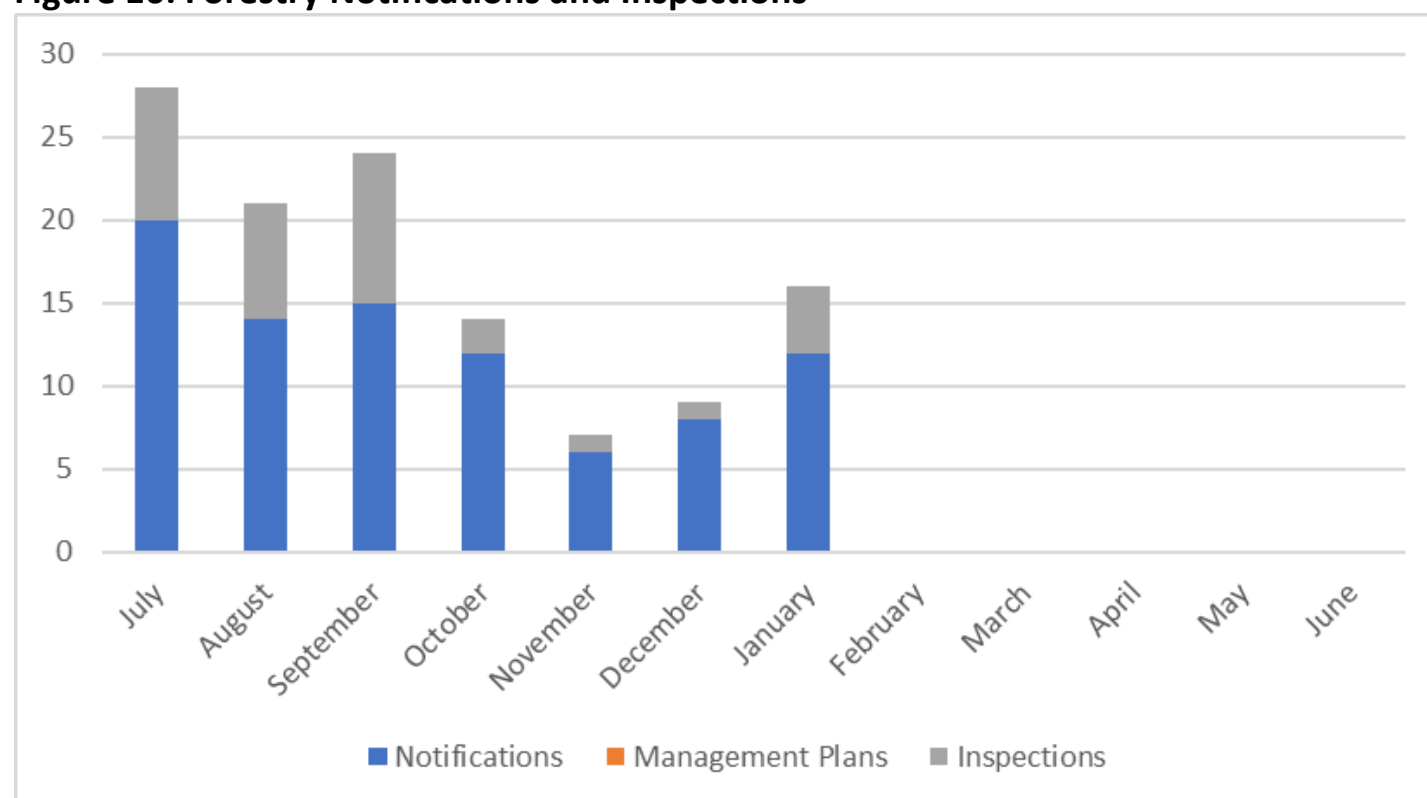
### Commercial Forestry

- [33] In the period from 1 July 2024 to 31 January 2025, ORC received 91 forestry notifications. This is under the National Environmental Standards – Commercial Forestry. Most of the forestry notifications related to afforestation and replanting activities. To prioritise inspecting higher risk activities, following notification, ORC Compliance staff undertake a compliance risk assessment. For high-risk notifications, on-site inspections are undertaken where appropriate to check compliance on-the-ground.
- [34] In the period from 1 July 2024 to 31 January 2025, compliance staff have undertaken 32 forestry inspections. Notifications and inspections are shown in Figure 16 below. Reporting has been updated to remove management plans as they are no longer requested for every notification, only for activities which are intended to be audited and are therefore reflected in the audit data. This allows Compliance Staff to focus on high-risk activities.
- [35] Of the sites monitored, compliance was moderate with 15 forestry sites graded fully compliant and 7 forestry sites graded low-risk non-compliance. 8 forestry sites were graded moderate non-compliance, and 4 forestry sites were graded significant non-compliance. The main reasons for non-compliance related to limited and/or lack of 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 17 below. The level of compliance has dropped slightly from this period last year; however, this is based on a small sample size of only 32 inspections.
- [36] 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.

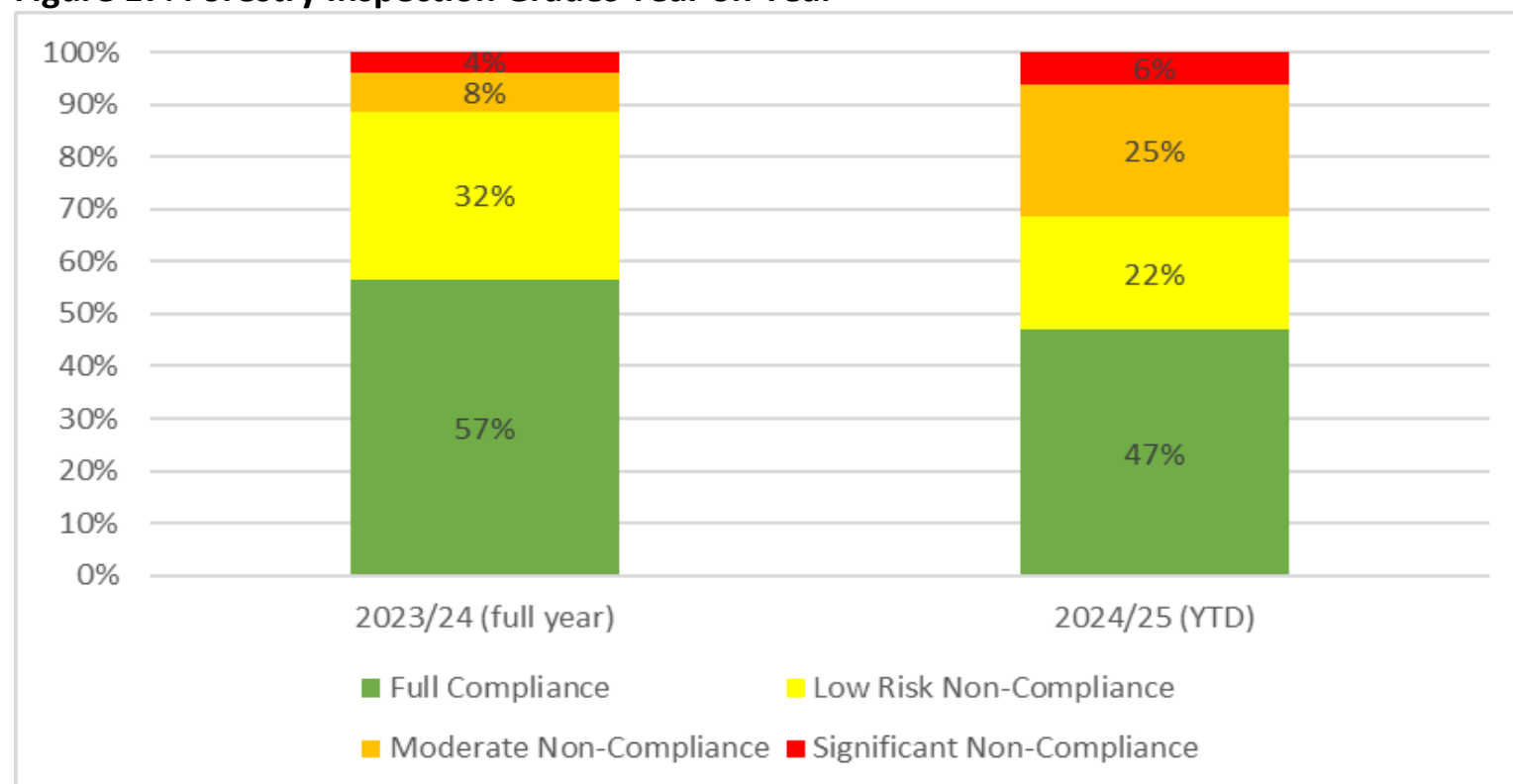


- [37] Te uru Kahika's (Regional Sector Group) Compliance Special Interest Group established a Forestry Working Group this year. The purpose of the forestry working group is to support consistent interpretation and implementation of the NES-CF, and standardisation of forestry inspection assessments. 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 16: Forestry Notifications and Inspections**



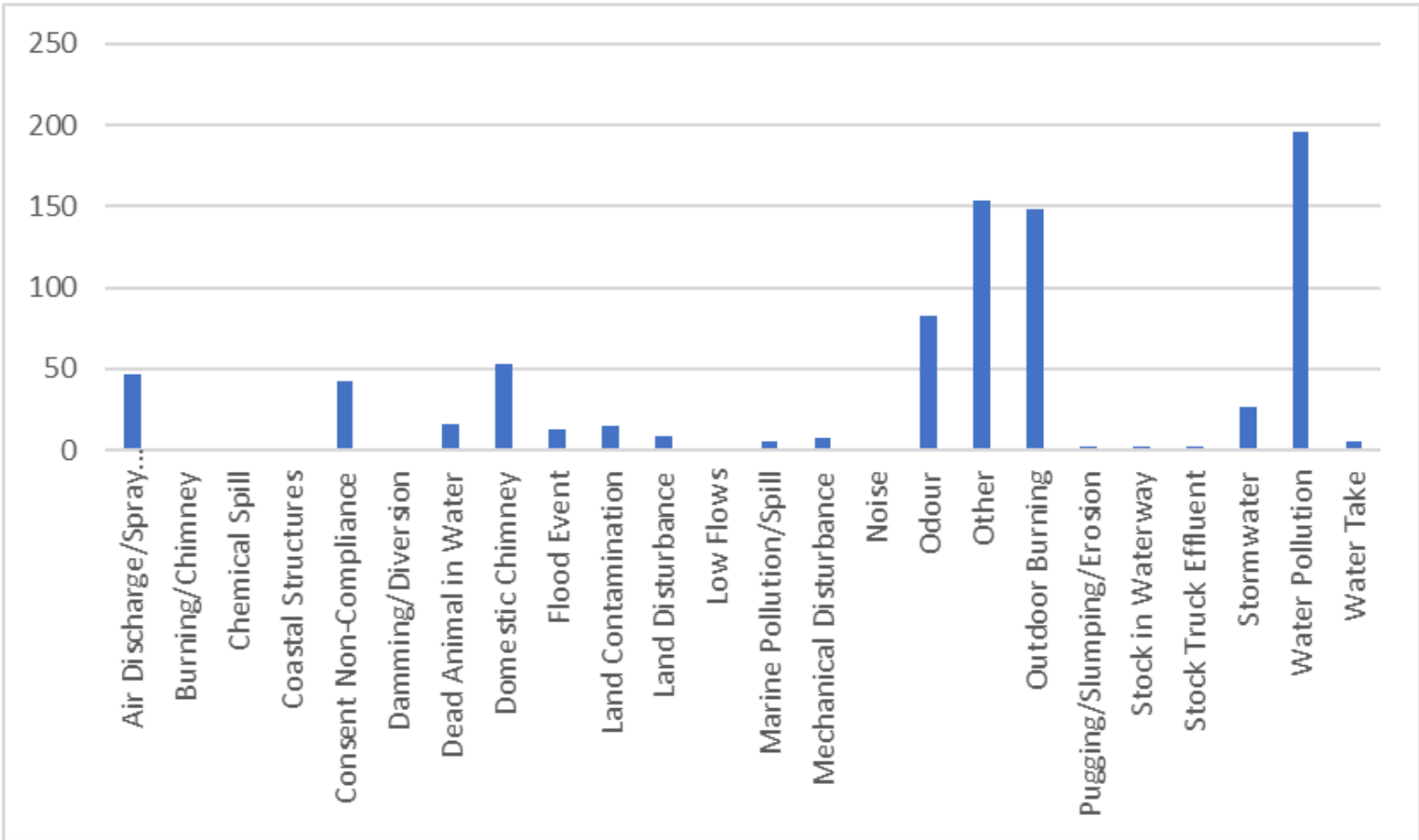
**Figure 17: Forestry Inspection Grades Year on Year**



### Environmental pollution incidents

- [38] In the period from 1 July 2024 to 31 January 2025 840 service requests were received on the pollution response hotline, resulting in 600 incidents being generated. The most common reasons for requests related to water pollution (196), outdoor burning (148), and odour (83). These numbers are broadly similar to those recorded in the same period in the previous year (827 requests, relating to 715 incidents).

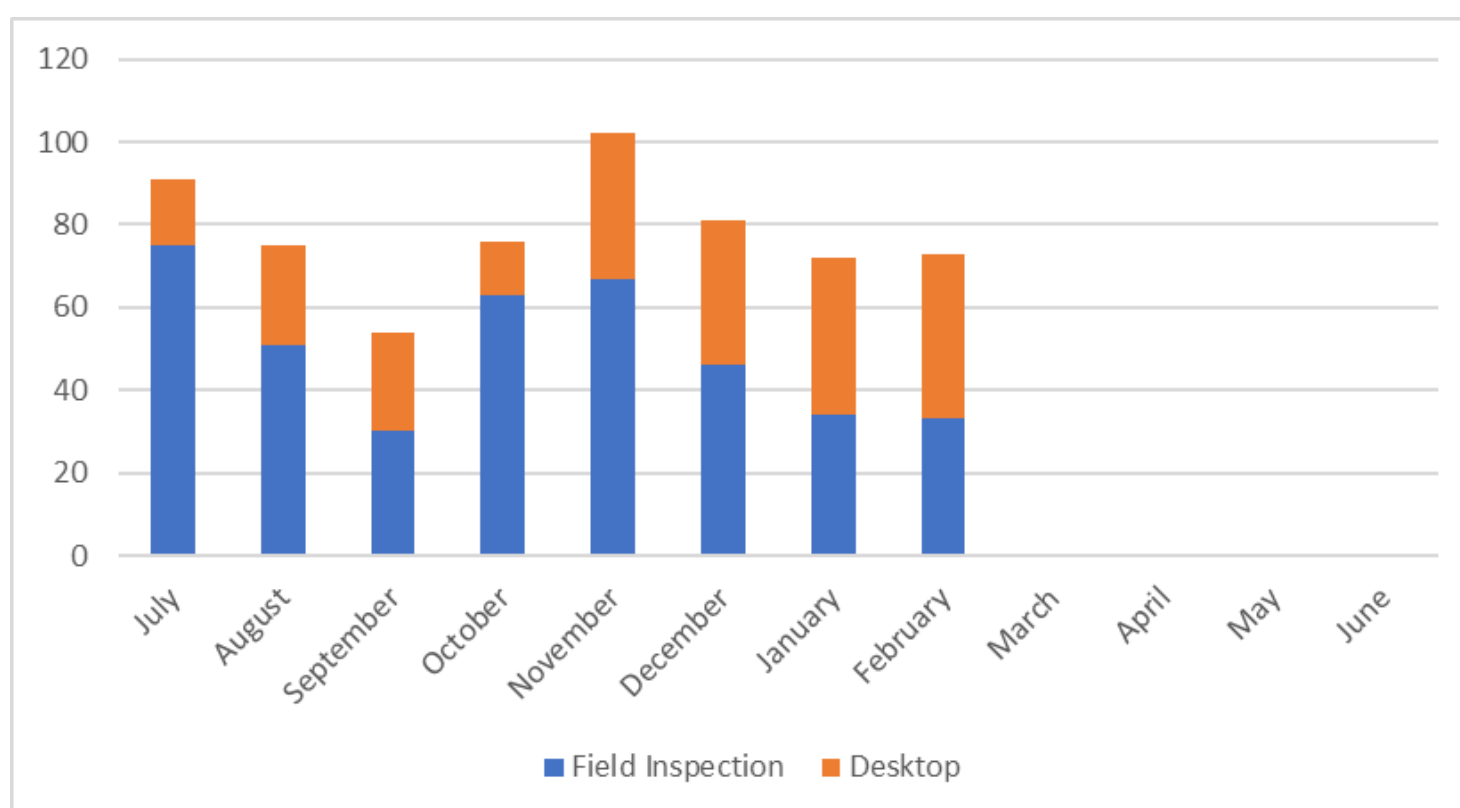
**Figure 18: Pollution Complaints by Type**



- [39] The 24/7 pollution response service was maintained in the period from 1 July 2024 to 31 January 2025.
- [40] Map 5 of Attachment 1 shows pollution incidents have occurred throughout the Otago region. Figures 18 and 19 below show when the incidents were reported and the type of incident.
- [41] The majority (64%), of the pollution incidents required a field inspection to assess compliance and investigate, and 36% of the pollution incidents were resolved through desktop analysis.

**Figure 19: Incident Response Type**

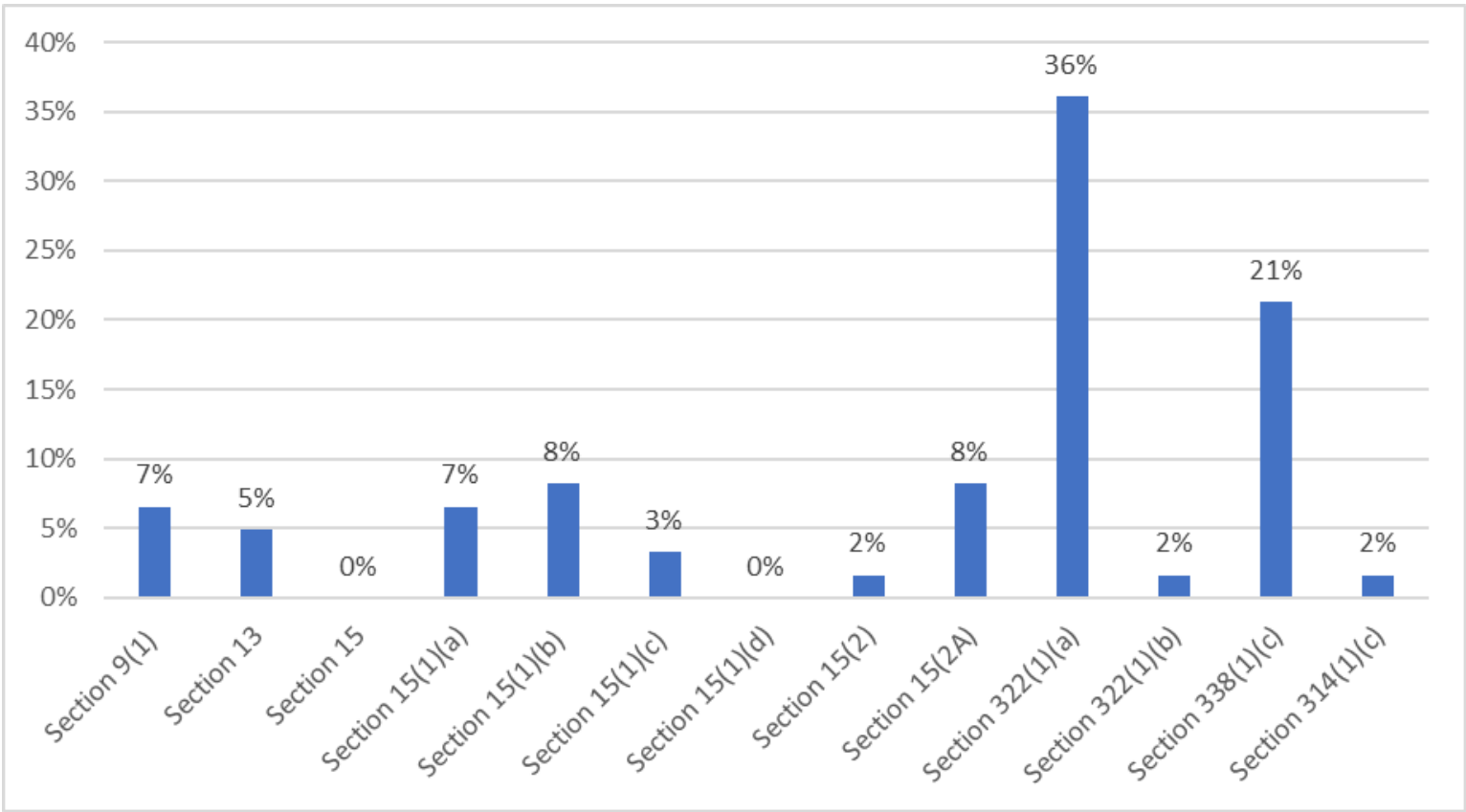




### Investigations and enforcement action

- [42] In the period from 1 July 2024 to 31 January 2025 ORC issued 63 formal enforcement actions, including 37 infringement notices, 24 abatement notices, 1 enforcement order application and 1 formal warning.
- [43] 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.
- [44] In the period from 1 July 2024 to 31 January 2025 ORC issued 37 infringement notices. 31 infringement notices have been paid and four were withdrawn for various reasons. Geographically the spread of infringement notices across the districts is as follows: Clutha (7), Dunedin (9), Queenstown Lakes (13) and Waitaki (7) and Central Otago (1).
- [45] In the period from 1 July 2024 to 31 January 2025, ORC issued 24 abatement notices. Geographically the spread of abatement notices across the districts is as follows: Central Otago (4), Clutha (6), Dunedin (7), Queenstown Lakes (2) and Waitaki (5).
- [46] In the period from 1 July 2024 to 31 January 2025, 16 abatement notices have been 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.
- [47] The most common RMA breaches that led to formal enforcement action in the reporting period related to contravention of abatement notices (section 338). These are shown in figure 20 and the table below it explains each breach.

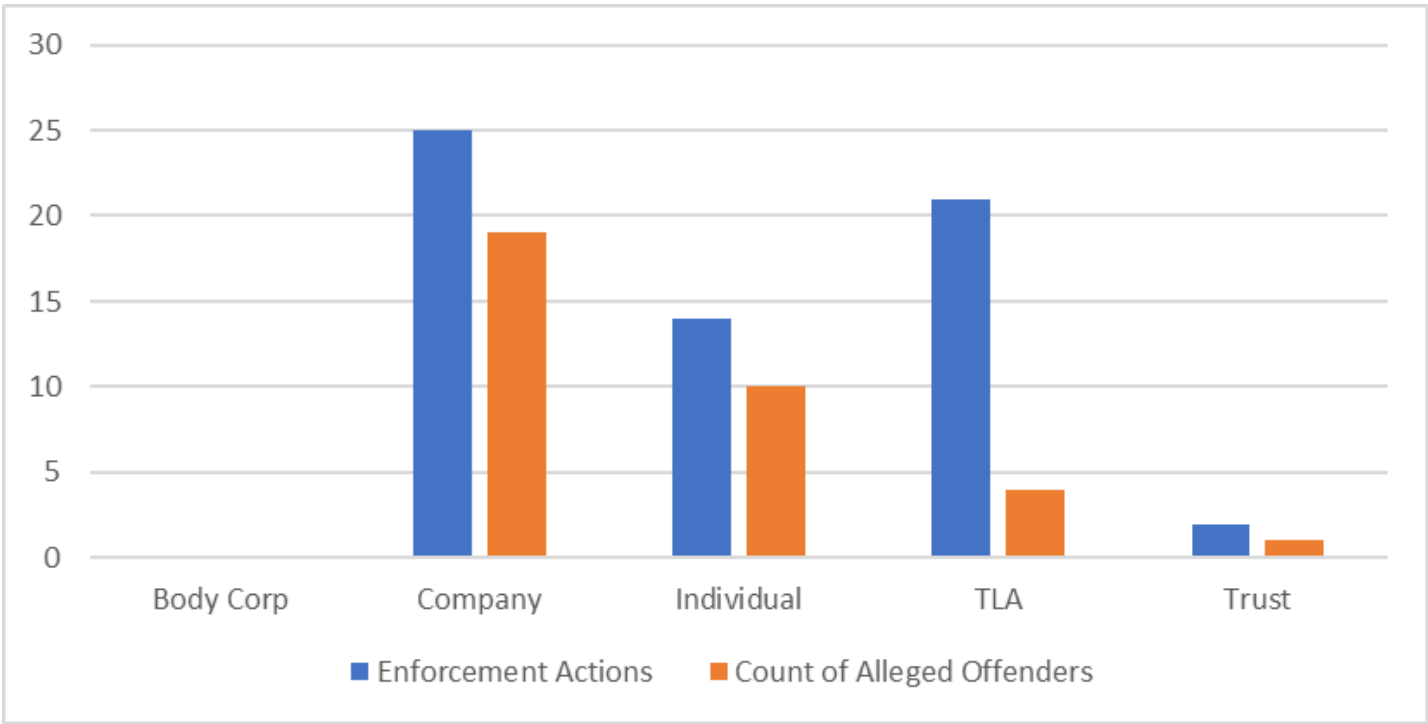
### Figure 20: Enforcement Offences



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

[48] In the period from 1 July 2024 to 31 January 2025 formal enforcement actions were taken against 19 companies, 10 individuals, four 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 21.

Figure 21: Enforcement by Offender Type



[49] In the period from 1 July 2024 to 31 January 2025, no prosecutions were initiated. One enforcement order was initiated.

**Compliance Monitoring and Enforcement Metrics Report**

[50] The Compliance and Enforcement Special Interest Group (CESIG) is a regional sector group with a focus on promoting best practice in compliance monitoring and enforcement (CME). CESIG has prepared a CME metrics report for the 2023/2024 year. This is included as Attachment 2.

[51] This is an annual CME metrics report, capturing performance of the regional sector as it relates to CME activities associated with the RMA. While the report acknowledges limitations due to the different ways in which councils collect data, it does provide a good insight into CME activity across the sector.

[52] A snapshot of ORC CME metrics can be found on page 61 of the report.

**Compliance engagement and education activities**

[53] 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.

[54] 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 around dairy farm audits and dairy effluent rules. Intensive winter grazing workshops are planned in the next two months.
- b. Sending out educational letters in relation to domestic chimney and outdoor burning complaints.
- c. Promotion of the pollution hotline through various means.

**CONSIDERATIONS**

**Strategic Framework and Policy Considerations**

[55] There are no policy considerations.

### **Financial Considerations**

[56] There are no financial considerations.

### **Significance and Engagement Considerations**

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

### **Legislative and Risk Considerations**

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

[59] There are a number of legal and reputational risks associated with the delivery of ORC's regulatory functions.

### **Climate Change Considerations**

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

### **Communications Considerations**

[61] 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.

[62] The Compliance Metrics Report has been released publicly by the sector and there is a national communications plan in place for it. The report will be uploaded to Council's website.

### **NEXT STEPS**

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

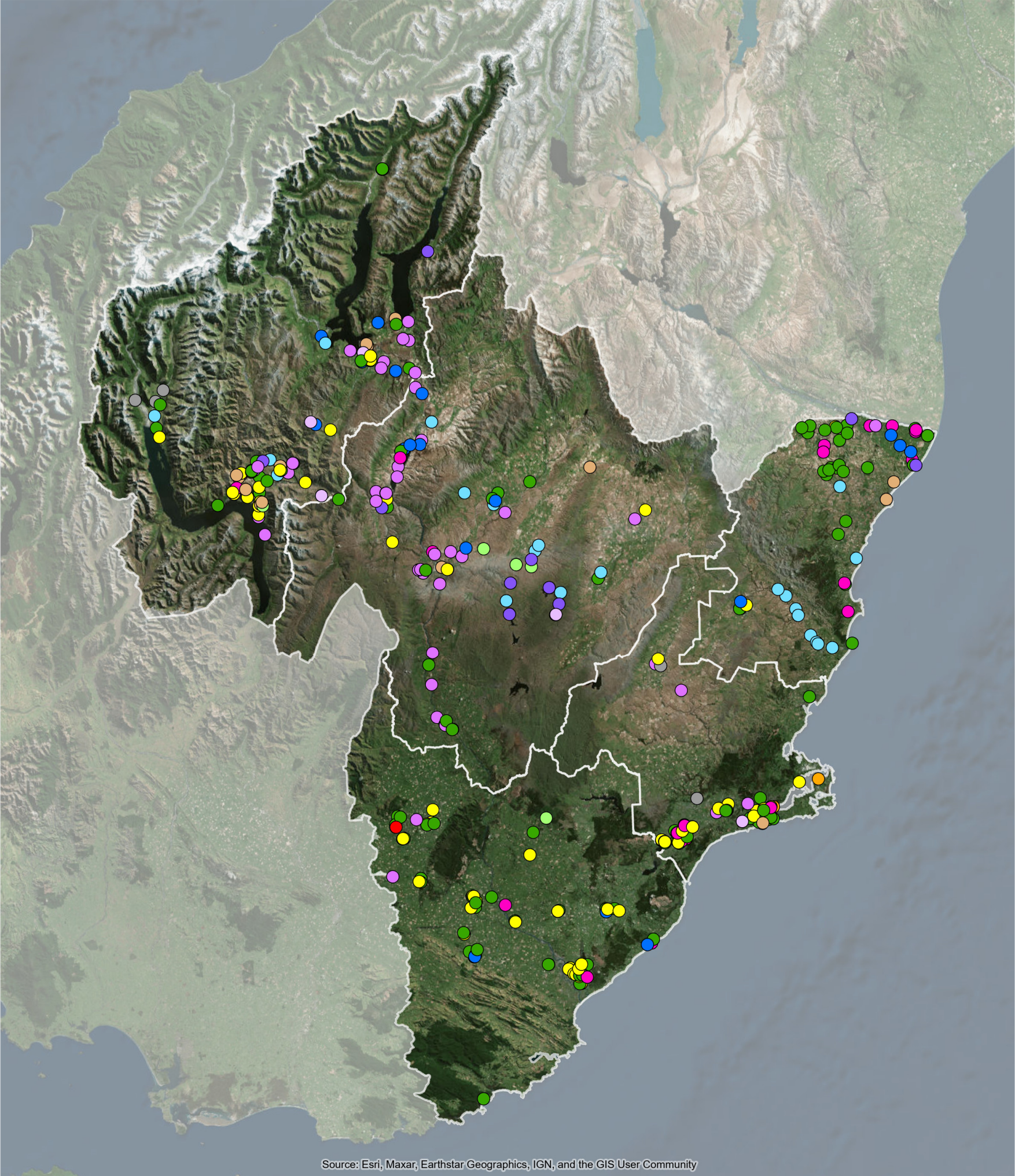
### **ATTACHMENTS**

1. Attachment 1 July 2024 to 31 January 2025 [9.1.1 - 6 pages]
2. Compliance Monitoring and Enforcement Metrics Report 2023-2024 [9.1.2 - 77 pages]



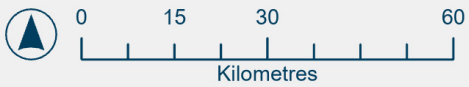
# Map 1 – Consents Issued

1 July 2024 to 31 January 2025



Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

- |                                  |                                  |                                  |
|----------------------------------|----------------------------------|----------------------------------|
| ● Bore Construction Consent (46) | ● Discharge to Water Permit (23) | ● Groundwater Take Permit (24)   |
| ● CMA Use Permit (3)             | ● Divert Water Permit (9)        | ● Land Use Consent (133)         |
| ● Dam Water Permit (14)          | ● Earthworks Consent (51)        | ● Surface Water Take Permit (33) |
| ● Discharge to Air Permit (43)   | ● Effluent Storage Consent (1)   |                                  |
| ● Discharge to Land Permit (175) | ● Gravel Extraction Consent (6)  |                                  |

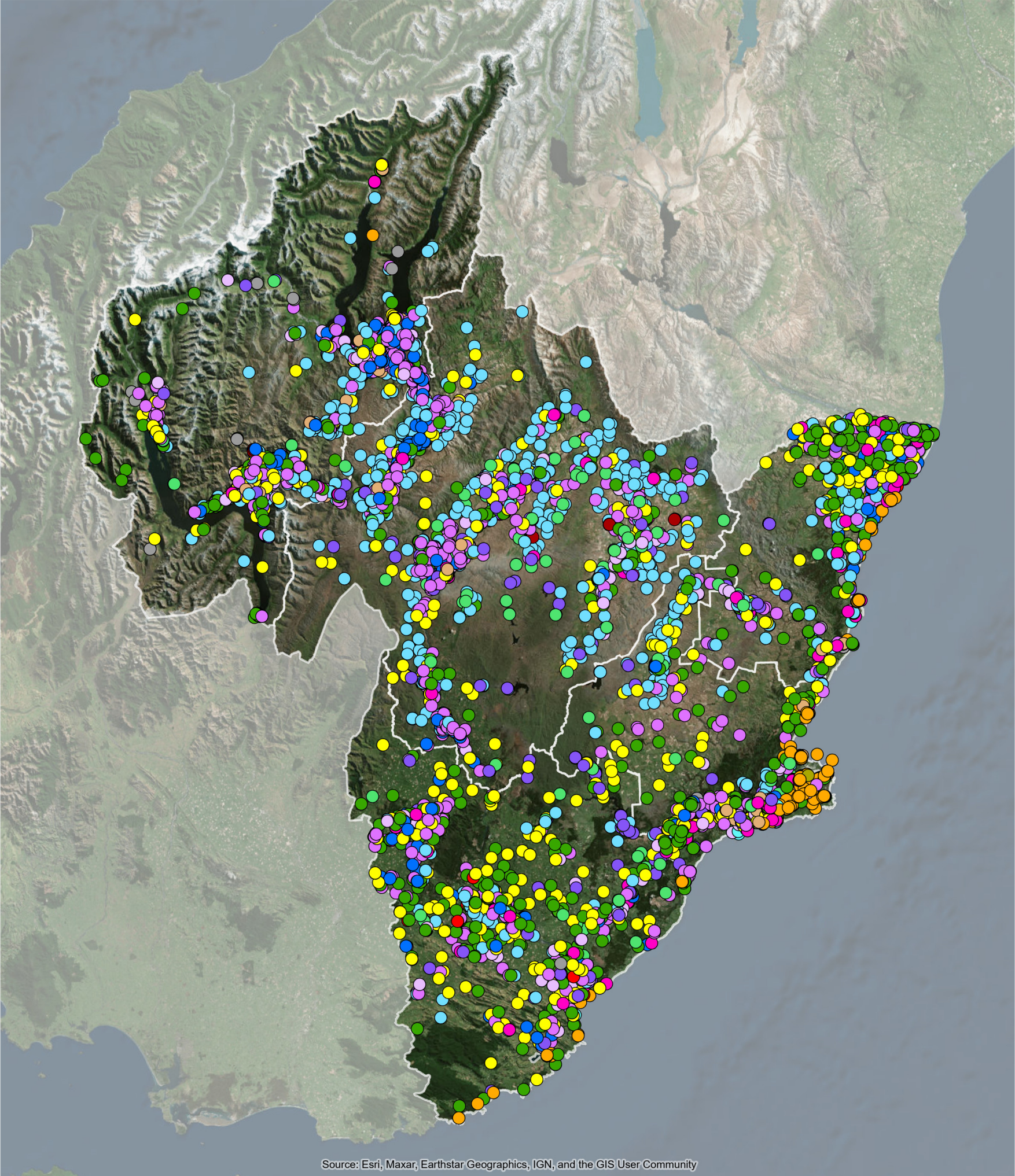


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# Map 2 – Current Consents

12/02/2025



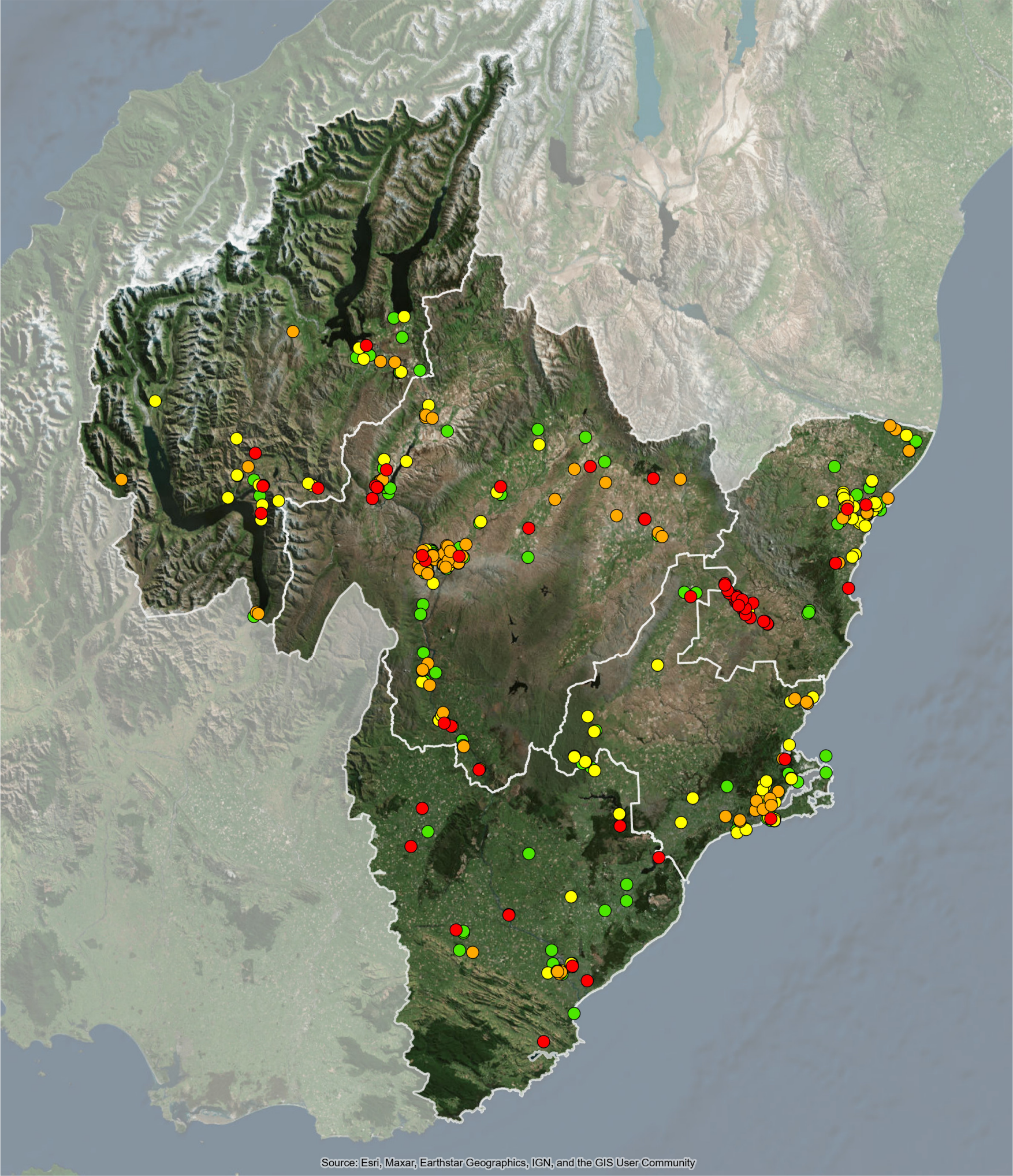
- |                                    |                                   |                                   |                                   |
|------------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|
| ● Bore Construction Consent (1257) | ● Dam Building Permit (24)        | ● Discharge to Water Permit (455) | ● Gravel Extraction Consent (37)  |
| ● CMA Use Permit (697)             | ● Dam Water Permit (280)          | ● Divert Water Permit (261)       | ● Groundwater Take Permit (625)   |
| ● Coastal Discharge Permit (44)    | ● Discharge to Air Permit (262)   | ● Earthworks Consent (150)        | ● Land Use Consent (1123)         |
| ● Coastal Water Permit (7)         | ● Discharge to Land Permit (1221) | ● Effluent Storage Consent (17)   | ● Surface Water Take Permit (953) |

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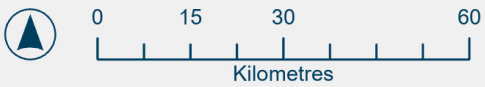
# Map 3 – Consent Audits

1 July 2024 to 31 January 2025



Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

- |                               |                                  |
|-------------------------------|----------------------------------|
| Full Compliance (213)         | Moderate Non-Compliance (81)     |
| Low Risk Non-Compliance (140) | Significant Non-Compliance (110) |

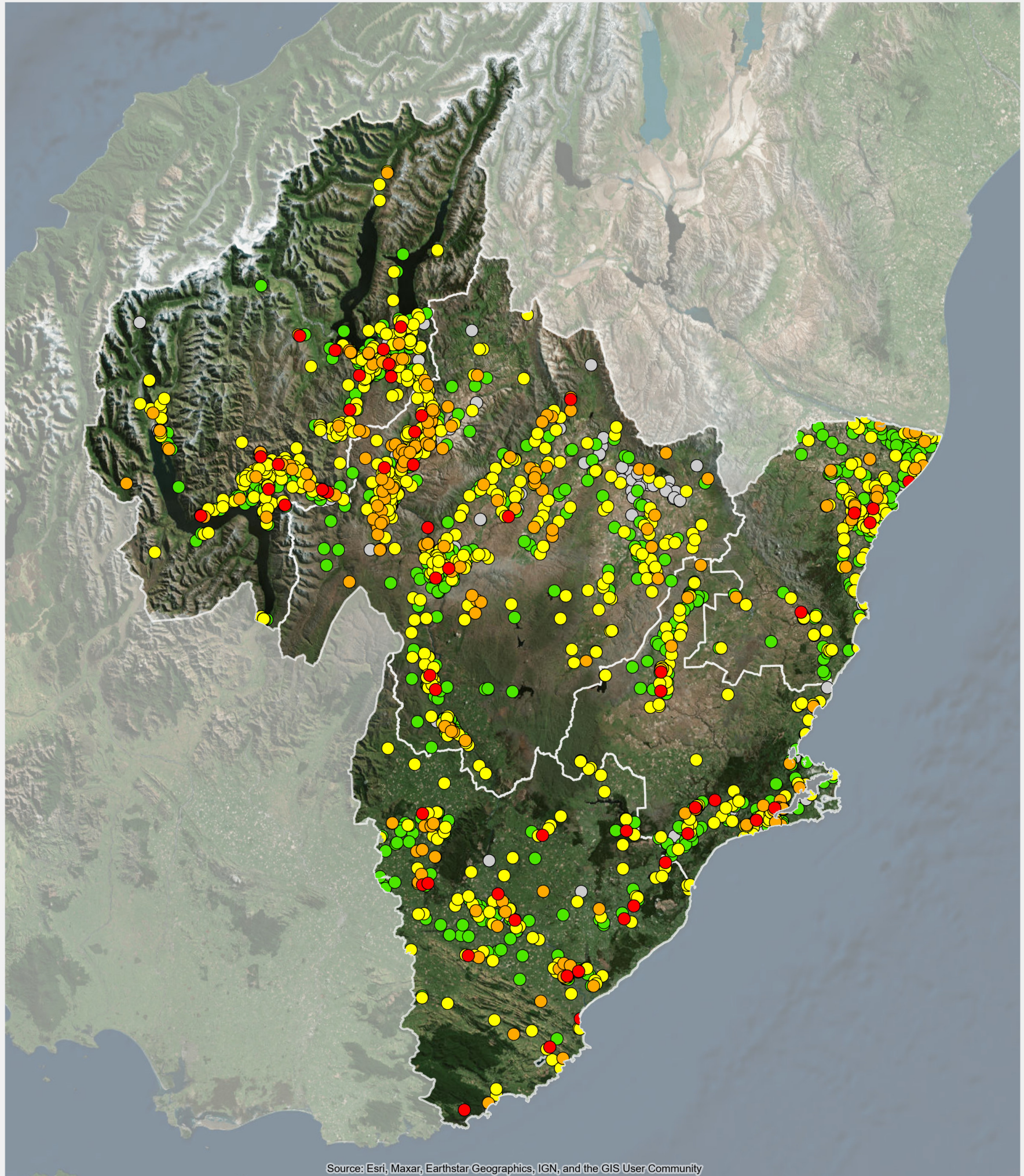


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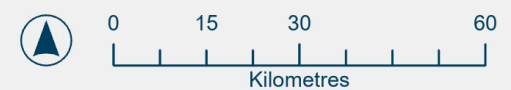
# Map 4 – Consent Performance Monitoring

1 July 2024 to 31 January 2025



Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

- Consent Not Yet Exercised (437)
- Full Compliance (2767)
- Low Risk Non-Compliance (1601)
- Moderate Non-Compliance (296)
- Significant Non-Compliance (144)

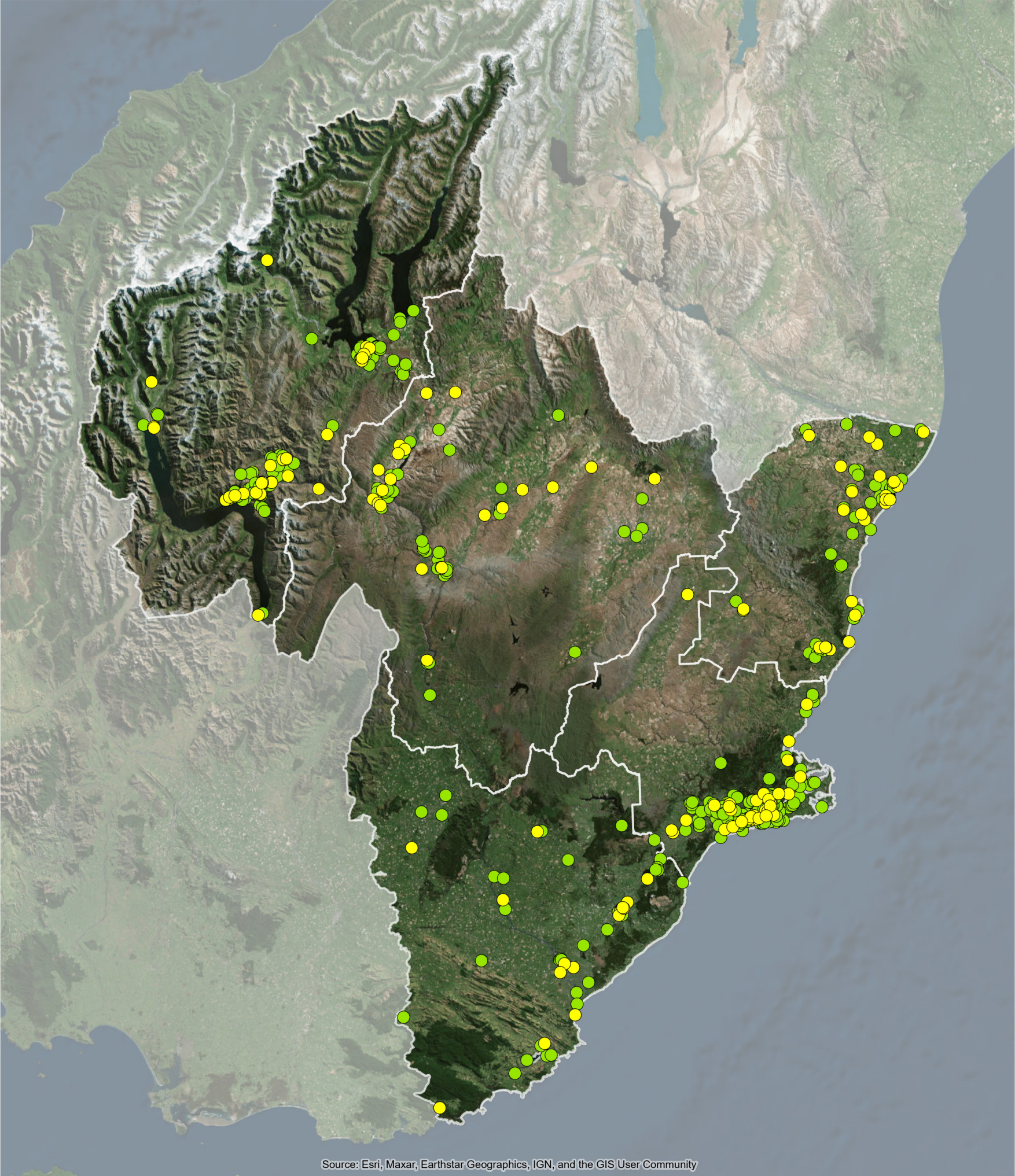


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# Map 5 – Incidents

1 July 2024 to 31 January 2025



Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

- In Progress (127)
- Completed (448)



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# Map 6 – Enforcement Actions

1 July 2024 to 31 January 2025



- Enforcement Order (1)
- Infringement (37)
- Abatement Notice (24)
- Warning (1)



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Regional and  
Unitary Councils  
Aotearoa

# ANALYSIS OF THE 2023/2024 COMPLIANCE MONITORING AND ENFORCEMENT METRICS

For Te Uru Kahika Regional and Unitary Councils Aotearoa

PREPARED BY

**SPROUT**

DECEMBER 2024



## FOREWORD

Welcome to the seventh annual CME Metrics report, a comprehensive overview on the performance of New Zealand's compliance and enforcement (CME) sector under the Resource Management Act (RMA). This report is presented by Te Uru Kahika CME group, a consortium of dedicated professionals representing regional and unitary councils across New Zealand.

The aim of this report is to continue our tradition of delivering insightful analysis, promoting consistency, and encouraging best practice across the sector, while also identifying opportunities for improvement.

The year 2023/24 has been transformative, marked by significant political and environmental shifts. A new government has brought about the repeal of the Natural and Built Environment Act 2023, altering the legislative framework introduced just months earlier. While the Act provided Regional and Unitary Councils with additional tools for environmental compliance, its repeal raises uncertainties about future priorities and the practical implications for the CME sector. These changes will demand adaptability and resilience as we navigate the evolving regulatory landscape.

The CME sector continues to face challenges, with the recruitment and retention of skilled staff remaining a key issue. Despite these challenges the sector has maintained a high level of oversight, monitoring 74% of all resource consents that required monitoring under the RMA. This commitment is further evidenced by \$2.6 million in court-imposed fines and 86 active prosecutions currently before the Environment Court. We have also seen an increase in the number of Abatement notices and Fines issued.

To better understand our regional performance, I encourage readers to explore the regional scorecards in Part 3 of this report. These scorecards break down the national findings, offering a more detailed and granular view of individual results. The Te Uru Kahika CME group remains steadfast in its commitment to advancing the CME function. As we face another year of challenges and opportunities, I extend my heartfelt gratitude to all who contributed to this report and to the dedicated professionals tirelessly serving the sector. Together, we will adapt, innovate and continue to lead in environmental stewardship.

Thank you for joining us on this journey of reflection, growth and progress.

Nga mihi nui,



Gary McKenzie  
Compliance Monitoring and Enforcement Manager – Gisborne District Council

SUMMARY

  
**635 FTES**  
IN CME ROLES

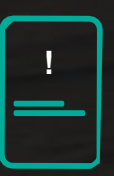
  
**225,360**  
ACTIVE RESOURCE  
**CONSENTS**

  
**UP 2 %**  
FROM LAST  
YEAR

**74%** COUNCILS MONITORED AN AVERAGE  
OF **74%** OF ALL CONSENTS THAT  
REQUIRED MONITORING UNDER THE RMA

**98%**  
OF COMPLAINTS  
RESPONDED TO

  
**396**  
FORMAL  
WARNINGS

  
**4,115**  
ABATEMENT  
NOTICES

  
**2,022**  
INFRINGEMENT  
**FINES**

  
**13**  
ENFORCEMENT  
ORDERS APPLIED FOR

  
**60** PROSECUTIONS  
(86 IN PROGRESS)

**53** CORPORATES  
CONVICTED **26** INDIVIDUALS  
CONVICTED

  
**\$2,615,700**  
IN FINES



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# INTRODUCTION

## PART 1

This marks the seventh consecutive year of monitoring trends in CME functions, with the primary goal of ensuring accessible, comparable data. Led by the Te Uru Kahika CME group (formerly CESIG), this initiative has evolved through the refinement of questions this year, achieved in collaboration with the regional sector.

Since 2018, all 16 of New Zealand's regional councils and unitary authorities, collectively known as the 'regional sector,' have been active participants. This continuous data collection aims to strengthen the national system's adherence to compliance, monitoring, and enforcement. Each year, three specific groups—Auckland Council, small unitary councils, and regional councils—provide insights to support this objective. The report is designed to enhance the sector's knowledge base and track ongoing progress.

As New Zealand's cornerstone environmental legislation, the Resource Management Act 1991 (RMA) seeks to ensure the sustainable management of natural and physical resources. However, the success of this effort depends on effective implementation. In this framework, regional councils, unitary authorities, and territorial local authorities are tasked with the primary responsibilities for RMA compliance, monitoring, and enforcement. The CME functions remain a critical mechanism in meeting RMA's goals, making thorough monitoring and interpretation of its application essential for successful environmental governance.

## READING THIS REPORT

Each year councils are given the questions in advance, they are then sent an online survey to enter their data into (Appendix 1). Councils were given four weeks to collect and input the data into an online platform.

This report sets out data provided for each section of the survey, as follows:

- A short analysis of the findings, at both a regional and national scale.
- The tables and graphs of the information.
- A boxed section containing the exact questions relevant to that section.
- Responses to open-ended questions have been aggregated and analysed and the theme of the response presented in this report.
- Verbatim answers are provided where responses cannot be summarised.

## HOW DOES THIS REPORTING PROCESS DIFFER YEAR ON YEAR?

The primary information to be gathered was established in the first year (2017/2018).

After the initial year, we gained valuable insights that led to significant improvements in the questionnaire. The format remained unchanged from years two to four. In 2022, various recommendations from the Ministry for the Environment were implemented by all councils, fulfilling their intended purpose. In 2023, certain sections were expanded to provide more detailed information. Consistency has been prioritised year after year to enable us to track progress and improvements over time.

## DATA LIMITATIONS

Reporting on activities using complex, reflective measures can be challenging. When reviewing the report, please consider the following aspects and data

- Not all councils are able to provide the requested information, leading to gaps in the data sets.
- The project does not include data auditing, so the accuracy of the information submitted by councils is unknown. Each council designated a representative to verify the final data points in the survey.
- There are instances throughout the report where changes or improvements in how a council reports may render the data incomparable to previous years.

## CME UNDER THE RESOURCE MANAGEMENT ACT NEW ZEALAND

This report, produced through the collaboration of the Te Uru Kahika CME group, seeks to enhance the quality of information surrounding CME functions. Although the dataset isn't perfect, it consistently offers valuable insights into CME operations within the framework of the Resource Management Act (RMA), with its importance growing each year. The report also underscores the visible results of individual councils' efforts to improve their CME implementation

Responsibility for the adoption and execution of CME lies with individual councils, operating within the broader structure of the RMA. Effective CME implementation is closely linked to better environmental outcomes. Given the absence of detailed national guidance, councils have taken the lead in adapting their operations to fit the RMA's relatively flexible framework

This has led to varied approaches across regions, shaped by factors such as GDP, land area, population, and growth rates. As the sector evolves, there has been continued progress toward standardising and formalising practices. In 2018, the Ministry introduced Best Practice Guidelines, which have since influenced the metrics reported in this sector.

## KEY DEFINITIONS

**Compliance:** adherence to the RMA, including the rules established under regional and district plans and meeting resource consent conditions, regulations and national environmental standards.

**Monitoring:** the activities carried out by councils to assess compliance with the RMA. This can be proactive (e.g., resource consent or permitted activity monitoring) or reactive (e.g., investigation of suspected offenses).

**Enforcement:** the actions taken by councils to respond to non-compliance with the RMA. Actions can be punitive (seek to deter or punish the offender) and/or directive (e.g., direct remediation of the damage or ensure compliance with the RMA).

ANALYSIS

PART 2

REGIONAL CONTEXT

Regionally New Zealand is diverse; contextually there are large differences between regions population, growth rates, areas and Gross Domestic Product (GDP). The graph below illustrates the diversity of the regions we report on.

Auckland has the highest population; it's home to 1/3 of New Zealanders, in comparison to the West Coast, home to only 1% of all New Zealanders. The Bay of Plenty, Northland and Waikato are seeing the largest growth rates.

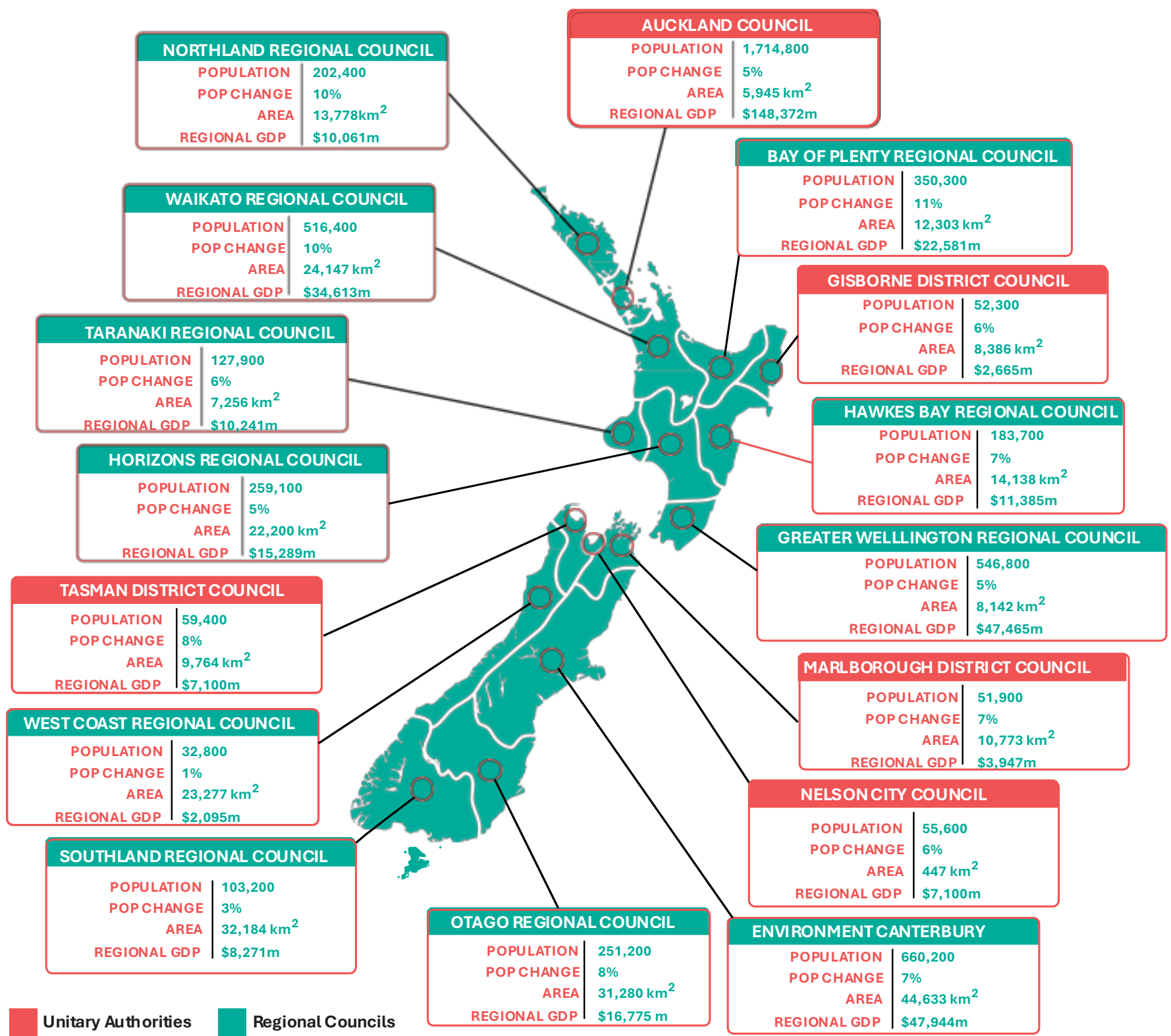


Figure 1: Regional context data  
\* Population change is for 5 years



## WORKING WITH IWI

There are diverse frameworks and processes that regional councils across New Zealand are implementing to engage with Iwi in co-management. Councils continue to strengthen relationships and commitments with iwi and hapū.

While each council's approach varies, common themes include:

**Co-governance and Joint Management Agreements (JMAs):** Many councils have formal JMAs with local Iwi, which guide CME activities, set meeting schedules, and determine processes for monitoring, enforcement, and information sharing.

**CME Engagement with Iwi:** Though not every council has formal CME agreements, Iwi are often involved in monitoring, compliance, and enforcement processes through collaborative meetings, involvement in investigations, and the provision of cultural impact statements in legal proceedings.

**Partnership and Relationship Growth:** Some councils, like Southland and Bay of Plenty, prioritise capacity building within Iwi to strengthen these partnerships. Initiatives include jointly funded Iwi policy advisors, co-governance groups, and providing resources for technical and cultural support in decision-making processes.

**Protocols for Incident Notification:** Across multiple councils, early notification to Iwi of significant environmental incidents is key practice. In some cases, Iwi are directly involved in incident investigations and remediation efforts.

**Māori Committees and Partnership Groups:** Advisory and strategic partnership groups involving both elected councillors and Iwi leaders are common, particularly in Hawke's Bay and Taranaki, where they play a significant role in shaping resource management strategies and CME priorities.

This cross-regional approach underscores the importance of integrating Iwi values into environmental governance, with the goal of protecting natural resources and ensuring decisions respect both legislative and cultural frameworks.

**Question 4:** In no more than 300 words describe your regional key commitments to work with iwi/ Māori on CME. For example, joint management agreements or other co-management agreements.



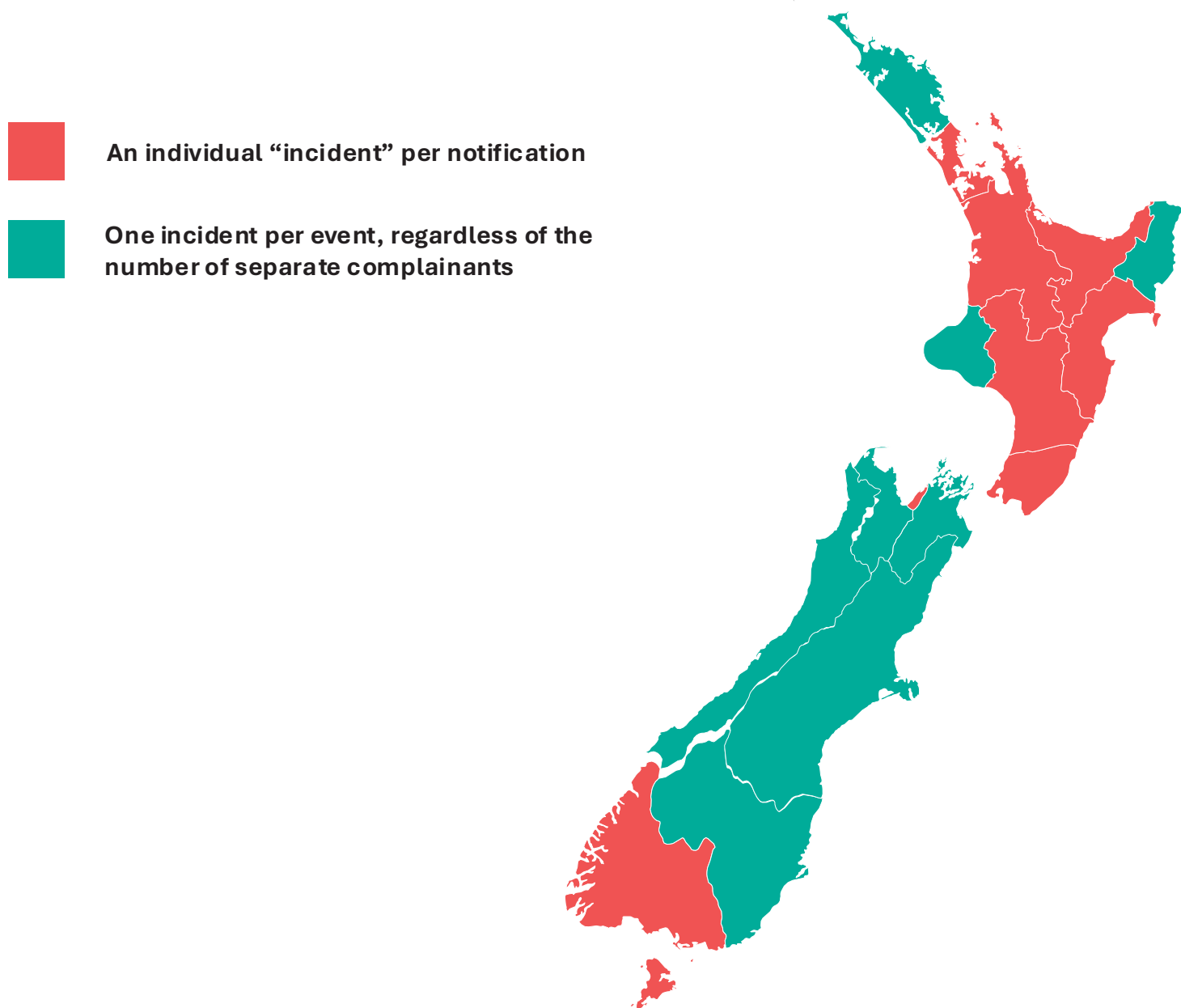
# CME OPERATIONS – MANAGING THE WORKLOAD

## REGISTERING NOTIFICATIONS

Complaints are logged by various councils either as individual incidents or as part of larger events. These events can encompass multiple distinct complaints. Notably, individual incidents often result in higher numbers, which must be duly considered when conducting comparative analyses.

The most effective approach for the industry would involve standardised procedures. However, there remains a divergence in practices within the sector. Among the councils, seven adhere to a policy of recording a single incident for an entire event, while nine opt to register an incident for each separate complaint notification.

### RECORDING CONVENTIONS FOR INCOMING COMPLAINTS

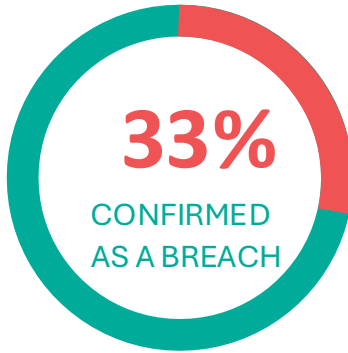
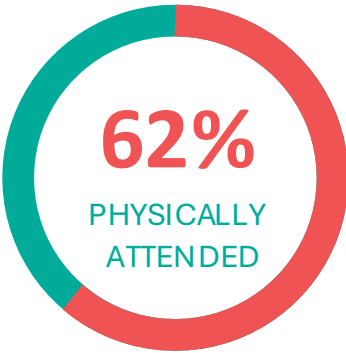


**Figure 2:** Recording conventions for incoming complaints across the regional sector

**Question 5.** Does your council register/count:

- An individual “incident” per notification?
- One incident per event, regardless of the number of separate complainants?

## NATIONWIDE COMPLAINTS



## COMPLAINTS RECEIVED

The number of complaints fluctuates each year due to regional differences, often reflecting population size. Regions with larger populations generally experience higher numbers of complaints.

This year’s total number of complaints was similar to last years; however, increases were noted in Northland, Waikato, BOP, Canterbury, Otago, Taranaki, West Coast, Auckland and Nelson.

## COMPLAINTS RESPONDED TO AND ATTENDED

Most councils responded to 100% of the complaints they received. For those that did not fully respond, Hawke’s Bay, Southland, and Gisborne addressed over 95% of complaints this year. As in previous years, Environment Canterbury had a lower response rate at 78%.

Addressing complaints in person remains the most resource-intensive approach but allows officers to directly assess issues. This year, the overall percentage of complaints attended in person was similar to last year, with Gisborne showing the largest increase in physical responses.

**Question 6.** How many notifications (complaints) were received from members of the public (or other sources, but excluding information from council monitoring activity) relating to environmental incidents or potential breaches of environmental regulation?  
*This might include information from, for example, emergency services attending an incident or perhaps a council staff member observing something while on other duties but excludes information from council monitoring activity. Please note answer unknown if your council does not record the information requested.*

**Question 7.** How many of these notifications were responded to by council?  
*This response may be in any form – e.g. phone call, site visit, desktop audit.*

**Question 8.** How many of these notifications were physically attended by council staff?  
*If one incident had multiple visits, only count this as one.*

NUMBER OF INDIVIDUAL COMPLAINTS AND INCIDENTS

2019 / 2020 2020/ 2021 2021 / 2022 2022 / 2023 2023 / 2024

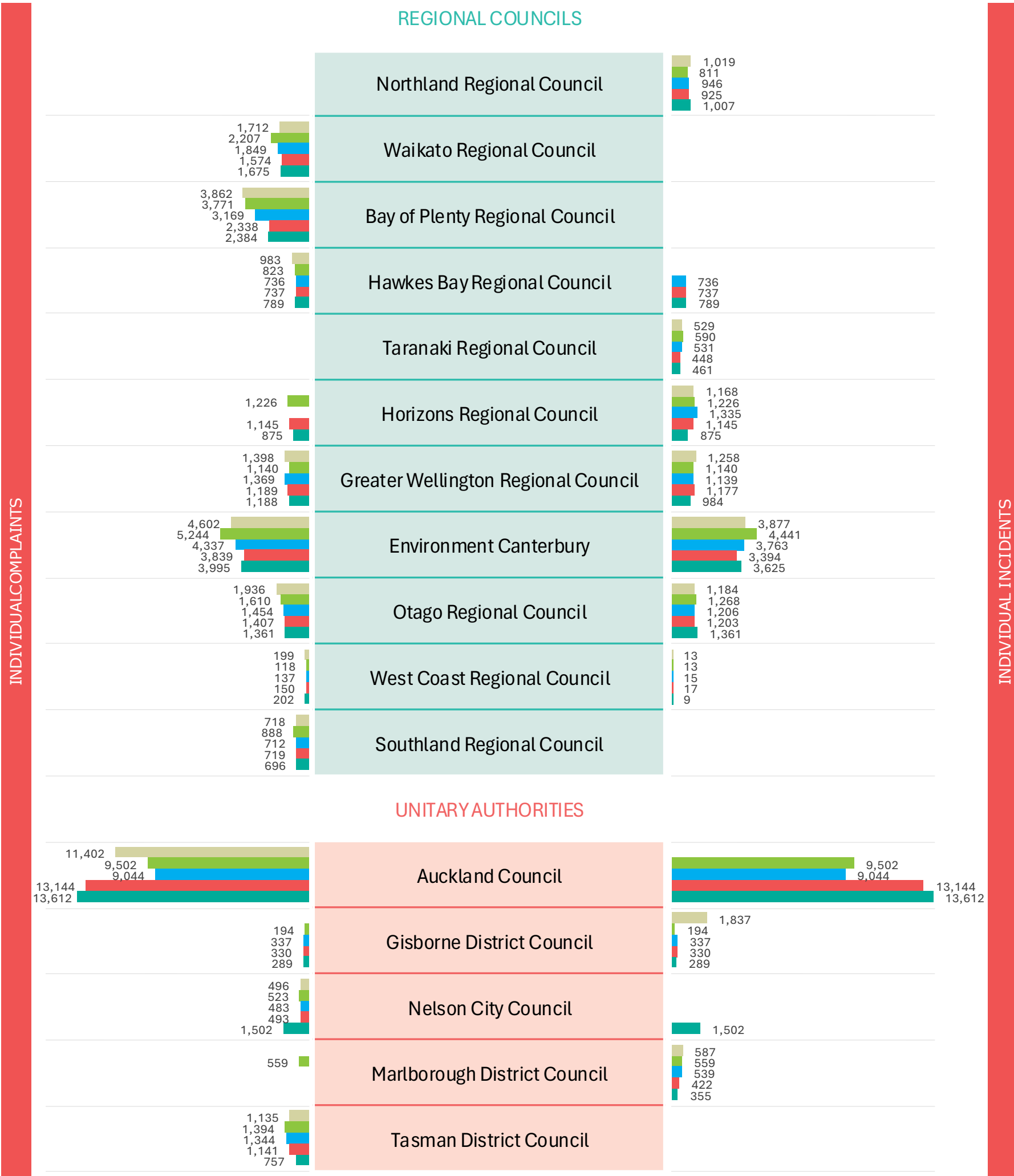
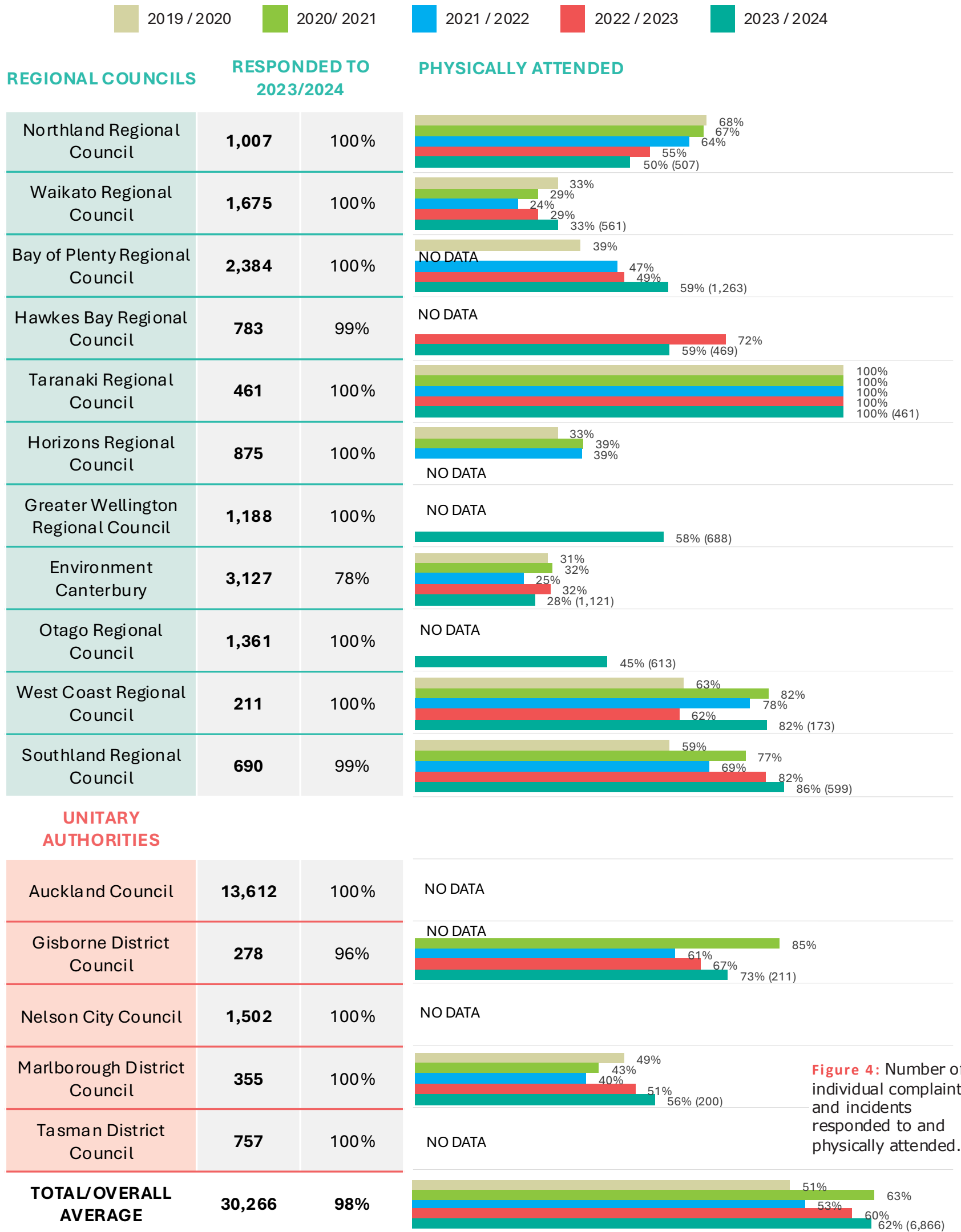


Figure 3: Number of individual complaints and incidents

NUMBER OF INDIVIDUAL COMPLAINTS RESPONDED TO AND PHYSICALLY ATTENDED





CONFIRMED BREACHES

The average number of confirmed breaches has remained stable, year after year. Although the overall average is stable, six authorities had increases in the percentage of confirmed breaches. These were Waikato, Bay of Plenty, Hawkes Bay, Taranaki, Greater Wellington, Southland and Marlborough. Confirmed breaches for West Coast and Gisborne decreased significantly.

PERCENTAGE OF CONFIRMED BREACHES

REGIONAL COUNCILS	2019 / 2020	2020/ 2021	2021/ 2022	2022 / 2023	2023 / 2024
Northland Regional Council	42%	47%	46%	50%	50% (501)
Waikato Regional Council	26%	37%	21%	12%	18% (300)
Bay of Plenty Regional Council	20%	23%	25%	21%	23% (556)
Hawkes Bay Regional Council				89%	91% (721)
Taranaki Regional Council	40%	39%	35%	40%	42% (194)
Horizons Regional Council					
Greater Wellington Regional Council	18%	19%	13%	16%	18% (216)
Environment Canterbury	68%	24%	19%	23%	20% (788)
Otago Regional Council				9%	
West Coast Regional Council	17%	21%	21%	34%	16% (34)
Southland Regional Council	29%	34%	15%	34%	39% (268)
UNITARY AUTHORITIES					
Auckland Council	22%				
Gisborne District Council		35%	39%	38%	26% (74)
Nelson City Council					
Marlborough District Council	21%	22%	20%	17%	37% (131)
Tasman District Council					
TOTAL/AVERAGE	27%	29%	27%	30%	33% (3,783)

Table 1: Percentage of breaches

Question 9. How many of these notifications were confirmed as breaches of the RMA or subsidiary instruments?

CONFIRMED BREACHES

TYPES OF CONFIRMED BREACHES

REGIONAL COUNCILS	2023/ 2024	Breach of Resource Consent	Breach of NES	Breach of a Permitted Activity Rule	Breach of a Permitted Activity Rule and/or National Environmental Standard
Northland Regional Council	50 % ( 50 1 )	15	20	466	NODATA
Waikato Regional Council	18 % ( 30 0 )	NODATA	NODATA	NODATA	NODATA
Bay of Plenty Regional Council	23 % ( 55 6 )	35	NODATA	NODATA	521
Hawkes Bay Regional Council	91 % ( 72 1 )	10	10	592	602
Taranaki Regional Council	42 % ( 19 4 )	28	4	151	4
Horizons Regional Council		0	0	0	0
Greater Wellington Regional Council	18 % ( 21 6 )	NODATA	NODATA	NODATA	NODATA
Environment Canterbury	20 % ( 78 8 )	168	NODATA	NODATA	NODATA
Otago Regional Council		NODATA	NODATA	NODATA	NODATA
West Coast Regional Council	16 % ( 34 )	13	6	15	0
Southland Regional Council	39 % ( 26 8 )	37	17	10	3

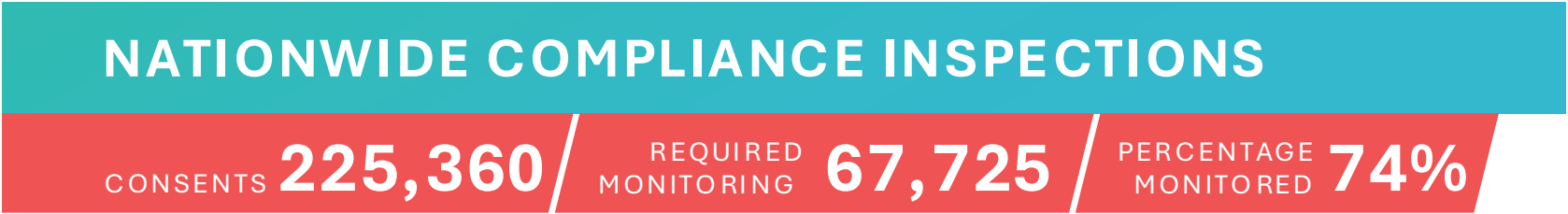
UNITARY AUTHORITIES

Auckland Council		NODATA	NODATA	NODATA	NODATA
Gisborne District Council	26 % (74)	46	NODATA	NODATA	28
Nelson City Council		NODATA	NODATA	NODATA	NODATA
Marlborough District Council	37 % (131)	33	NODATA	NODATA	98
Tasman District Council		NODATA	NODATA	NODATA	NODATA

TOTAL/AVERAGE	33 % (3,783)
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Table 2: Types of breaches

**Question 10.** How many of the breaches were for:  
Breach of a resource consent?  
Breach of a National Environmental Standard? Breach of a Permitted Activity Rule?  
Breach of a Permitted Activity Rule and/or National Environmental Standard?



MONITORING RESOURCE CONSENTS

The number of active resource consents this year remained consistent with previous years, showing a small 2% increase, similar to last year’s growth. Auckland holds the majority of consents, totalling 98,043, with a notable 22% increase over the previous year.

Around 30% of all consents required monitoring. Northland and Hawke’s Bay experienced the largest percentage increases in consents requiring monitoring, while Nelson City saw a significant rise in the number of monitored consents. In contrast, Auckland, Gisborne, and Tasman monitored significantly fewer consents than they did last year.

- Question 11.

How many individual, active resource consents exist in your region?

Exclude Land Use Consents where the activity is completed e.g., Land use subdivisions where the subdivision is complete, and certificates issued or land use – building where the building has been constructed.
- Question 12.

How many consents required monitoring during this period, in accordance with your monitoring prioritisation model/strategy?
- Question 13.

How many of these consents were monitored (including desktop audit) in the period?

		TOTAL CONSENTS					REQUIRED MONITORING					NUMBER MONITORED					
		2019 / 2020	2020 / 2021	2021 / 2022	2022 / 2023	2023 / 2024	2019 / 2020	2020 / 2021	2021 / 2022	2022 / 2023	2023 / 2024	2019 / 2020	2020 / 2021	2021 /2022	2022 / 2023	2023 / 2024	
REGIONAL COUNCILS	Northland Regional Council	9,910	10,164	10,779	11,312	8,542	3,731	3,505	4,153	4,275	4,464	88%	86%	95%	100%+	100%	4,477
	Waikato Regional Council	11,419	11,839	12,511	12,742	13,111	1,674	0	575	1,461	1,419	100%+		100%+	100%+	100%+	2,646
	Bay of Plenty Regional Council	8,458	8,407	7,608	8,442	8,421	3,316	3,324	3,398	4,439	4,342	85%	86%	93%	83%	78%	3,403
	Hawkes Bay Regional Council	8,300	8,452	8,620	8,673	7,917	3,550	3,355	3,358	3,825	4,541	93%	93%	91%	81%	42%	1,926
	Taranaki Regional Council	4,625	4,517	4,372	4,313	4,278	2,788	2,510	2,408	2,325	2,245	100%	100%	100%	100%	100%	2,245
	Horizons Regional Council	5,468	6,619	5,638	6,500	5,192	1,367	1,823	2,175	2,060	1,394	81%	89%	95%	100%+	100%+	2,143
	Greater Wellington Regional Council	6,863	7,138	7,259	7,567	7,716	1,633	1,779	1,843	2,139	2,402	94%	87%	88%	82%	82%	1,959
	Environment Canterbury	22,051	22,648	23,079	23,522	23,533	4,410	1,314	882	1,004	792	89%	96%	76%	73%	68%	541
	Otago Regional Council	5,656	5,785	5,829	6,731	7,114	3,256	3,136	3,144	2,500	2,500	64%	71%	77%	100%+	100%+	3,172
	West Coast Regional Council	3,000	5,682	5,809	5,800	5,790	900	1,268	1,275	1,268	1,270	87%	92%	92%	92%	77%	973
	Southland Regional Council	5,824	5,995	4,916	4,966	4,398	4,127	5,920	3,752	3,765	3,465	73%	72%	84%	79%	68%	2,349
	REGIONAL SUBTOTAL	91,574	97,246	96,420	100,568	96,012	30,752	27,934	26,963	29,061	28,834	87%	87%	96%	90%	83%	25,834
UNITARY AUTHORITIES	Auckland Council	115,723	130,371	75,017	80,483	98,043	13,162	0	0	19,730	31,599	72%			45%	22%	6,876
	Gisborne District Council	10,500	8,893	7,753	7,914	8,074	0	1,135	1,600	1,229	778		60%	47%	67%	40%	310
	Nelson City Council	656	675	594	0	718	656	675	594	526	573	100%	100%	100%	100%	100%	573
	Marlborough District Council	29,459	29,459	27,817	28,674	19,747	3,529	3,529	3,326	3,265	3,555	93%	98%	85%	86%	76%	2,710
	Tasman District Council	7,230	16,826	8,803	3,783	2,766	6,389	4,941	3,327	3,707	2,386	26%	57%	73%	93%	82%	1,961
	UNITARY SUBTOTAL	163,568	186,224	119,984	120,854	129,348	23,736	10,280	8,847	28,457	38,891	73%	79%	76%	78%	64%	12,430
	TOTAL	255,142	283,470	216,404	221,422	225,360	54,488	38,214	35,810	57,518	67,725	80%	83%	86%	84%	74%	76,528

Table 3: Total consents that require monitoring

Analysis of the 2023 / 2024 compliance monitoring and enforcement metrics for the regional sector

COMPLIANCE ASSESSMENT

This data covers the compliance gradings of over 55,000 consent monitoring events, reflecting a decrease of 19,367 events compared to last year. This drop is primarily due to Auckland Council, with 18,723 fewer consents monitored than the previous year, and Bay of Plenty, with a reduction of 1,290.

As with last year, there is considerable variation in the percentage change in consents requiring monitoring. Bay of Plenty, West Coast, Southland, Auckland, Gisborne, and Tasman each saw a decrease of over 10%, with Gisborne experiencing a significant 92% decline. In contrast, regions with an increase in monitored consents were minimal (under 10%), including Northland, Waikato, Greater Wellington, and Marlborough. Nelson City stood out with a substantial 77% increase in monitored consents.

It must be noted that data may vary from Table 3. This is because some sites have more than one monitoring visit over the year. Figure 5 relates to the percentage of monitoring visits (not consents) within the categories.

\*Numbers provided will not equate to the consents totals earlier in this report as some sites had more than one monitoring visit over the year. The tables below relate to the percentage of monitoring visits that fit within different grades.

**Question 14.** What grades do you apply to non-compliance? (e.g. technical non-compliance, significant non-compliance)

- Fully Compliant
- Technical/Low Non-Compliance
- Moderate Non-Compliance
- Significant Non-Compliance
- Other (please specify)

**Question 15.** What were the levels of compliance with consents according to the grades you use?

*Note 1: Numbers provided under each grade is per monitoring event not per consent. E.g. a consent may be monitored four times in the year: on one occasion it may be Technically Non-Compliance and on three occasions it may be Fully Compliant, this would add three to the total of Fully Compliant and one to the total for Technical Non-compliance.*

*Note 2: The compliance grade is based on the condition with the worst compliance grade. e.g. a consent with five conditions Fully Compliant and one condition Moderate Non-Compliance has an overall compliance grade of Minor Non-Compliance.*

*Note 3: Daily telemetry water readings where compliance with water take limits is continuously monitored are to be excluded from compliance grade totals.*

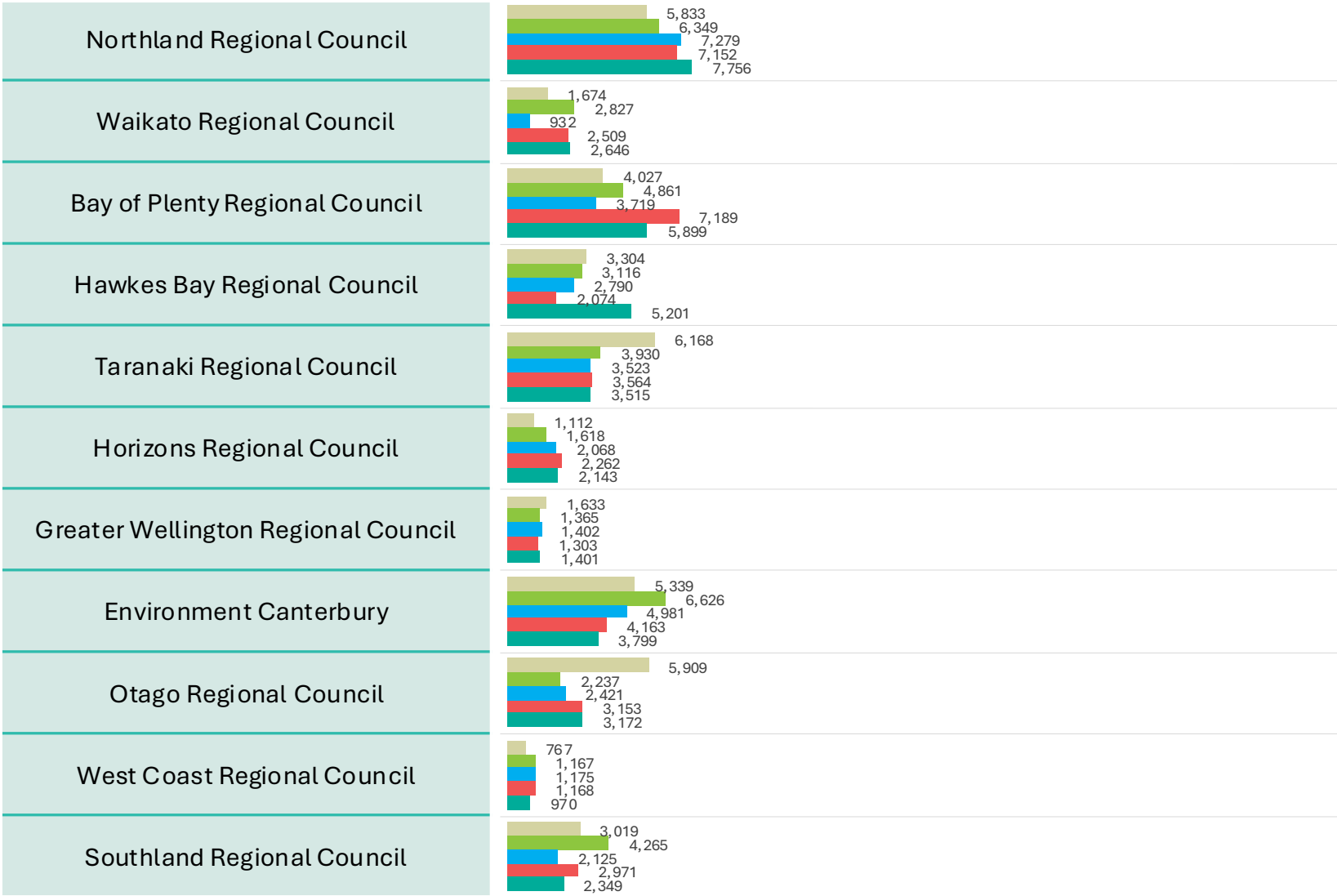
- Significant Non-Compliance
- Other (please specify)

\*Consistent with previous years GWRC are unable to exclude telemetered Water Takes from these figures. Their grading of compliance is over the year not per event.

TOTAL NUMBER OF CONSENTS IN DIFFERENT CATEGORIES OF COMPLIANCE ON A PER MONITORING EVENT BASIS



REGIONAL COUNCILS



UNITARY AUTHORITIES

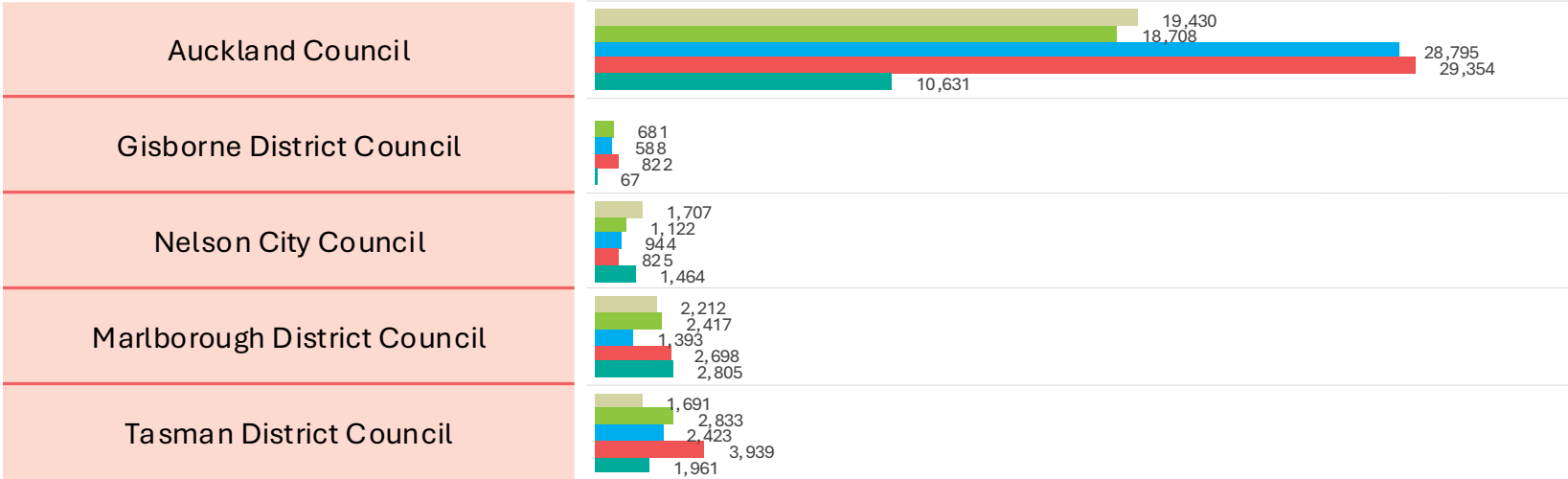
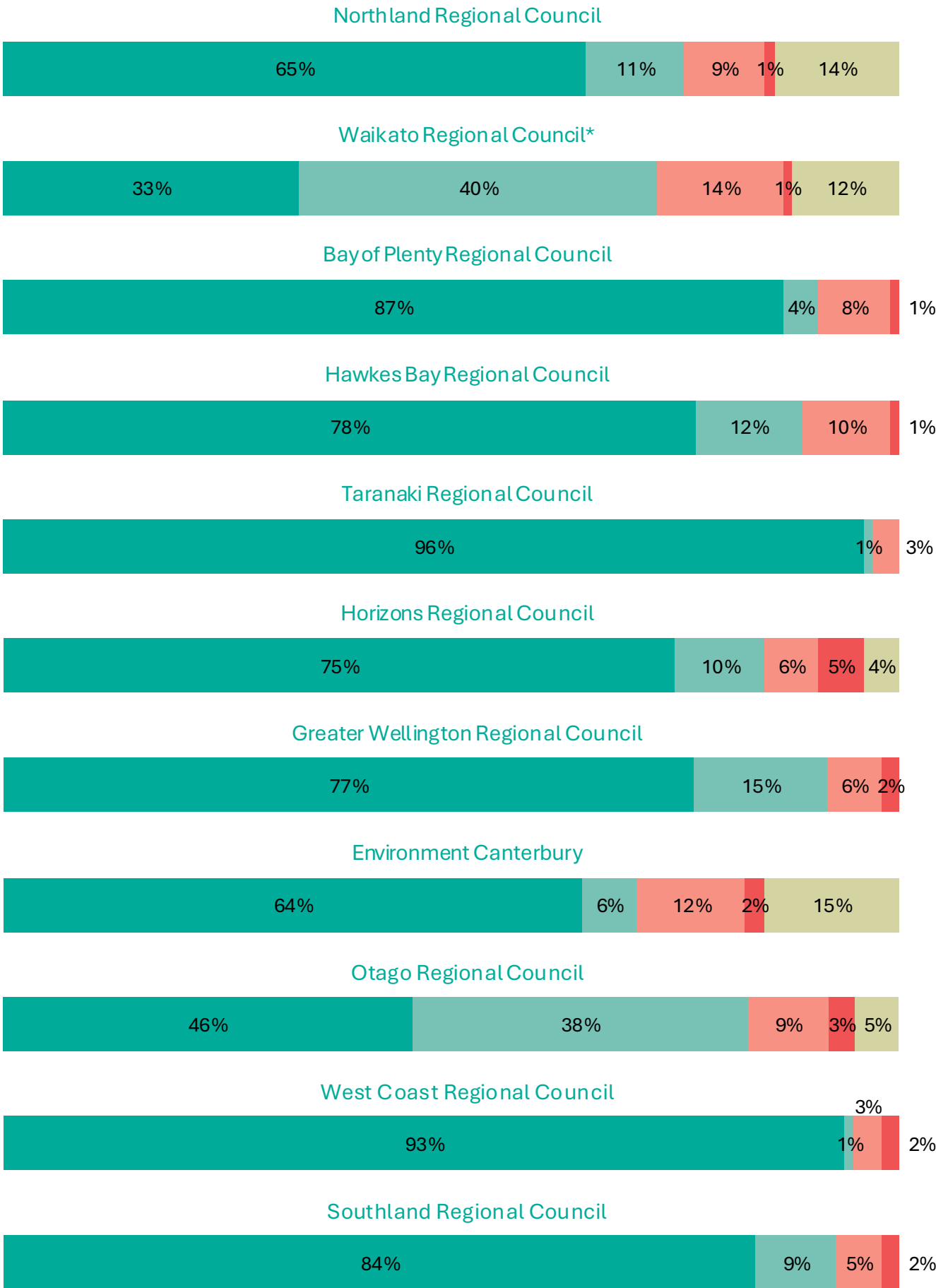


Figure 5: Total Number of Consents in Different Categories of Compliance on a Per Monitoring Event Basis.

PERCENTAGES OF CONSENTS IN FULL COMPLIANCE, LOW RISK/ TECHNICAL NON-COMPLIANCE, MODERATE NON-COMPLIANCE AND SIGNIFICANT NON-COMPLIANCE ON A PER MONITORING EVENT BASIS

FULL COMPLIANCE    LOW RISK/ TECHNICAL NON-COMPLIANCE    MODERATE NON-COMPLIANCE    SIGNIFICANT NON-COMPLIANCE    OTHER GRADING



*\*The non-compliance rating system used at WRC considers multiple factors, and not solely whether the non-compliance results in actual significant environmental effect. As such the data is not directly comparable to those councils that apply the MfE compliance rating system.*

PERCENTAGES OF CONSENTS IN FULL COMPLIANCE, LOW RISK/ TECHNICAL NON-COMPLIANCE, MODERATE NON-COMPLIANCE AND SIGNIFICANT NON-COMPLIANCE ON A PER MONITORING EVENT BASIS

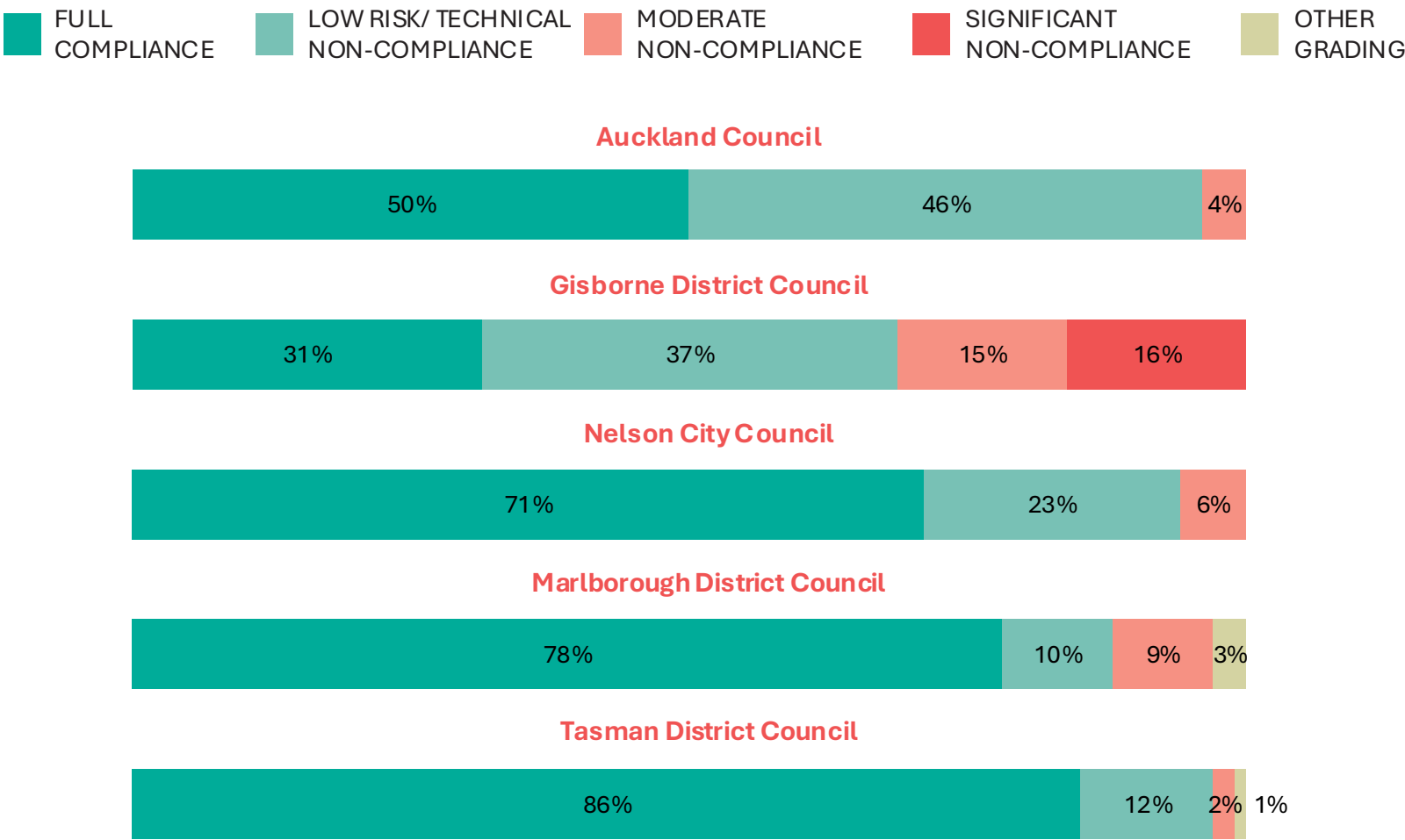


Figure 6: Percentages of consents in full compliance, low risk/technical non-compliance, moderate non-compliance and significant non-compliance on a per monitoring event basis.





NATIONWIDE COMPLIANCE RATING OF CONSENTS MONITORED

FULL COMPLIANCE    LOW RISK/ TECHNICAL NON-COMPLIANCE    MODERATE NON-COMPLIANCE    SIGNIFICANT NON-COMPLIANCE    OTHER GRADING

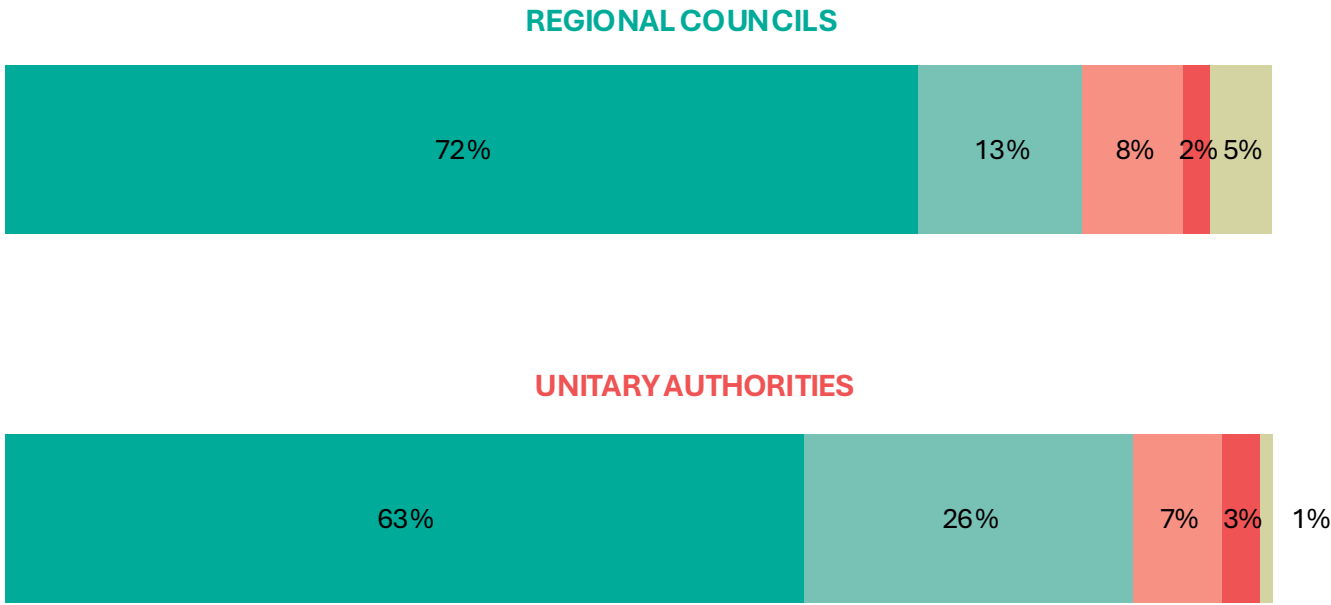


Figure 7: Nation-wide percentages of consents in full compliance, low risk/ technical non-compliance, moderate non-compliance and significant non-compliance on a per monitoring event basis.

MONITORING PERMITTED ACTIVITIES

This year dairy and construction made up the majority of site visits.

PERMITTED ACTIVITY MONITORING PROGRAMMES  
FOR DIFFERENT INDUSTRIES

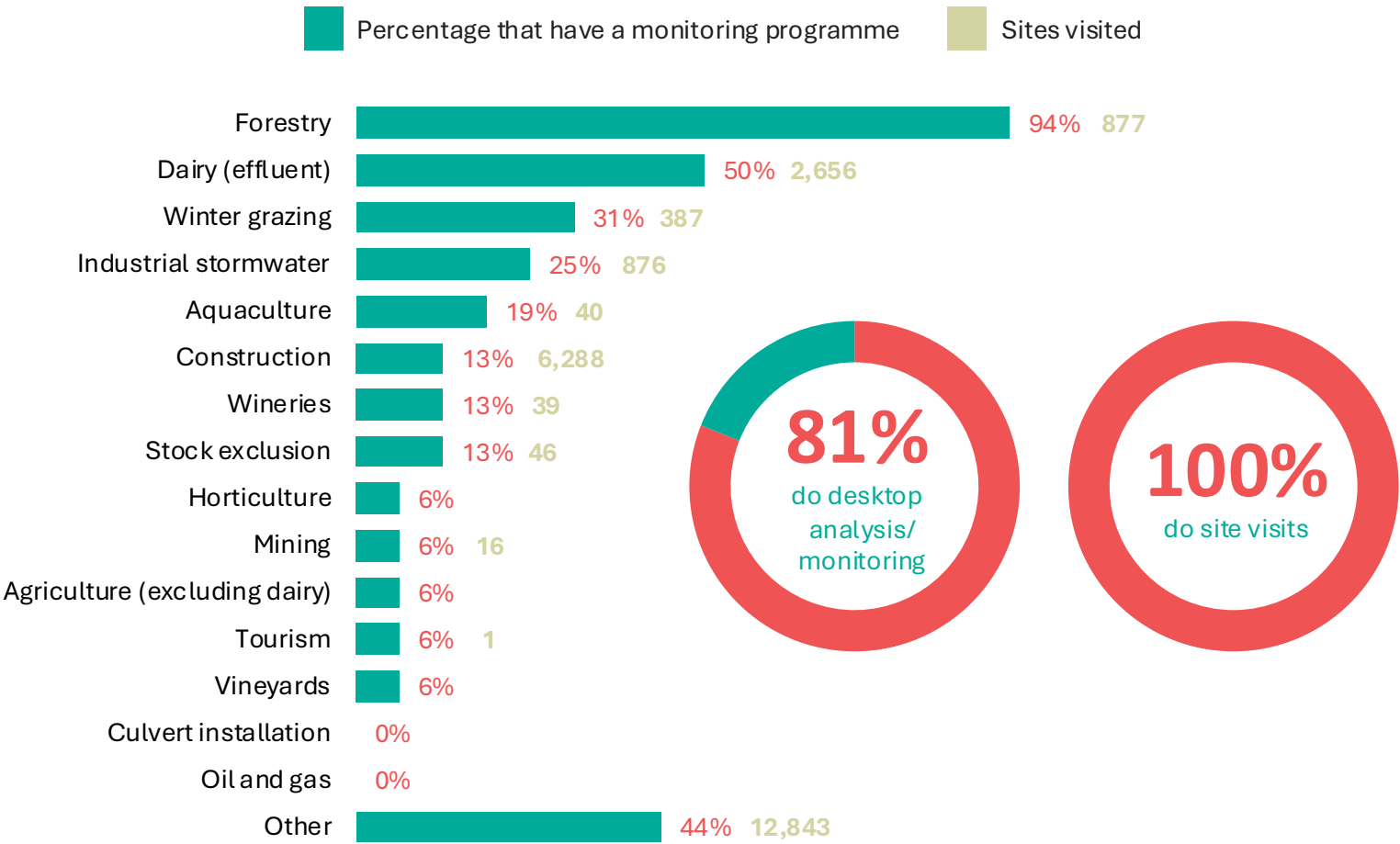


Figure 8: Proportion of permitted activity monitoring programmes for different industries

Question 16. Which permitted activities do you have a monitoring programme for? List of activities with tick box if yes:

- Agriculture (excluding dairy)
- Aquaculture
- Construction
- Dairy
- Forestry
- Horticulture
- Mining
- Oil and gas
- Tourism
- Vineyards
- Wineries
- Wintering
- Other (please specify)

Question 17. What was the number of sites visited?

Question 18. What was the type of monitoring done?

- Desk top analysis
- Site visits
- Other

## MAKING DECISIONS ON PRIORITIES

The following questions help us understand prioritisation and the way matters are addressed; it looks at the workstreams and rationale for prioritisation.

Various factors to determine the urgency of attending incidents. Below is a summary and analysis of the key points:

- Ongoing vs past harm
- Nature and severity (impact scores)
- Mitigation potential
- In hours vs out of hours response
- Health, safety and wellbeing (for significant incidents more than one officer may be required to attend)
- Complaint assessment (for example reliability of complainant)

Assessments included:

- Risk based approach
- Priority triage plans
- Programmes based on the National Strategic Compliance Framework

Risk based models were commonly the basis for determining which consents are monitored and how frequently. These were based on:

- Risk based prioritisation
- Level of historical non-compliance/ likelihood of non-compliance
- Iwi and community interest

**Question 22.** What basis is used for determining what notifications/complaints/incidents are physically attended and with what urgency or priority?

**Question 23.** Describe how you determine which consents are monitored and how frequently?  
*If there is a prioritisation model or compliance strategy, add link*

**Question 24.** Describe the basis, which was used for determining what, if any, permitted activities were monitored. *If there is a prioritisation model or compliance strategy, add link*



## STAFFING LEVELS

The number of full-time employees (FTEs) has increased slightly this year, reaching 635—an addition of 46 from last year.

Staffing levels vary across the sector due to differences in population size, geographic area, development type and intensity, and council funding. Most regional councils and unitary authorities employ between 10 and 75 FTEs, with lower-GDP regions typically having fewer staff.

Auckland remains the largest employer with 209 FTEs, marking an increase of 30 from the previous year. Gisborne also grew, from 14 to 20 FTEs, while most other regions saw minimal changes.

Across the sector, vacancies have decreased by nearly 50%, from 149 in 2023 to 76 in 2024, with Waikato and Environment Canterbury having the highest number of unfilled positions.

**Question 25.** How many FTEs does your council have who carry out monitoring roles?

**Question 26.** How many FTEs does your council have who carry out environmental incident or pollution response roles?

**Question 27.** How many FTEs does your council have who carry out investigation or enforcement roles?

**Question 28.** How many FTEs does your council have who carry out a combination of the above roles?

*Note 1: Include contractors*

*Note 2: Only answer this question if you have not included these staff in questions 24, 25 or 26*

**Question 29.** How many FTEs does your council have in CME support roles?

*This includes administrative roles, e.g. staff who assist with issue of notices, reminder notices, upload of unpaid infringements to Ministry of Justice.*

**Question 30.** Across this area of council work (CME) on average for the year, how many vacancies have been carried?

*Number of vacancies during the year/ average length of vacancies*

**Question 31.** What have been the most significant factors influencing retention and recruitment of CME staff?

**Question 32.** At the time of answering this question what is your staff's CME experience at council?

- Less than 2 years. Number of staff
- 2-10 years. Number of staff
- Greater than 10 years. Number of staff

COUNCIL FTES IN CME ROLES

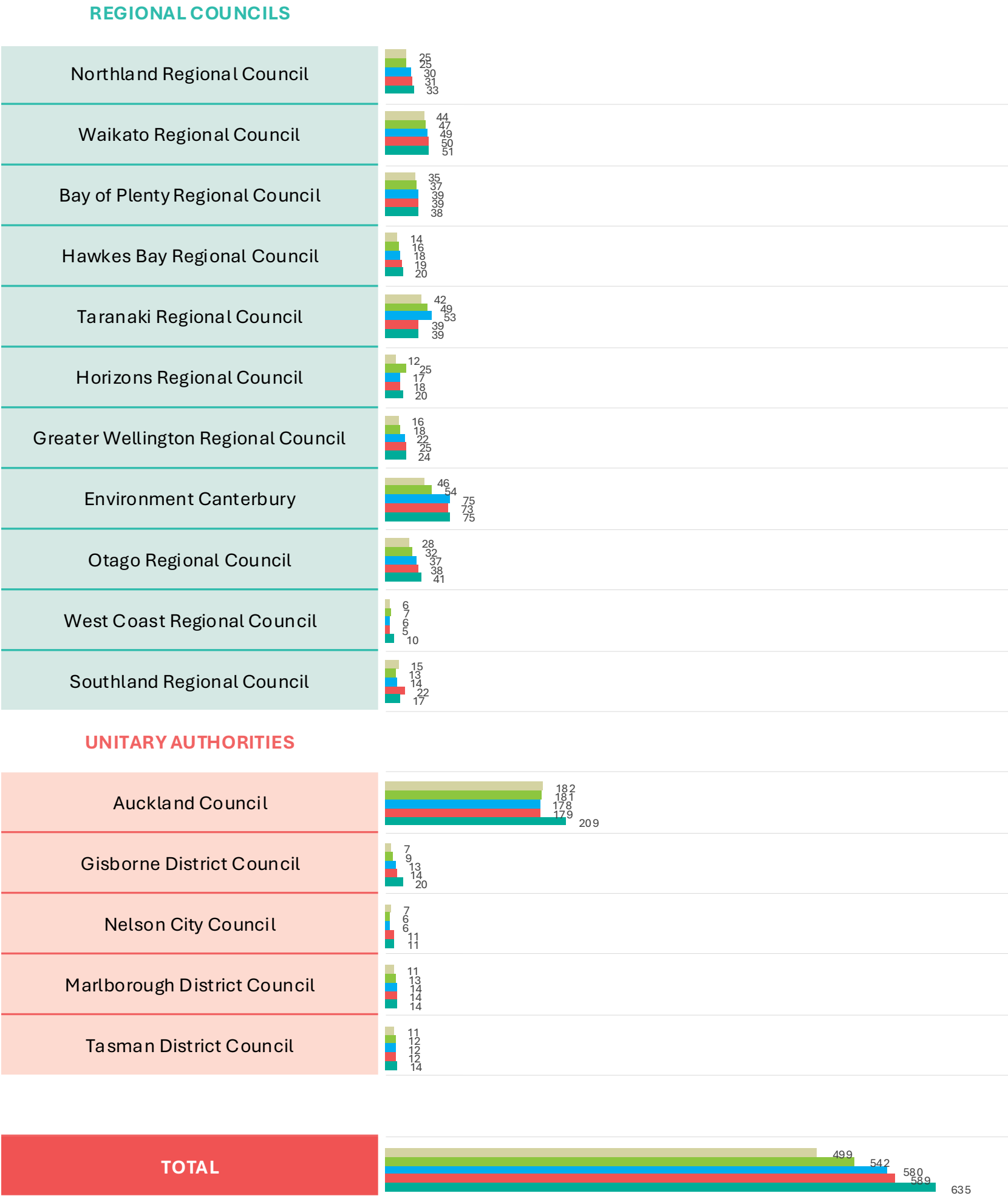
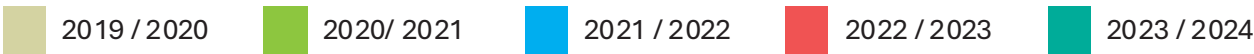


Figure 9: Council FTES in CME role

## COUNCIL FTE' S IN SPECIFIC ROLES

		MONITORING			COMBINATION			ENVIRONMENTAL INCIDENT OR POLLUTION			INVESTIGATION OR ENFORCEMENT			SUPPORT		
		2021 / 2022	2022 / 2023	2023 / 2024	2021 / 2022	2022 / 2023	2023 / 2024	2021 / 2022	2022 / 2023	2023 / 2024	2021 / 2022	2022 / 2023	2023 / 2024	2021 / 2022	2022 / 2023	2023 / 2024
REGIONAL COUNCILS	Northland Regional Council	0	0	0	26	26	27	0	0	1	1	1	1	3	4	4
	Waikato Regional Council	20	20	21	0	0	0	9	10	10	13	12	12	7	8	8
	Bay of Plenty Regional Council	20	20	21	0	0	0	4	4	5	3	3	2	12	12	10
	Hawkes Bay Regional Council	12	12	12	0	0	0	3	3	4	1	1	1	2	3	3
	Taranaki Regional Council	37	22	22	2	2	2	5	5	5	6	6	6	3	4	4
	Horizons Regional Council	0	0	1	16	14	14	0	0	1	0	3	4	1	1	1
	Greater Wellington Regional Council	0	0	0	20	23	22	0	0	0	0	0	0	2	2	2
	Environment Canterbury	42	45	37	1	8	0	6	9	11	4	4	4	22	7	23
	Otago Regional Council	20	21	20	4	5	5	4	4	5	4	4	5	5	5	6
	West Coast Regional Council	0	0	4	5	4	0	0	0	4	0	0	2	1	1	0
	Southland Regional Council	9	10	10	0	4	4	1	1	1	2	2	2	3	5	0
	REGIONAL SUBTOTAL	160	149	147	73	86	74	32	36	47	34	36	39	61	52	61
UNITARY AUTHORITIES	Auckland Council	77	72	77	20	15	34	47	70	80	18	7	10	16	15	8
	Gisborne District Council	0	0	0	11	11	19	0	0	0	0	2	0	2	1	1
	Nelson City Council	0	5	5	5	6	6	0	0	0	0	0	0	1	1	1
	Marlborough District Council	6	6	6	0	0	0	5	5	5	2	2	2	1	2	2
	Tasman District Council	0	0	0	10	10	12	0	0	0	0	0	0	2	2	2
	UNITARY SUBTOTAL	83	83	88	46	42	71	52	75	85	20	11	12	21	20	13
	UNITARY SUBTOTAL MINUS AUCKLAND	6	11	11	26	27	37	5	5	5	2	4	2	5	5	5
TOTAL		243	232	235	119	127	145	83	111	132	54	47	51	82	72	74
TOTAL MINUS AUCKLAND		166	160	158	99	112	111	36	41	52	36	40	41	66	57	66

**Table 4:** Council FTEs for different aspects of the CME role



COUNCIL FTES AND FORMAL ACTIONS BASED ON POPULATION

		FTE/1000					FTE 2023/ 2024	Population Estimates 2024	Formal Actions per 1000 2023/2024
		2019 / 2020	2020 / 2021	2021/ 2022	2022 / 2023	2023 / 2024			
REGIONAL COUNCILS	Northland Regional Council	0.13	0.13	0.15	0.15	0.16	33	202,400	1.9
	Waikato Regional Council	0.09	0.10	0.10	0.10	0.10	51	516,400	0.7
	Bay of Plenty Regional Council	0.11	0.11	0.11	0.11	0.10	38	350,300	0.9
	Hawkes Bay Regional Council	0.08	0.09	0.10	0.10	0.11	20	183,700	0.7
	Taranaki Regional Council	0.34	0.40	0.42	0.31	0.30	39	127,900	1.8
	Horizons Regional Council	0.05	0.10	0.07	0.07	0.08	20	259,100	0.9
	Greater Wellington Regional Council	0.03	0.03	0.04	0.05	0.04	24	546,800	0.3
	Environment Canterbury	0.07	0.08	0.12	0.11	0.11	75	660,200	0.5
	Otago Regional Council	0.12	0.13	0.15	0.15	0.16	41	251,200	0.3
	West Coast Regional Council	0.17	0.20	0.17	0.15	0.30	10	32,800	0.0
	Southland Regional Council	0.15	0.12	0.14	0.21	0.16	17	103,200	1.1
	REGIONAL AVERAGE/ TOTAL	0.12	0.14	0.14	0.14	0.15	368	3,234,000	0.8
UNITARY AUTHORITIES	Auckland Council	0.11	0.11	0.11	0.11	0.12	209	1,714,800	2.3
	Gisborne District Council	0.14	0.18	0.24	0.27	0.38	20	52,300	0.0
	Nelson City Council	0.12	0.10	0.10	0.20	0.20	11	55,600	0.9
	Marlborough District Council	0.21	0.25	0.27	0.26	0.26	14	51,900	1.7
	Tasman District Council	0.20	0.21	0.21	0.20	0.24	14	59,400	0.9
	UNITARY AVERAGE/ TOTAL	0.16	0.17	0.18	0.21	0.24	268	1,934,000	1.5
	AVERAGE	0.13	0.15	0.16	0.17	0.20			

Table 5: Comparison of council FTEs, population and number of formal actions (excluding prosecutions but including warnings)

Below we can see the relationship between formal actions and FTE’s. Higher number of FTE’s results is correlated with a larger number of formal actions.

CME RESOURCING AND NUMBER OF FORMAL ENFORCEMENT ACTIONS

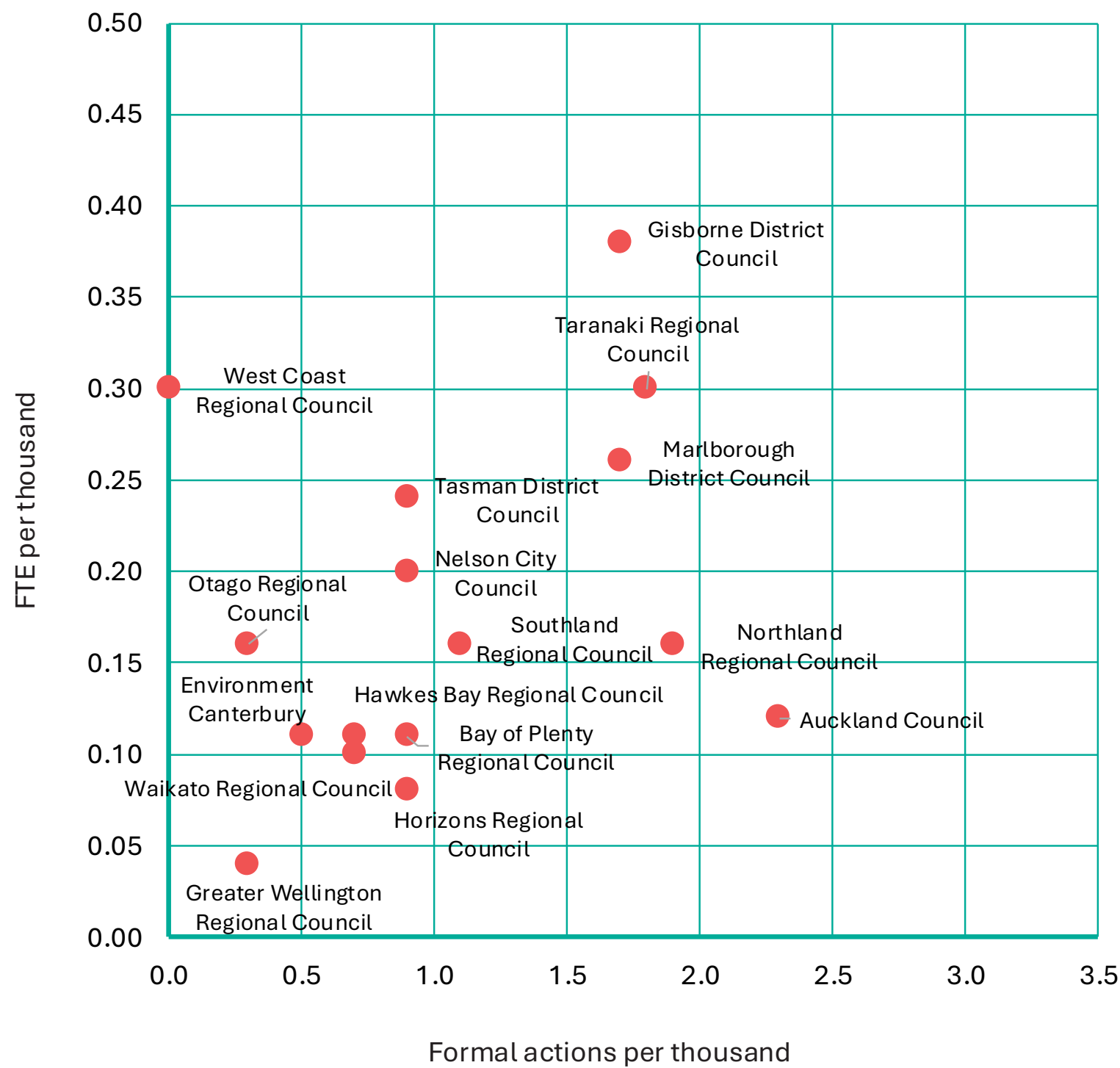


Figure 10: Comparison of CME resourcing and number of formal enforcement actions

Moreover, Figure 11 illustrates how GDP influences the quantity of FTEs. Regions boasting higher GDP levels generally have more FTEs, while areas with lower GDP tend to have fewer workforce resources.

COMPARISON OF CME RESOURCING AND GDP

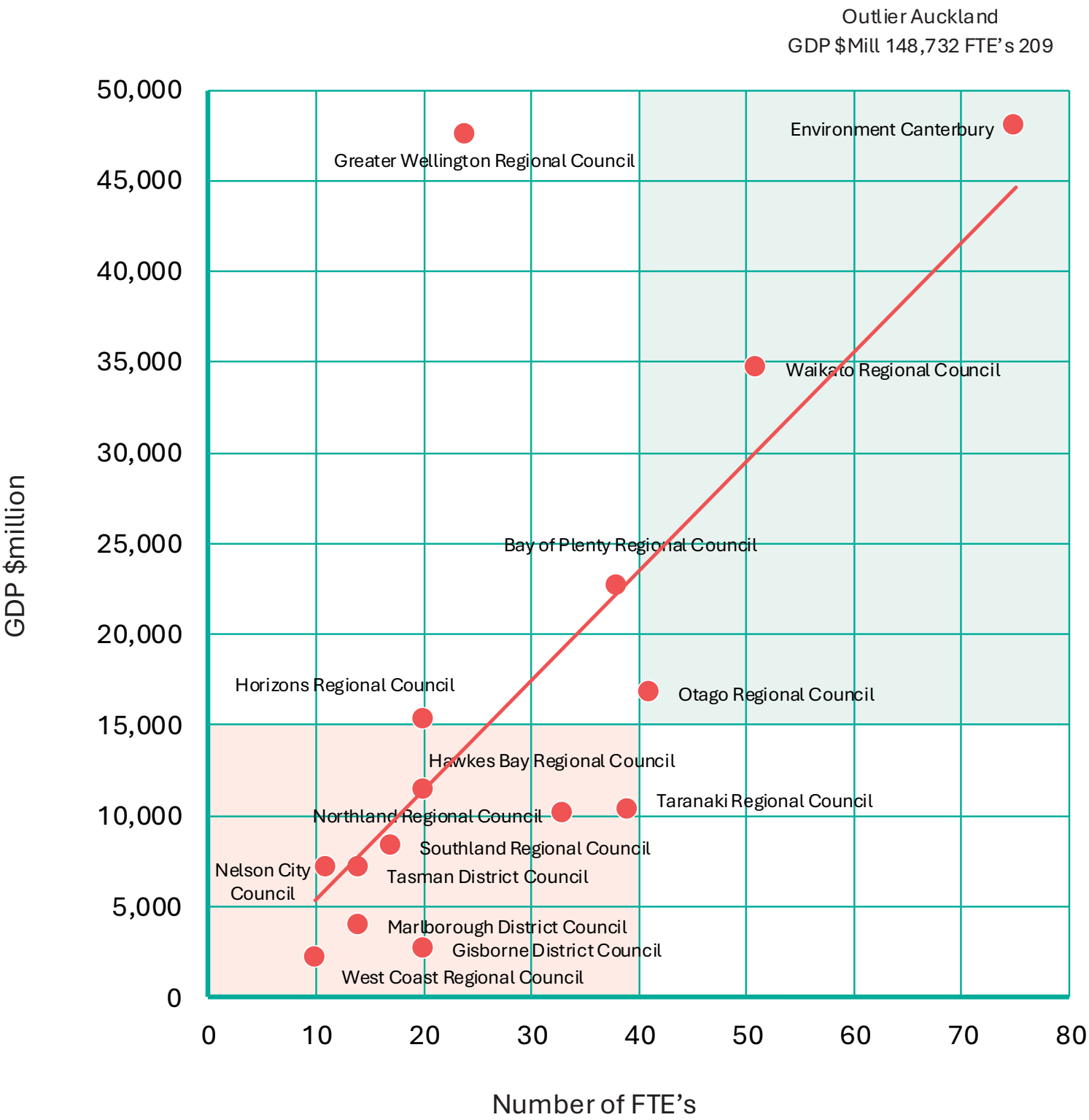


Figure 11: Comparison of CME resourcing and GDP



In the CME area of council work, nearly 44% of staff have less than two years of experience. Vacancy durations ranged from 6 weeks to 6 months. Key factors impacting staff retention include employment market salary, stress levels, job appeal, and limited career development opportunities.

COUNCIL FTE EXPERIENCE LEVELS

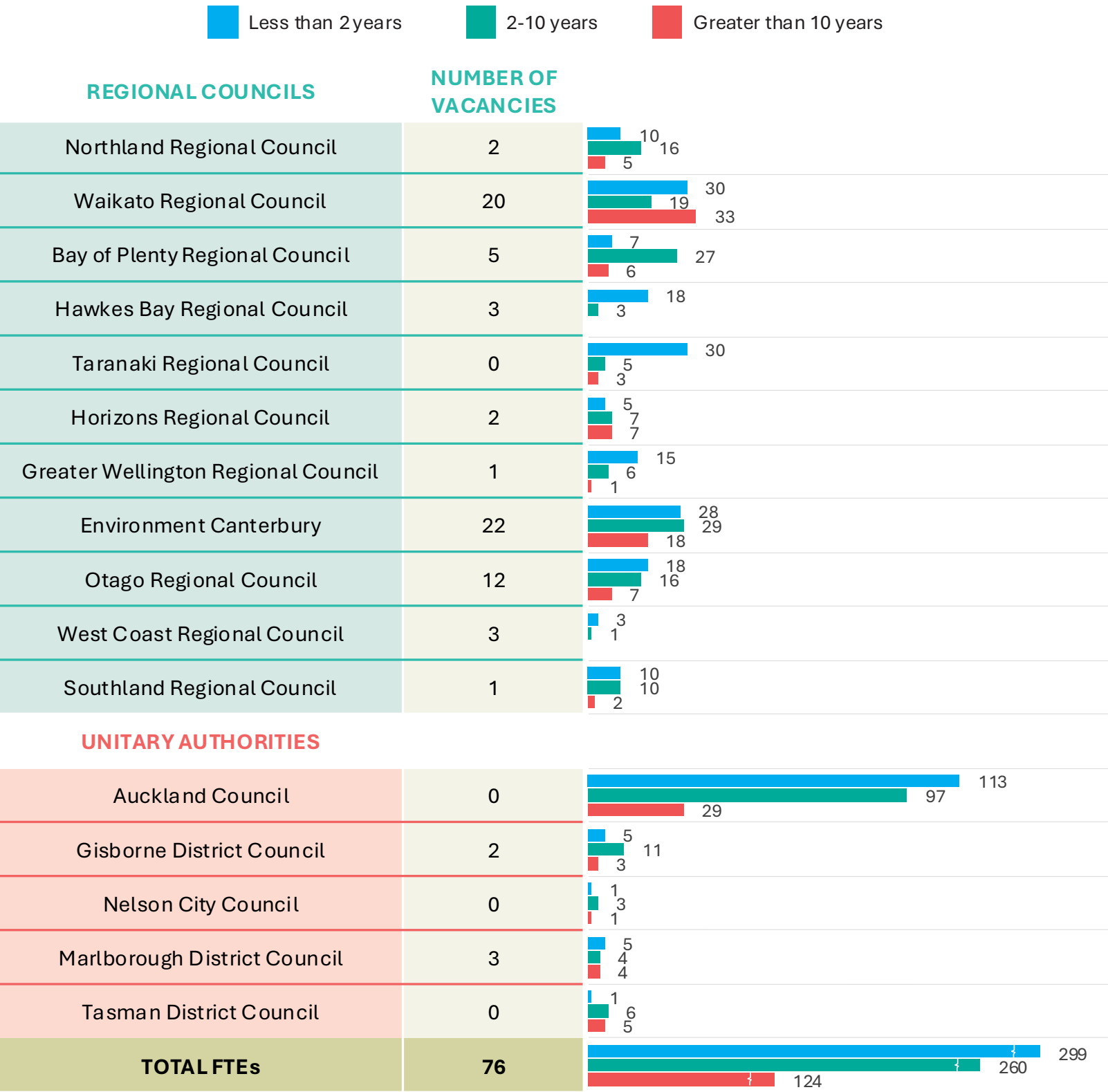


Figure 12: Council experience level and number of vacancies

Question 30. Across this area of council work (CME) on average for the year, how many vacancies have been carried?

Question 31. What have been the most significant factors influencing retention and recruitment of CME staff?

Question 32. At the time of answering this question what is your staff’s CME experience at council? Number of staff: Less than 2 years, 2-10 years, greater than 10 years.

# CME POLICIES AND PROCEDURES

Credibility and trustworthiness of regulators is sustained through having sound, transparent policies in place. All councils have both Enforcement Policies and Conflict of Interest Policies.

Individual officers having the ability to decide on certain enforcement actions greatly increases the chances of inconsistent or inappropriate decision making.

For all councils’ decisions on prosecutions were made by a panel. The panel does not comprise any elected officials.

## INVOLVEMENT IN PROCESS FOR MAKING DECISIONS ABOUT WHETHER TO PROCEED WITH ENFORCEMENT ACTION

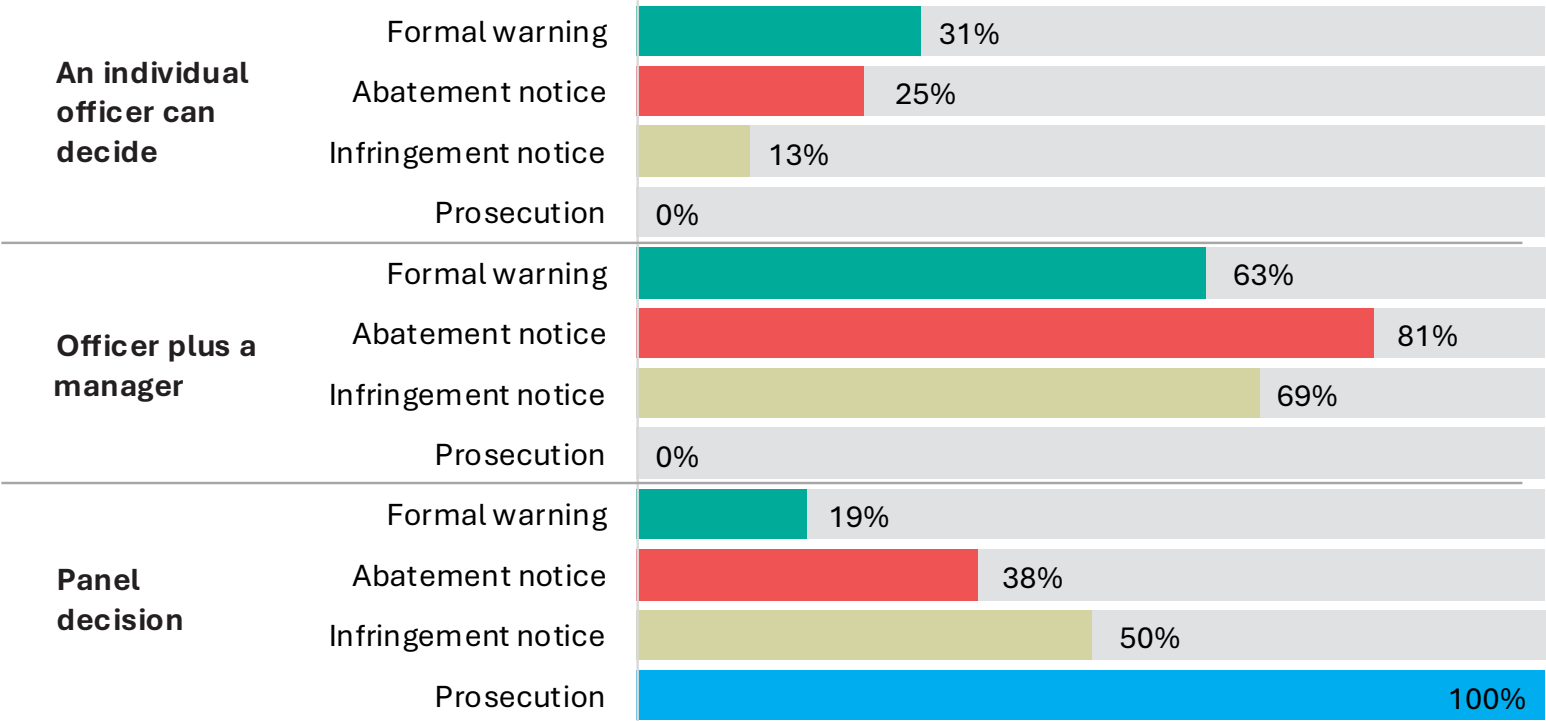


Figure 13: Enforcement action and whether to proceed (% of councils)

**Question 33.** Who is involved in your process for making decisions about whether to proceed with enforcement action?

- An individual officer can decide
- Officer plus a manager
- Panel decision
- Formal warning
- Abatement notice
- Infringement notice
- Prosecution

**Question 34.** Who are the panel members?

- Investigating officer
- Investigating officer’s manager/Team Leader
- Enforcement Specialist
- Compliance Monitoring Manager
- Group Manager/General Manager/Director
- Chief Executive
- Legal Counsel (internal)
- Legal Counsel (external)
- Other

# CME POLICIES AND PROCEDURES

Making decisions to make no formal action, was done by using a matrix or step process, to guide decision making. Some officers, team leaders or managers had authority to take no formal action.

Final delegation to authorise filing of charges was with the senior manager or executive.

## WHO MAKES THE DECISION TO TAKE NO FORMAL ENFORCEMENT ACTION WHEN A BREACH HAS BEEN IDENTIFIED

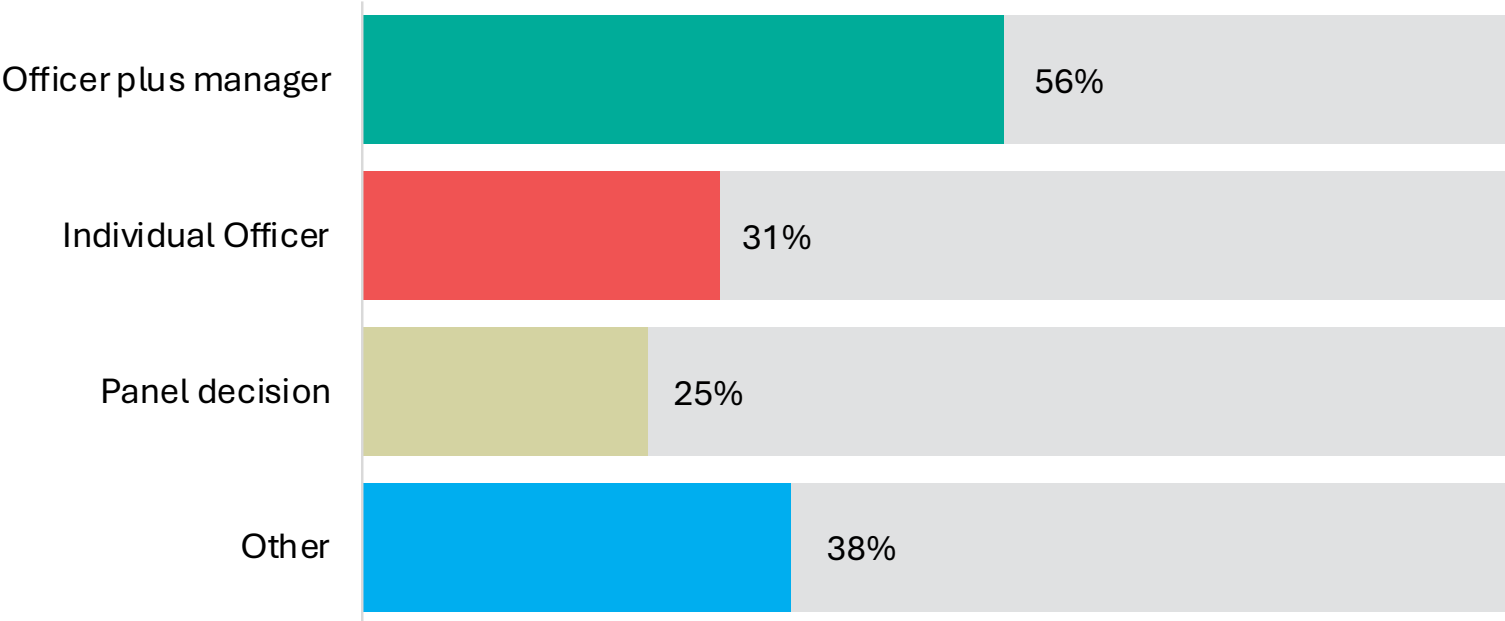


Figure 14: Percentage of councils and the decision on no formal enforcement

**Question 36.** What is your process for making decisions to take no formal enforcement action when a breach has been identified?

**Question 37.** Who makes the decision to take no formal enforcement action when a breach has been identified?

- Investigating officer
- Individual officer
- Officer plus manager
- Panel manager
- Other

**Question 38.** Who has the delegation to authorise filing of charges for a prosecution at your council?



REGIONAL COUNCILS	<b>Northland Regional Council</b>
	Officer's discretion based on training and experience. All grades assigned are peer reviewed by a Compliance Specialist, including checking if appropriate action has been taken. For incidents, all officers must answer a set of yes/no questions to justify their decision not to take enforcement action. All incidents are also peer reviewed by Compliance Specialist.
	<b>Waikato Regional Council</b>
	Team leaders or managers have the delegated authority to authorise no enforcement action or, again if complex, a panel can be called for this purpose.
	<b>Bay of Plenty Regional Council</b>
	The officer will consider the relevant factors including environmental effect, receiving environment, conduct of the offender, attitude of the offender and deterrence factor as well as considering the most desirable outcome sought. This is discussed with a senior member of the team to weigh up the options and noted on file.
	<b>Hawkes Bay Regional Council</b>
	What's the environmental effect, the seriousness of the incident, were there any unforeseen circumstances like electrical fault or burst pipe, significant weather events, non-compliance history.
	<b>Taranaki Regional Council</b>
	Officer's discretion based on training and experience. Reviewed by compliance manager.
	<b>Horizons Regional Council</b>
	When a complaint/incident is received and a breach of the RMA is found or if a significant non-compliance against a resource consent occurs, then the consents monitoring officer completes an Interim Enforcement Decision Checklist (which is a formal recommendation from the officer). This recommendation can range from no action to a formal investigation.
	<b>Greater Wellington Regional Council</b>
UNITARY AUTHORITIES	In most instances that would be a discussion between the CME officer and a Senior CME officer and/or Team Leader.
	<b>Environment Canterbury</b>
	Specialist technical peer review.
	<b>Otago Regional Council</b>
	All Moderate and Significant Non-compliance audit reports are reviewed by Team Leader Compliance and discussed with the Enforcement Officer, if no formal enforcement action is taken. Pollution incidents where no formal enforcement action is taken are reviewed by Team Leader Investigations.
	<b>West Coast Regional Council</b>
	Recommendation on action report submitted to the manager compliance. Approval given to prepare a staff report for consideration at an EDG meeting. EDG consists of the CE, Group Manager Regulatory and Policy, Manager Compliance, and officer in charge of the case.
	<b>Southland Regional Council</b>
	The file is reviewed by the senior monitoring officer and/or team leader for approval for no further action.
	<b>Auckland Council</b>
	Decision-making matrix to guide decision making.
	<b>Gisborne District Council</b>
	Officer discusses with TL/Enforcement manager, provides summary of actions to date, previous compliance history of person/entity and whether compliance likely to be achieved by education. Public good and whether there are any additional factors/actions by an external agency eg Police, FENZ etc. that is more appropriate. We have an enforcement guide that allows us to determine the level of offending against what is reasonable and fair action to take. This will be reviewed by Team Leader or Manager. If it is of a serious/contentious nature & of public interest, it will be decided by a panel.
	<b>Nelson City Council</b>
	Through verbal discussions and/or a memo discussing the breach and value in pursuing formal enforcement action. If non taken it is usually due to the breach being de minimis in nature/little or no environmental effects or not being in the public interest to pursue.
	<b>Marlborough District Council</b>
	QA per review panel.
	<b>Tasman District Council</b>
	Step process. Investigating officer will complete an enforcement decision making report with recommendations for review and sign off by team leader.
	<b>Table 6:</b> Decision making process to take no formal enforcement action when a breach has been identified

**Question 36.** What is your process for making decisions to take no formal enforcement action when a breach has been identified?

# EDUCATING AND ENGAGING WITH THE REGULATED COMMUNITY

Giving clear direction on what is expected to the regulated community creates a robust approach. This is outlined in the ‘four E approach’. The following section helps us understand the programmes councils have in place.

All councils have education/ engagement projects in place and have done for several years.

16 / 16



HAVE OR SUPPORT  
EDUCATION AND  
ENGAGEMENT PROJECTS

DELIVERY METHODS	TOPICS
<ul style="list-style-type: none"><li>• Field Days sites</li><li>• Workshops/ Education meetings</li><li>• ShedTalk</li><li>• Stakeholder meetings</li><li>• Media/ advertising campaigns</li><li>• Website sections</li><li>• Earthworks Toolbox</li><li>• Hotlines</li><li>• Social media posts</li><li>• Live Q&amp;A</li><li>• Pamphlets/ pocket guides</li><li>• Attendance at forums</li><li>• Audit panels</li><li>• Online training</li><li>• Emails</li><li>• General support</li></ul>	<ul style="list-style-type: none"><li>• Erosion and sediment</li><li>• Farming/ Dairy/ Dairy effluent</li><li>• NES</li><li>• Forestry</li><li>• Winery waste</li><li>• Stormwater</li><li>• Water use</li><li>• Burning</li><li>• Earthworks</li><li>• Fresh water regulations</li><li>• Resource consent</li><li>• Natural resources plan</li><li>• Pollution</li><li>• Good management</li><li>• Fish passage</li><li>• Bore drilling</li><li>• Primary industry leaders</li><li>• Contaminated sites</li><li>• Agri sprays</li><li>• Harvesting</li><li>• Construction</li><li>• Plastic contamination</li><li>• Winter grazing</li><li>• Gold mining</li></ul>

**Question 54.** Does your council have, or support, any education or engagement projects relating to compliance with the RMA or any of its derivative regulation? For example, workshops for earthworks contractors around erosion and sediment controls.  
Yes/ No  
*If yes, briefly describe*

# ACTING ON NON-COMPLIANCE

Evaluating priority areas and challenges in compliance programmes is essential to ensure that the most significant risks are being effectively managed. This section highlights key priorities, the areas requiring the most resources, and how these demands have evolved over time.

This year, a total of 6,585 actions were recorded, a noticeable increase from last year’s 6,255. Abatement notices continue to represent the largest share of formal actions, with their numbers higher than last year.

The category with the highest number of actions is the “Other” section.

**Question 39.** What was the total number of actions taken during the period for:

*Note: This relates to the instruments issued in relation to the different sections of the Act (listed once for brevity)*

- Section 9 Use of land
- Section 12 Coastal marine area
- Section 13 Beds of lakes and rivers
- Section 14 Water
- Section 15 Discharges of contaminants
- Section 17 Duty to avoid, remedy & mitigate
- Other breach e.g. Section 22

Formal warnings issued

Abatement notices issued





Infringement notices issued

Enforcement orders applied for

*Note: Previously we have summed to give totals, this allows a more accurate figure where responses fall into more than one category.*



NATIONWIDE: ENFORCEMENT ACTIONS AND SECTIONS BREACHED

					
	FORMAL WARNINGS	ABATEMENT NOTICES	INFRINGEMENT NOTICES	ENFORCEMENT ORDERS	TOTAL ACTIONS
	396	4,071	2,022	13	6,541
SECTION 9 Use of land	246	198	279	12	604
SECTION 12 Coastal marine area	4	22	10	0	36
SECTION 13 Beds of lakes and rivers	7	54	42	3	95
SECTION 14 Water	28	86	52	2	165
SECTION 15 Discharges of contaminants	222	763	971	37	1,965
SECTION 17 Duty to avoid, remedy & mitigate	1	1	7	4	12
OTHER e.g. Section 22	30	3,009*	668	319	3,982

\*Auckland Council were unable to break down 2,942 abatement notices, these are classified under other

Table 7: Total use of formal instruments against relevant section of the Act (i.e., group of possible offences).

TOTAL USE OF FORMAL INSTRUMENTS (EXCLUDING PROSECUTION)

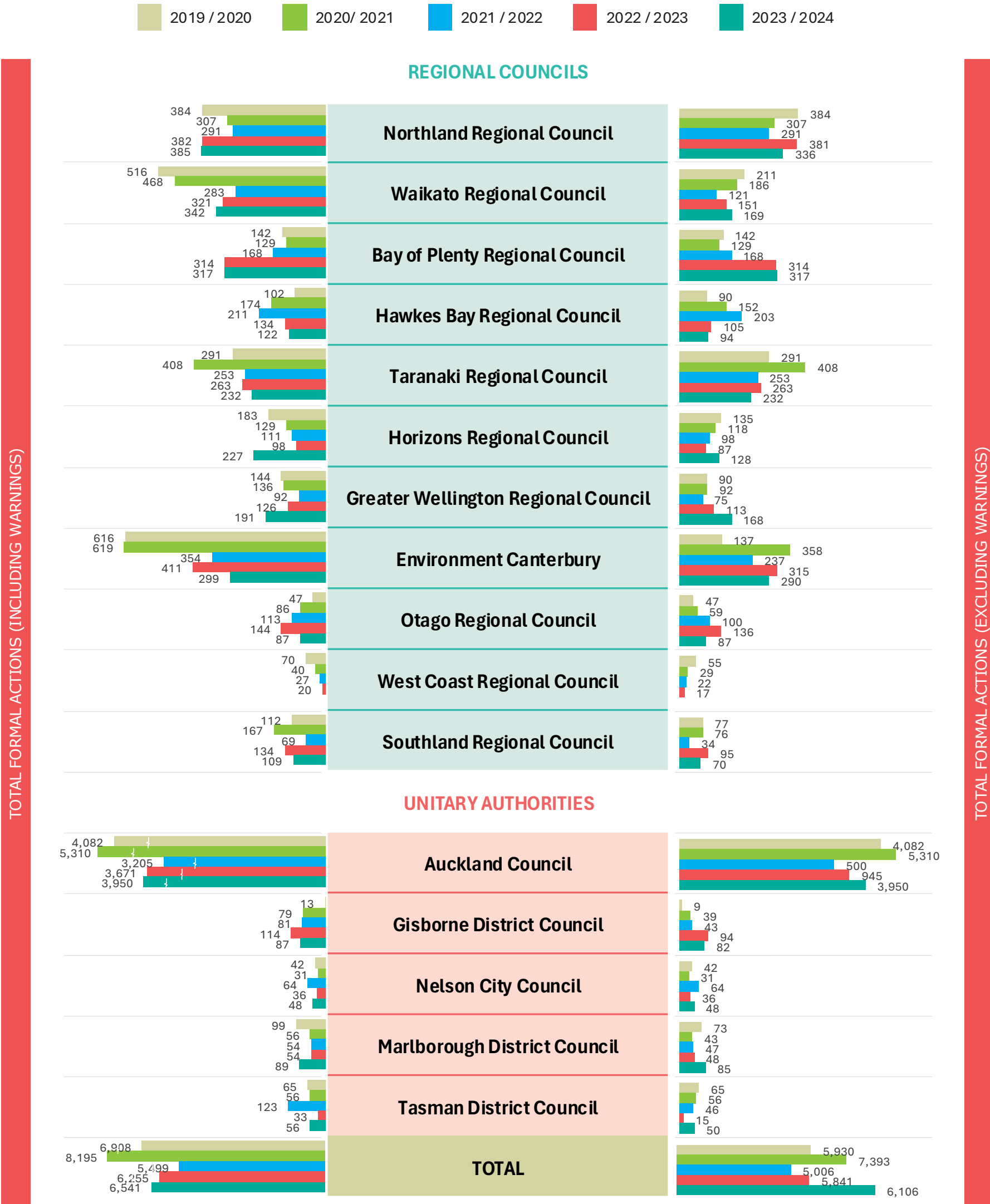


Figure 15: Total use of formal instruments (excluding prosecution)

TOTAL FORMAL WARNINGS AND ABATEMENT NOTICES

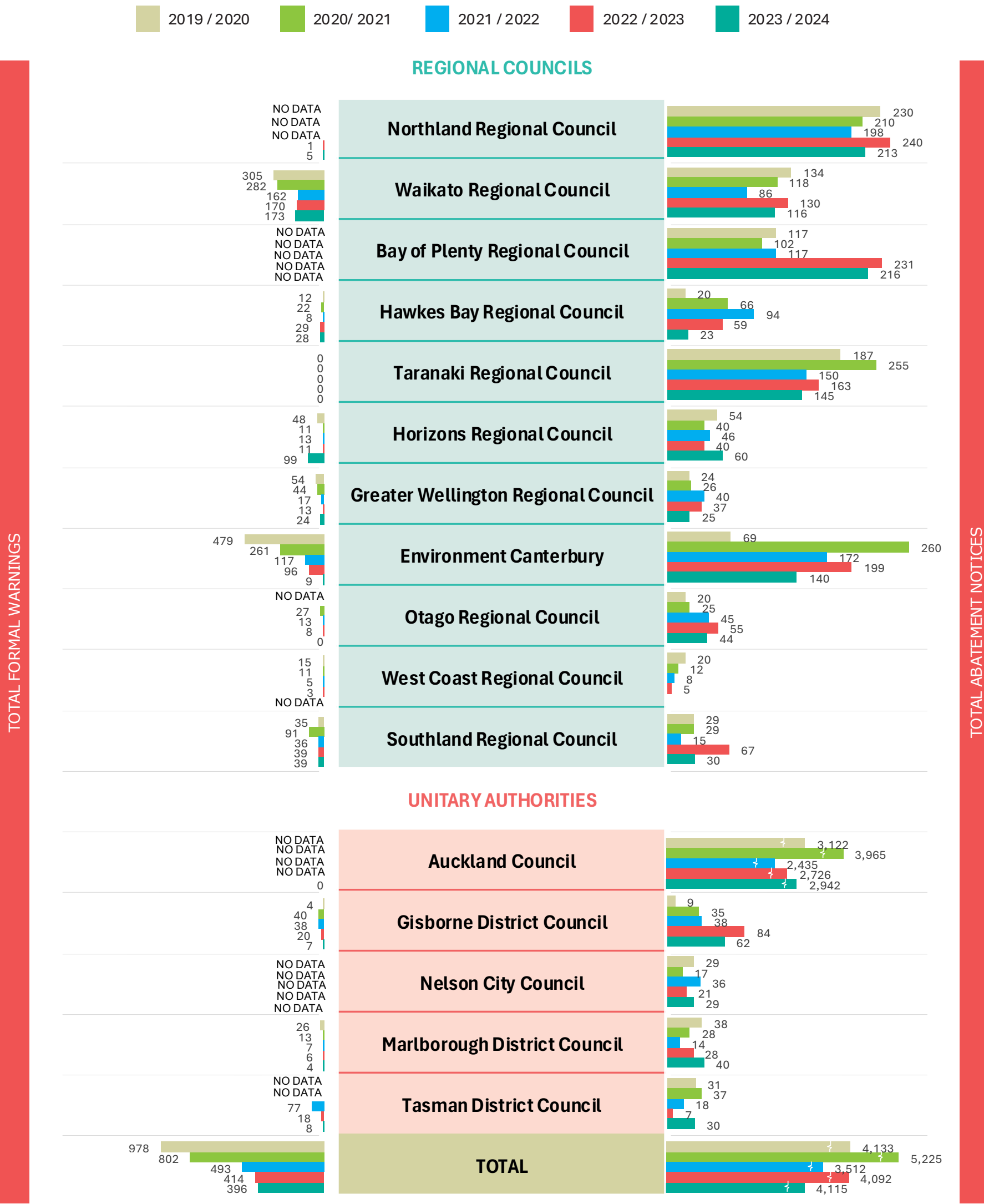


Figure 16: Total formal warnings and abatement notices

TOTAL INFRINGEMENT NOTICES AND ENFORCEMENT ORDERS

2019 / 2020 2020/ 2021 2021 / 2022 2022 / 2023 2023 / 2024

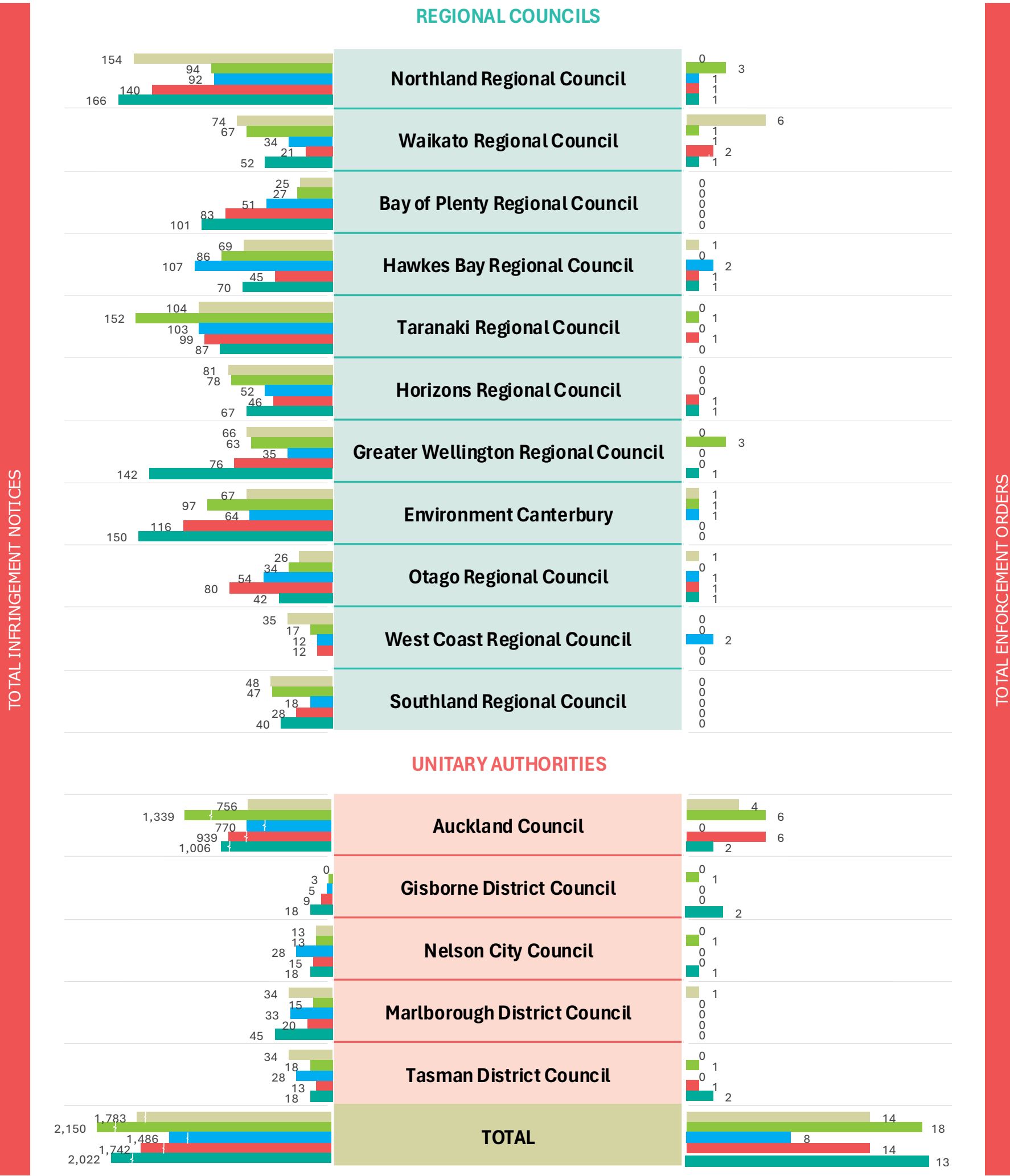
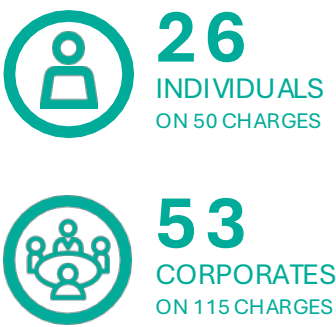


Figure 17: Total infringement notices and enforcement orders





PROSECUTIONS

The following questions cover prosecutions, defendants, and convictions. When used appropriately, these actions help promote compliance and discourage offenders through deterrence.

The frequency of legal proceedings indicates an agency’s willingness to apply more stringent measures. In instances where councils are less likely to take legal action, there may be a perception that violations will have fewer consequences.

This year, the total number of cases (both ongoing and concluded) was slightly higher than last year, reaching 146.

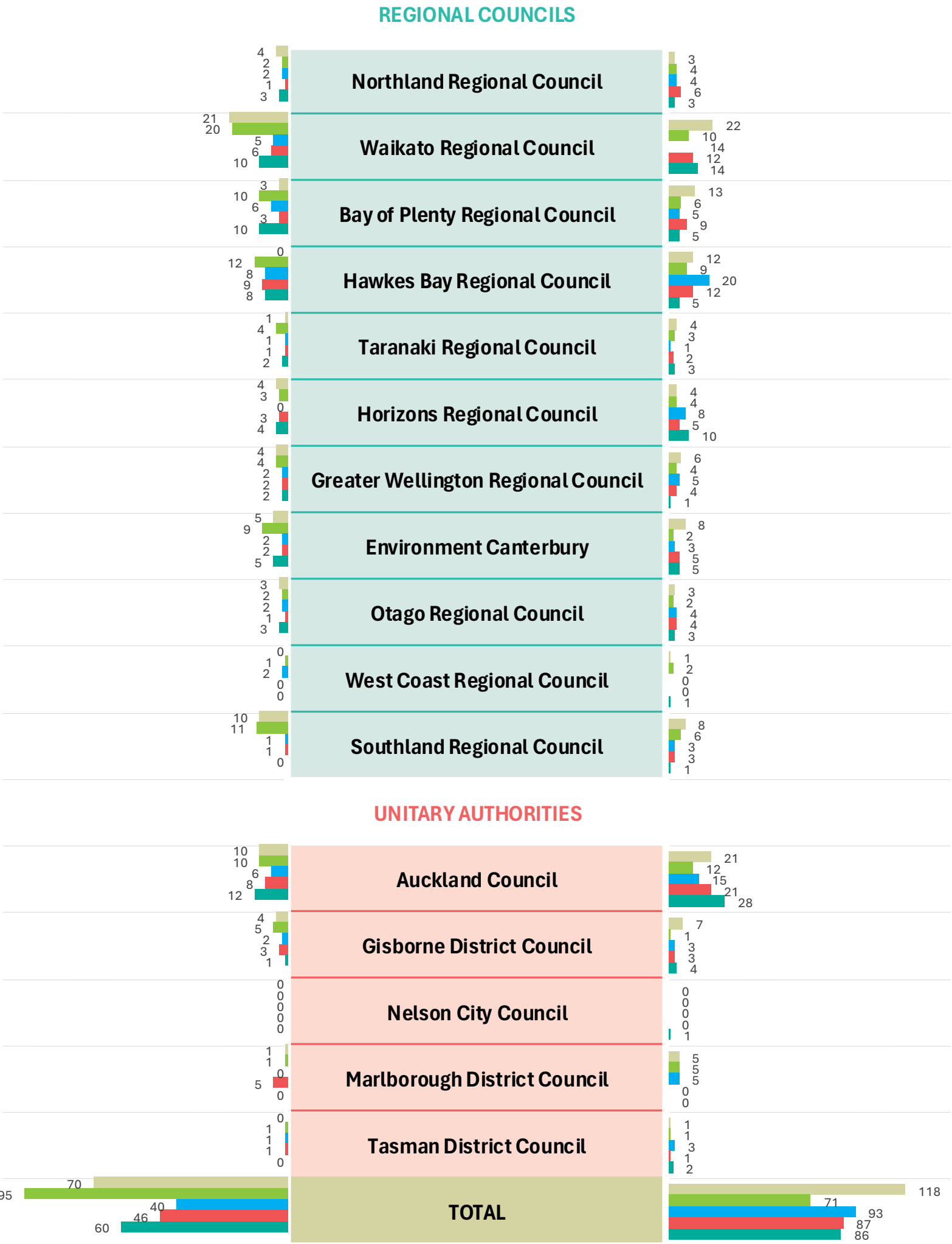
- Question 42.** How many RMA prosecutions were:  
*Note: For this question please consider an entire case (regardless of number of charges and defendants) as one prosecution.*  
Concluded in the period? Still  
in progress in the period?
- Question 43.** What is the total number of individual (person) defendants convicted as a result of RMA prosecutions concluded in this period?
- Question 44.** For all of these (person) defendants what is the total number of convictions entered against them? For example, there may be a total of 27 separate convictions entered against a total of nine ‘individual’ defendants.
- Question 45.** What is the total number of corporate (e.g. Crown, company, body corporate etc.) defendants convicted as a result of RMA prosecutions concluded in this period?
- Question 46.** For all of these (corporate) defendants what is the total number of convictions entered against them? For example, there may be a total of 30 separate convictions entered against a total of 12 corporate defendants.
- Question 47.** Total number of convictions against an individual [see categories for sections of the Act as above] Total fine potential (Total x \$300,000)
- Total number of convictions against a corporate entity [see categories for sections of the Act as above] Total fine potential (Total x \$600,000)

NATIONWIDE PROSECUTIONS ACROSS THE REGIONAL SECTOR

2019 / 2020 2020/ 2021 2021 / 2022 2022 / 2023 2023 / 2024

NUMBER CONCLUDED

NUMBER IN PROGRESS



INDIVIDUALS CONVICTED ACROSS THE REGIONAL SECTOR

2019 / 2020 2020/ 2021 2021 / 2022 2022 / 2023 2023 / 2024

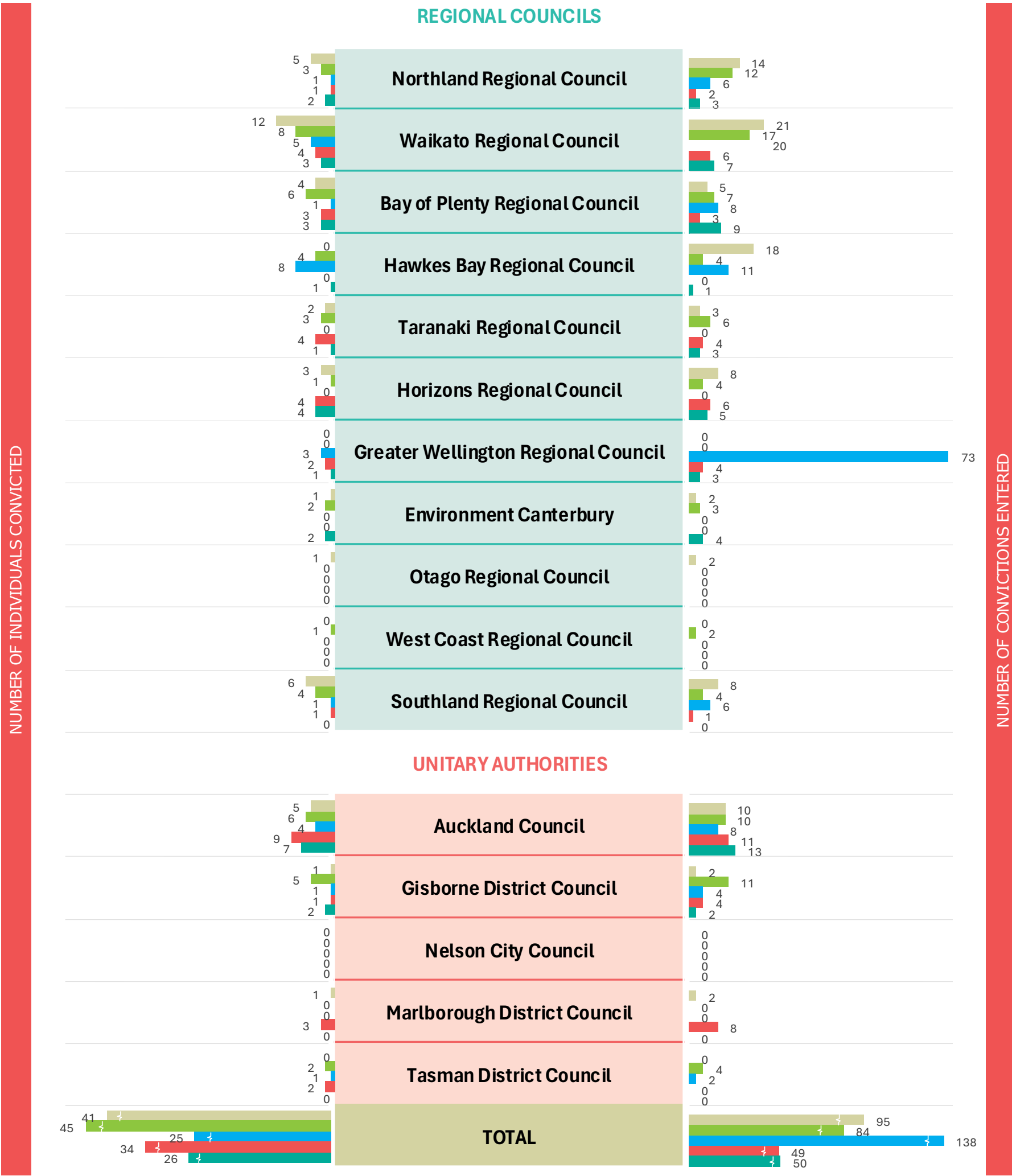


Figure 19: Individuals convicted across the regional sector

CORPORATES CONVICTED ACROSS THE REGIONAL SECTOR

2019 / 2020 2020/ 2021 2021 / 2022 2022 / 2023 2023 / 2024

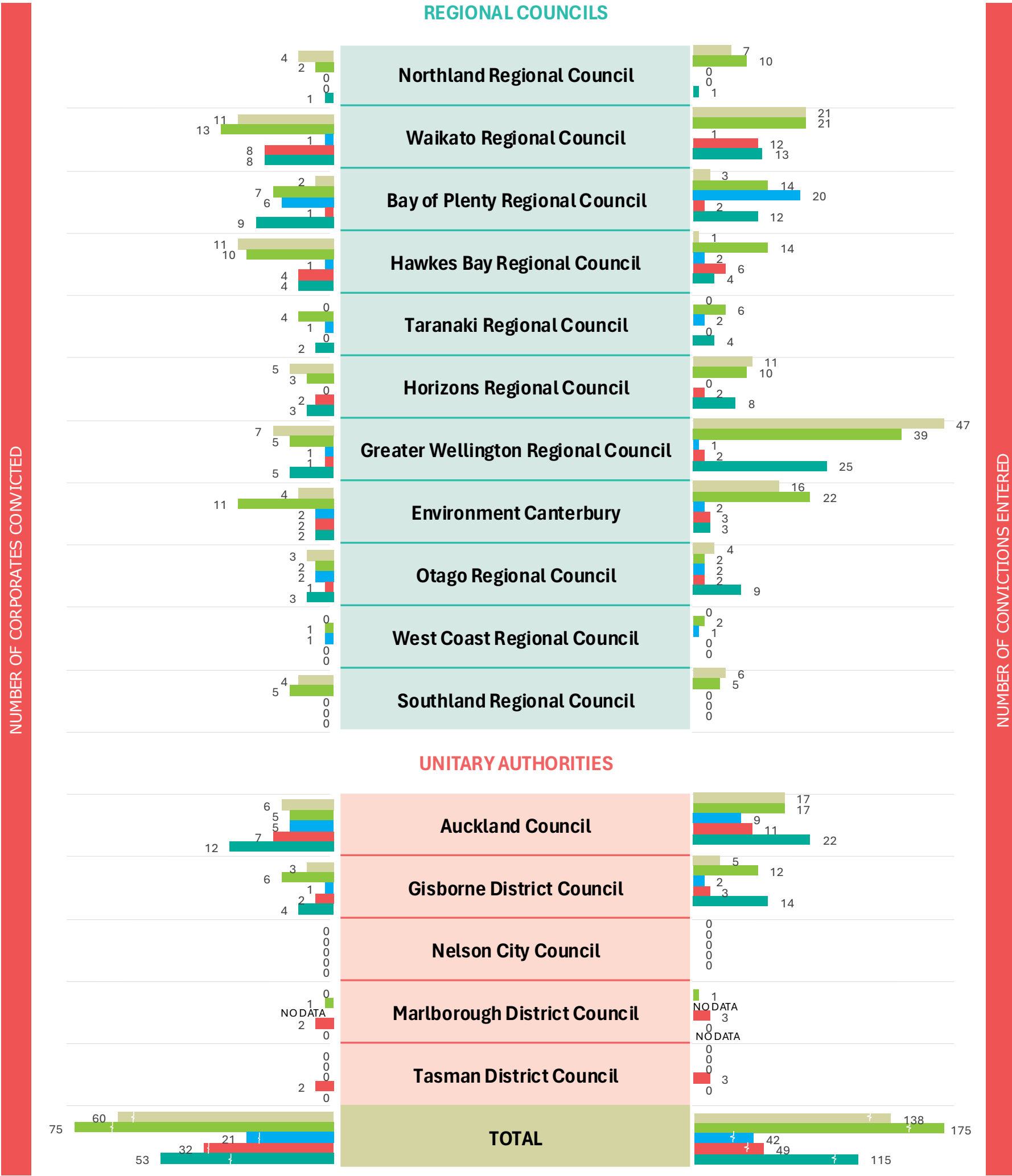


Figure 20: Corporates convicted across the regional sector





This year there was a lower number of individual and higher number of corporates convicted, meaning corporate fines were higher than last year

	INDIVIDUAL FINES	CORPORATE FINES
REGIONAL COUNCILS		
NORTHLAND REGIONAL COUNCIL	\$33,250	\$52,500
WAIKATO REGIONAL COUNCIL	\$211,500	\$686,750
BAY OF PLENTY REGIONAL COUNCIL	\$54,000	\$388,250
HAWKES BAY REGIONAL COUNCIL	\$0	\$43,000
TARANAKI REGIONAL COUNCIL	\$42,000	\$28,000
HORIZONS REGIONAL COUNCIL	\$60,250	\$172,250
GREATER WELLINGTON REGIONAL COUNCIL	\$0	\$158,875
ENVIRONMENT CANTERBURY	\$10,500	\$49,250
OTAGO REGIONAL COUNCIL	\$0	\$181,600
WEST COAST REGIONAL COUNCIL	\$0	\$0
SOUTHLAND REGIONAL COUNCIL	\$0	\$0
REGIONAL SUBTOTAL	\$411,500	\$1,760,475
UNITARY AUTHORITIES		
AUCKLAND COUNCIL	\$241,425	\$341,175
GISBORNE DISTRICT COUNCIL	\$0	\$20,000
NELSON CITY COUNCIL	\$0	\$0
MARLBOROUGH DISTRICT COUNCIL	\$0	\$0
TASMAN DISTRICT COUNCIL	\$0	\$0
UNITARY SUBTOTAL	\$241,425	\$361,175
TOTAL	\$652,925	\$2,121,650

Table 9: Prosecution outcomes: fines

**Question 48.** What is the total amount of fines imposed by the courts as a result of RMA prosecutions concluded in this period?

- Individual fines
- Corporate fines

PENALTIES

	NUMBER OF COUNCILS
PRISON SENTENCE	0
ENFORCEMENT ORDER	5
REPARATION	1
COMMUNITY SERVICE	5
RESTORATIVE JUSTICE	2
DIVERSION	3
ALTERNATIVE JUSTICE	1
DISCHARGE WITHOUT CONVICTION	4

Table 8: Other sanctions imposed as a result of RMA prosecutions

**Question 49.** What other sanctions, if any, have been imposed by the courts as a result of RMA prosecutions concluded in this period? Prison sentence / Enforcement order / Reparation / Community Service / Discharge without conviction / Other.

**Question 50.** How many prosecutions involved restorative justice, diversion or other alternative justice process?

- Restorative justice
- Diversion
- Alternative justice

**Question 51.** Describe any outcomes relating to these processes.

PROSECUTIONS INVOLVING OTHER SANCTIONS IMPOSED BY COURTS

	PRISON SENTENCE	ENFORCE- MENT ORDER	REPARATION	COMMUNITY SERVICE	DISCHARGE WITHOUT CONVICTION
REGIONAL COUNCILS					
NORTHLAND REGIONAL COUNCIL					1
WAIKATO REGIONAL COUNCIL		1			
BAY OF PLENTY REGIONAL COUNCIL				150	
HAWKES BAY REGIONAL COUNCIL		1		1	1
TARANAKI REGIONAL COUNCIL					
HORIZONS REGIONAL COUNCIL		2	1	80	2
GREATER WELLINGTON REGIONAL COUNCIL					
ENVIRONMENT CANTERBURY				55	3
OTAGO REGIONAL COUNCIL		1			
WEST COAST REGIONAL COUNCIL					
SOUTHLAND REGIONAL COUNCIL					
REGIONAL SUBTOTAL		5	1	286	7
UNITARY AUTHORITIES					
AUCKLAND COUNCIL					
GISBORNE DISTRICT COUNCIL				50	
NELSON CITY COUNCIL					
MARLBOROUGH DISTRICT COUNCIL					
TASMAN DISTRICT COUNCIL		2			
UNITARY SUBTOTAL		2		50	
TOTAL		7	1	336	7

Table 10: Prosecutions involving other sanctions imposed by courts

Question 48. What other sanctions, if any, have been imposed by the courts as a result of RMA prosecutions concluded in this period?

PROSECUTIONS INVOLVING RESTORATIVE JUSTICE, DIVERSION OR OTHER ALTERNATIVE JUSTICE

	RESTORATIVE JUSTICE	DIVERSION	ALTERNATIVE JUSTICE
REGIONAL COUNCILS			
NORTHLAND REGIONAL COUNCIL			
WAIKATO REGIONAL COUNCIL			
BAY OF PLENTY REGIONAL COUNCIL			
HAWKES BAY REGIONAL COUNCIL	1	2	1
TARANAKI REGIONAL COUNCIL			
HORIZONS REGIONAL COUNCIL		1	
GREATER WELLINGTON REGIONAL COUNCIL			
ENVIRONMENT CANTERBURY			
OTAGO REGIONAL COUNCIL	1	1	
WEST COAST REGIONAL COUNCIL			
SOUTHLAND REGIONAL COUNCIL			
REGIONAL SUBTOTAL	2	4	1
UNITARY AUTHORITIES			
AUCKLAND COUNCIL			
GISBORNE DISTRICT COUNCIL			
NELSON CITY COUNCIL			
MARLBOROUGH DISTRICT COUNCIL			
TASMAN DISTRICT COUNCIL			
UNITARY SUBTOTAL	0	0	0
TOTAL	2	4	1

Table 11: Prosecutions involving restorative justice, diversion or other alternative justice

Question 50. How many prosecutions involved restorative justice, diversion or other alternative justice process?



# CME REPORTING

Most councils use a variety of methods to report on CME functions, including annual reports, briefings to councillors, and presentations at council committee meetings. To promote transparency, councils also make information publicly accessible by publishing it in annual reports and opening committee meetings to the public. Notably, the majority of councils use three or more reporting channels to provide thorough and comprehensive coverage.

## CME REPORTING CHANNELS

	ANNUAL REPORT	REPORT TO COUNCILLORS	SNAPSHOT	REPORT TO COUNCIL COMMITTEE MEETINGS OPEN TO PUBLIC	OTHER	TOTAL REPORTING CHANNELS
REGIONAL COUNCILS						
NORTHLAND REGIONAL COUNCIL	✓	✓		✓	✓	4
WAIKATO REGIONAL COUNCIL		✓	✓			2
BAY OF PLENTY REGIONAL COUNCIL	✓	✓	✓	✓		4
HAWKES BAY REGIONAL COUNCIL	✓	✓	✓	✓		4
TARANAKI REGIONAL COUNCIL	✓	✓		✓	✓	4
HORIZONS REGIONAL COUNCIL		✓		✓		2
GREATER WELLINGTON REGIONAL COUNCIL		✓		✓		2
ENVIRONMENT CANTERBURY	✓	✓	✓	✓	✓	5
OTAGO REGIONAL COUNCIL	✓	✓		✓		3
WEST COAST REGIONAL COUNCIL	✓			✓		2
SOUTHLAND REGIONAL COUNCIL	✓	✓		✓	✓	4
UNITARY AUTHORITIES						
AUCKLAND COUNCIL		✓		✓	✓	3
GISBORNE DISTRICT COUNCIL	✓	✓			✓	3
NELSON CITY COUNCIL	✓	✓		✓		3
MARLBOROUGH DISTRICT COUNCIL	✓	✓	✓	✓		4
TASMAN DISTRICT COUNCIL	✓			✓		2

Table 12: CME reporting channels

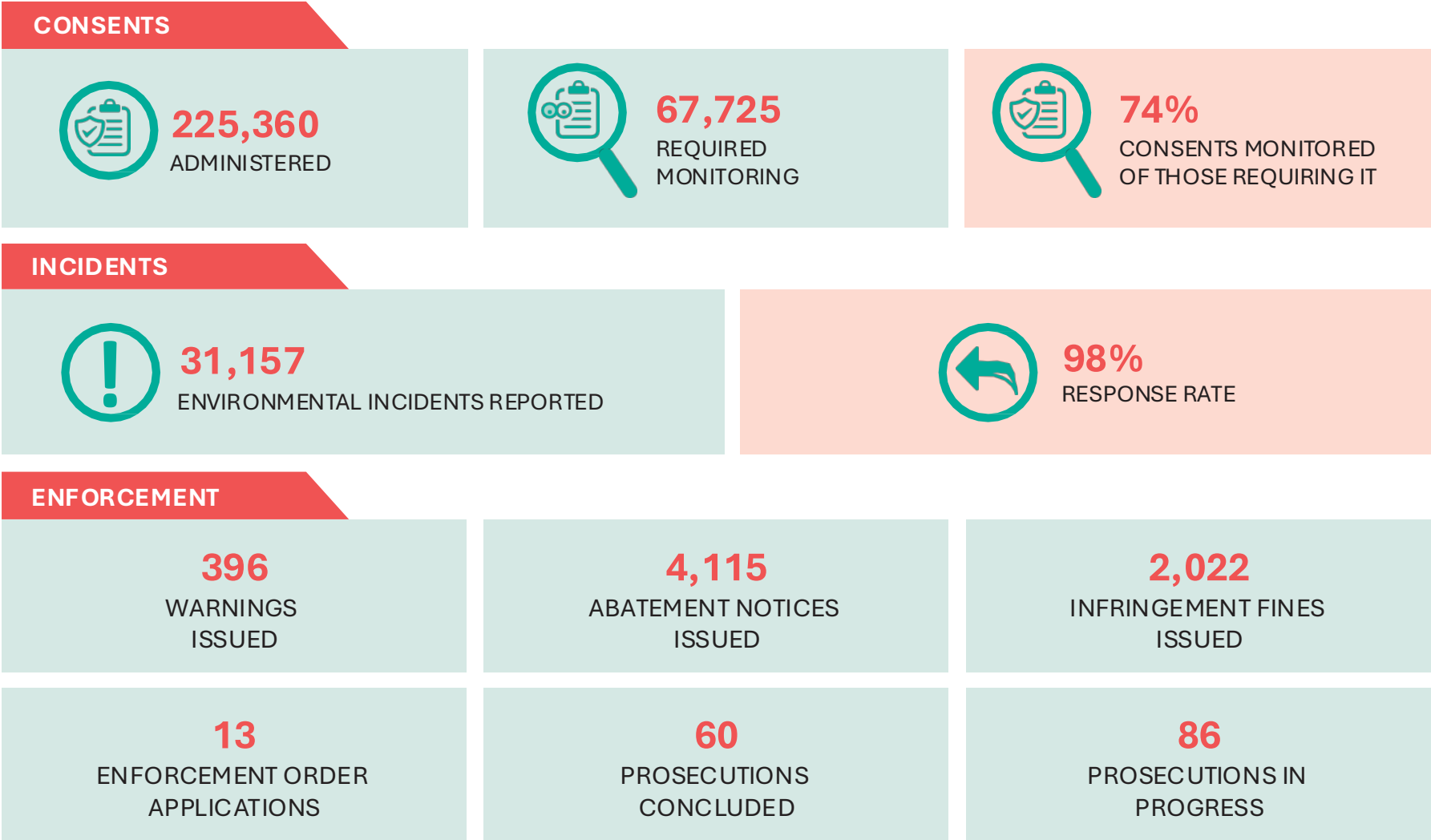
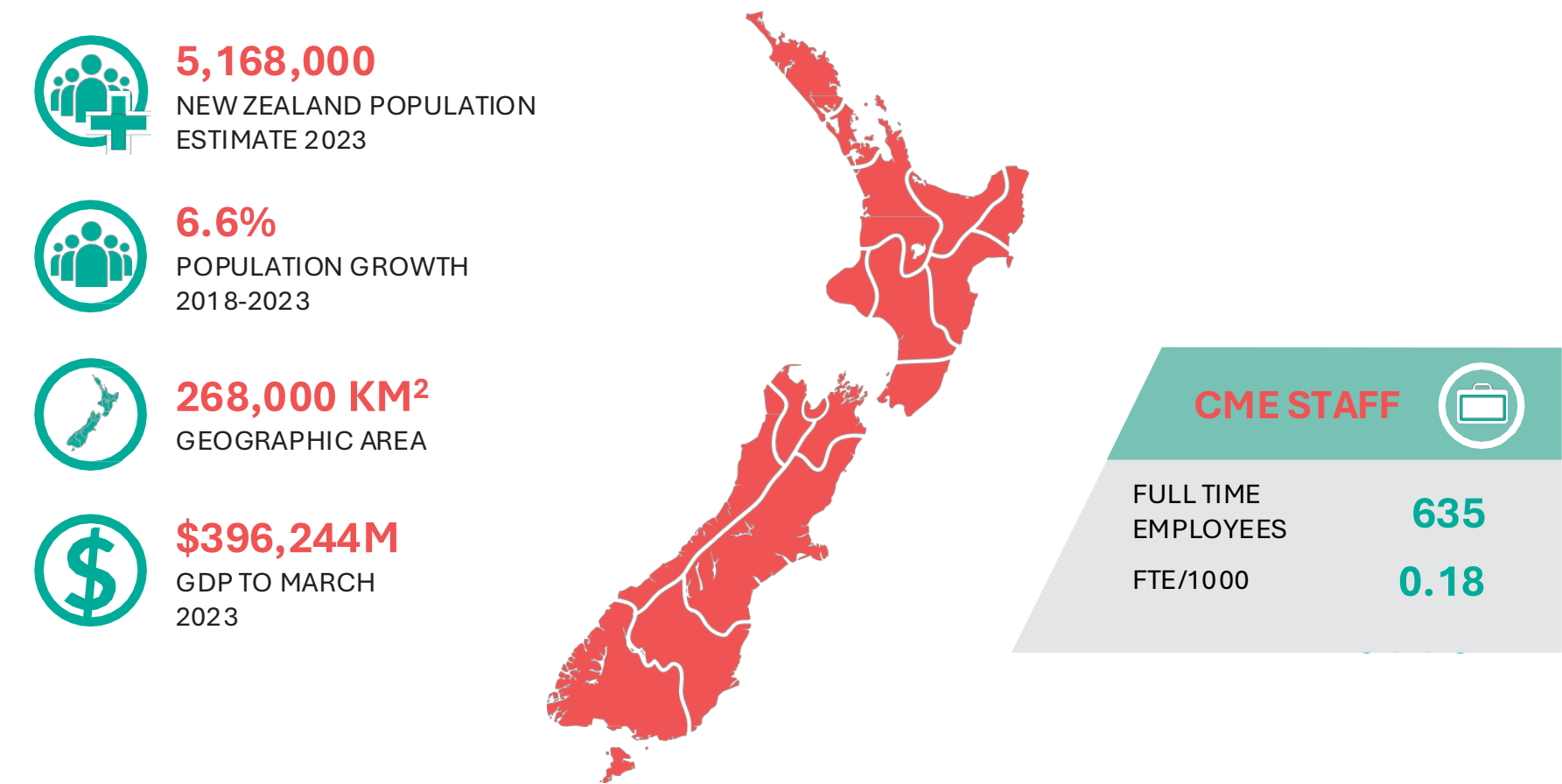
REGIONAL SCORECARDS

PART 3

The following pages are summaries of the key data for the regional and unitary councils on an individual basis. They enable councils to quickly and easily communicate the findings of the national scale analysis as it applies to them, and to use these figures as a basis for regional scale performance improvement. All pages contain identical categories of information, all of which is based on tables found elsewhere throughout the report.

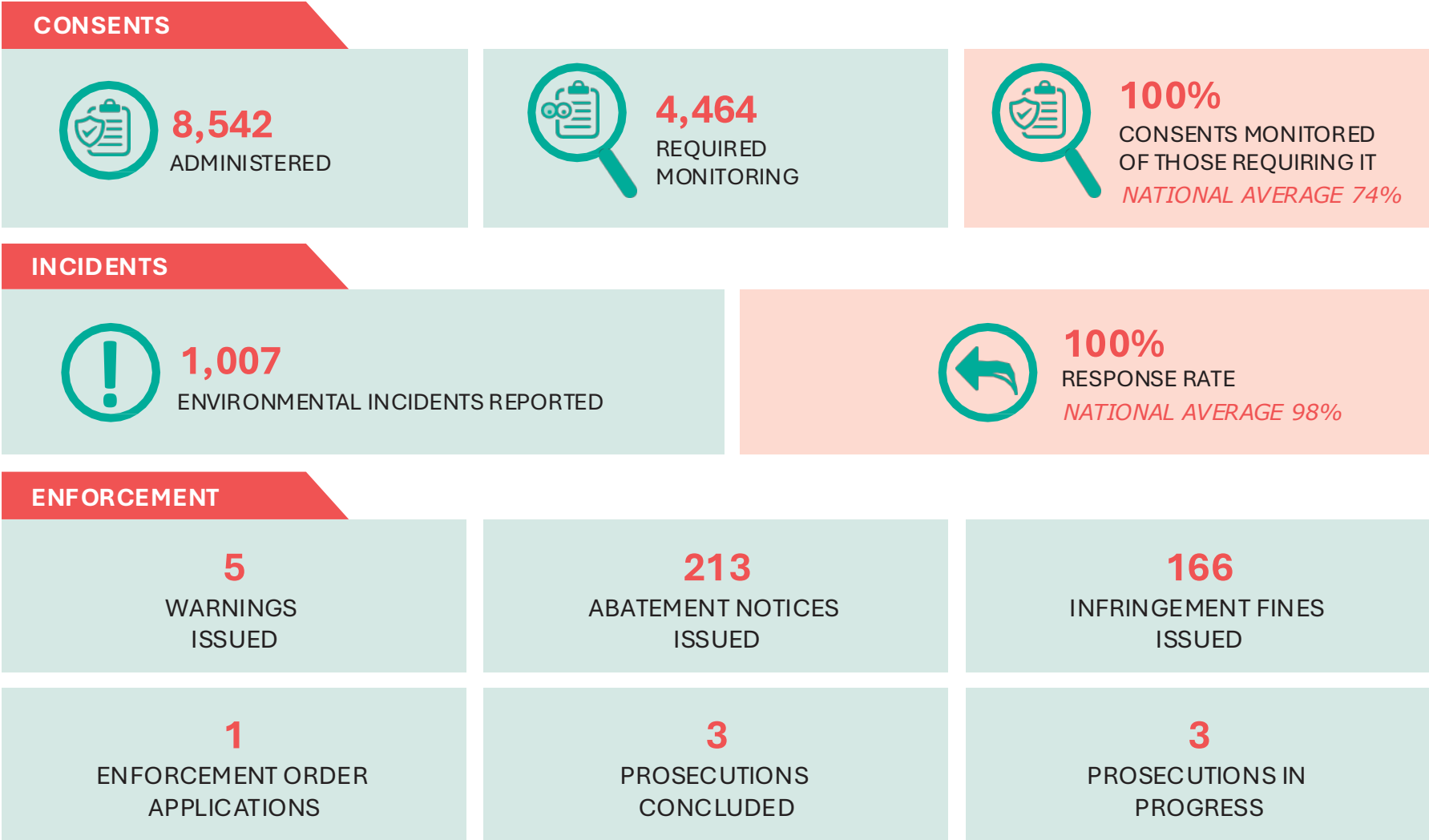
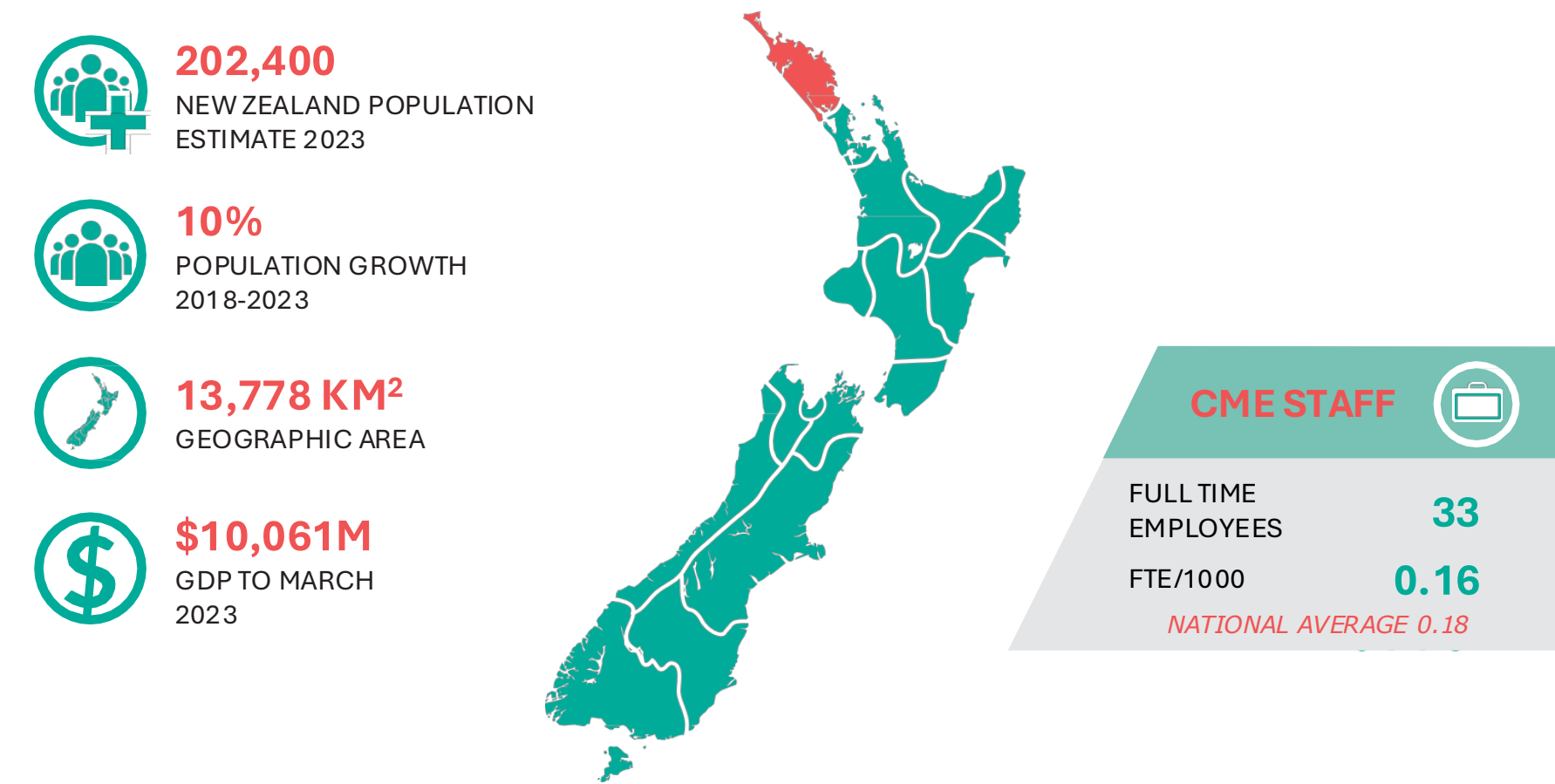
CME METRICS REPORT 2023/2024

NATIONAL SUMMARY



CME METRICS REPORT 2023/2024

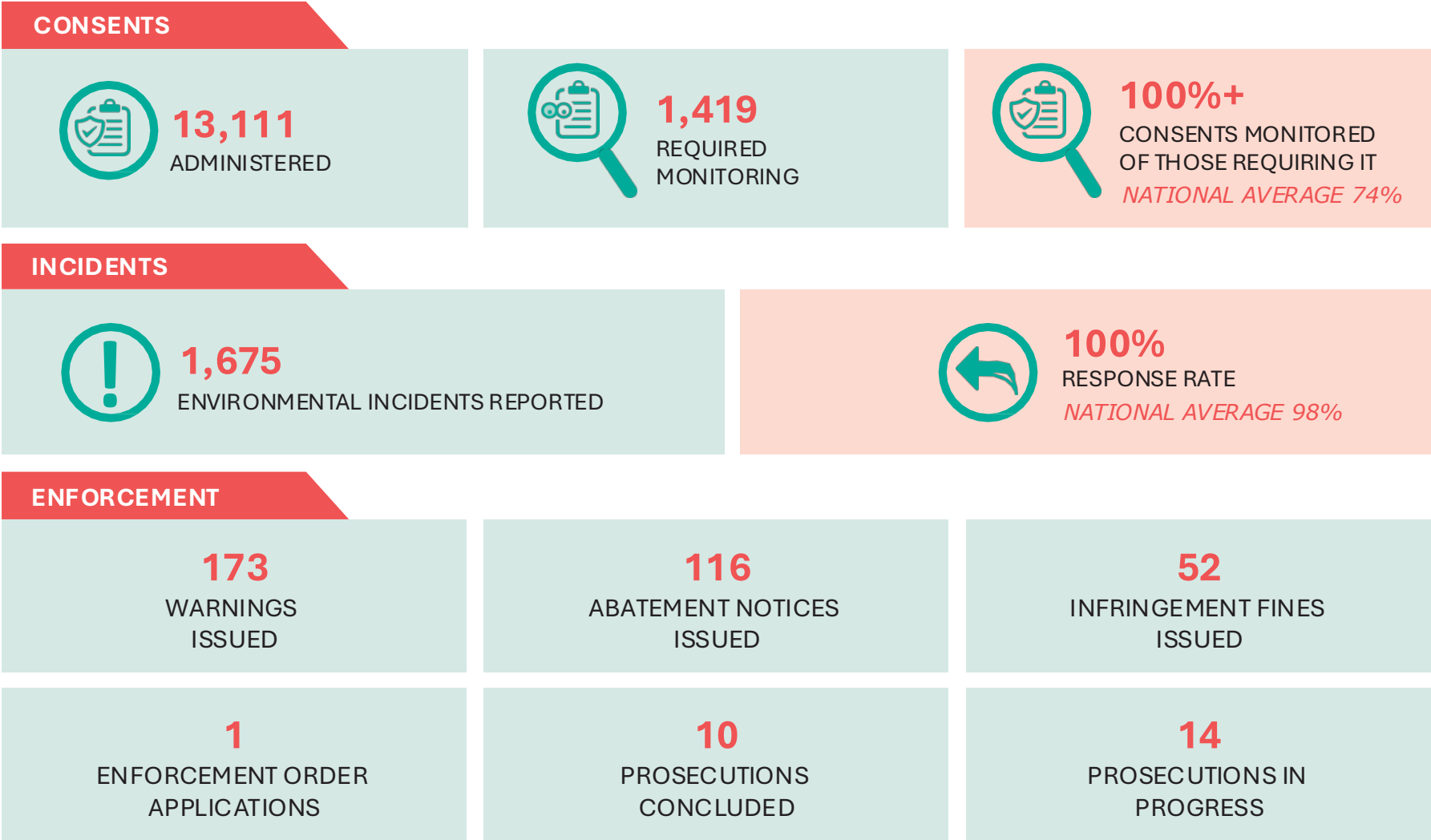
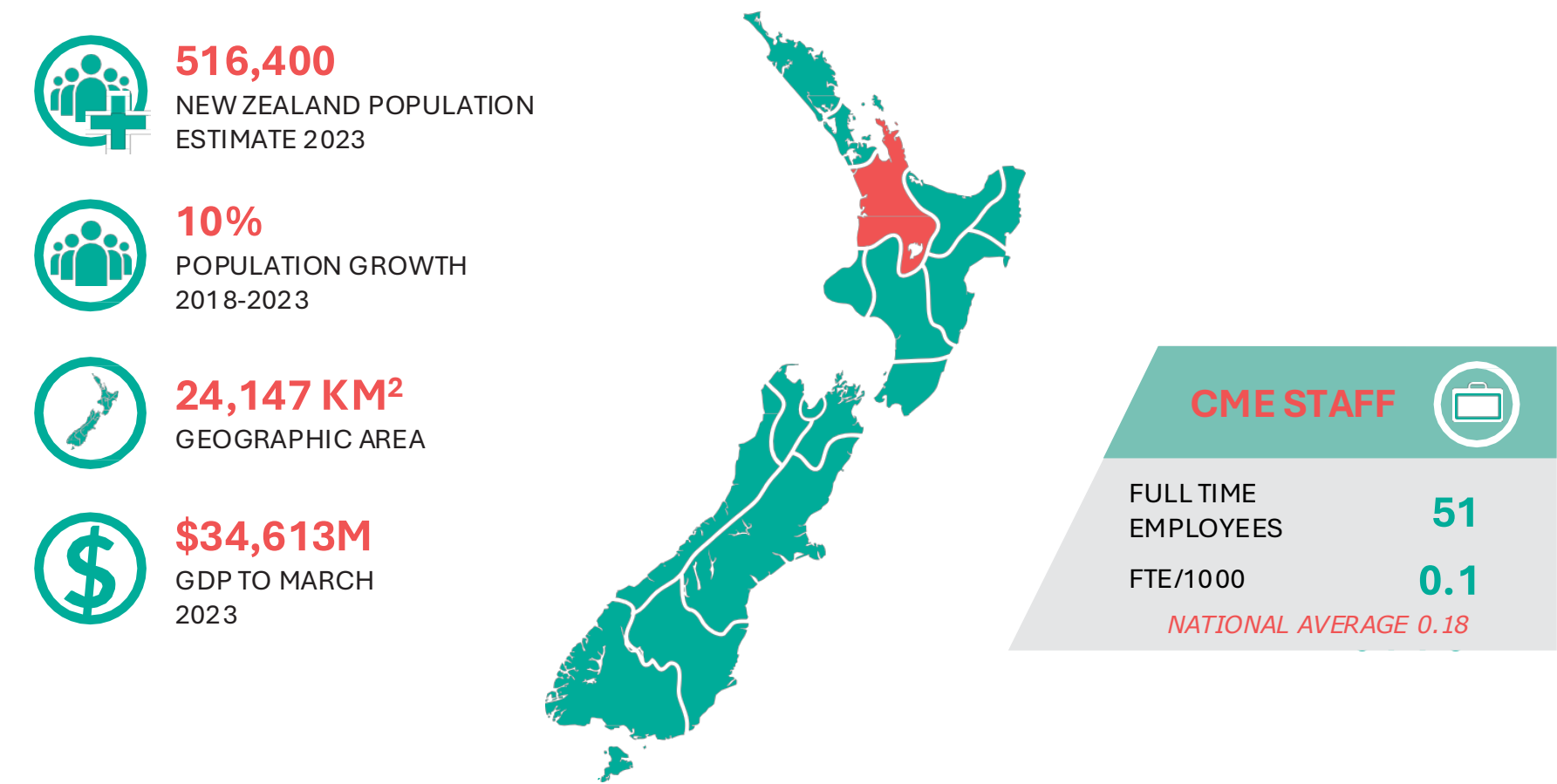
NORTHLAND REGIONAL COUNCIL





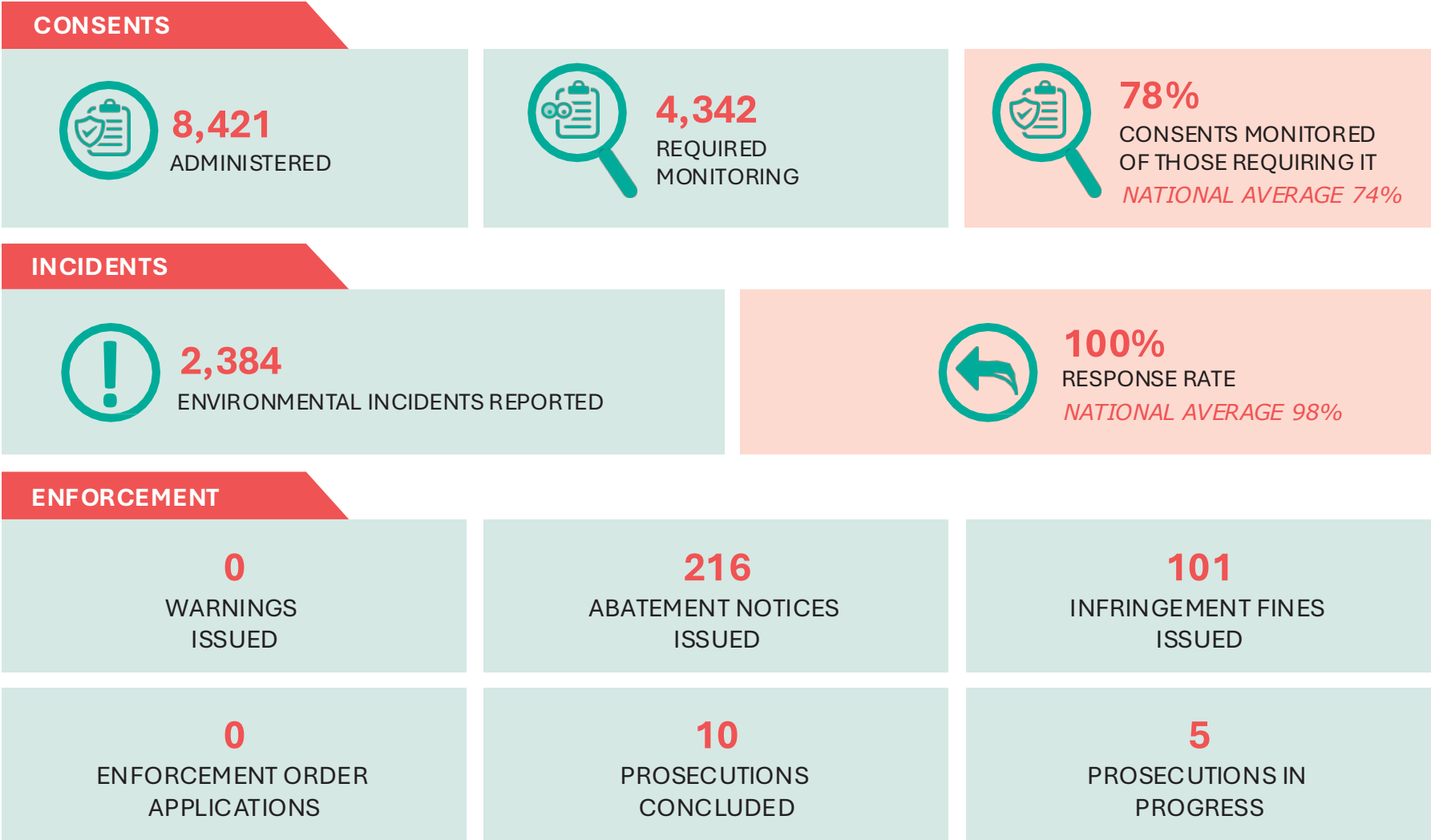
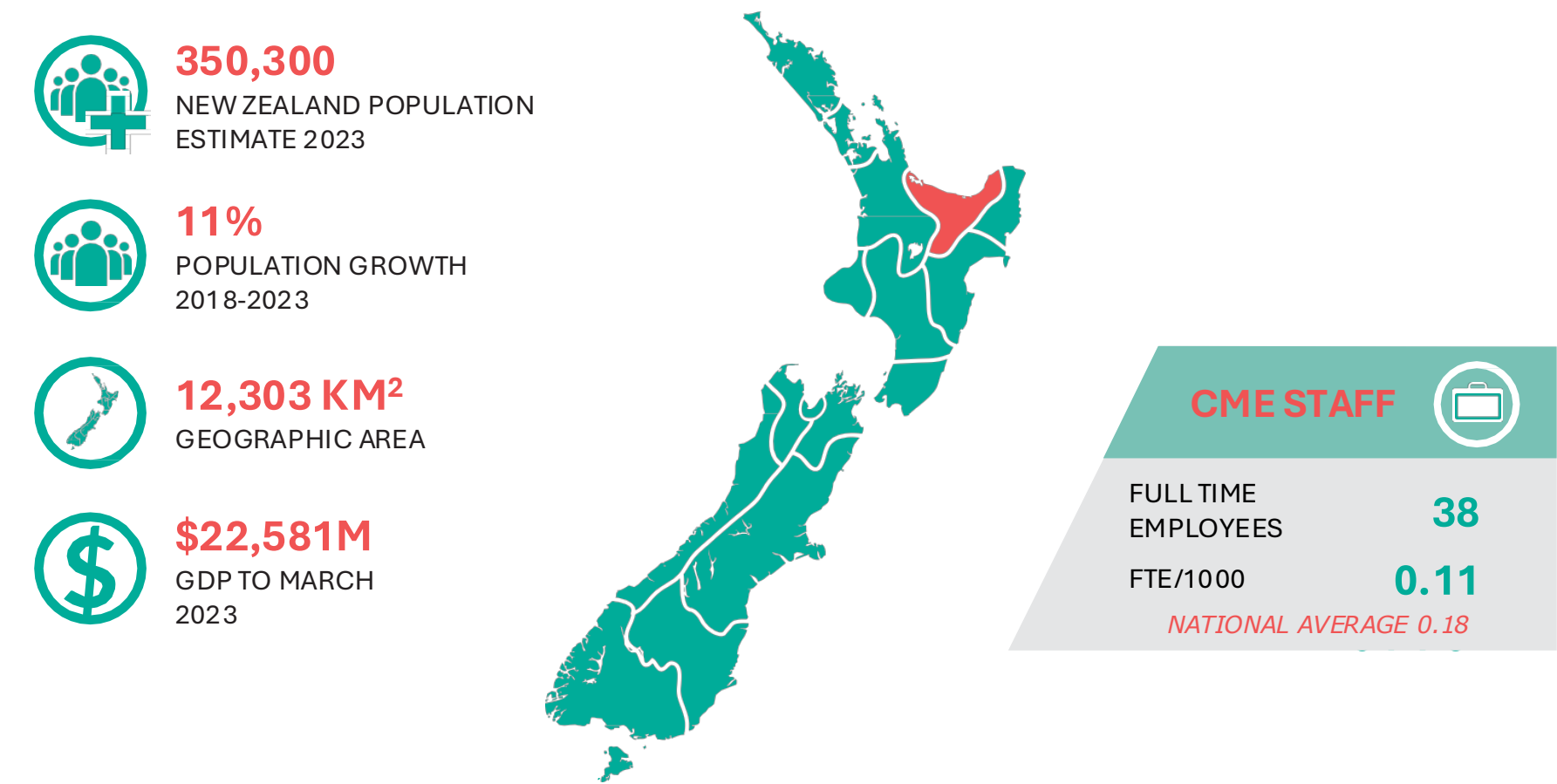
CME METRICS REPORT 2023/2024

WAIKATO REGIONAL COUNCIL



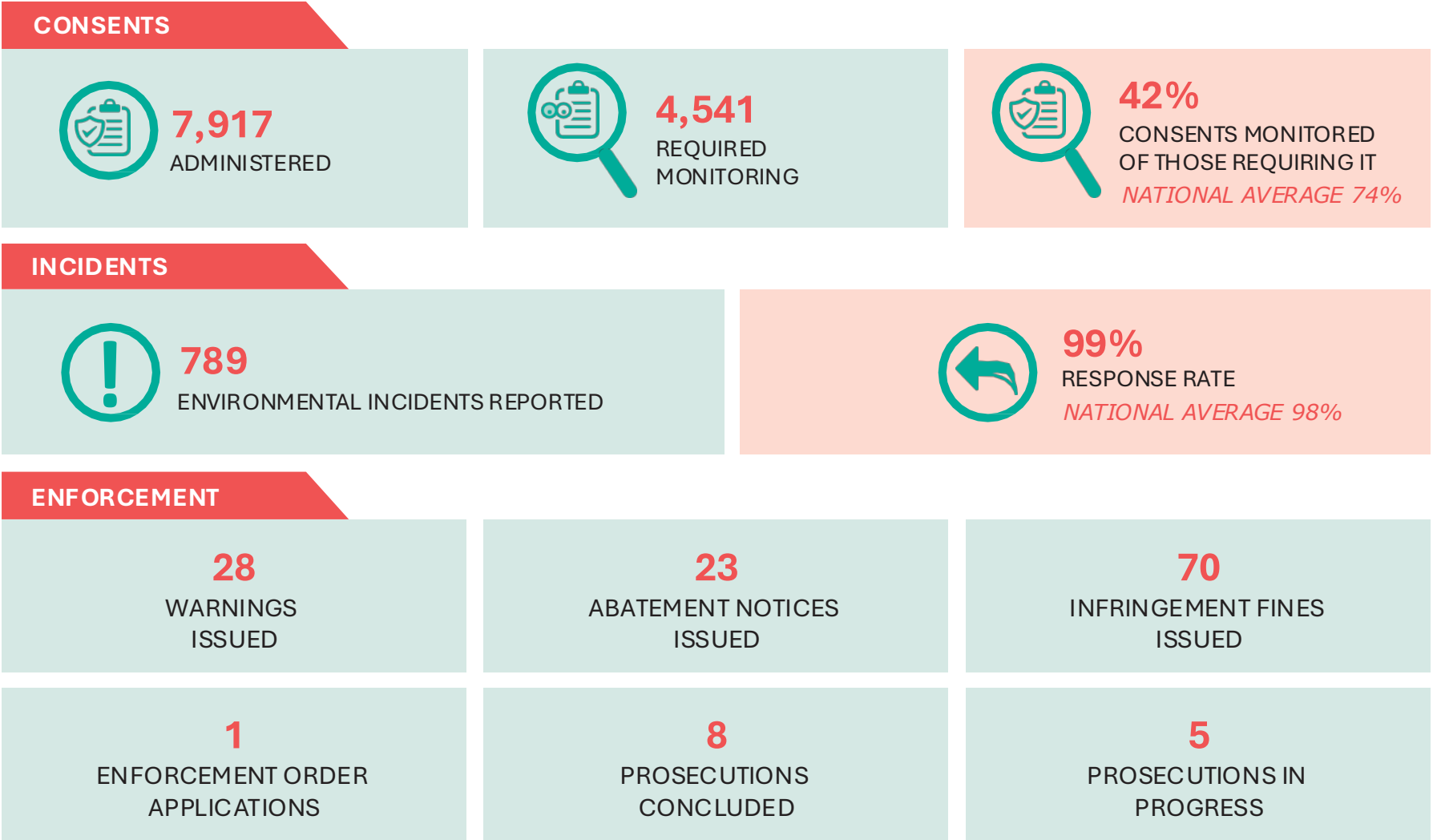
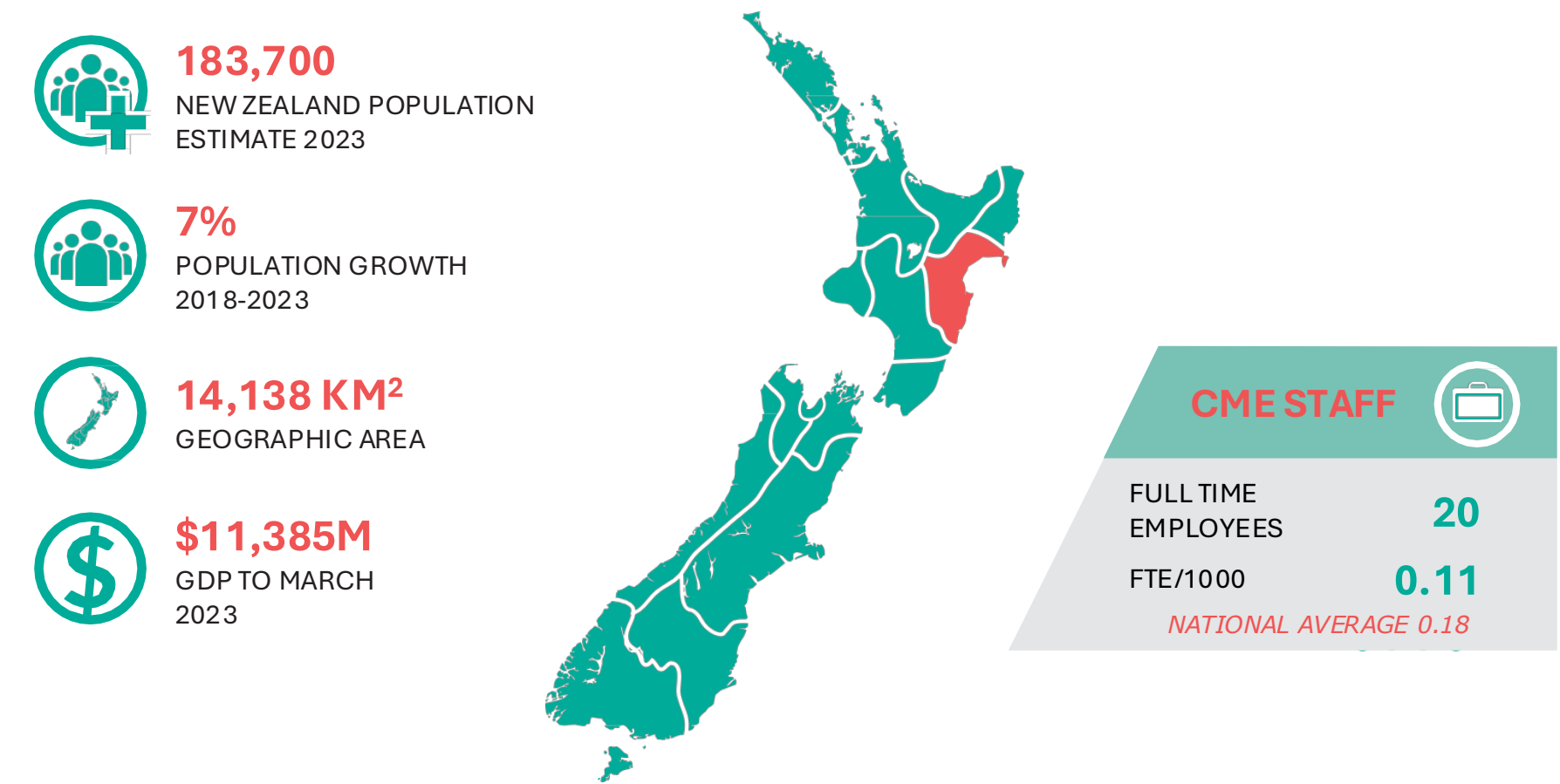
CME METRICS REPORT 2023/2024

BAY OF PLENTY REGIONAL COUNCIL



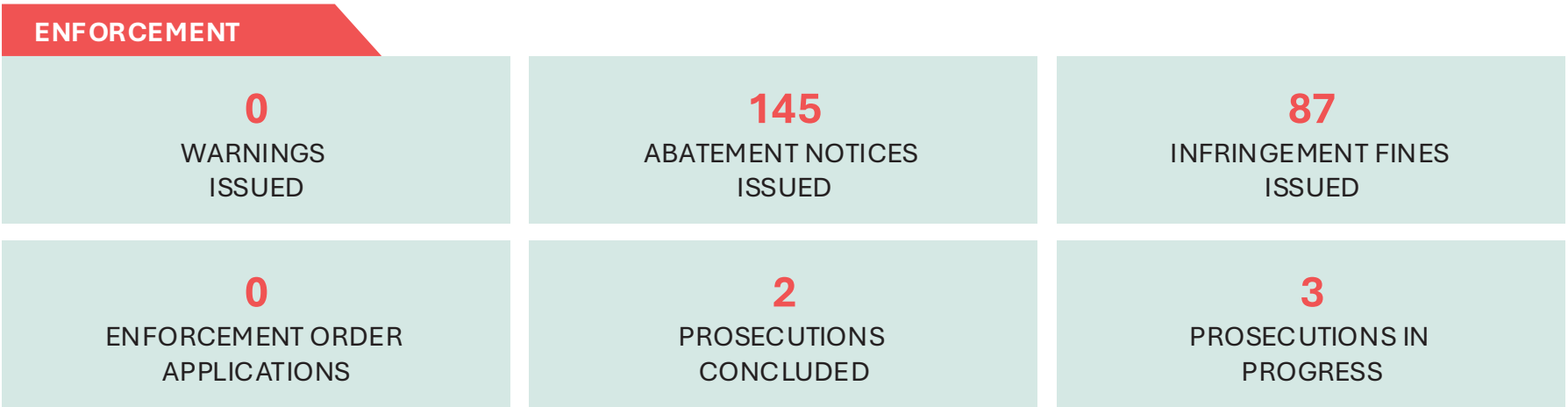
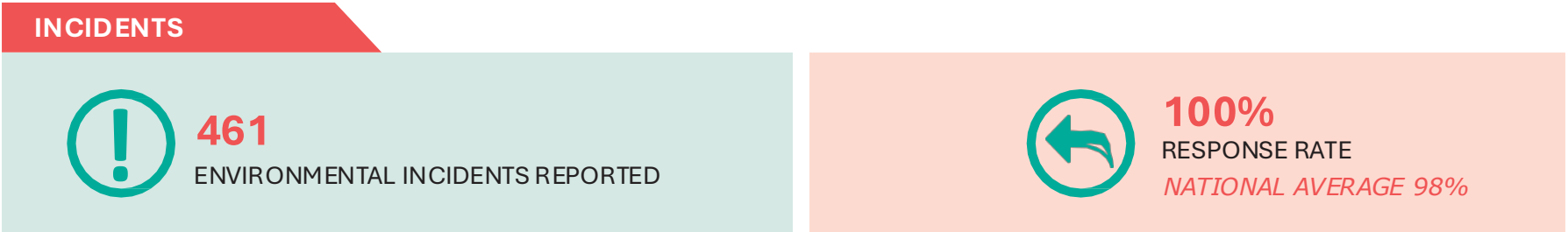
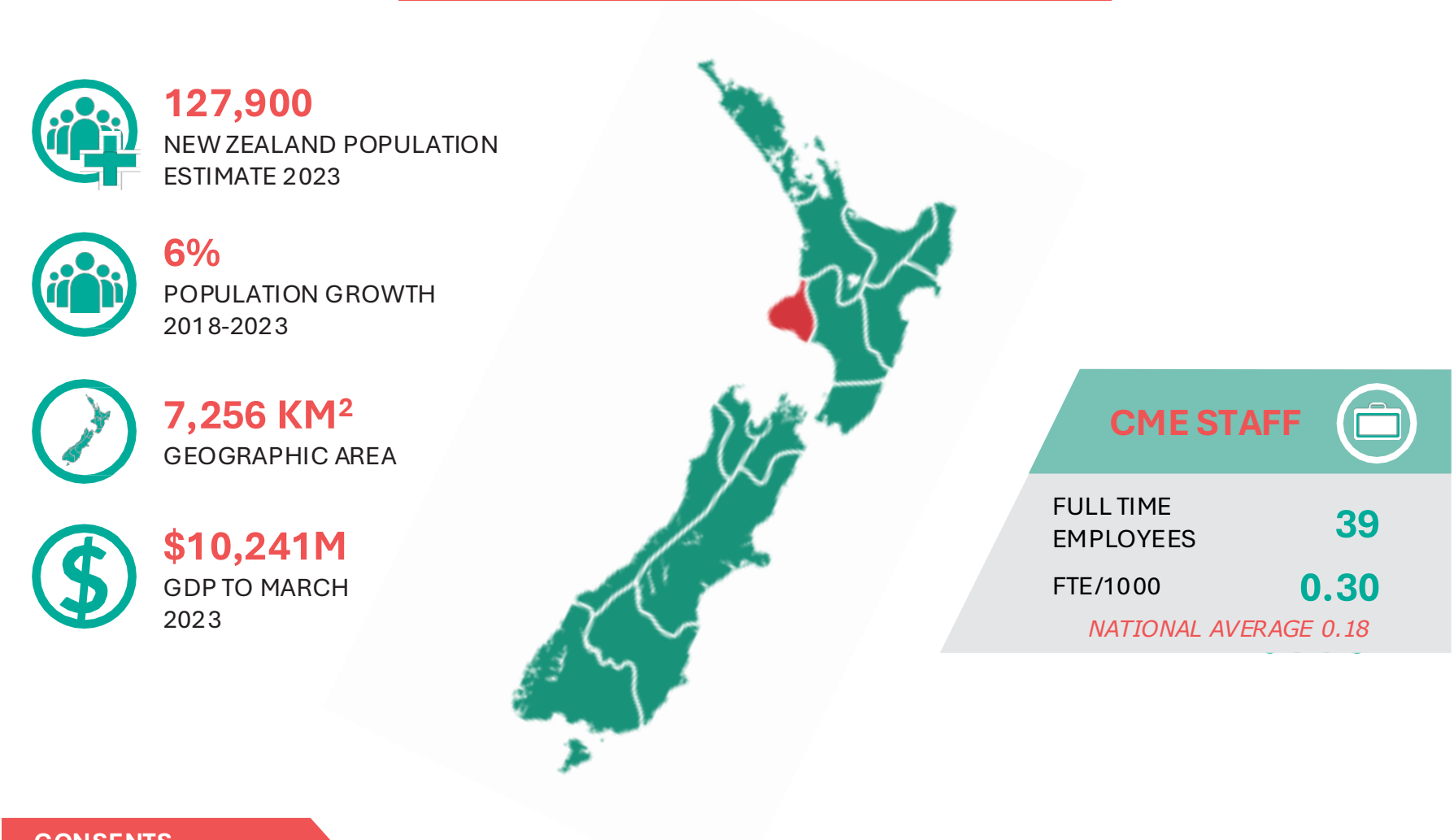
CME METRICS REPORT 2023/2024

HAWKES BAY REGIONAL COUNCIL



CME METRICS REPORT 2023/2024

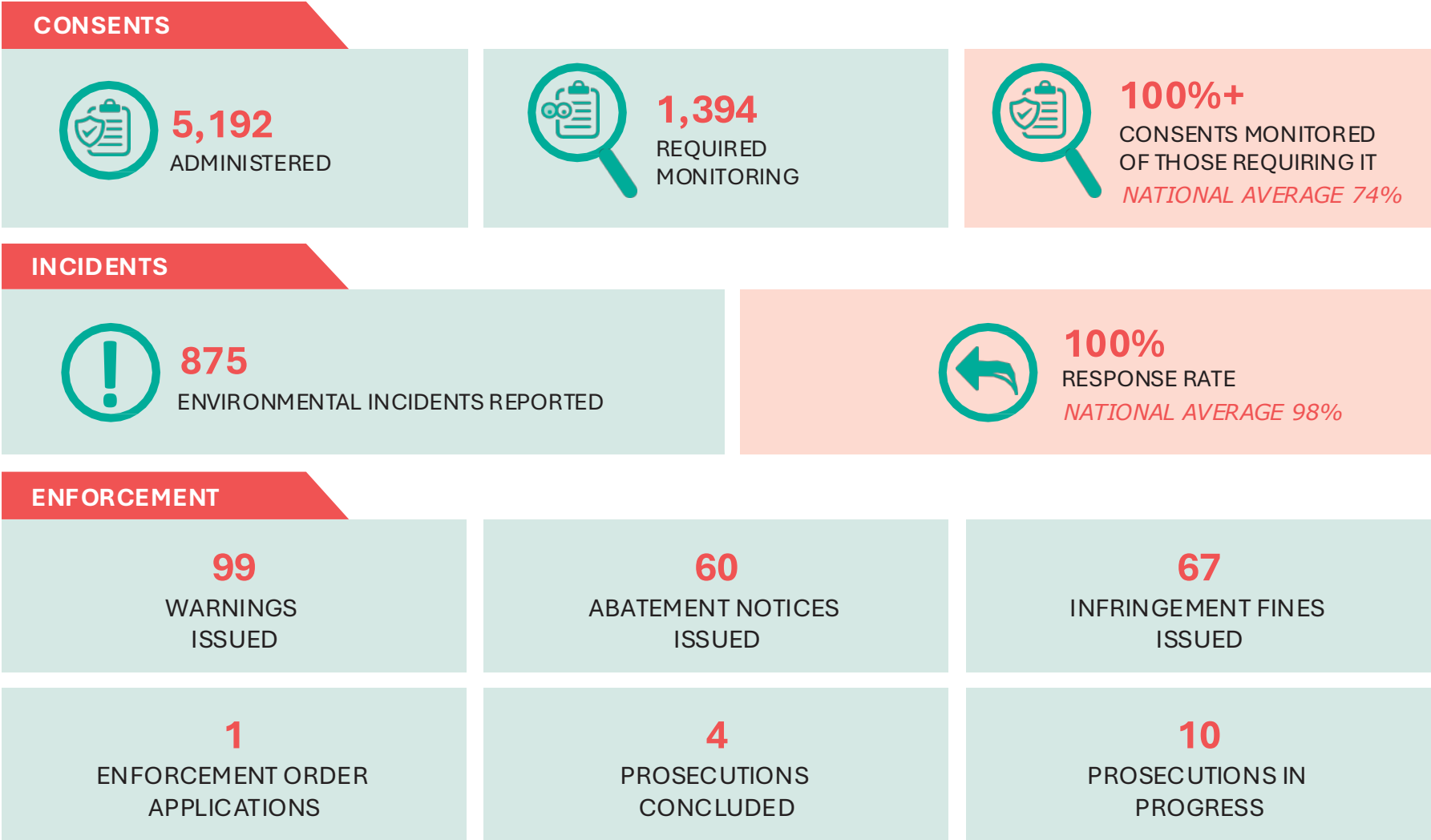
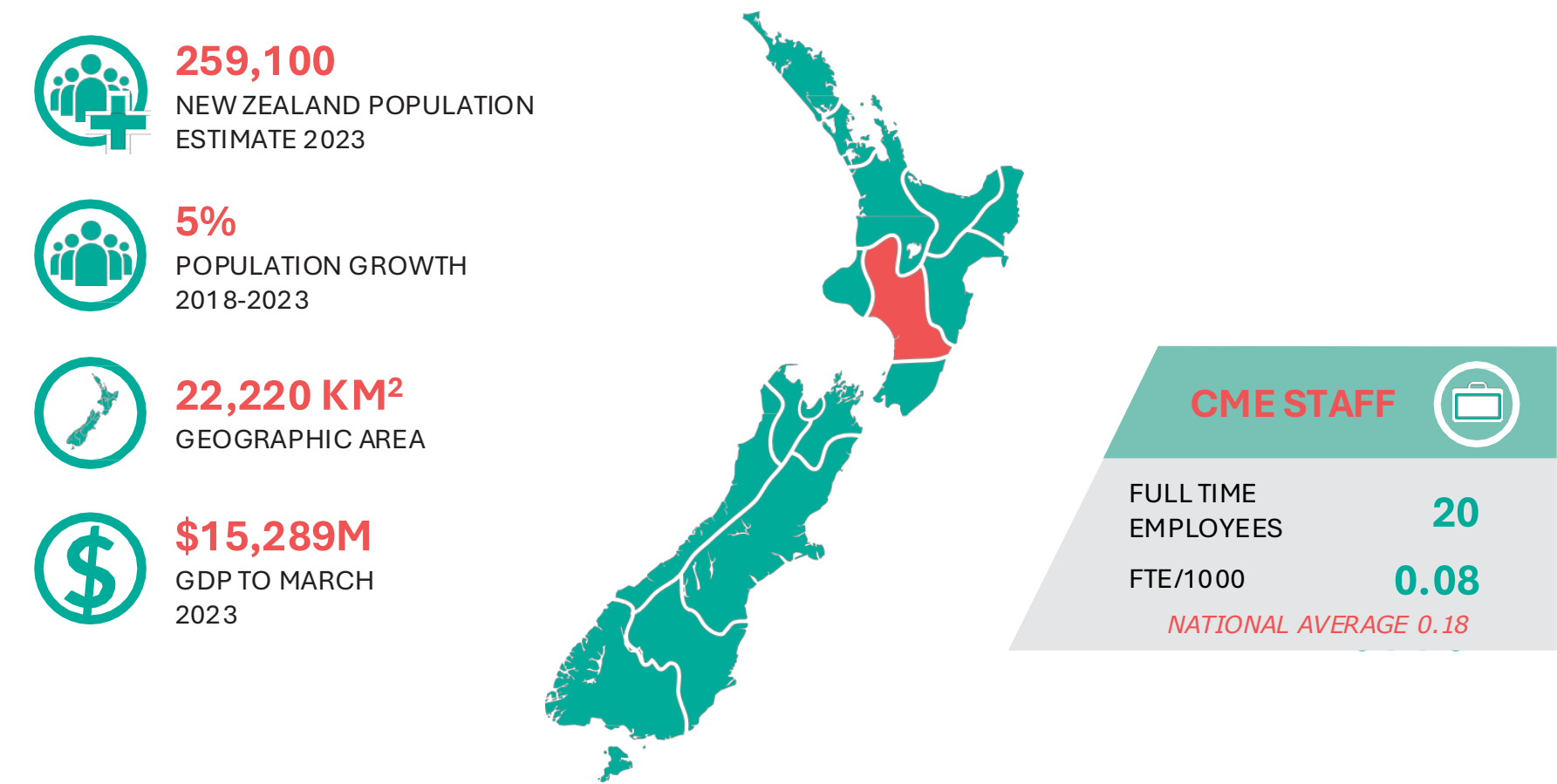
TARANAKI REGIONAL COUNCIL





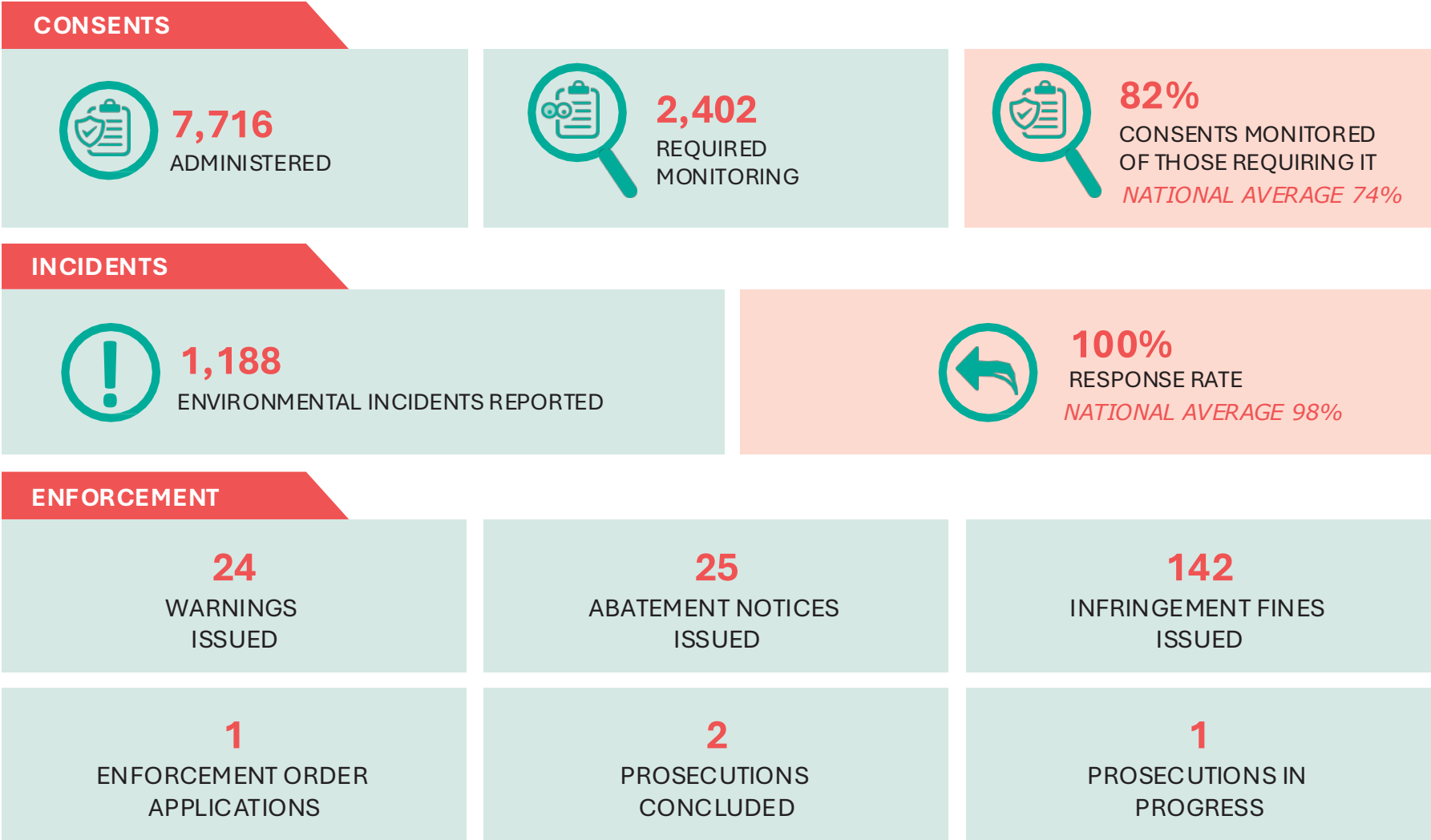
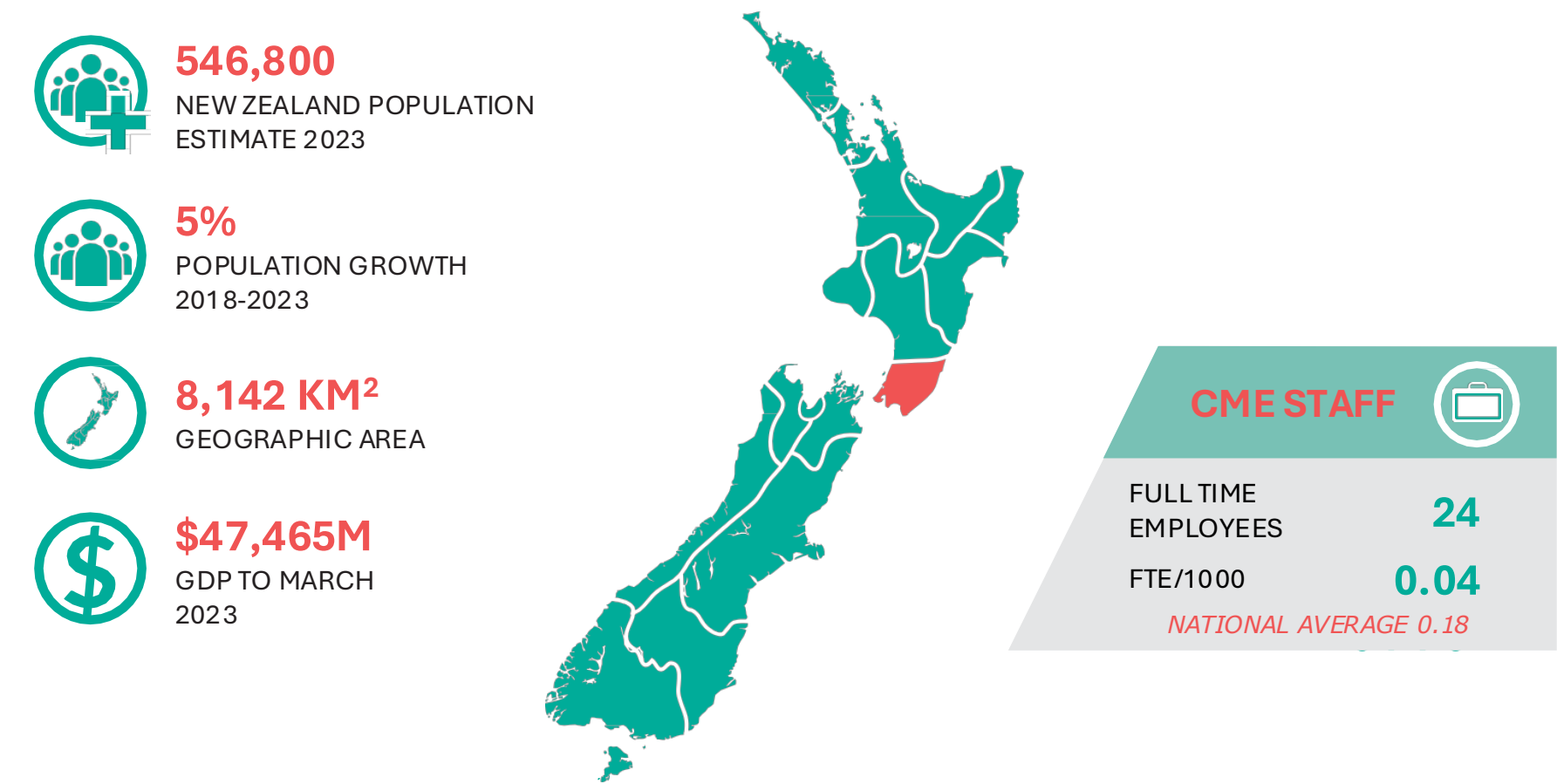
CME METRICS REPORT 2023/2024

HORIZONS REGIONAL COUNCIL



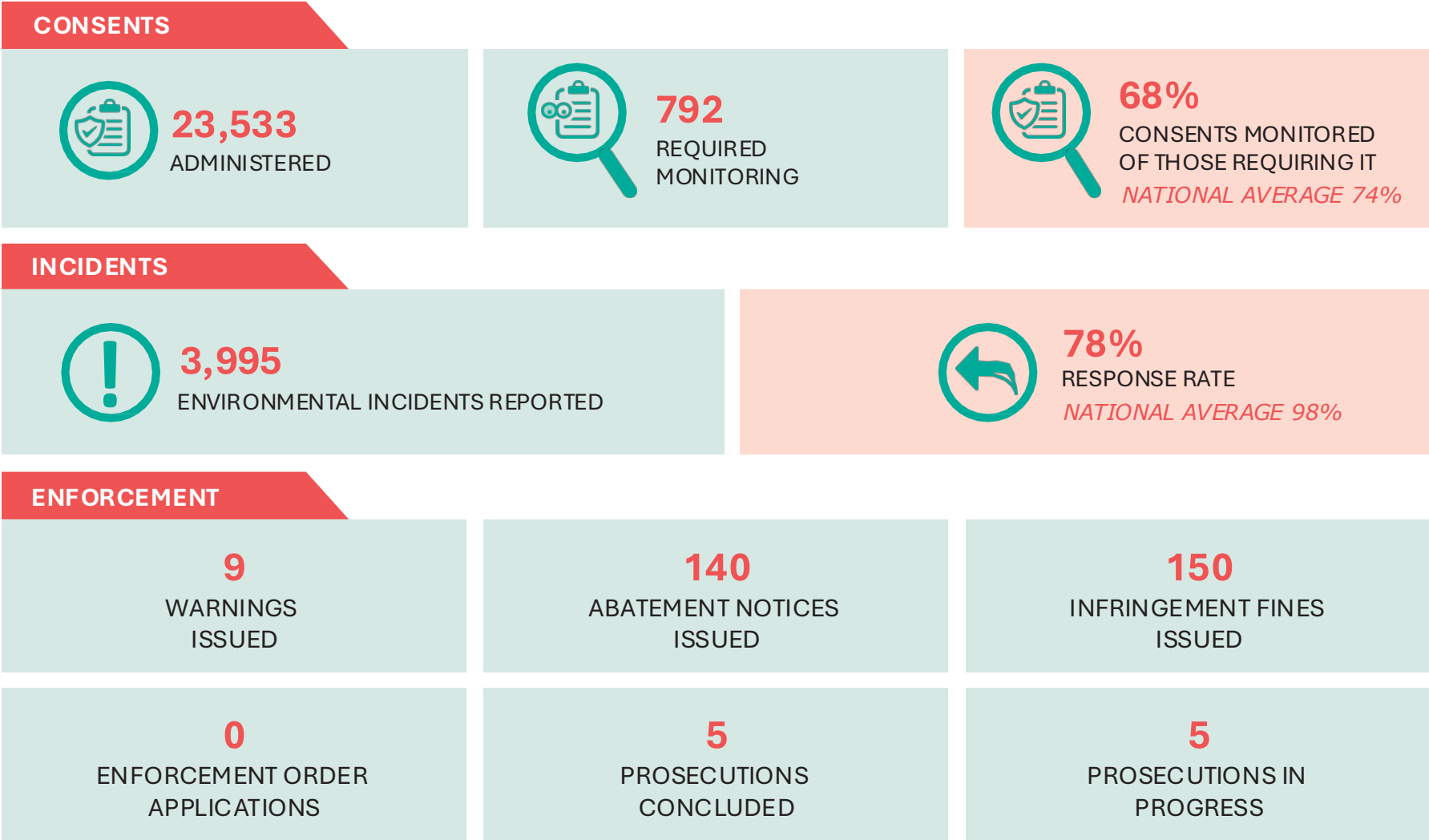
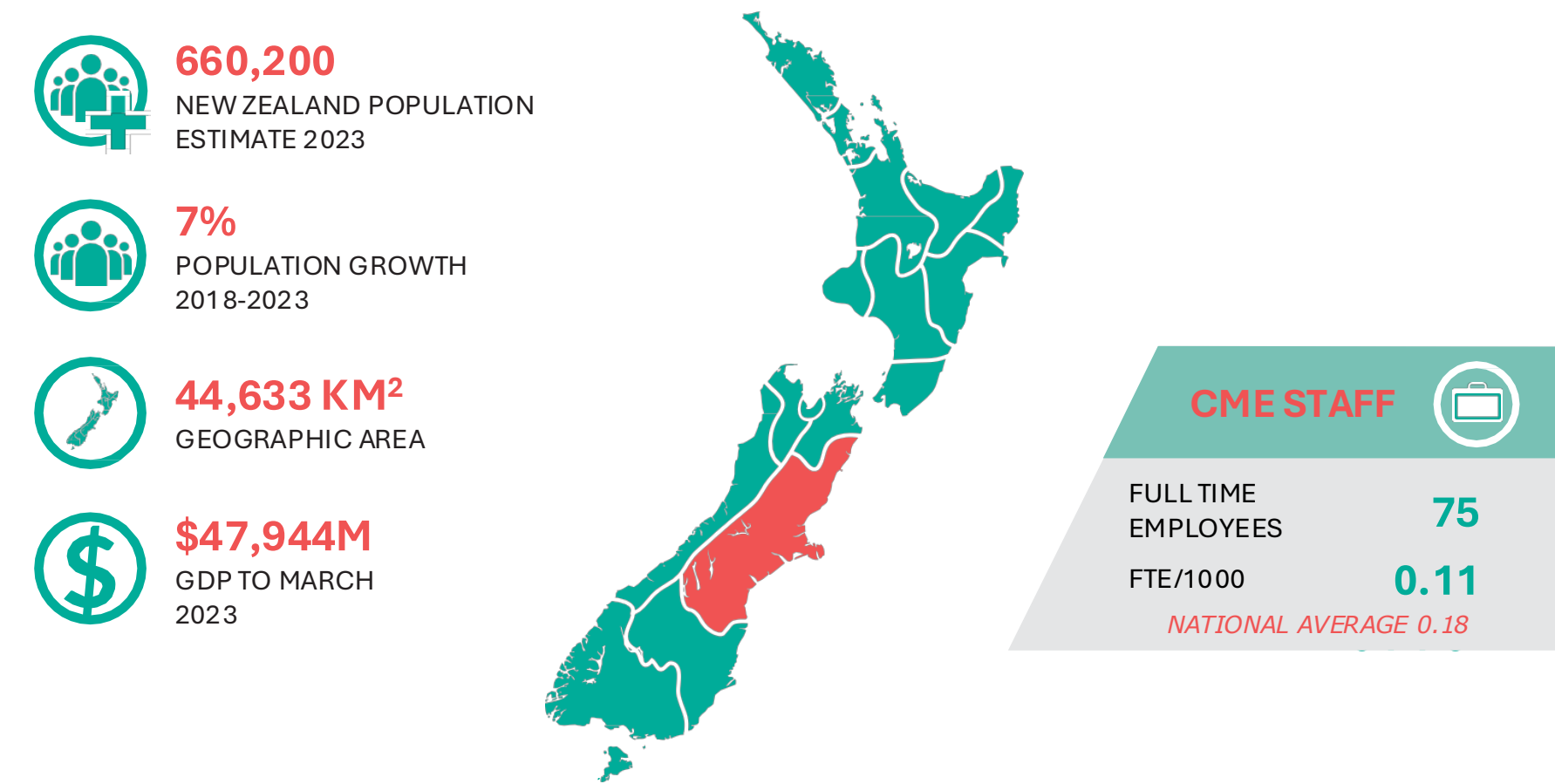
CME METRICS REPORT 2023/2024

GREATER WELLINGTON REGIONAL COUNCIL



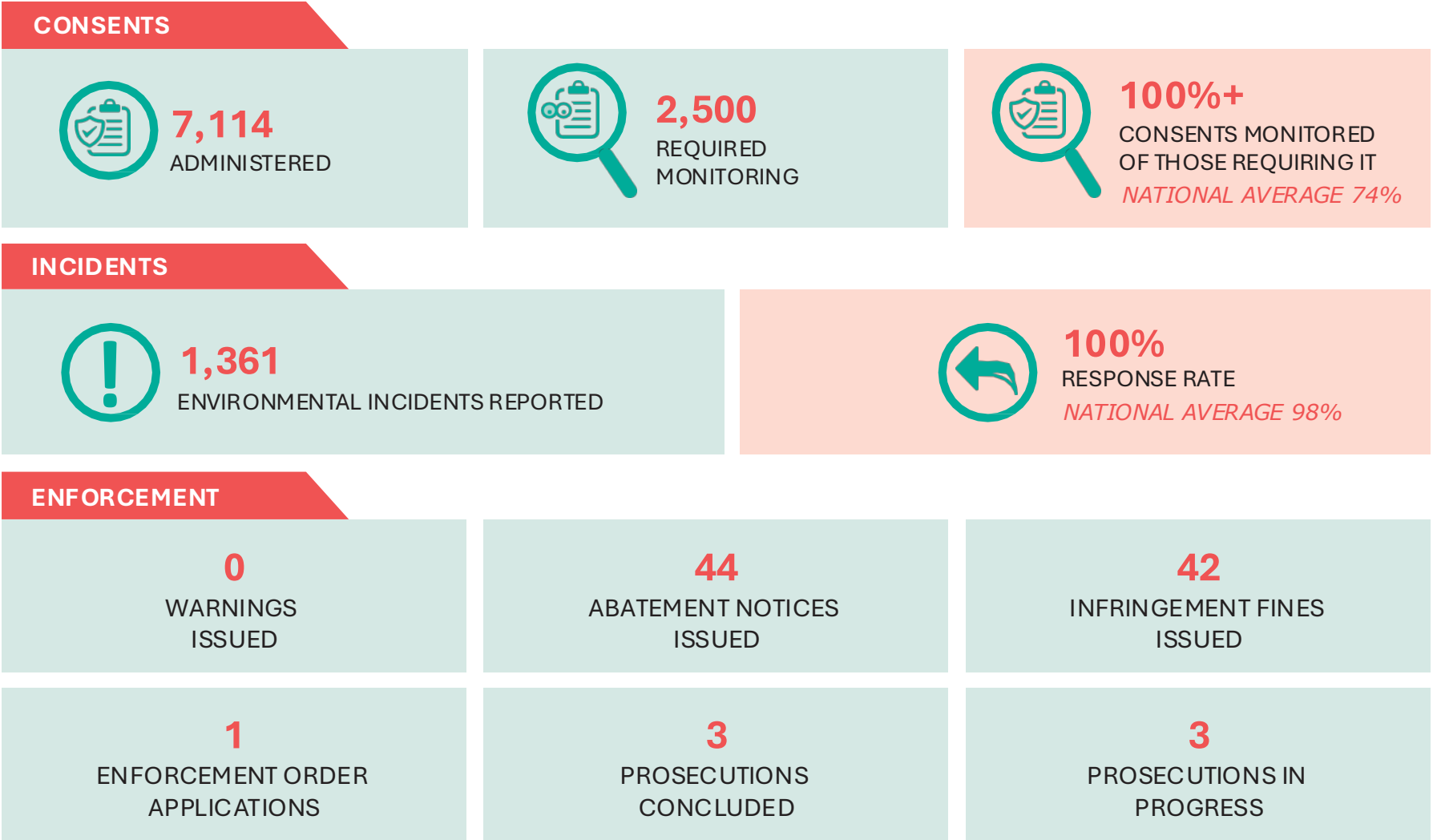
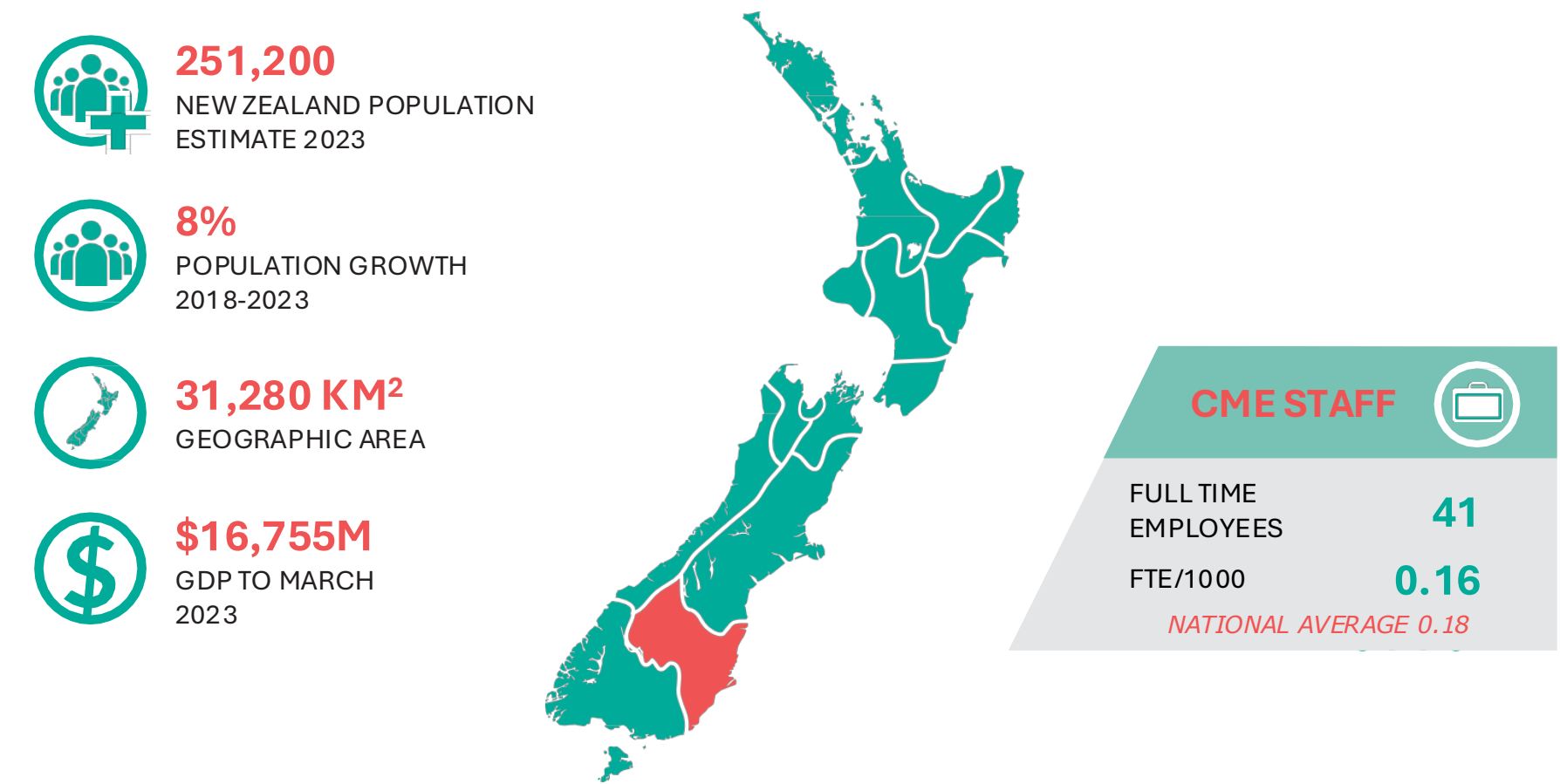
CME METRICS REPORT 2023/2024

ENVIRONMENT CANTERBURY



CME METRICS REPORT 2023/2024

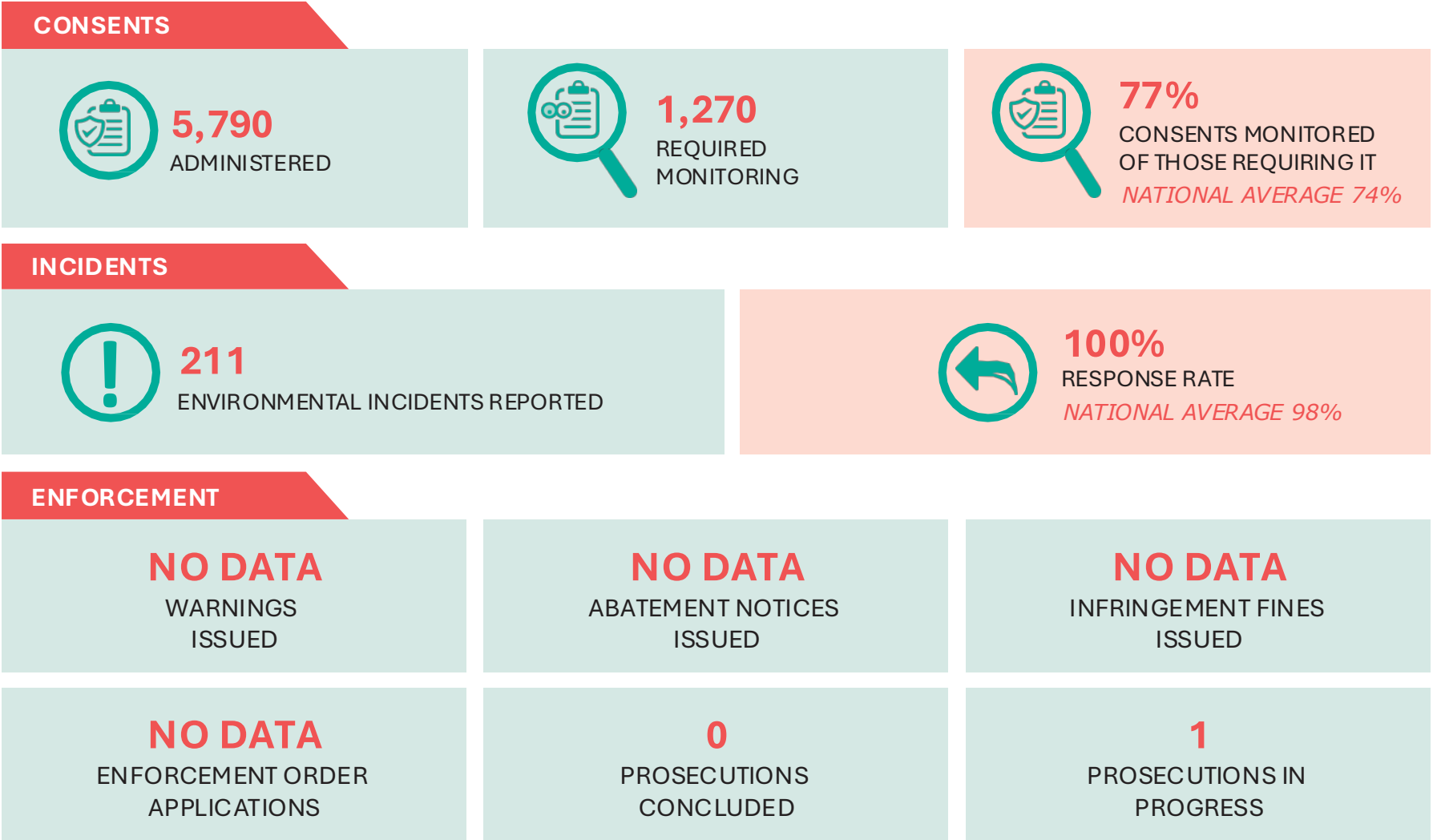
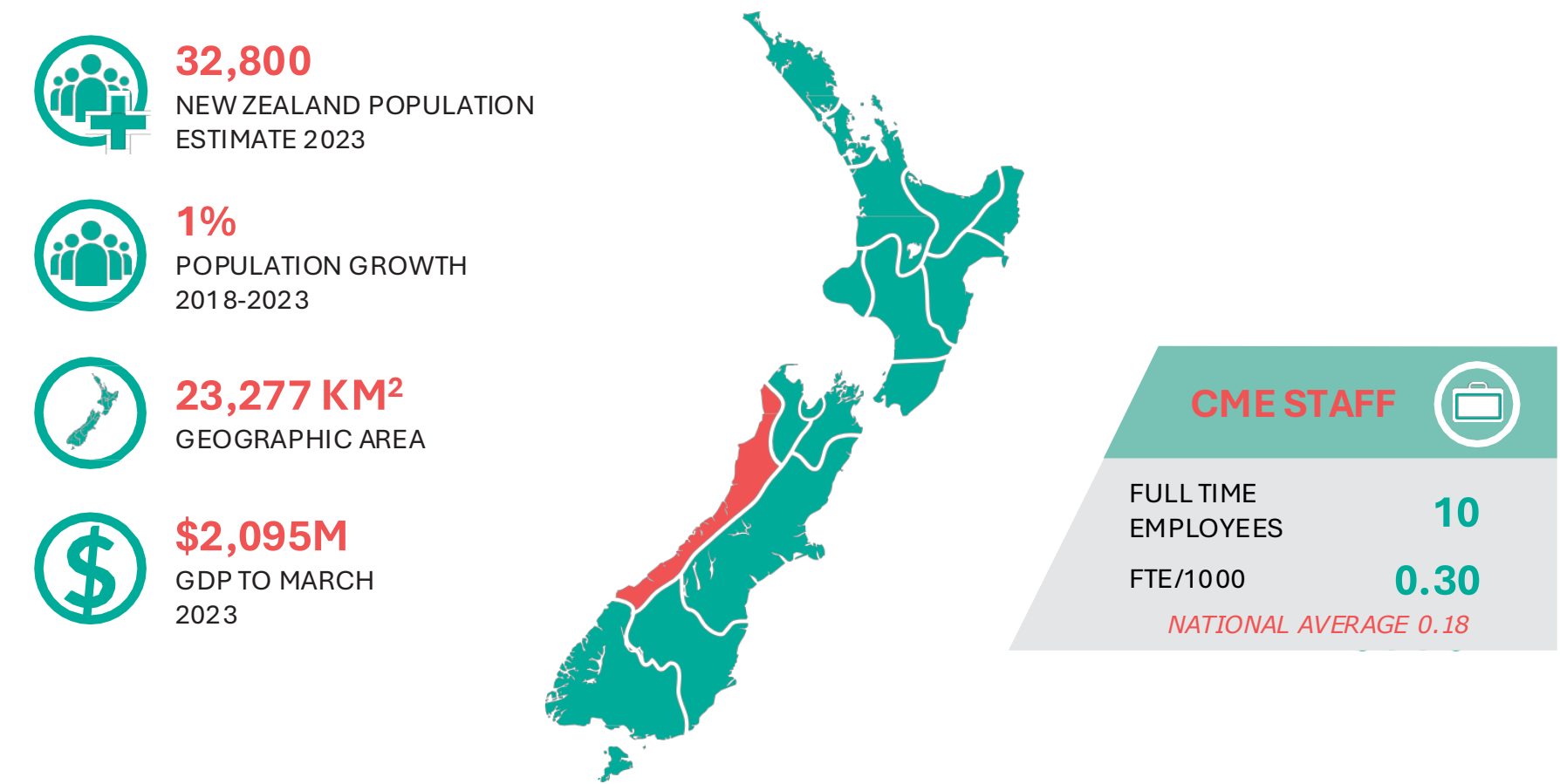
OTAGO REGIONAL COUNCIL





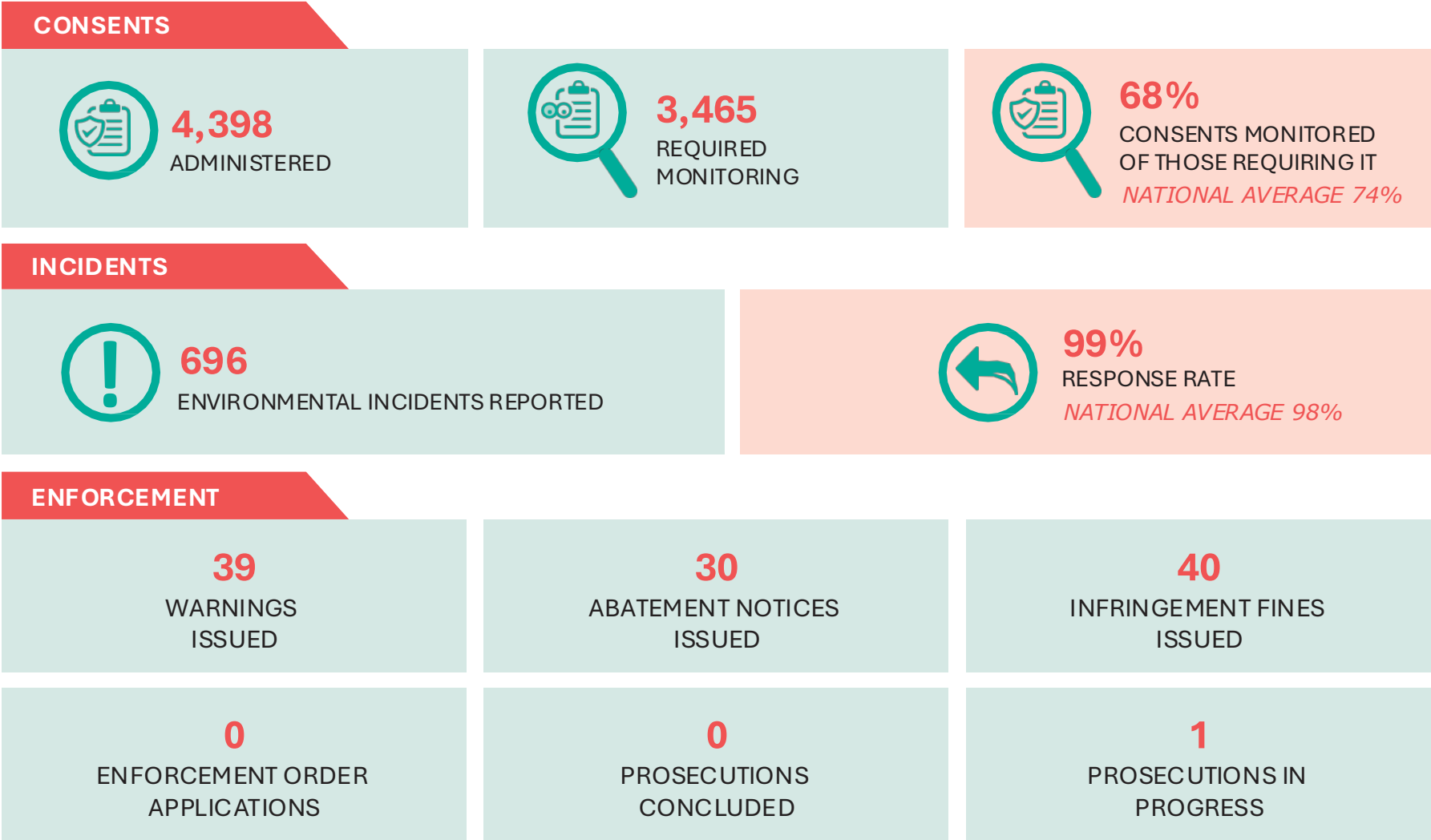
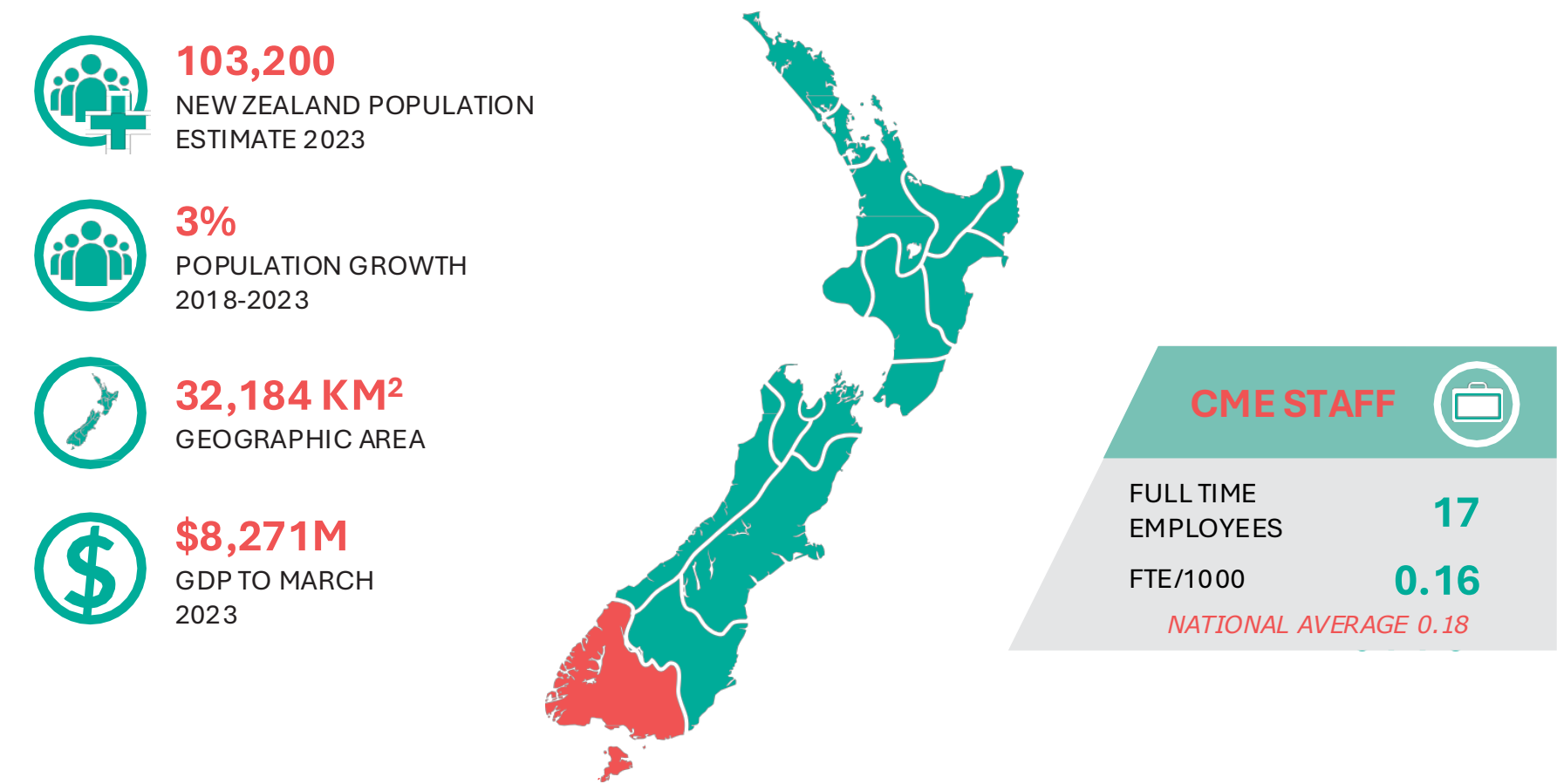
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WEST COAST REGIONAL COUNCIL



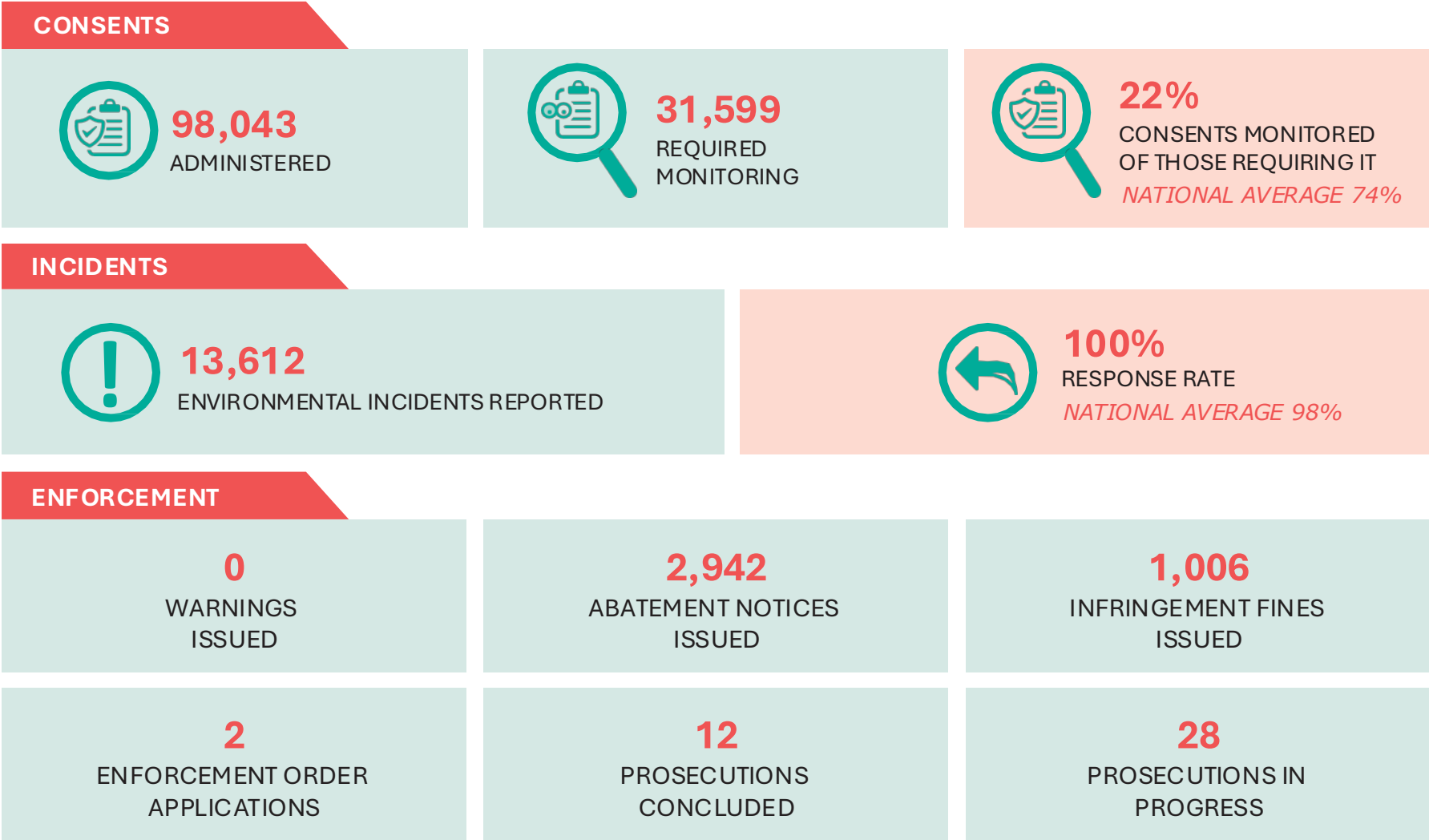
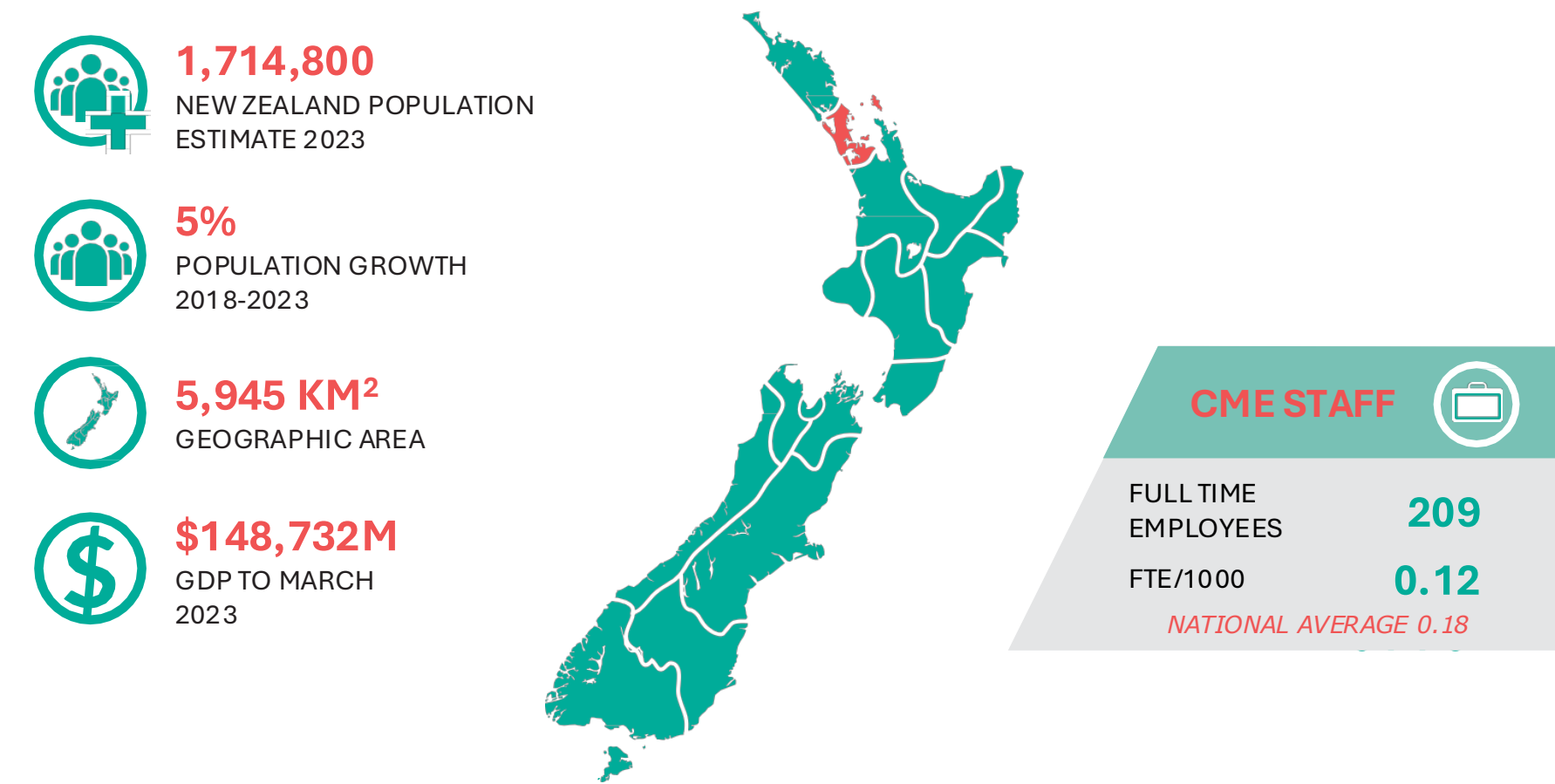
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SOUTHLAND REGIONAL COUNCIL



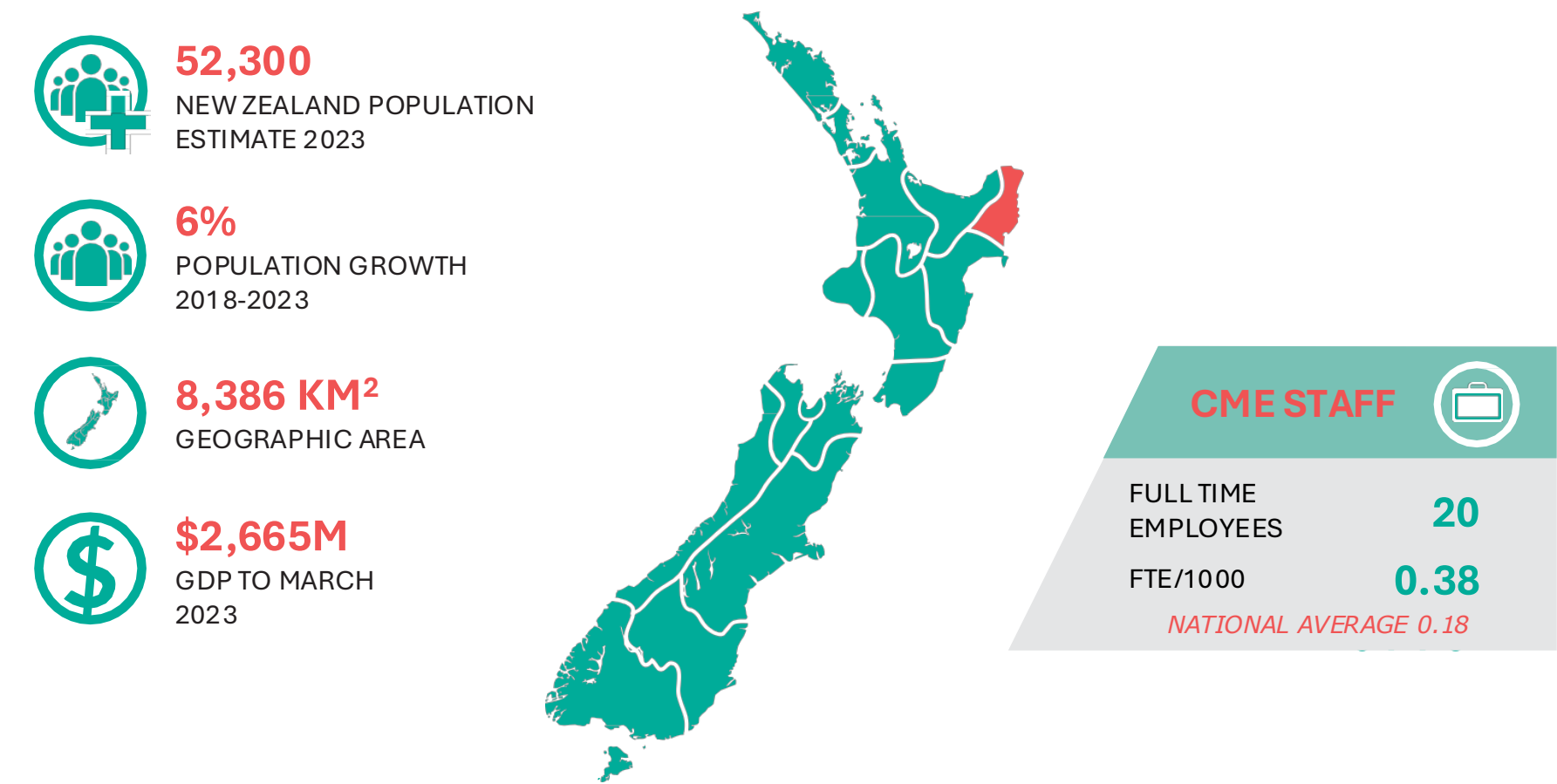
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AUCKLAND COUNCIL



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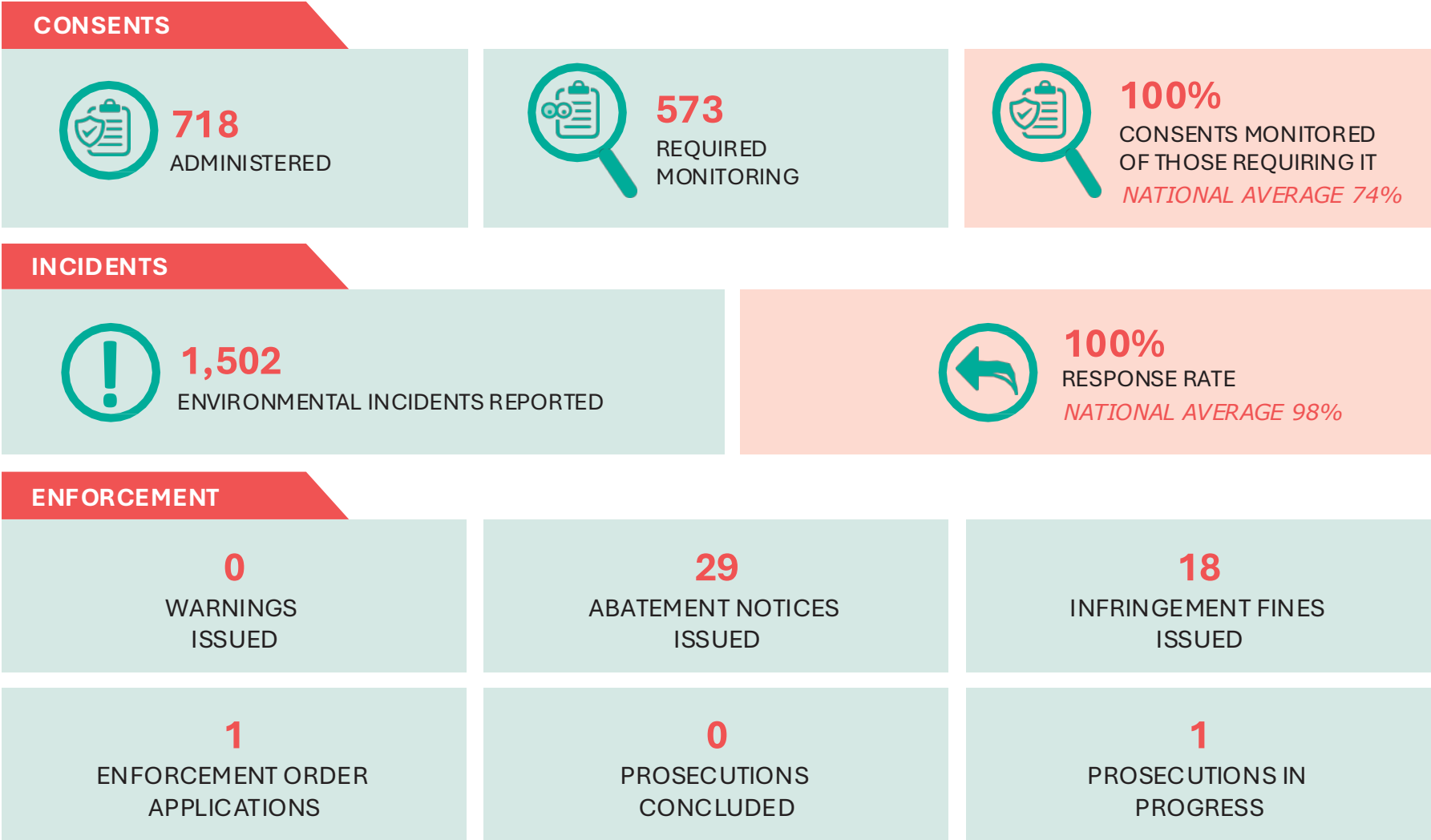
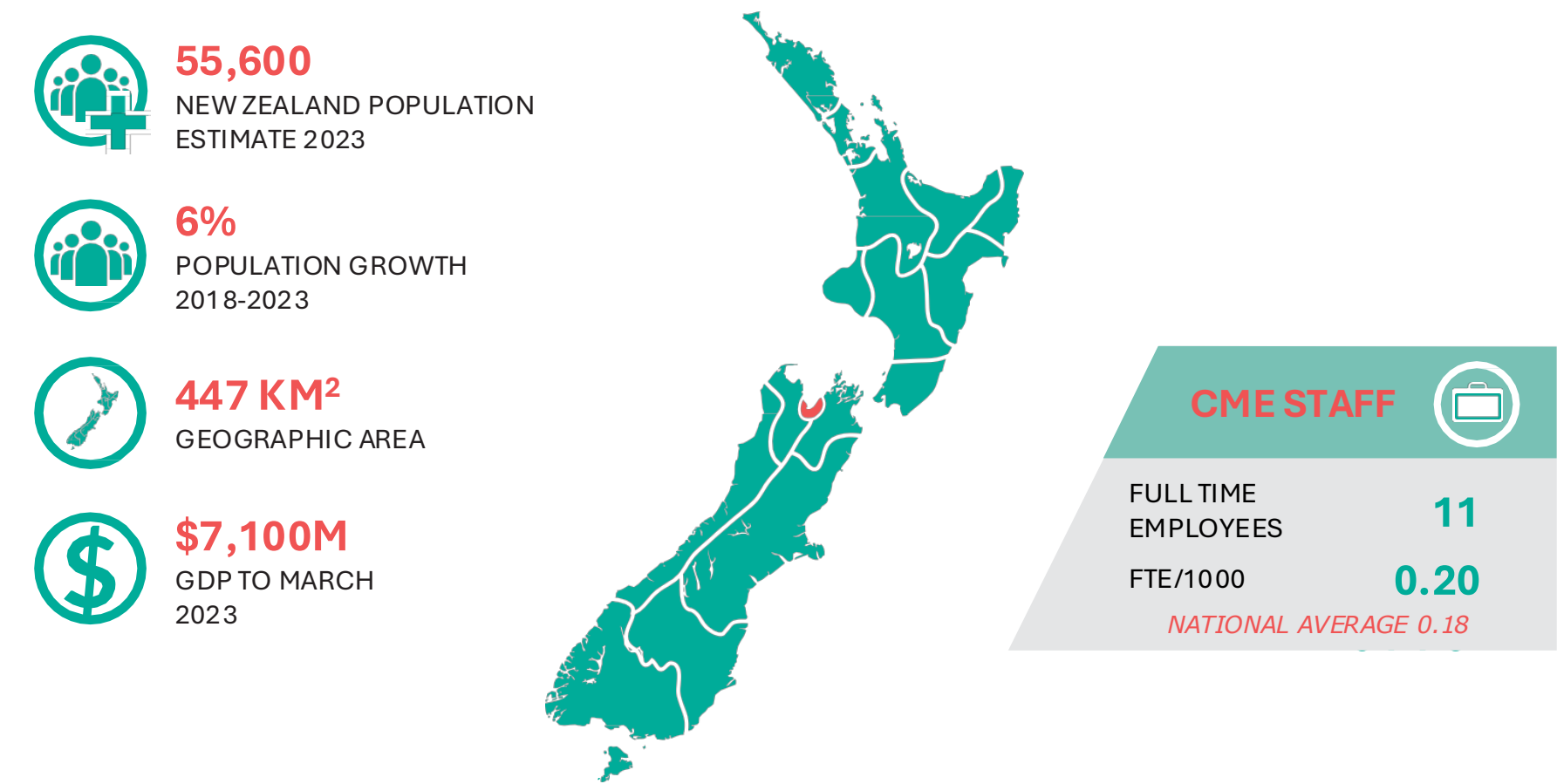
GISBORNE DISTRICT COUNCIL





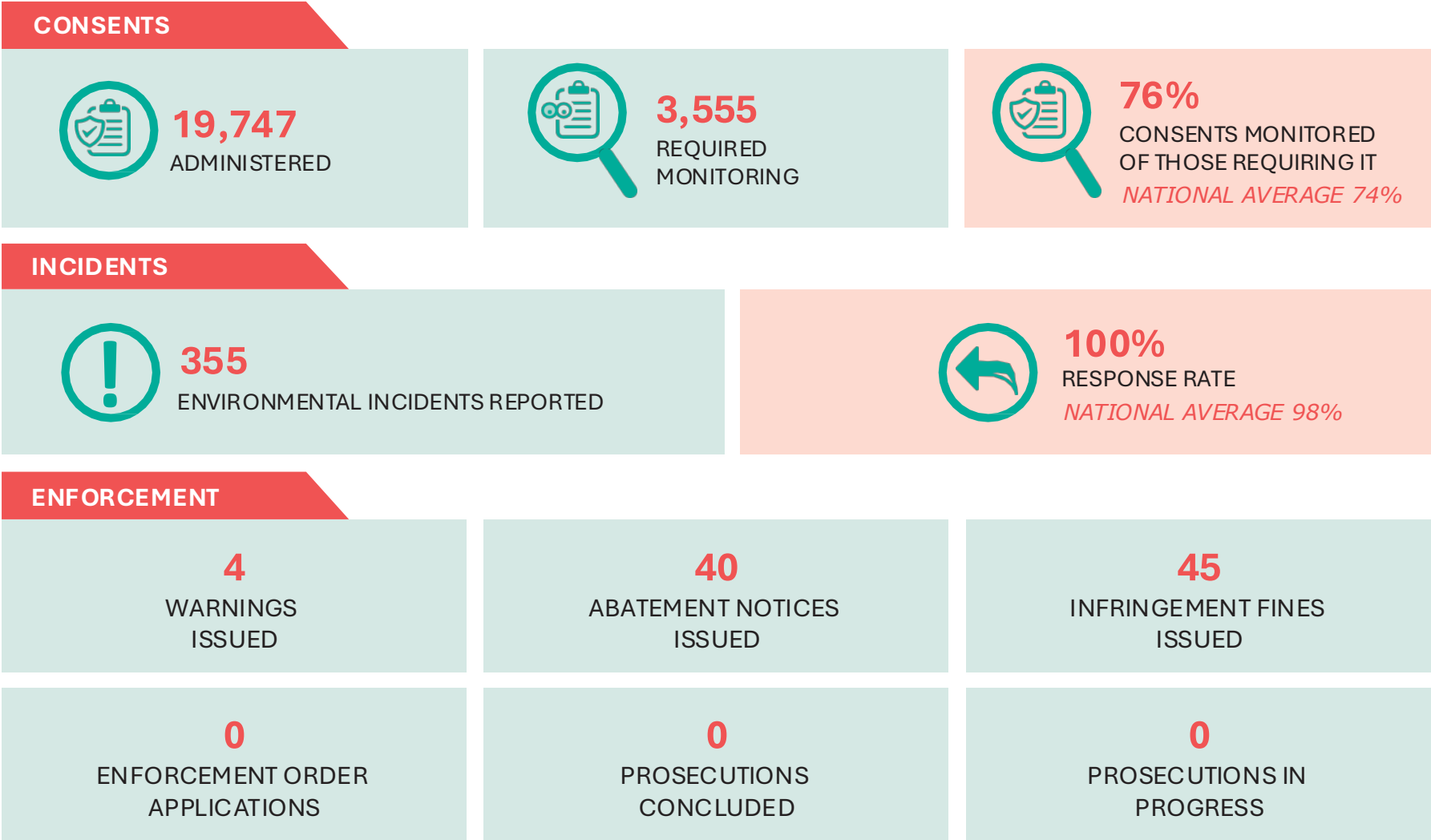
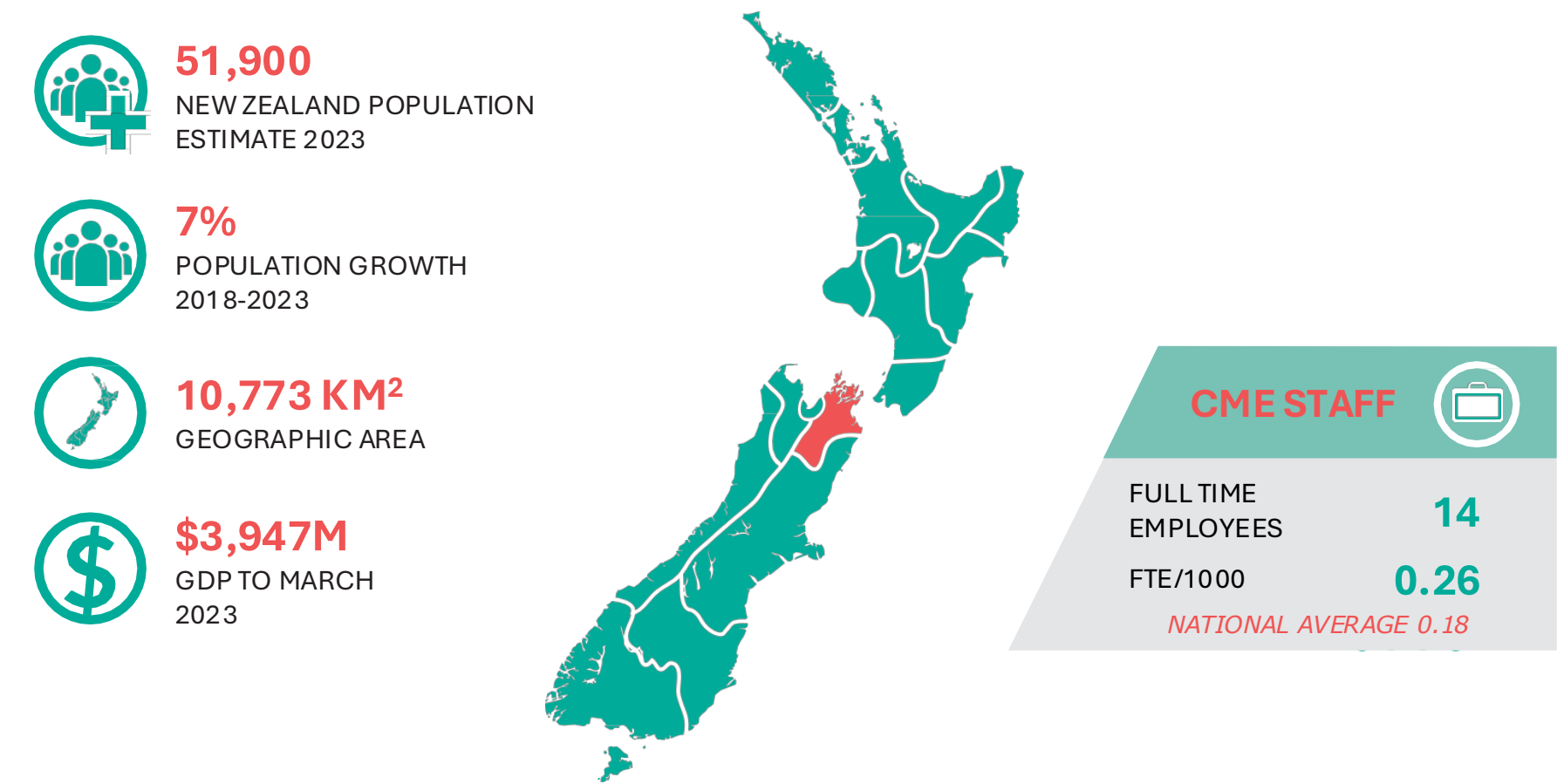
CME METRICS REPORT 2023/2024

NELSON CITY COUNCIL



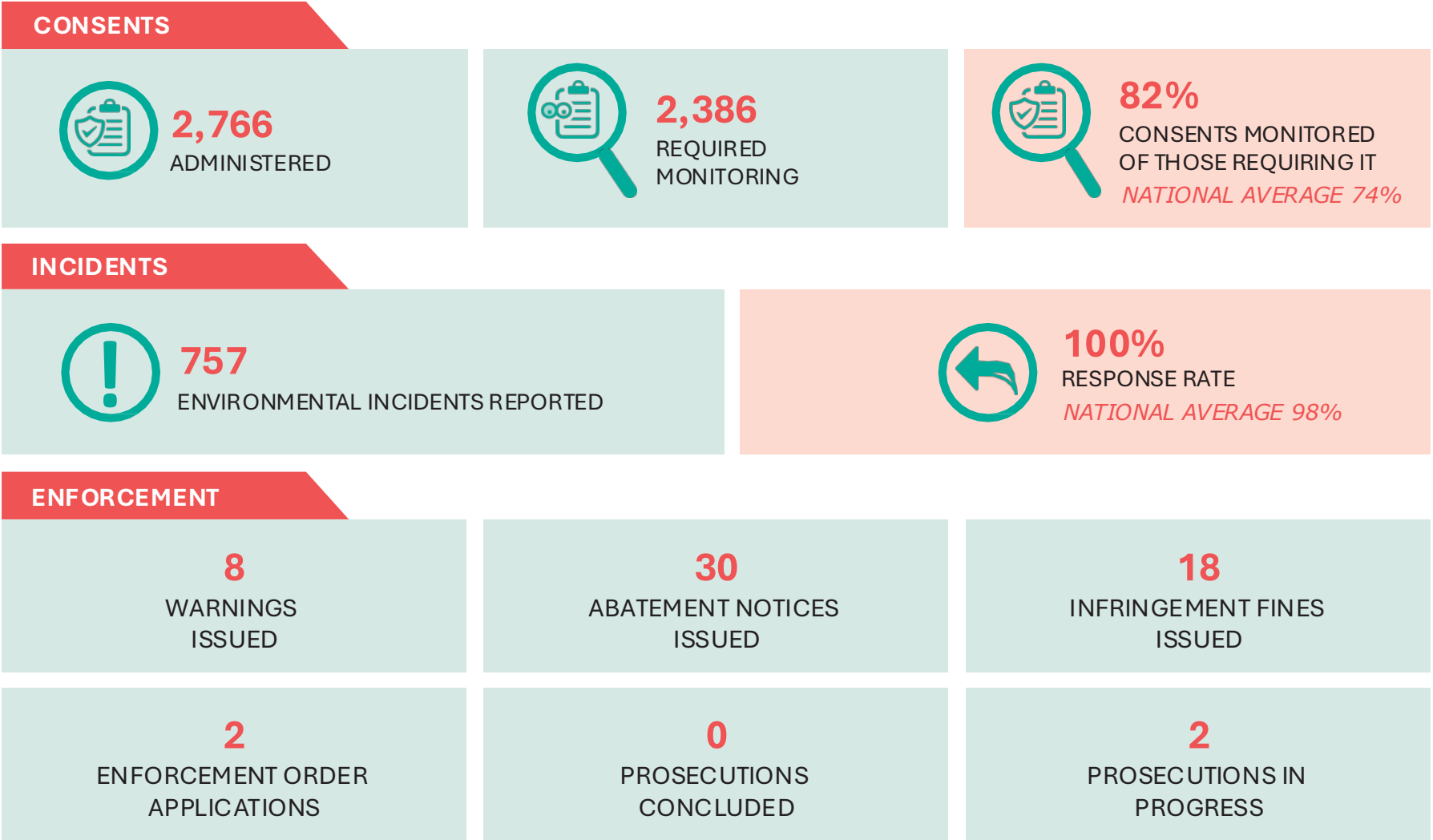
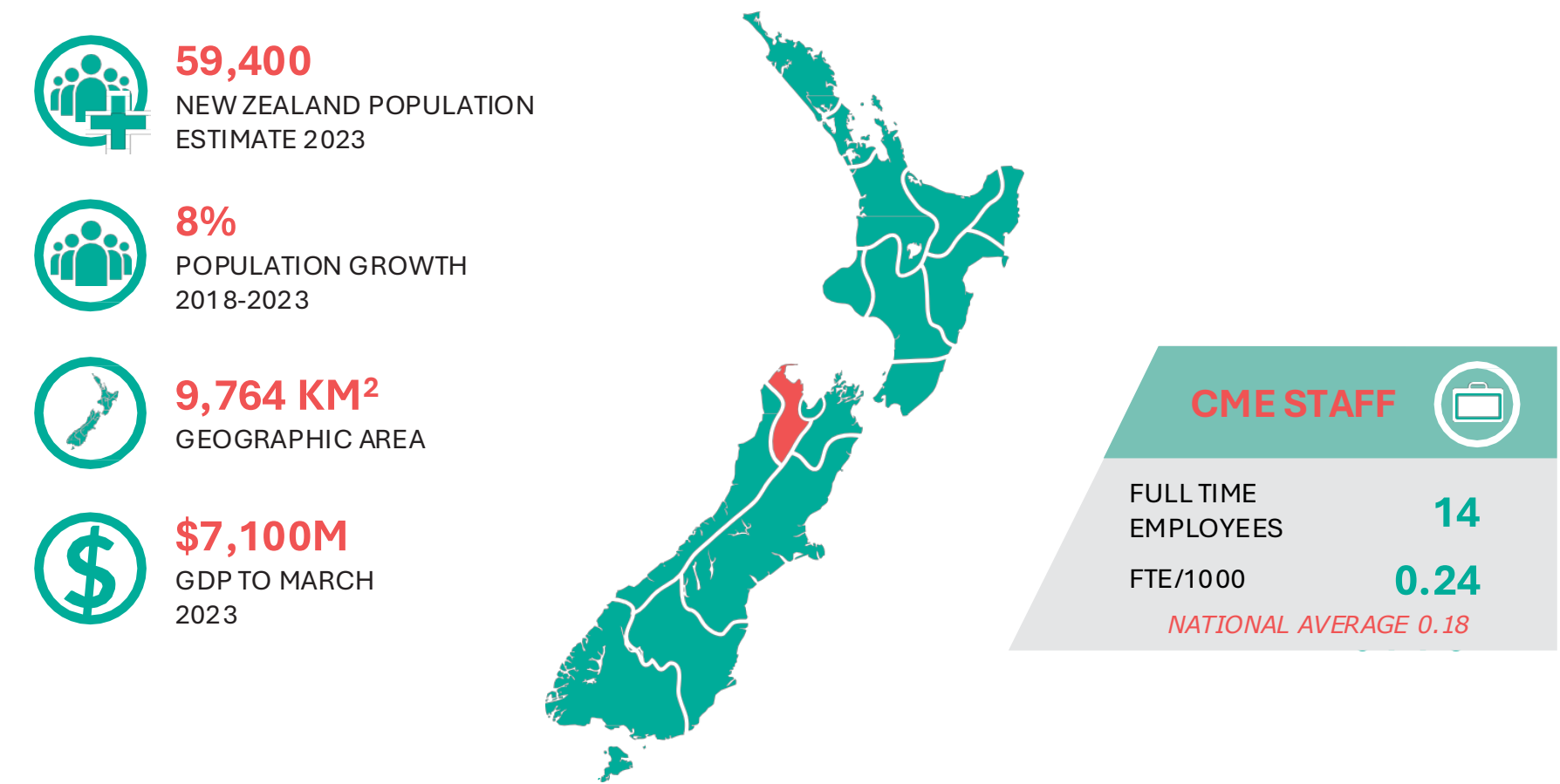
CME METRICS REPORT 2023/2024

MARLBOROUGH DISTRICT COUNCIL



CME METRICS REPORT 2023/2024

TASMAN DISTRICT COUNCIL



## METRICS SURVEY QUESTIONS

### APPENDIX 1

1. Which council are you completing this survey on behalf of? [Regional/ Unitary]
2. And this is for?

- Northland Regional Council
- Waikato Regional Council
- Bay of Plenty Regional Council
- Hawkes Bay Regional Council
- Taranaki Regional Council
- Horizons Regional Council
- Greater Wellington Regional Council
- Environment Canterbury
- Otago Regional Council
- West Coast Regional Council
- Southland Regional Council
- Auckland Council
- Gisborne District Council
- Nelson City Council
- Marlborough District Council
- Tasman District Council

3. What is your name and contact details?

#### COMMITMENTS TO IWI

4. In no more than 300 words describe your regional key commitments to work with iwi/Māori on CME. For example, joint management agreements or other co-management agreements.

*Note: The report author may contact you for further information or clarification of your response.*

#### CME OPERATIONS (MANAGING THE WORKLOAD)

5. Does your council register/count:
  - an individual “incident” per notification?
  - one incident per event, regardless of the number of separate complainants?

6. How many notifications (complaints) were received from members of the public (or other sources, but excluding information from council monitoring activity) relating to environmental incidents or potential breaches of environmental regulation?

This might include information from, for example, emergency services attending an incident or perhaps a council staff member observing something while on other duties, but excludes information from council monitoring activity.

- No. of individual complaints/calls?
  - No. of individual incidents logged?
  - Unknown
7. How many of these notifications were responded to by council?  
This response may be in any form – e.g. phone call, site visit, desktop audit
8. How many of these notifications were physically attended by council staff? If one incident had multiple visits, only count this as one.
9. How many of these notifications were confirmed as breaches of the RMA or subsidiary instruments?
10. How many of the breaches were for:
- Breach of a resource consent
  - Breach of a National Environmental Standard
  - Breach of a Permitted Activity Rule
  - Breach of a Permitted Activity Rule and/or National Environmental Standard

#### RESOURCE CONSENTS AND PERMITTED ACTIVITIES

11. How many individual, active resource consents exist in your region?  
Exclude Land Use Consents where the activity is completed e.g. Land use subdivisions where the subdivision is complete and certificates issued or land use – building where the building has been constructed.
12. How many consents required monitoring during this period, in accordance with your monitoring prioritisation model/ strategy?
13. How many of these consents were monitored (including desktop audit) in the period?

#### COMPLIANCE GRADINGS

*From 2020/2021 onwards all councils adopted the four compliance gradings, these questions were removed.*

14. What grades do you apply to non-compliance? (e.g. technical non-compliance, significant noncompliance)
- Fully Compliant
  - Technical/Low Non-Compliance
  - Moderate Non-Compliance
  - Significant Non-Compliance
  - Other (please specify)



15. What were the levels of compliance with consents according to the grades you use?

*Note 1: Numbers provided under each grade is per monitoring event not per consent. E.g. a consent may be monitored 4 times in the year; on one occasion it may be Technically Non-Compliance and on three occasions it may be Fully Compliant, this would add 3 to the total of Fully Compliant and one to the total for Technical Non-compliance.*

*Note 2: The compliance grade is based on the condition with the worst compliance grade e.g. a consent with five conditions Fully Compliant and one condition Moderate Non-Compliance has an overall compliance grade of Minor Non-Compliance.*

*Note 3: Daily telemetry water readings where compliance with water take limits is continuously monitored are to be excluded from compliance grade totals.*

- Fully Compliant
- Technical/Low Non-Compliance
- Moderate Non-Compliance
- Significant Non-Compliance
- Other (please specify)

### MONITORING PERMITTED ACTIVITIES

16. Which permitted activities do you have a monitoring programme for?

- Agriculture (excluding dairy)
- Aquaculture
- Construction
- Culvert installation
- Dairy
- Forestry
- Horticulture
- Industrial Stormwater
- Mining
- Oil and gas
- Stock exclusion
- Tourism
- Vineyards
- Wineries
- Wintering
- Other (please specify)
- We don't have a monitoring programme for any permitted activities

17. What was the number sites visited?

*Count each site once even if it had multiple visits*

18. What is the criteria used to determine frequency of monitoring or if site visit made?

19. Please select any of the following that apply to the permitted activities

- Monitored under regional PA rule
- Monitored under NES (or other regulation)
- Requiring Notification

20. What is the type of monitoring done?

21. What is the frequency of monitoring done?

### MAKING DECISIONS ON PRIORITIES

22. What basis is used for determining what notifications/complaints/incidents are physically attended and with what urgency or priority?

23. Describe how you determine which consents are monitored and how frequently?

*If there is a prioritisation model or compliance strategy, add link*

24. Describe the basis, which was used for determining what, if any, permitted activities were monitored.

*If there is a prioritisation model or compliance strategy, add link*

## STAFFING LEVELS

25. How many FTEs does your council have who carry out monitoring roles?  
*Include contractors.*
26. How many FTEs does your council have who carry out environmental incident or pollution response roles?  
*Include contractors.*
27. How many FTEs does your council have who carry out investigation or enforcement roles?
28. How many FTEs does your council have who carry out a combination of the above roles?  
*Note 1: Include contractors*  
*Note 2: Only answer this question if you have not included these staff in questions 21, 22 or 23*
29. How many FTEs does your council have in CME support roles?  
*This includes administrative roles, e.g. staff who assist with issue of notices, reminder notices, upload of unpaid infringements to MoJ.*
30. Across this area of council work (CME) on average for the year, how many vacancies have been carried?  
*Number of vacancies during the year/ Average length of vacancies*
31. What have been the most significant factors influencing retention and recruitment of CME staff?
32. At the time of answering this question what is your staff's CME experience at council?  
*Less than 2 years. Number of staff*  
*2-10 years. Number of staff*  
*Greater than 10 years. Number of staff*

## CME POLICIES AND PROCEDURES

*From 2020/2021 onwards all councils had an enforcement and conflict of interest policy, these questions were removed.*

33. Who is involved in your process for making decisions about whether to proceed with enforcement action?
- Formal warning
  - Abatement notice
  - Infringement notice
  - Prosecution
- An individual officer can decide*  
*Officer plus a manager*  
*Panel decision*
34. Who are the panel members?
- Formal warning
  - Abatement notice
  - Infringement notice
  - Prosecution

Investigating officer  
Investigating officer's manager/Team Leader Enforcement Specialist  
Compliance Monitoring Manager  
Group Manager/General Manager/Director Chief Executive  
Legal Counsel (internal)  
Legal Counsel (external) Other (please specify):

35. Is there any other relevant information or comments?
36. What is your process for making decisions to take no formal enforcement action when a breach has been identified?
37. Who makes the decision to take no formal enforcement action when a breach has been identified?
- Individual officer
  - Officer plus manager
  - Panel manager
  - Other
38. Who has the delegation to authorise filing of charges for a prosecution at your council?

### ACTING ON NON-COMPLIANCE

39. What was the total number of actions taken during the period for:

*Note: This relates to the instruments issued in relation to the different sections of the Act (listed once for brevity)*

- Formal warnings issued
- Abatement notices issued
- Infringement notices issued
- Enforcement orders applied for

Section 9 Use of land

Section 12 Coastal marine area

Section 13 Beds of lakes and rivers

Section 14 Water

Section 15 Discharges of contaminants

Section 17 Duty to avoid, remedy & mitigate

Other breach e.g. Section 22

40. How many notices were issued for non-compliance with a resource consent?
- Abatement notices
  - Infringement notices
41. How many notices were issued for a breach of a rule and/or NES?
- Abatement notices
  - Infringement notices

### PROSECUTION

42. How many RMA prosecutions were:

*Note: For this question please consider an entire case (regardless of number of charges and defendants) as one prosecution.*

- Concluded in the period
- Still in progress in the period

43. What is the total number of individual (person) defendants convicted as a result of RMA prosecutions concluded in this period?
44. For all of these (person) defendants what is the total number of convictions entered against them?  
*For example, there may be a total of 27 separate convictions entered against a total of nine 'individual' defendants.*

## PROSECUTION

45. What is the total number of corporate (e.g. Crown, company, body corporate etc.) defendants convicted as a result of RMA prosecutions concluded in this period?
46. For all of these (corporate) defendants what is the total number of convictions entered against them?  
For example, there may be a total of 30 separate convictions entered against a total of 12 corporate defendants.
47. Total number of convictions against: [see categories for sections of the Act as above]
  - *an individual*
  - *a corporate entity*

Total fine potential (Individual total x \$300,000, corporate entity total x \$600,000)

48. What is the total amount of fines imposed by the courts as a result of RMA prosecutions concluded in this period?
  - Individual fines
  - Corporate fines
49. What other sanctions, if any, have been imposed by the courts as a result of RMA prosecutions concluded in this period?
  - *Prison sentence*
  - *Enforcement order*
  - *Reparation*
  - *Community Service*
  - *Discharge without conviction*
  - *Other*
50. How many prosecutions involved restorative justice, diversion or other alternative justice process?
  - *Restorative justice*
  - *Diversion*
  - *Alternative justice*
51. Describe any outcomes relating to these processes.
52. Of the prosecutions concluded, and currently in progress, what was the principal industry or activity involved?
  - *Concluded*
  - *In progress*

Water take/abstraction  
 Objectionable odour  
 Burning  
 Wastewater  
 Animal effluent  
 Industrial discharge  
 Forestry  
 Wetland clearance/activity  
 Works in the bed of river  
 Earthworks (sediment discharge)

53. Are there any other principle industries involved in concluded prosecutions?

### EDUCATING AND ENGAGING WITH THE REGULATED COMMUNITY

54. Does your council have, or support, any education or engagement projects relating to compliance with the RMA or any of its derivative regulation? For example, workshops for earthworks contractors around erosion and sediment controls. Yes/No
- If yes, briefly describe

### CME REPORTING

55. What mechanisms does your council use to report CME data to the public? e.g. annual reports, reports to councillors
- *Annual Report*
  - *Report to Councillors*
  - *Snapshot*
  - *Report(s) to Council committee meetings (open to public)*
  - *Other (please specify)*



# LONG FORM RESPONSES

(QUESTION 3)

## APPENDIX 2

### NORTHLAND REGIONAL COUNCIL

NRC has a range of initiatives to work in partnership with Māori. A key governance mechanism is the Te Taitokerau Māori and Council Working Party (TTMAC), which is an advisory committee of Council established in 2014. This group sits monthly and is made up of councillors and iwi and hapu leaders. The Council also has a Natural Resources Working Party which is a committee of Council made up of four iwi and hapu leaders from TTMAC and councillors. The role of this committee is to provide oversight on the Council's resource management and regulatory activities. The Council also has a Tangata Whenua Water Advisory Group (TWWAG) which provided freshwater advice to staff around operational freshwater resource management implementation. As a result of advice from TWWAG we are also undertaking two co-design processes with Māori for implementation of Freshwater Farm Plans and a Fish Passage Action Plan. The Council has also signed three Mana Whakahoā a Rohe agreements under the Resource Management Act (RMA). The intent of agreement includes improving working relationships between tangata whenua and Council and enhancing Māori participation in RMA resource management and decision-making processes.

### WAIKATO REGIONAL COUNCIL

WRC has operative Joint Management Agreements (JMAs) with five 'River' Iwi – Waikato, Raukawa, Te Arawa, Te Nehenehenui and Ngāti Tūwharetoa – as required by legislation. A key purpose of JMAs is to provide a framework for Iwi and the Council to discuss and agree processes for enabling co-management of planning, regulatory and other functions within the relevant Iwi's geographic area of interest. For all currently operative JMAs, this includes RMA compliance, monitoring and enforcement (CME) functions of Council. Whilst each of the JMAs was individually negotiated, there are common themes across all in relation to CME. The key commitments relating to CME within the JMAs generally include biannual operational meetings to discuss monitoring priorities, extent and methods; the potential for Iwi involvement in monitoring and enforcement processes; responses to non-compliance; consent review opportunities; the effectiveness of conditions and the effectiveness of compliance policies and procedures generally. The JMAs require various CME-related information to be provided, at different times – for example, summary updates of enforcement actions (prosecutions, enforcement orders, abatement notices and infringement notices) undertaken by the Council under the RMA for the JMA area. Agreed outcomes and actions from biannual operational meetings will, where appropriate, be reported up to the corresponding co-governance committees. The JMAs have facilitated closer personal and working relationship with Iwi which itself has engendered more effective engagement, co-operation and flow of information in both directions.

### BAY OF PLENTY REGIONAL COUNCIL

Partnership with Māori is one of the priorities for Toi Moana. We have a large number of iwi and hapū in the Bay of Plenty with a varied degree of capacity. Through partnership agreements and co-governance forums we will build capacity to grow Māori partnerships. CME information is reported to co-governance groups including the Rangitaiki River Authority and Te Maru o Kaituna. For significant incidents Tangata Whenua are notified early of incidents and advice is sought where significant clean up is required. We have been rolling out a programme with Marae to support upgrading of OSET systems that are fit for purpose. This includes providing technical advice, support and funding. Cultural effects are sought and fed into enforcement decisions. We are also exploring opportunities to engage tangata whenua in monitoring work.

### HAWKE'S BAY REGIONAL COUNCIL

Hawke's Bay Regional Council has a Māori Partnership Group who advises and offers strategic support and leadership to all staff in order to enable effective partnerships, engagement, and meaningful participation with tangata whenua. Council also has the Māori Committee, which includes both elected councillors and 12 representatives nominated by each of the four Ngāti Kahungunu Taiwhenua and Executive in our region. Additionally, there is the Regional Planning Committee, a co-governance group with an equal number of councillors and Post Settlement Governance Entity representatives. This committee works closely together to ensure the effective implementation of plans, processes, monitoring and enforcement. In conjunction with both Committees and Māori Partnerships, Council continue to work closely with iwi on significant incidents, investigations, and prosecutions and regularly obtains cultural impact statements from iwi for most prosecutions.

### TARANAKI REGIONAL COUNCIL

The council has 3 iwi appointed representatives on each of its Operations and Regulatory and Policy and Planning Committees. The Council also have a Taranaki Māori Constituency councillor who is appointed to the Operations and Regulatory and Policy and Planning Committees. This provides for CME input at this level. In addition the Council engages directly with iwi over major pollution events and prosecutions, obtains victim statements.

### HORIZONS REGIONAL COUNCIL

No formal agreements are in place at this stage with Iwi; however, as part of our weekly Interim Enforcement Decision Checks we review all significant non compliances and Horizons Iwi liaison team are involved and advise which iwi / hapu need to be notified particularly in relation to environmental discharges. Iwi are also invited to participate in formal investigations in the initial stages of the investigation, rather than just waiting until the end of the investigation.

### GREATER WELLINGTON REGIONAL COUNCIL

GW has no formal CME agreements with our mana whenua partners although we have commenced discussions with them around future CME priorities and undertakings as part of a CME review we have completed.

### ENVIRONMENT CANTERBURY

Environment Canterbury continues to provide alerts to Rūnanga that have requested visibility of pollution events in the region enabling direct advice and assistance. Iwi Management Plans are used to inform enforcement decisions and for some prosecution cases, we may fund Rūnanga impact statements. However, improving our Compliance Monitoring and Enforcement service is a current organisational priority for Environment Canterbury. We are focusing on how to help resource users comply by focusing on understanding the required work of compliance in a place, ensuring an improved connection to the community and catchment. One aspect of that will be exploring new ways of partnering with Rūnanga. Our intention is to work directly with one Rūnanga to experiment on how to partner on Compliance Monitoring and Enforcement work to deliver on outcomes for a place.

# LONG FORM RESPONSES

(QUESTION 3)

## APPENDIX 2

### OTAGO REGIONAL COUNCIL

While there are no formal compliance, monitoring, and enforcement (CME) agreements in place with iwi Māori, ORC integrates this within our wider work with Iwi partners Aukaha and Te Ao Mārama by prioritising engagement and involvement in CME activities. This includes notification of relevant pollution incidents and monthly hui to discuss cases and provide progress updates. Valuable input from iwi partnerships supported the recent review of the ORC's Compliance Plan, which sets CME priorities in the Otago region. During major incidents or comprehensive investigations, iwi partnerships are generally advised and engaged. Iwi Māori provide expertise in cultural impact assessments to assist the court with any cultural effects attributable to the offending (in prosecution cases). The ORC organisation has a high-level governance partnership agreement with Mana Whenua. This being Manatō-Mana which has representatives from the seven papatipu rūnaka across the takiwā that ORC serves. Additionally, we have a governance structure and partnership agreement with iwi Māori called Te Rōpū Taiao, which focuses specifically on how we will jointly protect and care for the whenua and Taiao.

### WEST COAST REGIONAL COUNCIL

The West Coast Regional Council and Poutini Ngai Tahu have signed a Mana Whakahono a Rohe- Iwi Participation Arrangement. The arrangement formally acknowledges the partnership and relationship between Council and Ngai Tahu. The document can be found on Councils web site under Strategies - publications. Te Runanga Ngati Waewae and Te Runanga Makaawhio have representation on Council and in decision making on relevant Council committees such as the Resource management Committee.

### SOUTHLAND REGIONAL COUNCIL

The approach we have in Southland today is unique in the South Island. Its aim is to ensure Māori values are reflected in the council's decision-making, so that Southland's mauri is protected for now and generations to come. Te Aō Marama Incorporated (the environmental arm of Ngāi Tahu ki Miruhiku) was one of the key facilitators when the relationship between the council and iwi began in the early 90s. Te Aō Marama was delegated the responsibility of dealing with councils on environmental matters, on behalf of the four papatipu rūnanga who hold mana whenua over all ancestral lands in Murihiku – Awarua, Hokonui, Ōraka Aparima and Waihōpai. For over 25 years the relationship with Environment Southland continues to grow, with various protocols being developed to ensure smooth and efficient processes for plan development and consents management, a jointly funded iwi policy advisor position, an iwi management plan Te Tangi a Tauira, and a partnership to improve Southland's water and land through the People Water and Land programme – Te Mana o te Tangata, te Wai, te Whenua. The most recent milestone in the council's relationship with iwi is the inclusion of mana whenua positions on two of Environment Southland's committees. Environment Southland, refers to the iwi relationship as te kōura tuia – the 'golden thread' that we weave through all our work. It's just part of how we operate. There is a commitment to the responsibility of improving Southland's local government understanding of all things Māori.

### AUCKLAND COUNCIL

No formal agreements are in place at this stage with Iwi; however, as part of our weekly Interim Enforcement Decision Checks we review all significant non compliances and Horizons Iwi liaison team are involved and advise which iwi / hapu need to be notified particularly in relation to environmental discharges. Iwi are also invited to participate in formal investigations in the initial stages of the investigation, rather than just waiting until the end of the investigation.

### GISBORNE DISTRICT COUNCIL

Council is committed to providing for the rights of Māori in decision-making processes and allowing the roles as tino-rangitiratanga and kaitiaki to be exercised. Whilst there are no specific CME agreements GDC has several relationship and management agreements with Māori stakeholder groups (iwi/hapu, land trusts and others). These include memorandums of understanding, joint management agreements, co- management and co-governance arrangements and joint protocols for a particular site or process. Internally GDC has developed a resource for staff (Te Matapihi) to develop confidence when engaging with Māori. This resource provides an interactive map of iwi/hapu groups that identifies areas of interest for hapu/iwi groups in the region and lists all engagements/projects with mana whenua to reduce duplicity of contact. In July 2023 Council commissioned and has since adopted Te Tiriti Compass which provides an articles-based framework for action and decision-making around engagement with Maori. Reference to the Tiriti Compass will be provided for in our revised Enforcement Policy (which is currently being reviewed).

### NELSON CITY COUNCIL

No formal agreements are in place at this stage with Iwi; however, as part of our weekly Interim Enforcement Decision Checks we review all significant non compliances and Horizons Iwi liaison team are involved and advise which iwi / hapu need to be notified particularly in relation to environmental discharges. Iwi are also invited to participate in formal investigations in the initial stages of the investigation, rather than just waiting until the end of the investigation.

### MARLBOROUGH DISTRICT COUNCIL

Iwi and hapū as kaitiaki are considered in the implementation of Marlborough's CME activities, including notifications, cultural impact and priorities. This includes the provision of cultural impact statements and victim impact statements for sentencing. MDC is working on identifying opportunities to work together in delivery of CME and build relationships between MDC and tangata whenua.

### TASMAN DISTRICT COUNCIL

No formal agreements are in place at this stage with Iwi; however, as part of our weekly Interim Enforcement Decision Checks we review all significant non compliances and Horizons Iwi liaison team are involved and advise which iwi / hapu need to be notified particularly in relation to environmental discharges. Iwi are also invited to participate in formal investigations in the initial stages of the investigation, rather than just waiting until the end of the investigation.

## 9.2. Overview of summer activities of the Harbourmaster Team

**Prepared for:** Regional Leadership Committee  
**Report No.** GOV2528  
**Activity:** Governance Report  
**Author:** Steve Rushbrook - Harbourmaster  
**Endorsed by:** Joanna Gilroy, General Manager Environmental Delivery  
**Date:** 9 April 2025

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### PURPOSE

- [1] The purpose of this report is to update the Committee on Harbourmaster activity and operations following the completion of the 2024/2025 summer season (1 November 2024 to 28 February 2025).

### EXECUTIVE SUMMARY

- [2] Under the Maritime Transport Act (MTA) 1994 the Otago Regional Council (ORC) takes the role of Harbour Authority for the Otago Harbour and waterways and has committed to monitoring and managing maritime risk in the region.
- [3] Each summer the Harbourmaster Team spends time on Otago's waterways, including in Coastal Otago and on Lake Dunstan. This is to support navigational safety and the implementation of Council's Navigational Safety Bylaw and responsibilities under the maritime Transport Act.

### RECOMMENDATION

*That the Committee:*

1. **Notes** this report.

### BACKGROUND

- [4] The Harbourmaster role and team was re-established at Council at the end of 2017. Since this time, the team has expanded to three staff and two vessels, in which to undertake a number of its functions.
- [5] The team has a focus on increasing engagement with the Otago Community and other water users to promote navigational safety. This includes an annual summer campaign and increased number of days on the water to support navigational safety. The summer campaign covers activities by the team from 1 November 2024 to 28 February 2025.

### DISCUSSION

#### On Water Activities

- [6] Throughout the summer season, the team had a focus on educating water users about boating safety. Key messages included:
  - a. Identification (Names, Number, Registration) on Vessels
  - b. Having two forms of waterproof communication
  - c. Wearing life jackets and
  - d. Checking the weather forecast before going out on the water
- [7] The focus on the above messaging over the summer period supported the wider national water safety programme.
- [8] Over the summer period, interactions about boating safety occurred on Lake Dunstan and in the Central Otago area and at boat ramps throughout the entire area of responsibility. The Harbourmaster Team were on the water at Lake Dunstan in the lead up to the Christmas holiday period and for 5 days over the new year holiday period. 65 on water interactions (talking to water users) and 90+ at the boat ramps were undertaken over this period.
- [9] To support safe water use over summer and continued awareness of navigation and water safety, new boating safety signage being put up across the region continued. A new swim safety sign and rescue buoy was placed at Balclutha during this period.
- [10] Over summer, the team continued to support the Environmental Monitoring Team with water monitoring across the major Lakes within our region. The team was on the water in these areas four days per month.

### **Off Water Activities**

- [11] As part of increasing awareness of on-water safety the team attended the Port Otago Open Day (outside of the reporting period) and Brighton Gala Day. The team will be attending the South Dunedin Street Festival and Moana Nui events during March 2025. The focus is on promoting safer boating with large numbers of people attending all of these events.
- [12] Bar Crossing education is a key part of keeping people safe on the water, in particular at Taieri Mouth. A seminar was held at Taieri Mouth on safe bar crossing, with the team presenting at this event. A Bar crossing seminar was also held at Owaka following a fatal incident and request for more information. The evening was very well attended with lots of positive feedback received. These seminars are always well attended and are supported by videos on bar crossing and the ability to put drones up to get clear pictures of the bars. There is a camera on site at Taieri Mouth, but not at the other bars in our region.
- [13] There is also a focus on supporting the education of school children on navigational safety. The team supported Enviro Schools at their Port Chalmers event with some great interactions with school groups and an opportunity to educate water safety to the younger generation.
- [14] In November, Council underwent the 3 yearly external review for the Port and Harbour Marine Safety Code. Whilst we still await the final review document at the time of this report, the review went well. Outcomes of this review will be reported through to the Committee once received.

[15] Over summer the annual media campaign continued. This includes ads on social media, radio and tv broadcasts and posts on social media.

[16] No formal actions were taken under the Navigation Safety Bylaw over the summer period. None have been taken to date in this financial year.

## **OPTIONS**

[17] As this is a noting report, there are no options.

## **CONSIDERATIONS**

### **Strategic Framework and Policy Considerations**

[18] There are no policy considerations.

### **Financial Considerations**

[19] There are no financial considerations.

### **Significance and Engagement**

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

### **Legislative and Risk Considerations**

[21] There are both legal and reputational risks associated with Council not appropriately carrying out its Harbourmaster functions and duties appropriately.

### **Climate Change Considerations**

[22] There are no climate change factors relevant to this paper.

### **Communications Considerations**

[23] Communication with the Otago community occurs on a regular basis to educate and inform people on navigational safety matters.

## **NEXT STEPS**

[24] As this is a noting report there are no specific next steps. Staff will start planning for the next summer period in late 2025.

## **ATTACHMENTS**

Nil



### 9.3. Territorial Authority Wastewater Treatment Plant Compliance Summary Report

**Prepared for:** Regional Leadership Committee

**Report No.** GOV2510

**Activity:** Governance Report

**Author:** Joanna Gilroy, General Manager Environmental Delivery

**Endorsed by:** Richard Saunders, Chief Executive

**Date:** 9 April 2025

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#### PURPOSE

- [1] The purpose of this report is to provide the Committee with a summary of the compliance of Territorial Local Authority (TLA) wastewater treatment plants (WWTPs) and the actions that have been taken by Council to achieve compliance. This report covers the period 1 April 2023 to 31 December 2024 inclusive.

#### EXECUTIVE SUMMARY

- [2] This report provides a high-level summary of the most recent consent audit gradings for TLA WWTPs in the Otago area and discusses the next steps for ensuring improved compliance with the consents issued for WWTPs in Otago.
- [3] Compliance levels vary across Councils and plants. In the reporting period 21 significant non-compliance, 11 moderate non-compliance, 9 low risk non-compliance and 9 full compliance grades were given as a result of consent audits. Monitoring of compliance remains a priority activity for the Otago Regional Council.

#### RECOMMENDATION

*That the Committee:*

1. **Notes** this report.

#### BACKGROUND

- [4] Otago Regional Council's (ORC) Compliance Team monitors compliance for 31 reticulated WWTPs operating under 55 main discharge consents issued to TLAs within the Otago region. Table 1 details the number of plants each TLA operates, and the total discharge consents they hold.

- [5] The role of ORC is to monitor compliance with the conditions of the relevant resource consents, and any other regional plan rules. Decisions on how the plants are operated, maintained and staffed are made by the Consent Holder.

<b>Territorial Local Authority</b>	<b>[6] WWTP operated</b>	<b>[7] Main Discharge Consents held</b>
Central Otago District Council (CODC)	7	11
Clutha District Council (CDC)	11	14
Dunedin City Council (DCC)	6	13
Queenstown Lakes District Council (QLDC)	4	11*
Waitaki District Council (WDC)	3	6
<b>Total</b>	<b>31</b>	<b>55</b>

Table 1: Number of Reticulated WWTPs operated by TLAs in the Otago region and the total number of Main discharge consents (as of 31 December 2024). *\*Note two QLDC discharge consents are not currently active*

- [6] In general, the WWTP's have the following types of discharge consents for on-site wastewater related activities:
- Discharge to Air (Odour);
  - Discharge to Water;
  - Discharge to Land; or
  - Discharge to Coastal Marine Area
- [7] The age and expiry dates for the resource consents issued for WWTP varies across the region. There is also a variation in the conditions that are placed on the resource consents because of the type of system being operated, or the environment the plant is located in.
- [8] Monitoring compliance with WWTP consents falls within priorities one and two of the ORC Compliance Plan 2023-2026 to “reduce non-compliant discharges to improve freshwater quality”; and taking a “proactive and integrated approach to monitoring largescale activities.” TLA WWTPs are generally audited annually and some WWTPs are visited regularly between the audits depending on the compliance status of the consents and whether compliance with abatement notices has been met.
- [9] In April 2023 the Government confirmed that ten publicly owned water entities would be established as part of the water services reform package. Consents held by the TLAs for WWTPs would then be transferred to the new water entity, and ongoing compliance with consent conditions would be required.
- [10] In February 2024, the Government passed the Water Services Acts Repeal Act, which repealed the Water Services Entities Act 2022, the Water Services Legislation Act 2023, and the Water Services Economic Efficiency and Consumer Protection Act 2023. This repeal halts the establishment of the ten publicly owned water entities and restores council ownership and control of water services. Consequently, consents held by TLAs

for WWTPs will remain with local councils, who will continue to manage compliance with consent conditions. This uncertainty has been challenging for TLAs.

- [11] In late February 2025 Taumata Arowai began consultation on the proposed national environmental performance standard for wastewater. These proposed standards would apply to public wastewater networks. ORC is currently developing a submission on the proposed standards.

DISCUSSION

Compliance audit process and grading

- [12] During a consent audit, compliance with each consent condition is graded from full compliance to significant non-compliance. The overall audit grade is based on the highest graded condition. Final audit reports and the associated grades are reported to the consent holder. Consent holders can respond to the content and request a review of the grade, however there is no formal process to appeal the grades.
- [13] Grades are determined by various factors, including water quality readings; compliance with discharge quality and volume limits; the submission of required operations manuals, annual reports and non-compliance reports. Where any significant non-compliance is identified and graded, this is reviewed internally to ensure consistency of application.
- [14] 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 grading reflects the potential environmental impact of any breach, whether immediate or foreseeable. Each grading is assessed case by case, considering factors like the sensitivity of the environment, proximity to local receptors, and the consent holder’s procedures and resources. Refer to Image 1.

	Compliance grade
	FULL COMPLIANCE with all relevant consent conditions, plan rules, regulations and national environmental standards.
	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 (eg, failure to submit a monitoring report).
	MODERATE 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.
	SIGNIFICANT 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 a high risk of adverse environmental effects.

Image 1: Recommended compliance rating system from table 4 of the Ministry for Environment ‘Best Practice Guidelines for Compliance, Monitoring and Enforcement under the Resource Management Act 1991’.

## Types of Non-Compliance and Actions

- [15] When assessing a consent, two types of non-compliance can occur. The first is process-related, where the consent holder fails to submit required reports, or report on specific activities relating to the discharge. The second type is physical non-compliance, where the plant does not operate according to the consent, leading to discharges that exceed the set limits.
- [16] While process-related breaches (e.g. a missed report) may not have immediate environmental impacts, they pose a risk because Council cannot assess the plant's operations. Persistent process-related breaches can be classified as significant non-compliances. Individual breaches of discharge limits can lead to prolonged non-compliance, especially when these limits are tied to extended reporting periods.
- [17] Any non-compliance identified during audits is addressed according to Council's RMA Compliance and Enforcement Policy. Actions can be formal or informal. Informal actions might include creating a compliance plan and providing regular updates. Formal actions can range from warnings and infringements to abatement notices, enforcement orders and prosecutions. Multiple actions may be taken for the same breach, and an abatement notice can be used alongside a compliance plan.
- [18] When an abatement notice is issued, staff will monitor compliance closely through regular communication, sample reviews, and site visits. The notice is lifted once full compliance is achieved.

## General overview of Compliance for WWTP

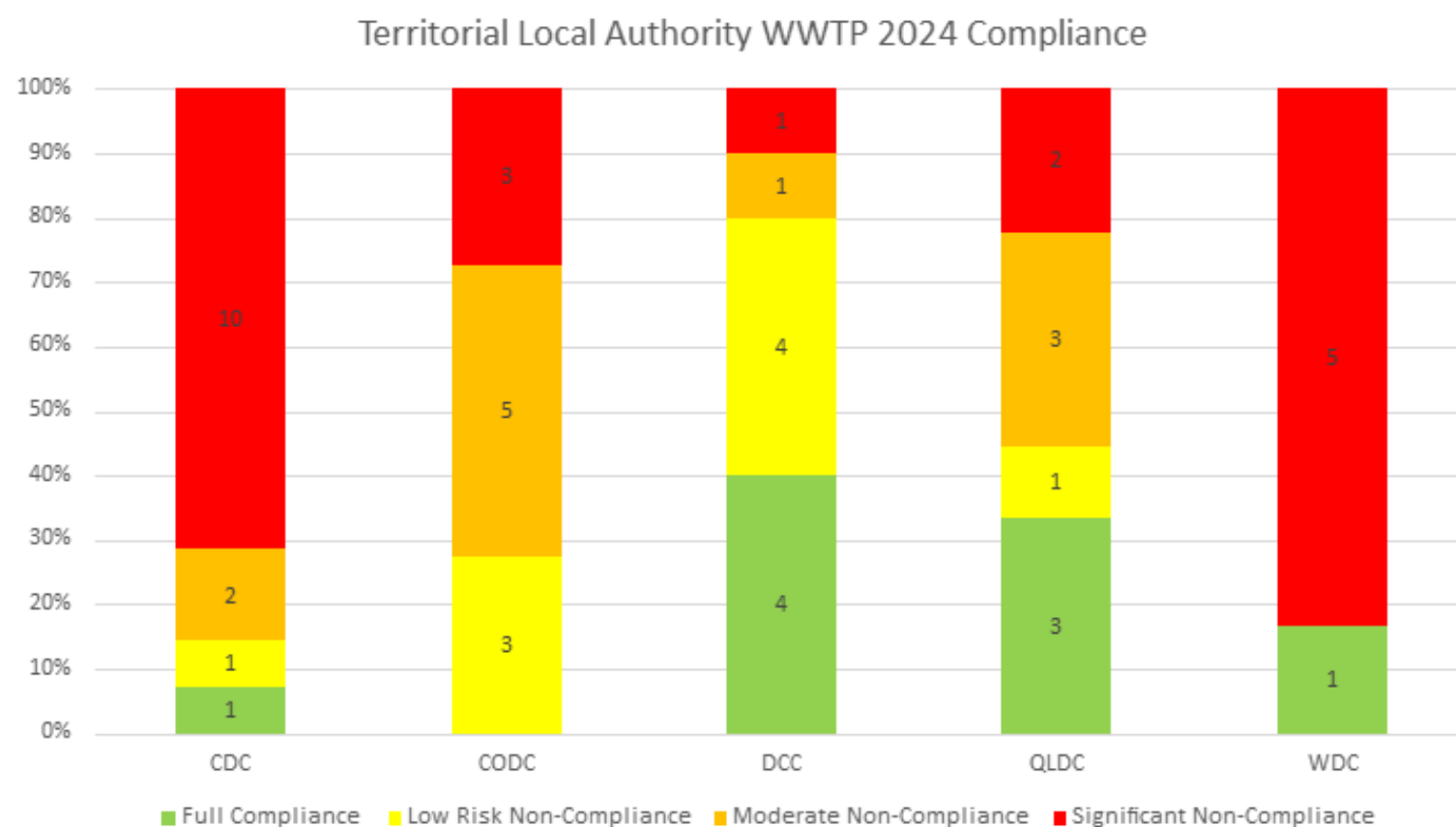
- [19] Table 2 and Graph 1 provides information on the most recent consent audit report grading for each WWTP discharge consent. This data shows that a number of significant non-compliances were identified in recent audits, but that full compliance was also achieved for some consents.

TLA	Full Compliance	Low Risk Non-Compliance	Moderate Non-Compliance	Significant Non-Compliance
CDC	1	1	2	10
CODC	0	3	5	3
DCC*	4	4	1	1
QLDC	3	1	3	2
WDC	1	0	0	5
<b>Total</b>	<b>9</b>	<b>9</b>	<b>11</b>	<b>21</b>

Table 2: Status of 2024 Consent Compliance at TLA WWTPs

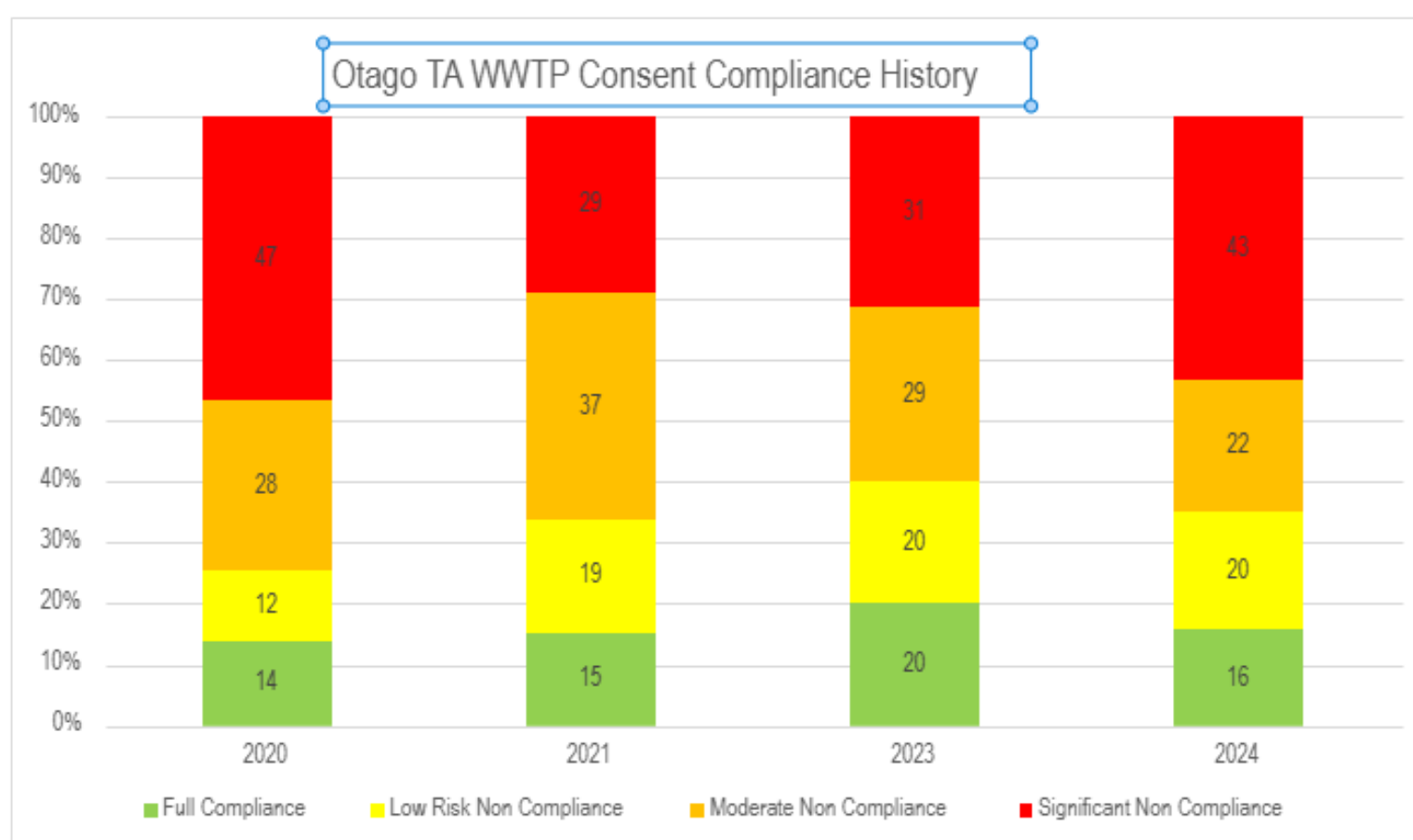
\*Note: Three DCC discharge consents were not audited in 2024 due to a not valid/not exercised status.

\*\*Note: Two QLDC discharge consents were not audited in 2024 due to their inactive status



Graph 1: Status of the Most Recent Consent Compliance Audit at TLA WWTPs

[20] Graph 2 shows the gradings over recent years from 2020 to 2024 (but not for 2022). Overall improvements in grades and compliance were seen in 2021 and 2023, but there has been an increase in significant non-compliances in 2024.



Graph 2: Status of Consent Compliance Audits at TLA WWTPs 2020-2024

[21] Table 3 provides the number of Infringement notices ORC has issued between 1 April 2023 – 31 December 2024, the number of current Abatement notices related to TLA WWTPs in Otago and the number of WWTP abatement notices cancelled. This provides an overview of the compliance action taken by Council in relation to identified compliance issues.



TLA	Infringement notices issued April 2023 to December 2024	Current Abatement notices	Abatement notices cancelled
CDC	11	5	6
CODC	0	3	2
DCC	0	1	3
QLDC	4	2	1
WDC	5	4	0

Table 3: Formal ORC Enforcement Actions Taken, cancelled or Ongoing from 01 April 2023 to 31 December 2024

- [22] Staff continue to work with TLA staff to regularly inspect plants and provide audit reports highlighting corrective actions. All TLAs are actively engaged with this process, which is positive. However, there continues to be a range of compliance issues across the consents, in particular significant non-compliances. This has resulted in the need for Council to use a range of compliance tools.

#### CLUTHA DISTRICT COUNCIL

- [23] CDC operates eleven reticulated WWTPs under fourteen main discharge consents. These consents were audited in April 2023 and again in early 2024. These consents cover locations such as Balclutha, Clinton, Waiholā and Milton.
- [24] Over the course of the reporting period, significant investments were made by CDC including capital upgrades at Balclutha, Waiholā and Clinton. Despite the most recent audits grading all CDC WWTPs as either significantly or moderately non-compliant, these improvements are anticipated to enhance discharge quality compliance in future audits and compliance is expected to improve.
- [25] As of 31 December 2024, there are five active abatement notices in place for CDC-managed WWTPs due to non-compliances at the Waiholā, Heriot, Balclutha, and Milton sites, including one for the Milton bypass consent. Two abatement notices were issued for the Balclutha and Heriot WWTPs due to long standing discharge quality issues, specifically affecting a single discharge parameter: ammoniacal nitrogen.

#### **Balclutha**

- [26] For the Balclutha site, an Abatement Notice was issued in the reporting period due to long standing discharge quality issues, specifically affecting a single discharge parameter: ammoniacal nitrogen.
- [27] Two infringements were also issued for failing to meet Ammoniacal Nitrogen limits in the final discharge. An Infringement was issued at the Balclutha WWTP following odour complaints from the oxidation pond. This had not been operating optimally due to influxes of waste introduced in the July-August period. Two Aerators have since been installed.

**Waihola**

- [28] In January 2024, the Waihola Wastewater Treatment Plant (WWTP) received an Infringement Notice for not adhering to the required tidal discharge timings, which are intended to prevent effluent from backflowing into Lake Waihola. This initial infringement was followed by an Abatement Notice in March 2024. Later in the reporting period, two additional Infringement Notices were issued in August for breaching the Abatement Notice.
- [29] CDC has since successfully updated the tidal discharge valve software and is closely monitoring the situation. The 2024 non-compliance was also due to late submission of the required Activity Management plan, which is now under review by CDC.

**Milton**

- [30] Recent improvements in plant management have significantly improved discharge quality at the Milton WWTP. However, despite this progress, breaches in discharge volumes remain a concern, leading to an Abatement Notice being issued in December 2024.
- [31] The Abatement Notice issued in 2021 for the short-term Milton WWTP bypass consent, which addresses bypassed discharges of untreated effluent not occurring as specified by the consent, remains active. In August 2024, three Infringement Notices were issued for breaching this Abatement Notice. These breaches relate to bypass discharges that occurred when the plant was not at full capacity as specified in the short-term consent.

**Clinton**

- [32] The 2024 non-compliance at the Clinton WWTP was due to effluent quality breaches and late submission of the required Activity Management plan, which is now under review by CDC. An infringement was later issued at the Clinton WWTP for these non-compliant discharges.

**Tapanui, Heriot and Kaitangata**

- [33] An Abatement Notice for the Tapanui WWTP was cancelled in 2023 following full compliance with discharge quality limits.
- [34] An Abatement Notice is in place for Heriot. This relates to ammoniacal nitrogen.
- [35] The Kaitangata WWTP effluent quality fully complied with the Abatement Notice issued in December 2022, leading to its cancellation on 29 November 2024.

**Overview**

- [36] A formal review under Sections 128 and 129 of the RMA of all five BioFiltro WWTP consents (Tapanui, Lawrence, Kaka Point, Owaka, and Stirling) led to the reissue of the consents, updating the previous 90th percentile limits to 9-out-of-10 limits, and resulting in the cancellation of the four remaining Abatement notices. It was recently confirmed that there is no targeted nitrogen removal at the BioFiltro sites, necessitating action from CDC. Compliance with the new limits under the new consent (including

nitrogen) will be assessed in early 2025, and appropriate action will be taken if non-compliance is found.

- [37] ORC staff have continued to work with CDC staff to ensure that appropriate actions are taken to achieve compliance. This has included monthly compliance meetings since 2023. CDC have continued to increase resourcing into their Water Services Infrastructure, so improvements are anticipated.

#### **CENTRAL OTAGO DISTRICT COUNCIL**

- [38] CODC operates seven reticulated WWTPs under eleven main discharge consents. CODC managed WWTP's were last audited in April 2024 and are due for their next full audit in the first quarter of 2025. Three significant non-compliant audit reports were issued in 2024, an improvement from five the previous year.
- [39] As of 31 December 2024, there are three active Abatement Notices for CODC managed WWTPs, relating to non-compliances at Ranfurly, Roxburgh and Naseby sites. Two Abatement Notices were cancelled due to compliance during the reporting period for the Alexandra and Cromwell WWTPs.

#### ***Cromwell and Alexandra***

- [40] The Abatement Notice for the Cromwell WWTP, issued in 2021, was cancelled in 2024 after achieving compliance with discharge quality limits. Similarly, the notice for Alexandra WWTP, issued in during this reporting period in May 2023, was cancelled in 2024 after compliance was achieved.

#### ***Roxburgh***

- [41] Significant improvements have been made at the Roxburgh Township WWTP since an Abatement notice was issued in 2021 due to discharge quality. Electricity has now been installed on site and the oxidation ponds have been de-sludged with 300T of dry solids removed. Aerators will be installed for a trial period to enhance nitrogen removal. The 2024 audit showed moderate non-compliance, an improvement from 2023. CODC continues to provide the ORC with quarterly updates toward achieving compliance at the site.

#### ***Ranfurly and Naseby***

- [42] Abatement notices issued at the end of the last reporting period in March 2023 for the Ranfurly and Naseby Wastewater Treatment Plants (WWTPs) remain active due to issues with the wetland/disposal field and non-compliance with their respective Operations and Management manuals. Additionally, Ranfurly is experiencing discharge quality exceedances. CODC is working with consultants and a wetland specialist to address these issues and provides the Council with quarterly compliance updates. CODC is also expected to apply for a consent variation of the main discharge consent for the Naseby WWTP to support future compliance.

### ***Omakau and Roxburgh Village***

- [43] Discharge quality has been compliant at the Omakau WWTP following a period of non-compliant pH levels that were not reported to ORC as required.
- [44] A suitable discharge flow meter has now been installed and verified at the Roxburgh Village WWTP as required.

### ***Overview***

- [45] CODC have increased resourcing into their Water Services Team who monitor their WWTPs and provide compliance reporting to ORC. ORC continues to work collaboratively with CODC to ensure full compliance is met.

### **DUNEDIN CITY COUNCIL**

- [46] DCC operates six reticulated WWTPs under 13 main discharge consents (including the Musselburgh pump station). Site inspections for all plants were last completed in June 2023 and October 2024.
- [47] As of 31 December 2024, there is the only one active abatement notice for DCC managed WWTPs relating to the air discharge consent for the Tahuna WWTP. The 2022 abatement notice at the Tahuna WWTP was cancelled in 2023 after achieving full compliance with wastewater discharge limits. However, a new abatement notice was issued in February 2024 for exceeding a discharge parameter under the air discharge consent.

### ***Tahuna***

- [48] The 2022 abatement notice at the Tahuna WWTP was cancelled in 2023 after achieving full compliance with wastewater discharge limits. However, a new abatement notice was issued in February 2024 for exceeding a discharge parameter under the air discharge consent.
- [49] Since the issuing of the 2024 Abatement Notice, DCC and Council staff have held regular meetings to discuss compliance progress in relation to this abatement. DCC has also engaged an Air Quality Specialist to explore solutions and provides regular updates. We are expecting this matter to be resolved by way of a variation to their consent.
- [50] Tahuna WWTP is well maintained and operated, performing effectively even during the recent Red Warning weather event. Excluding the discharge to air consent which is under abatement, the 2024 audits were graded either Full or Low Risk Non-Compliance.

### ***Green Island***

- [51] The Green Island WWTP received a moderate non-compliance audit grade in 2023. However, due to their strong compliance history and the isolated nature of the exceedance, no action was taken. The 2024 audits were graded either Full or Low Risk-Non-Compliance.

***Middlemarch***

- [52] The Middlemarch WWTP, while simple, is very well maintained. Discharge results have all been compliant with consented limits, however the 2024 audits identified Low Risk Non-Compliance with discharge rates and volumes. DCC is still identifying and rectifying all historic cross connections as required by the consent.

***Warrington***

- [53] An Abatement Notice was issued on the Warrington WWTP in 2022 due to issues with volume exceedances and discharge quality, specifically exceeding Total Nitrogen limits. To address this, the DCC implemented a side-stream tertiary treatment solution, which proved to be highly effective. Recent results indicate full compliance with discharge standards, leading to the cancellation of the Abatement Notice in November 2024

***Waikouaiti***

- [54] An Abatement Notice was issued for the Waikouaiti WWTP in 2022 due to discharge quality issues, particularly TSS and Ammoniacal Nitrogen exceedances. Initially, DCC planned to add a new stage to the treatment system, but operational changes on site have since successfully improved discharge quality to full compliance. Consequently, the notice was cancelled in November 2024.

***Seacliff***

- [55] The Seacliff WWTP has recently undergone upgrades, with commissioning of the plant completed in September 2024. The upgrades coincide with a new discharge consent that increases both the discharge volumes and the disposal area. The plant operates via gravity without a power supply. Overall, compliance and maintenance at this site are good.

***Overview***

- [56] DCC correspondence has been positive throughout the auditing and abatement processes and improvements can be seen in infrastructure upgrades, discharge quality, and the management both on-site and through reporting.
- [57] In November 2024, the ORC and DCC presented at the Environmental Compliance Conference, using the Warrington WWTP abatement process as a case study. The ORC's presentation detailed how the RMA Compliance and Enforcement policy and the 2023-2026 Compliance Plan prioritise compliance monitoring in Otago and addressed non-compliance. It also emphasised the importance of strong relationships between the Regulator and Territorial Authority and how effective Compliance, Monitoring, and Enforcement actions can improve environmental outcomes and compliance.

**QUEENSTOWN LAKES DISTRICT COUNCIL**

- [58] The QLDC operates four reticulated WWTP's with eleven main discharge consents (two of which are not currently active) servicing communities in the Queenstown Lakes District.



- [59] As of 31 December 2024, there are two active abatement notices for QLDC managed WWTPs due to non-compliance at the Shotover site.

### **Shotover**

- [60] The Shotover WWTP disposal field has faced compliance issues since February 2021 due to a combination of issues around its design, elevated groundwater levels and sludge blinding. This has impeded infiltration, leading to surface ponding of treated (or occasionally undertreated) wastewater and the discharge of treated (or occasionally undertreated) effluent beyond the consented disposal field area. Since 2021 two Abatement Notices and a total of 10 Infringements have been issued related to these non-compliances.
- [61] Whilst outside the reporting, period the first abatement notice and infringement notices were issued 27 May 2021, when the discharge and ponding within and outside the disposal field were fully treated and not considered an environmental or health risk. This abatement notice initially required no ponding or surface run-off of treated wastewater by 25 August 2021. QLDC applied for and Council granted multiple extensions to the compliance date so that the time for compliance eventually expired 30 November 2024.
- [62] Following the issue of the first abatement and infringement notices ponding outside the consented area was resolved, but minor to moderate ponding within the field was never fully resolved. Until late December 2023, this ponding was within with consent discharge limits as the effluent discharged was treated.
- [63] Operational failures affecting wastewater quality and odour problems emerged in December 2023, with an Infringement issued due to breaches of the odour consent. A second abatement notice was issued on 18 March 2024 and broadly required QLDC to cease the discharge of wastewater to land without complying with the discharge quality condition and Operations and Management manual of the Resource Consent.
- [64] In August 2024, operational issues at the Shotover WWTP led to elevated nitrogen levels and solids carryover, decreasing infiltration capacity within the gravels. Three Infringements were issued during the end of 2024 relating to breach of Abatement Notice when wastewater was discharged beyond the southern boundary of the approved disposal field. Five infringements were also issued together in January 2025 (outside of this reporting period) for similar breach of Abatement Notice during November 2024.
- [65] In September 2024, a discharge pipe was constructed to facilitate a "controlled discharge" of wastewater through the Disposal Field and to prevent the failure of the southern wall/bund of the disposal field. This has remained in place since and all subsequent discharge outside the disposal field boundary have been via this pipe.
- [66] Generally, the final wastewater quality has remained highly treated and has largely met discharge limits before entering the disposal field. Extensive sampling was carried out in November and December 2024. Regular sampling over the course of 2025 has also been undertaken. This indicates that the treated discharge from the disposal field poses no significant environmental risk to the Shotover and Kawarau Rivers, the Shotover Delta, or its users.

- [67] In the reporting period, the investigation and monitoring of Shotover was and is the Compliance Team's highest priority site and investigation. This has included, where appropriate, weekly site visits and sampling as well as responding to any issues on site. The council has undertaken a thorough investigation into the discharge incidents. Escalation of compliance action across the investigation has been taken, which has resulted in the application for an Enforcement Order from the Environment Court. This matter is now before the Courts.

### **Cardrona, Hawea and Wanaka**

- [68] The Cardrona WWTP continued to operate well over the reporting period with no current compliance issues.
- [69] The Hawea WWTP has been operating under new consents since July 2023 following upgrades in October 2022 including a moving bed biofilm reactor (MBBR) unit. The first audit in 2024 identified issues with maintenance of the site and land treatment area, discharge volume limit exceedances and general lack of compliance with the Operations and Management Manual. However, management and maintenance has improved since the audit. A full audit will be completed in early 2025.
- [70] An Abatement Notice issued in 2021 at the Hawea WWTP for non-compliance with discharge quality limits was cancelled following issue of the new consents in July 2023. Effluent quality against the new consent limits is being closely monitored and previous areas of non-compliance are trending to compliance.
- [71] The commissioning of the treatment plant and disposal field upgrades at Project Pure (Wanaka WWTP) was completed in mid-2024. However, a communications fault with the new control system in November 2023 caused sludge carryover and ponding in the disposal field. This incident, along with two exceedances of discharge quality limits, led to the discharge to land permit being graded as Moderate Non-Compliance in 2024 and resulted in an infringement notice being issued. These issues are now resolved, and the plant's overall performance is good.

### **Overview**

- [72] ORC staff continue to work with QLDC staff to ensure compliance. Regular and constructive meetings are in place to support this work. Whilst the focus has been on the Shotover site, QLDC has worked on compliance at their other sites.

### **WAITAKI DISTRICT COUNCIL**

- [73] The WDC operates three reticulated WWTPs with six main discharge consents.
- [74] As of 31 December 2024, there are four active Abatement Notices for WDC managed WWTPs, relating to non-compliances at the Palmerston and Oamaru sites with one Abatement Notice and five Infringements issued within the reporting period of this report.

**Palmerston**

- [75] The Abatement Notice issued in 2021 at the Palmerston site for issues with discharge quality, quantity, and nitrogen loading remains active. An infringement was issued to the Palmerston WWTP in May 2023 and in August 2024 for contravening this Abatement Notice.
- [76] The most recent audit of the Palmerston WWTP was graded as significant non-compliance due to ongoing discharge quality breaches, which also contravened the active Abatement Notice. Consequently, another Infringement was issued in September 2024 for breaching this notice. During the reporting period, upgrades have doubled the land treatment area, effectively reducing effluent loading per hectare and ensuring compliance with nitrogen loading and discharge volume standards.

**Oamaru**

- [77] The two Abatement Notices issued in 2022 at the Oamaru WWTP for discharge quality issues with the discharge to water and discharge to land consents are still active. Two Infringements were issued in October 2024 due to breaches of these Abatement Notices.
- [78] In October 2024, a third Abatement Notice was issued to the Oamaru WWTP due to non-compliant levels of dissolved oxygen in the oxidation pond.

**Moeraki**

- [79] For the 2023-2024 period the Moeraki WWTP audits were graded significant non-compliance due to exceeding the nitrogen loading limit on the eastern land treatment area by over 20% on the second successive occasion. The reason for non-compliance varied over the two successive audits. The council will be monitoring this non-compliance and take actions if appropriate following the early 2025 audit.

**Overview**

- [80] ORC staff continue to work with WDC staff to ensure compliance. Senior staff from both Councils met twice in late 2024 to address the poor compliance of WDC-managed WWTPs. Various consenting advice was provided by the ORC consenting team. Monthly meetings have been scheduled moving forward and it is pleasing to see continued and consistent engagement from the team at WDC.

**OPTIONS**

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

**CONSIDERATIONS****Strategic Framework and Policy Considerations**

- [82] There are no strategic framework or policy considerations.

### **Financial Considerations**

- [83] There are no financial considerations. Generally, work completed on Compliance Monitoring is cost recoverable.

### **Significance and Engagement**

- [84] ORC compliance staff continue to work with TLA staff to support compliance with WWTP consents.

### **Legislative and Risk Considerations**

- [85] Compliance monitoring and enforcement is a mandatory function under the Resource Management Act.
- [86] There are environmental, legal, social and reputational risks associated with compliance monitoring activities. Wastewater treatment plants present a high environmental risk where they are not compliant with the conditions of consent. For this reason, regular monitoring to confirm compliance occurs.

### **Climate Change Considerations**

- [87] There are no climate change considerations

### **Communications Considerations**

- [88] There are no communication considerations.

### **NEXT STEPS**

- [89] ORC staff will continue to work with TLA staff to ensure compliance with conditions of the resource consents is achieved. Each non-compliance identified will be assessed to determine the appropriate enforcement response in accordance with the Compliance and Enforcement Policy.
- [90] The Regional Leadership Committee will continue to receive an annual report on WWTP compliance as a standalone report. The next annual report will include an overview of the compliance over the past five years for WWTPs to allow for an analysis of compliance over time. This five-year period is the time that the specific reporting to the Committee on WWTP Compliance has been in place.

### **ATTACHMENTS**

Nil

**9.4. LGNZ Local electoral reform draft position paper**

**Prepared for:** Regional Leadership Committee

**Report No.** GOV2538

**Activity:** Governance Report

**Author:** Marianna Brook, Senior Advisor - Mayoral Forum

**Endorsed by:** Amanda Vercoe, General Manager Strategy and Customer

**Date:** 9 April 2025

**PURPOSE**

- [1] This paper invites feedback on Local Government New Zealand’s (LGNZ’s) local electoral reform draft position paper (attached).

**RECOMMENDATION**

*That the Committee:*

1. **Notes** this report.
2. **Recommends** that Otago Regional Council provide feedback on LGNZ’s local electoral reform draft position paper before the 28 April deadline.
3. **Agrees** that the Chair be authorised to approve and submit the feedback to LGNZ, once Councillors’ input is collated.

**BACKGROUND**

- [2] LGNZ launched its Electoral Reform Working Group in June 2024, chaired by Hon Dr Nick Smith, Mayor of Nelson. The group’s four key areas of focus are:
- a. Increasing voter turnout
  - b. Implementation and transition to four-year terms
  - c. Considering the ways people can vote
  - d. Who should administer local elections, and how they are best run
- [3] LGNZ and the working group released an issues paper in late 2024, expanding on the above matters and opening with the contention that ongoing decline in participation in local elections is an existential threat to local government.
- [4] The draft position paper was released on 13 March 2025 and sets out the working group’s draft positions on the challenges and opportunities facing the local electoral system.

**DISCUSSION**

- [5] The Committee is invited to review the draft position paper and consider providing feedback to the working group.
- [6] The position paper proposes twenty draft recommendations organised under five issues:
- a. The public’s understanding of local government and why it’s important
  - b. Understanding candidates and their policies



- c. Voting methods
  - d. Administration and promotion of elections
  - e. Four-year terms (including transition and implementation)
- [7] The paper notes that the working group is focused on effecting change, which means concentrating on factors that it can influence and that are likely to gain wide buy-in from local government.
- [8] Of the twenty draft recommendations, a little over half require central government to change legislation and/or commit funding, and six are led by councils themselves.
- [9] Feedback on the draft recommendations is invited before 28 April 2025. The working group has developed an online feedback form which invites respondents to rate their support for the five issues in paragraph 6 on a five-point scale, and then provide comment.

## OPTIONS

- [10] Nineteen councils submitted feedback on the working group's 2024 issues paper, from a total of 58 submissions. The position paper can be expected to prompt a larger response given its focus on solutions and actions.
- [11] As this is a feedback process and not a formal Government submission, it is recommended that the Chair approve and submit any feedback to LGNZ, once Councillors' input is collated.

### **Option 1 – Endorse the discussion paper's draft recommendations**

- [12] Endorse the paper, without providing feedback on specific recommendations. For the avoidance of doubt, this option means responding 'five' (strongly support) throughout LGNZ's feedback survey.

#### *Advantages*

- Signals support for the activities of the working group and its recommendations.
- Can be achieved without additional meetings or time spent collating feedback.

#### *Disadvantages*

- Does not influence the working group's recommendations.

### **Option 2 – Provide feedback on the discussion paper's draft recommendations (preferred)**

- [13] Review and discuss the draft recommendations, then provide feedback to the working group by the 28 April 2025 deadline. Option to invite the Submissions Working Group to develop the final submission.

#### *Advantages*

- Signals support for the activities of the working group and its recommendations.
- Allows Council to provide feedback on one or more recommendation.

*Disadvantages*

- Requires commitment beyond today's meeting to refine and finalise Council's feedback.

**Option 3 – Do not respond**

- [14] Discuss the paper today but choose not to provide feedback to the working group, or elect not to discuss the paper at all.

*Advantages*

- Does not require additional meetings or time spent collating feedback.

*Disadvantages*

- Neither supports the
- working group nor influences its recommendations.

**CONSIDERATIONS**

**Strategic Framework and Policy Considerations**

- [15] Not applicable

**Financial Considerations**

- [16] Some of the draft recommendations will place new costs onto government and councils. These costs are not known at this stage of the process and will depend on how each activity is implemented.

**Significance and Engagement**

- [17] Not applicable

**Legislative and Risk Considerations**

- [18] Not Applicable

**Climate Change Considerations**

- [19] Not applicable

**Communications Considerations**

- [20] Not applicable

**NEXT STEPS**

- [21] Any submission to the Electoral Reform Working Group will draw on the discussion at today's committee meeting. The Committee may choose to invite the Submissions Working Group to develop the final submission.

[22] As this is a feedback process and not a formal Government submission, it is recommended that the Chair approve and submit Council's feedback to LGNZ, once Councillors' input is collated.

[23] The final position paper will be launched at the LGNZ's SuperLocal Conference in July 2025.

#### **ATTACHMENTS**

1. LGNZ ERWG draft position paper [9.4.1 - 30 pages]



# Local electoral reform

## Draft position paper

// Local Government New Zealand’s Electoral Reform Working Group

// March 2025





## From the Chair of the Working Group

Kia ora Mayors, Chairs, councils, communities and residents

This draft position paper is the next stage in our work to build a platform for reform to strengthen the democratic mandate local government has to represent communities across New Zealand. It reports on the 57 submissions we received on our issues paper, released in October 2024, the feedback we received at the 2024 LGNZ zone meetings and the rationale for these 20 proposals.

There are three main drivers for this work. Participation in local elections has declined significantly over the past three decades. A participation rate of less than half of eligible voters is an existential threat to local government.

Conducting local elections by post is becoming increasingly untenable as postal volumes collapse, the number of post boxes drops, and a growing number of residents do not use/have a letterbox. This decline in post has been further highlighted since we started our work with NZ Post proposing fewer outlets and less frequent mail services.

The decline in post is a consequence of most communications now being online but the risk of switching to e-voting has increased with the growth in hacking and online fraud. State-sanctioned cyberattacks by authoritarian regimes aimed at discrediting and undermining democracies also makes e-voting too risky. The problems are compounded by the decline in mainstream media, a growth in conspiracy theories and a more polarised electorate.

We have sought to address these challenges with bold, substantive reforms as well as more minor changes. We propose having local elections managed by the Electoral Commission along lines as similar as possible to parliamentary elections. In-person polling booth voting over two weeks, backed by the Electoral Commission's familiar nationwide voter participation campaign, offers the best opportunity to lift participation rates and ensure our voting system's integrity.

Other changes being proposed include improving civics education, supporting Local Democracy Reporting, establishing an annual Local Government Week, avoiding local elections during school holidays, improving information about candidates, making it easier for overseas voting, supporting candidates with disabilities and addressing anomalies in expenditure caps for Māori Ward candidates.

The importance of our work on a four-year term has increased with the introduction to parliament of a bill providing for a referendum on extending the parliamentary term to four years. We believe there is a strong case for alignment of council and parliamentary terms and for national and local elections to be evenly spaced with elections biennially.

We welcome further discussion on these draft proposals.

Nga mihi nui,

**Hon Dr Nick Smith**

Mayor of Nelson | Te Koromatua o Whakatū  
Chair, LGNZ Electoral Reform Working Group





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## Purpose and timeframes for this work

### The purpose of the working group

The National Council of Local Government New Zealand (LGNZ) set up the Electoral Reform Working Group to drive LGNZ’s advocacy work around strengthening local government’s democratic mandate, with a particular focus on increasing participation in local body elections.

The working group’s members are:

- |   |   |
|---|---|
| // <b>Mayor Hon Dr Nick Smith</b> , Nelson City (Chair)                     | // <b>Professor Andrew Geddis</b> , University of Otago |
| // <b>Mayor Campbell Barry</b> , Hutt City (Deputy Chair)                   | // <b>Mayor Susan O’Regan</b> , Waipā District          |
| // <b>Councillor Toni Boynton</b> , Whakatāne District, Co-Chair Te Maruata | // <b>Mayor Rehette Stoltz</b> , Gisborne District      |

The group can be contacted by emailing [electoralreform@lgnz.co.nz](mailto:electoralreform@lgnz.co.nz)

### Timeframes

Following the Issues paper, the working group has produced this draft position paper. Submissions on these papers, alongside targeted engagement with key organisations, will inform the development of a final position paper.

The high-level timeline is:



### Scope of this work

This paper sets out the working group’s draft positions on the challenges and opportunities facing the local electoral system as set out in the issues paper. The working group is focused on effecting change, which means concentrating on factors that we can influence and that are likely to gain wide buy-in from local government.

### Providing feedback on this paper

Consultation on this document closes at **9am on Monday 28 April 2025**. You can provide feedback using the feedback form available at <https://www.lgnz.co.nz/policy-advocacy/key-issues-for-councils/local-electoral-reform/> or by emailing [electoralreform@lgnz.co.nz](mailto:electoralreform@lgnz.co.nz).



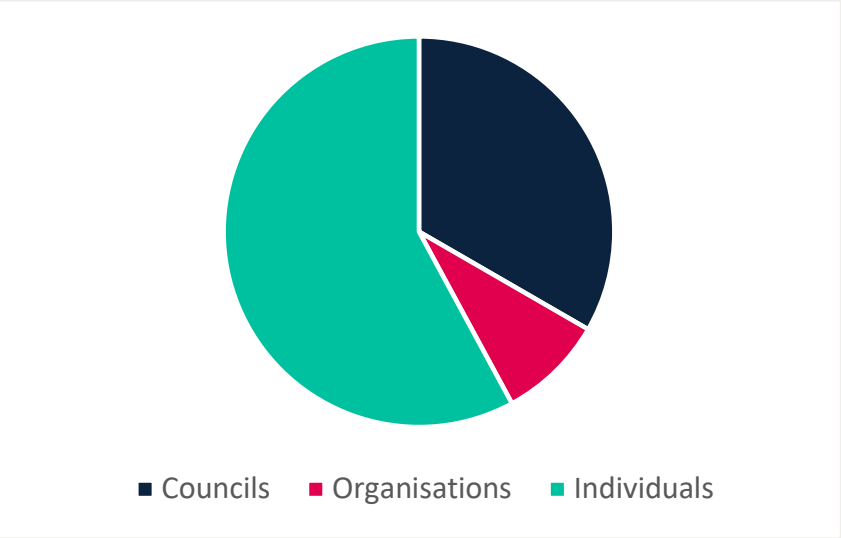
## Submissions received on the issues paper

The issues paper received a total of 57 submissions. The majority of these (58%) were received from individual members of the public.

The councils who submitted represent 64% of the population of New Zealand.

The specific feedback on the issues paper is summarised in each of our five key issues. Submissions from councils and organisations identify submitters by name, while submissions from individuals or groups maintain their privacy.

Figure 1 Who submitted on the issues paper



A number of submitters welcomed this process and noted the importance of local government owning the solutions to the challenges of low participation in local elections.

*“It is important that identified solutions to increasing participation in our council elections [come] from within local government rather than being decided and enforced from above.”* Individual submission

### List of submitters

The Electoral Reform Working Group thanks the following councils and organisations for their submissions:

**Organisations:** Green Party of Aotearoa New Zealand, Local Government Commission, New Zealand Post, Northern Action Group, Whaikaha – Ministry of Disabled People.

**Councils:** Ashburton District Council, Auckland Council, Central Hawke’s Bay District Council, Christchurch City Council, Far North District Council, Gisborne District Council, Hastings District Council, Hamilton City Council, Horowhenua District Council, Kāpiti District Council, Manawatū District Council, Napier City Council, Nelson City Council, Palmerston North City Council, Queenstown Lakes District Council, Rangitikei District Council, Tauranga City Council, Waipā District Council, and Whangarei District Council.



## Background on participation in local elections

Voter turnout in local authority elections in New Zealand has been trending down for the past three decades. However, since 2007 (with the exception of the formation of Auckland Council in 2010), turnout has been stable at between 42 and 44%. This represents a fall in total turnout of approximately 14 percentage points since 1989.

Over the same period, turnout in parliamentary elections has fallen by 6.5 percentage points. The current gap between turnout for parliamentary elections and local authority elections is approximately 36 percentage points. This gap has grown by 3 percentage points since 1992.

Turnout varies significantly between councils, ranging in 2022 from under 30% to over 60%. Turnout tends to be higher in smaller and rural councils than larger and urban councils. Turnout is also higher in those councils where councillors represent a small number of residents.

When compared to similar countries, voter turnout in New Zealand councils is close to the middle. It's well below countries like Norway, Denmark, and Iceland, where local governments have traditionally had a greater role with more autonomy. However, turnout in local elections is declining even in those countries.

Figure 2 Voter turnout in national and local elections 1989-2023

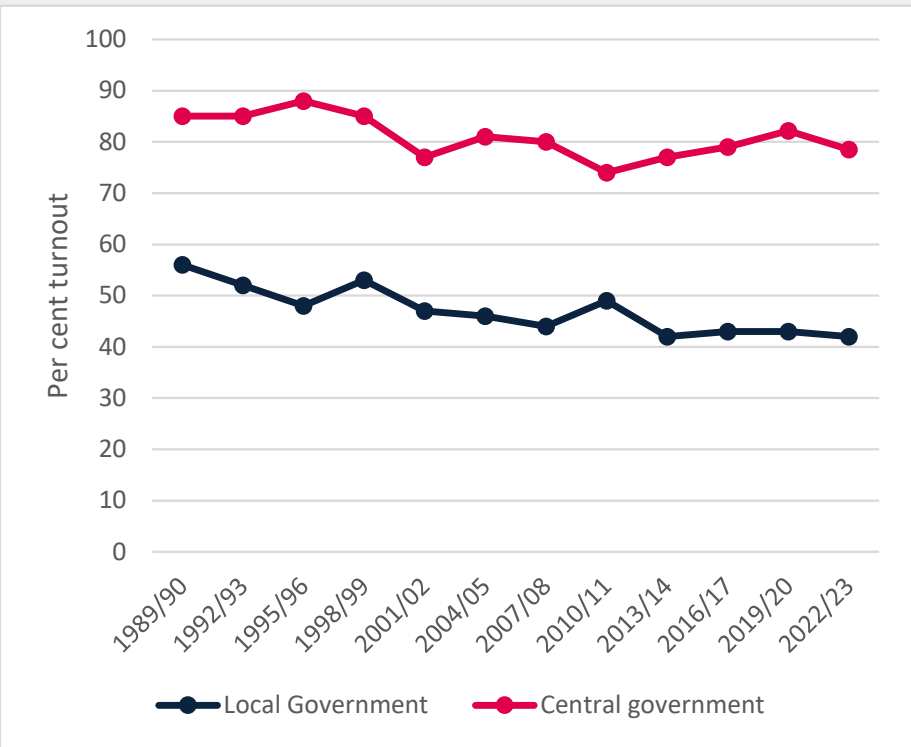


Figure 3 Turnout by council type

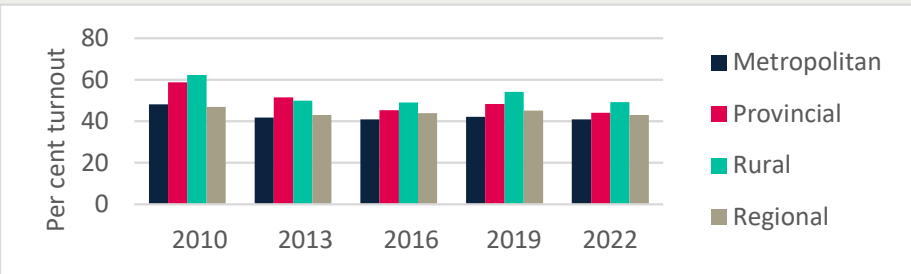
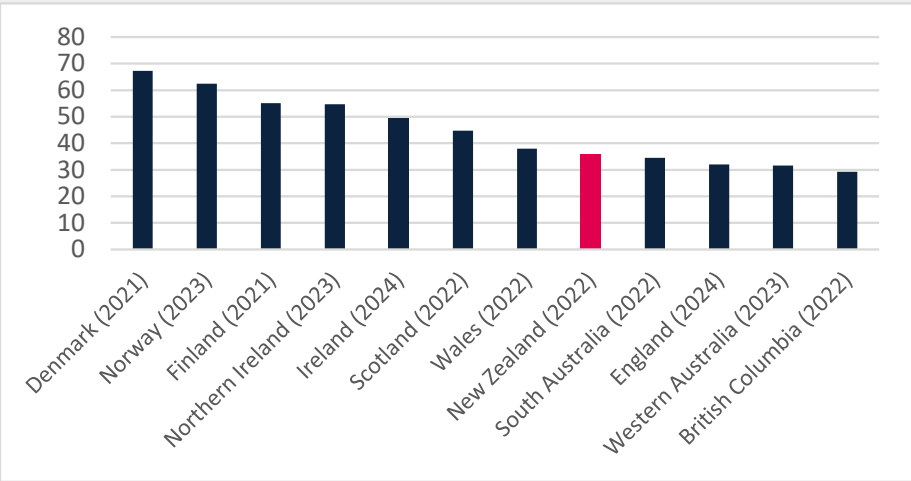


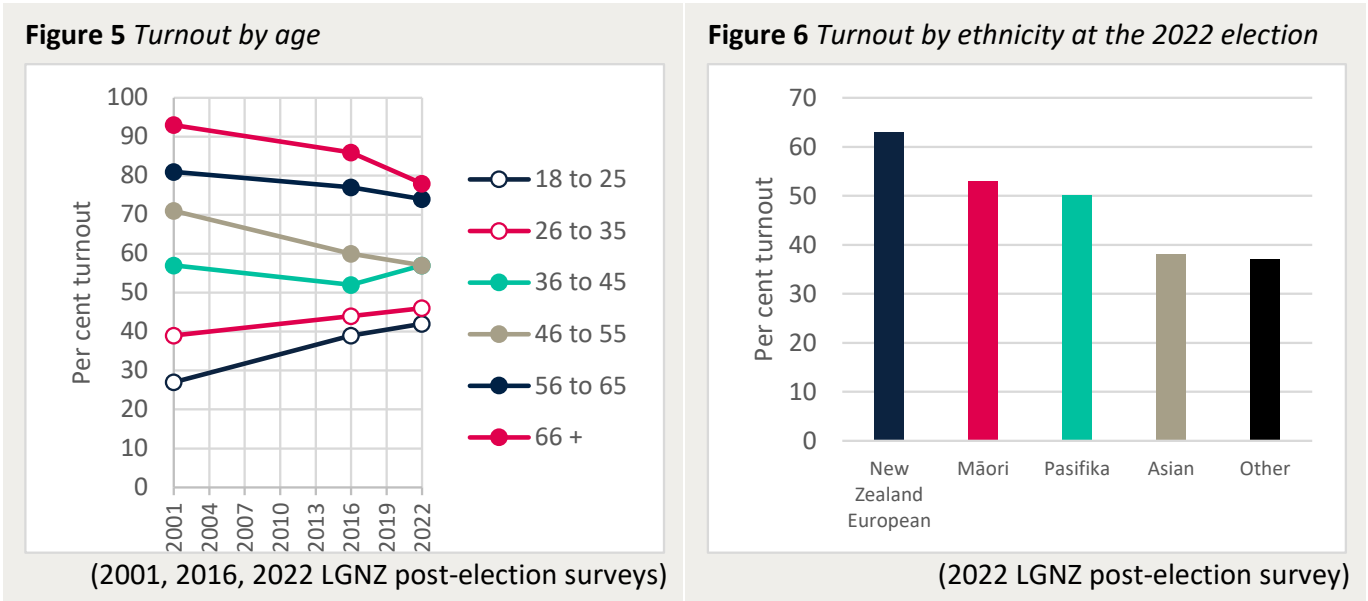
Figure 4 Turnout at last local elections





Who votes?

Post-election surveys suggest that voters in local elections are more likely to be: women than men; older or retired (although the proportion of voters under 45 is increasing while over 45 is gradually decreasing); from the South Island; have lived at the same address for 10 years or more. European or Pākehā are more likely to vote than those who identify as Māori, who are then more likely to vote than those who identify as Pasifika, with the lowest participation rate being people who identify as Asian.



Why people don't vote

The Horizon Research nationwide survey following the 2022 local elections found that the most common reasons for not voting were that people did not know enough about the candidates (31%) and their policies (26%) and could not work out who to vote for (22%). Another 11% of non-voters said that they did not vote because they did not receive voting papers.

Auckland Council's 2022 demographic study on turnout noted several possible causes of not voting:

- Perceived relevance of local government to everyday life
- Family and work commitments and an inability to pay attention to local politics in light of other life priorities
- Differences in the level of exposure to civics education
- Complexity of the local government system and voting process, along with differences in knowledge about local government across communities
- For some communities, a lack of identification with and ability to see one's identity reflected in the local governance system
- A distrust of and disengagement from the local government system, particularly amongst Māori
- The existence of a social norm of non-voting in some families, neighbourhoods and communities.





## Issue 1: The public's understanding of local government and why it's important

The public's lack of understanding of what councils do – and not seeing the work of councils as important – have been repeatedly identified as reasons why people don't vote in local elections. Building understanding should increase engagement with and participation in local democracy, including voting in local elections. The rates system can mean ratepayers have greater engagement with councils, compared to other voters.

### What do people say would increase turnout?

**40%** - more information about what councils do

**32%** - make it easier to engage with your council

(2022 LGNZ post-election survey)

### Civics education is a key way to build understanding of councils' work and value

Civics education is about learning your rights and duties as a citizen, including democratic processes and how you can interact with government and create change. Civics education objectives are built into the New Zealand Curriculum in Year 9 and 10 Social Studies. Schools have the flexibility to design their own curriculum within the national framework, including decisions about teaching civics and citizenship. In 2020, the Ministry of Education published a [Civics and Citizenship Education Teaching and Learning Guide](#) to support primary and secondary school teachers, but it is unclear how widely this resource is being used.

While the school curriculum is a key starting point for civics education, community-wide education is also important. This is particularly important for communities that have the lowest voting participation rates.

LGNZ and some councils deliver elements of civics education through initiatives that encourage young people to vote or engage with their local councils. One of these initiatives was [Ngā Pōti ā-Taiohi - Youth Voting 2022 programme](#), run by LGNZ as part of the VOTE 2022 campaign. Many councils also have youth councils, which also foster young people's understanding of what local government does and why it is important.

### Councils have an opportunity to better promote their role, work and value

Councils have many touch points with their communities. They also have a range of statutory requirements to inform communities about current and proposed work. This presents many opportunities for councils to demonstrate their value and promote their importance, at the same time as building wider understanding of local government.

### Decline of local media

Changes to the media landscape, including fewer local media outlets, mean declining coverage of both the work councils do and council decision making. This affects communities' ability to understand and engage in the work of councils.



## What we heard from submitters on this issue

### Civics education

Submitters were overwhelmingly in favour of improving the quality and reach of civics education, particularly as part of compulsory education. One submitter called for a more integrated approach:

*“Language should be about active citizenship, rather than delivery of civics education. The phrase ‘civics education’ suggests a separate cost to councils rather than integrating community participation methods in everything we do.”* Palmerston North City Council

This approach includes councils, particularly elected members, actively engaging with young people.

*“Practical initiatives like mock council meetings, youth governance programmes, and partnerships with councils should be part of this effort.”* Hastings District council

A couple of submitters raised concerns about mandatory civics education’s impact on teachers and schools:

*“...there are a number of programmes that schools run currently around civics and elections, and we support those, but are mindful not to add to the curriculum load on teachers and schools and do not support this being mandated.”* Tauranga City Council

The need for better resources to support the current curriculum was identified by several submitters. One submitter said there would be benefit from local government working with other organisations who already support central-government-focused elements of civics education.

### Localism and the need to involve communities

Several submitters noted the current consultation requirements, particularly on key decisions like the long-term plan, were overly prescriptive and a barrier to genuine community engagement.

A few submitters raised the need for councils to adopt greater localism approaches that include communities more in decision-making, including devolving some functions or decisions to the community. A couple of councils pointed to work they were doing in this area.

### The decline of local journalism

A number of submitters strongly agreed that the decline of local journalism needed to be addressed:

*“Increased central government support for local media would be helpful, such as increasing and extending the local democracy reporting scheme.”* Individual submission

### Wider reform of local government

A number of submitters called for wider changes to local government’s role, responsibilities, the number of councils, representation arrangements for individual councils, and the respective roles of elected officials and the chief executive. As outlined in the issues paper, these points are outside the scope of this work, but will inform LGNZ’s engagement with upcoming and future reforms. For example, one submitter noted a need for greater transparency of council performance, which aligns with elements of the Government’s local government forward work programme.



## Our draft position

### Supporting and promoting active citizenship

The civics education that's part of compulsory education needs to better support an understanding of how local government works, what it does, and why it is important. While the curriculum currently enables this to be taught, practical steps need to be taken to strengthen and improve its delivery. In particular, resources that enable learners and their teachers to support civics education need to be higher quality and more accessible. The Department of Internal Affairs has a role in ensuring this, and should work with key partners to develop, distribute and maintain practical resources that support practical learning.

There is a need to better support civics education for people outside compulsory education. There are many organisations supporting target demographics such as new migrants, and Māori. Better quality and more accessible resources would also benefit them.

In order for civics education to be effective, councils need to keep providing engaging real opportunities for young people to participate and be heard in order to promote active citizenship.

**Draft recommendation 1:** The Local Government Act 2002 should be amended to require the Secretary for Local Government to support public understanding of how local government works and how it impacts people's lives.

**Draft recommendation 2:** Councils should expand on their work to engage with schools to demonstrate how local government works, including how young people can be involved and expand on opportunities for young people to participate and be heard in decisions that affect them.

### How councils communicate their value

Every day, councils engage with communities on a wide range of issues. These interactions present opportunities to communicate councils' wider value to communities. While all councils take some advantage of this, more could be done.

The Local Government Act's current processes for engagement and accountability, particularly the Part 6 requirements around the Long-term Plan and significant decisions, are prescriptive and cumbersome, which presents a barrier to good-quality engagement that meets the unique needs and preferences of communities. The Government's work on performance reporting presents an opportunity to improve this aspect of the Local Government Act.



If communities see themselves more in councils' decisions, they are more likely to appreciate councils' value. This approach also aligns with localism, and many councils employ localism approaches in the ways they engage with communities, such as with participatory decision making. Some of these approaches, and examples of councils employing them, are described in LGNZ's Localism: A practical guide (<https://www.localism.nz/localism-guide/>).

A national focal point could support and amplify local work to communicate the value councils offer communities.

**Draft recommendation 3:** Central government should work with local government to reform Local Government Act requirements on how councils plan and engage to ensure this achieves best-practice engagement with and accountability to communities.

**Draft recommendation 4:** Councils should fully capitalise on all their current processes to communicate what they do and its value, and expand their use of localism approaches so that communities see themselves in the decisions made.

**Draft recommendation 5:** LGNZ, together with the Minister of Local Government, the Department of Internal Affairs and councils should create an annual Local Government Week where councils showcase what they do, where their investment goes, and why local government matters.

### Addressing the decline of local media

The traditional model of journalism is caving under pressure. Print advertising has shifted online and away from mainstream media businesses, gutting revenue. This has driven decline in local media, which presents a threat to local democracy. While central government funding is no panacea, investment in the Local Democracy Reporting scheme has ensured those communities receive local government news.

**Draft recommendation 6:** The Government should retain the Local Democracy Reporting scheme, and improve on it by:

- Extending coverage to areas where commercial media companies no longer cover local government; and
- Committing to a three-year funding cycle to attract and retain capable staff and unlock private co-investment.



## Issue 2: Understanding candidates and their policies

Voters receive very little information to help them get to know candidates and understand their policy positions. The Report of the Justice Committee on the Inquiry into the 2022 Local Elections referred to three post-election surveys that identified the lack of sufficient information about candidates as a main reason for not voting.

### Candidate information provided to voters

Currently the primary mechanism for providing candidate information is through *candidate profile statements*, which are distributed in a booklet with voting papers. With a maximum of 150 words and few requirements around content, it's challenging for candidate profile statements to provide sufficient information for voters to make informed decisions. Statements are often bland and tend to focus on the background and experience of the candidate with little detail about their policy platform. To bridge this gap, various websites have profiled candidates and enabled comparison of their policy positions.

Other ways to convey information about candidates and their political positions include: direct promotion by candidates and/or their tickets (where these exist) through pamphlets, billboards, and advertisements; public meetings organised by candidates, councils, or third parties such as business associations or residents groups; and reporting by media organisations.

### The role of media and other organisations

How voters get their information is changing in tandem with the shift away from traditional media towards digital and social media. We're also seeing a decline in the presence and size of local media, and less private funding for 'public good' journalism, meaning less in-depth media coverage of local government in general and local elections.

Civic organisations (such as Rotary, Grey Power, business associations and resident associations) have previously played an important role in local democracy, through holding 'meet the candidate' events, which provide a setting for local citizens to discuss policy issues. However, both the membership and reach of many civic organisations is declining, resulting in fewer third-party-hosted 'meet the candidate' events.

### The role of candidate campaigning and candidate knowledge

Candidate's campaigns play a role in helping voters understand who candidates are and what they stand for. If candidates are well informed about the role of elected members and key issues facing their council, they are more likely to develop informed perspectives on a range of policy areas – and to communicate those positions to voters.

#### What do people say would increase turnout?

**37%** - more information about candidates

**32%** - require candidates to include policy positions in profile statements

**19%** - more events to get to know the candidates

(2022 LGNZ post-election survey)





## What we heard from submitters on this issue

### Information on candidates and what they stand for

A number of submitters noted it can be hard to decide who to vote for because it can be hard to find out what candidates stand for. There was strong support from many submitters for voters getting more information about candidates' positions and views.

*"... we see merit in a consistent approach to the provision of candidate information such as via a centralised digital platform. We also see merit in such a platform being provided by an independent public body to ensure that neutrality is maintained and to enhance trust in the platform."* The Local Government Commission

Most submitters supported a single central website, although some councils expressed a preference for information being hosted on the relevant council's website. Some submitters wanted more candidate information provided to voters in a range of languages. One submitter felt that there should be penalties for candidates who supply false or misleading information as part of their biography and any position statements.

Some submitters supported expanding opportunities for voters to engage with candidates.

*"The local council then needs to support local engagement, making sure there are sufficient opportunities for the public to meet the candidates."* Individual submission

### Support for candidates

A couple of submitters raised the possibility of candidates receiving some public funding for promotional activity. One submitter said disabled candidates should receive the same kind of support that disabled central government candidates receive, to address barriers to standing.

### The role of political affiliations in local government

A few submitters raised concerns about people who were members of central government political parties either standing for local election or not being clear about their party affiliation. These submitters felt local elected members should make decisions based on local needs and preferences without wider ideological bias, and that central government parties should not influence local decision making. Conversely, a couple of submitters felt that wider use of party-political endorsement would make it easier to understand what candidates stood for.

### Pre-election training for candidates

The majority of submitters who commented on pre-election training for candidates were strongly in favour of its expansion and pointed to councils already doing good work in this space. A couple of submitters were in favour of making such training compulsory.

*"So many candidates stand with great promises of 'If elected I will...' No one person can do anything and they inherit the LTP and are captured by the legal constructs that set the 'rules of the game.' There should be an almost compulsory boot camp before you can stand for election."* Individual submission



## Our draft position

### Information on candidates

Voters need to be provided with better information on who is standing for election, what they stand for, and what they hope to achieve if elected. There are challenges in moderating such information while maintaining neutrality, so outside of current prohibitions on objectionable or defamatory language it should be the role of voters, supported by media and public interest organisations, to test these statements.

Neutral third parties, such as policy.nz, have played an important role in supplying candidate information to voters. However, it can be challenging to obtain candidate contact information, photographs, and biographies from electoral officers, and this challenge should be resolved. Protecting the privacy of candidate contact information is understandable given recent safety concerns for candidates, but should not prevent this information from being shared with reputable organisations for a clear election related purpose.

While a political endorsement may help voters understand a candidate's views, candidates should not be required to state current or previous political affiliations.

**Draft recommendation 7:** The administrator of local elections should be required by the Local Electoral Act to provide and maintain a website (directly or by contracting to a third party) that would give every candidate the opportunity to provide (as part of the nomination process):

- A 150-word biography (as per the current candidate booklet);
- Answers to four or five standard questions on policy views and priorities (with a 500-word limit across all answers). These questions could be set by a neutral body such as the Electoral Commission or in primary legislation; and
- Links to candidate websites.

It would be useful if this website allowed for candidates to also provide a short video statement. A suggested maximum length is three minutes, and the video should be subtitled so it is accessible for hearing-impaired people.

Submissions from candidates should not be moderated, with the exception of objectionable or defamatory statements.

**Draft recommendation 8:** As a transition step to recommendation 7:

- For elections before the introduction website council electoral officers should be encouraged to provide candidate-supplied information to neutral third-party websites for the purposes of supporting better understanding of candidates; and
- The Local Electoral Act should retain provision for the printed booklet with a 150-word candidate statement, with the need for this being reviewed after two elections after the introductions of the website.



### Decline of civic organisations and local media

The implications of local-media decline have been covered earlier in this paper under issue one.

In-person or online ‘meet the candidate’ events help voters understand more about candidates. While some organisations organise these events to promote a specific viewpoint, politically neutral events are preferable if the objective is informed decision making by voters. The decline of neutral events needs to be addressed.

**Draft recommendation 9:** Councils should continue, or give consideration to, supporting ‘meet the candidate’ events, either by directly running them or by funding politically neutral organisations to do so.

### Candidate knowledge

Candidates who understand the office they are standing for can better communicate their positions on key issues and what they would achieve if elected. Training for candidates shouldn’t be compulsory, as it is in some places overseas, but it should be much more accessible and utilised by candidates. Councils and organisations like Local Government New Zealand offer training, resources, and information sessions before elections.

### Supporting candidates

Disabled candidates can face barriers to standing in local elections, and this should be addressed by central government in the same way as for central government elections.

There should not be state funding of candidates in local elections. However, local democracy in New Zealand would benefit from more private and philanthropic support for candidates from underrepresented groups. Initiatives like this exist in overseas democracies.

Candidates in Māori wards and constituencies face specific challenges from candidate spending limits based on population that do not take into account geographic area. A Māori ward or constituency could cover the area of several general wards or constituencies. Campaigning to dispersed populations is more expensive, effectively giving these candidates a lower effective spending limit than general ward or constituency candidates.

**Draft recommendation 10:** The Government should extend the Election Access Fund to candidates for local elections to address barriers faced by disabled people who want to stand.

**Draft recommendation 11:** Government should address the anomaly faced by candidates in Māori wards and constituencies by reviewing part 5, subpart 2, of the Local Electoral Act, which concerns candidate expenditure limits.



### Issue 3: Voting methods

Currently, the Local Electoral Act 2001 allows local authorities to use one or more voting methods. It lists postal voting, booth voting and electronic voting. This is subject to the method being explicitly allowed for in regulations: currently the Local Electoral Regulations 2001 only enables postal voting, booth voting, or a combination. All local elections have been conducted by postal voting since 1995.

**Postal voting is becoming unviable as a voting method**

The Cabinet Paper on the Government response to the Inquiry on the 2022 Local Elections stated, “*Postal voting is becoming increasingly untenable for local elections*” and noted further work should be done to ensure future local elections can be delivered.

To counter the reduction in post boxes, many councils now provide drop-off points for completed voting papers at supermarkets, malls and libraries. This is a short-term solution given the continuing decline of post.

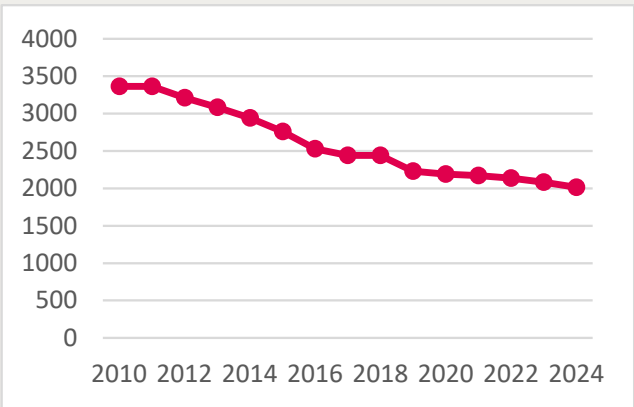
**There are significant security concerns with online voting**

While online voting is often suggested as a viable alternative to postal voting for local government, all trial attempts since the mid-1990s have been unsuccessful, largely due to security or cost issues.

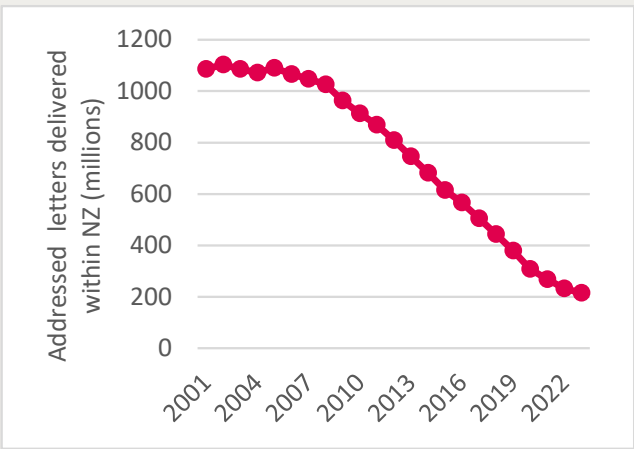
The Electoral Commission provided this perspective to the working group:

*“The search for online voting solutions that are robust, cost effective and that meet internationally accepted standards around security and voter verification continues and has not reached a point where the move could be taken without putting trust and confidence in the electoral system at risk.”*

**Figure 7** Number of NZ Post boxes 2010-2023



**Figure 8** NZ Post mail volumes 2001-2023





## What we heard from submitters on this issue

### Preferred voting methods

The challenge of postal system decline and its impact on postal voting was acknowledged by many.

*“...it’s the decline in mail volumes that has had the biggest impact on our postal system and the challenges we now face. However, NZ Post will continue to ensure excellent service in the delivery of the elections process for local authorities...”* NZ Post

The majority of submitters agreed that there was a need to shift away from postal voting.

*“The Council considers that the postal voting method ... is not an enduring, or reliable way, to conduct local elections. It is essential that alternative or additional methods of voting in local elections are put in place for future elections.”* Christchurch City Council

Several submitters disagreed that there were significant risks posed by online voting, or that these prevented its use at this time. Several submissions called for another online voting trial.

*“There is no value in deferring the introduction of online voting. Since its use as the dominant future voting system is unavoidable, work should proceed NOW to make it as suitable and effective as possible. Early trials and, if possible, testing and application against the 2025 Local or 2026 National elections should be a priority (even if only for those who volunteer to use the system).”* The Northern Action Group Incorporated

### Consistency

The majority of submitters who expressed a view supported having national consistency of voting methods.

*“...voting method(s) should be nationally consistent – for the ease of voters, and to ensure effectiveness and efficiency. They should also follow, to the extent possible, Central Government election processes, to avoid confusion.”* Waipā District Council

### Cost

There were several submissions concerned that alternatives to postal voting were more expensive.

*“...the consequences of having a broader range of voting methods is increased cost, complexity and need for resources, and options should be explored around how this could be paid for, including possible central government support”* Ashburton District Council

### Accessibility

One submitter raised the need to make sure any future method of voting could accommodate everyone.

*“The Ministry suggests the following methods continue to be supported and promoted for local elections: ... Phone dictation voting – currently available in national elections for blind and vision-impaired voters and voters who have a physical disability that prevents them from marking the voting paper independently and in secret... Delivery and collection of voting papers as currently supported for national elections on application.”* The Ministry of Disabled People – Whaikaha





## Our draft position

### Future method of voting

Given the challenges with the postal system, local elections should switch to a different voting method in the short-to-medium term (i.e. at the 2028 or 2031 elections). This method should be nationally consistent.

Given the significant concerns about online voting, local elections should instead use in-person voting. This should be as close an experience as possible to parliamentary elections. There should be a two-week timeframe in which to vote with polling booths in venues where people frequently visit like supermarkets and malls. There should also be a simpler system of voting from overseas, and appropriate accommodations for disabled voters.

This will be more expensive than postal voting. How this should be addressed is detailed in issue 4.

**Draft recommendation 12:** Move to a nationally consistent system of in-person voting for all local elections that is as similar as possible to parliamentary elections over a two-week timeframe in which to vote, with polling booths in venues where people frequently visit. Preferably by the 2028 local elections or the 2031 local elections at the latest.

### Short-term improvements

In 2025, councils should continue their important work to support participation, particularly by investing appropriately in promoting standing and voting, and in offering alternative drop-off points like 'orange bins' at supermarkets and drive-through drop-off points. 86% of voters used council alternatives to post boxes in the 2024 Tauranga City Council elections. The government, through the Department of Internal Affairs, previously contributed financially to these initiatives.

If the 2028 elections do not shift away from postal voting, then there should be legislative changes that make it easier for people to vote from overseas, and to have voting papers reissued if they do not arrive.

**Draft recommendation 13:** Until a change in voting system is made, councils should continue to expand availability of alternative ballot drop-off points such as 'orange bins' at supermarkets and drive-through drop-off points, and government should be encouraged to contribute to this financially.

**Draft recommendation 14:** If we do not shift away from postal voting in 2028, then the Local Electoral Act should be amended to enable overseas voters to use the same electronic voting approach as central government elections, and make it easier for voters to have voting papers reissued if they do not arrive.



## Issue 4: Administration and promotion of elections

Local authorities are responsible for administering local elections in their areas. Administration includes conducting elections, preparing voting papers, counting votes, assessing special votes, and responding to information requests from candidates and the public.

Most councils outsource all or part of this role to private election service providers like Independent Election Services and Electionz.com. This can include outsourcing the role of electoral officer under the Local Electoral Act 2021. In the 2022 local elections, 70 of the 78 councils did this. While the remaining councils appointed a staff member to act as electoral officer, most contracted a private company to administer some aspects of the election.

The Local Government Act 2002 was amended in 2009 to explicitly make council chief executives responsible to their councils for promoting elections. This role involves “facilitating and fostering representative and substantial elector participation in elections and polls” *s42(2)(da) Local Government Act 2002*. Councils tend to have two stages to their promotion activity: encouraging people to stand as candidates; and encouraging people to vote. The Electoral Commission also undertakes a nationwide enrolment campaign ahead of local elections.

Investment in promoting local elections, of about 50 cents per elector, is significantly less than investment by the Electoral Commission in promoting national elections at about \$4 per elector. In general elections, political parties also invest significantly in promotion. The parties inside the current parliament declared promotion expenses of over \$15m for the 2023 election. This includes public funding of \$3.5m through the broadcasting allocation. Individual candidates declared a further \$3.45m of local expenditure. While local elections in larger cities, particularly when competitive, can see high levels of declared expenditure, local elections generally see significantly lower campaign spending by candidates.

The Justice Committee, in its [Inquiry into the 2022 Local Elections](#), recommended the Government consider making the Electoral Commission responsible for administering local elections. It suggested that (at a minimum) the Electoral Commission should be responsible for: oversight of local elections; regulation of election service providers; and management of complaint procedures. The Government agreed to consider this but has indicated it would be a long-term project that would take place only when work programme priorities allow.



## What we heard from submitters on this issue

### Who should administer elections

A few councils noted that the use of contractors can be more effective and efficient than councils directly delivering elections.

*“If the administration of elections continues to lie with local councils, Auckland Council has found that the current arrangements work well. The administration of the election processes that are set out in legislation is outsourced to an experienced provider... Permanent staff with full-time responsibilities do not have the capacity to run an election every three years in addition to undertaking normal responsibilities. It is preferable to contract a provider with reputation and experience than recruit additional new staff every three years. Furthermore, the two providers have invested in equipment, including commercial grade optical scanners and computer systems.”*  
Auckland Council

A large number of submitters supported the Electoral Commission taking over administering and promoting local elections. This would include using their existing branding as seen in central government elections.

*“...the Electoral Commission is best placed to run both general and local elections, and recommends that it do so. This would include use of the Orange Man and Pup for local election advertising, which are established recognisable election brands in New Zealand.”* Nelson City Council

### Who should promote elections

A large number of submitters also supported promoting elections sitting with the Electoral Commission, but also noted the need for councils to support this work.

*“...The Electoral Commission should take the lead in promoting local elections, as its neutrality and expertise make it the most trusted entity to drive voter engagement... This does not diminish the role of councils in promoting elections. Councils are essential partners in the process, providing local knowledge and logistical support. However, councils cannot be the primary drivers of election promotion, as their inherently political nature (with elected members often running for re-election) can confuse voters and erode trust in the neutrality of the process.”* Hastings District Council

### Local representation arrangements

One submitter suggested that the current arrangements for representation arrangements should end, and the Representation Commission should instead decide on representation arrangements for both local and central government.



## Our draft position

### Who is responsible

The Electoral Commission should administer and promote local elections. This would enable consistent investment across communities and use of the same branding to promote voting in both central and local elections (the 'orange man'). This would also benefit central government elections because the Commission would run elections more frequently, enabling their staff to have more recent experience delivering elections.

To support delivery of this new role, the Electoral Commission Board would need to be required to collectively possess appropriate skills, understanding and experience. At the same time, the Independent Electoral Review's recommendation that the Minister of Justice should be required to ensure that the board collectively has skills, experience and expertise in te Tiriti/the Treaty, te ao Māori, and tikanga Māori should be implemented in order to improve Māori electoral participation.

The Electoral Commission should also be required in legislation to consult with councils on significant decisions and as part of key processes. Determining councils' representation arrangements should remain locally decided, with the Local Government Commission retaining its oversight role.

**Draft recommendation 15:** The Government should amend the Electoral Act and Local Electoral Act to put the Electoral Commission in charge of administering and promoting local elections. This new role should come with the following requirements:

- At least one member of the board of the Electoral Commission should possess knowledge and experience of local government and local elections;
- The board should expand to at least five members; and (like similar appointments) Local Government New Zealand should be consulted by the Minister prior to this appointment;
- The Electoral Commission should be required to engage with councils on key decisions and processes on the running of local elections; and
- Local elections should utilise the same branding as central government elections, including the 'orange man'.

### How should this be funded

It would be unrealistic to expect central government to fund local elections. This new role for the Electoral Commission should be funded by a levy on councils that recovers a proportion of the costs. This levy should be set in a transparent way that includes engagement with councils, and early enough so the levies can be considered at the appropriate time in the annual plan process. Given the national importance of thriving democratic institutions, and some communities' lack of ability to pay, central government should also invest in the running of local elections.

**Draft recommendation 16:** Funding for the Electoral Commission's new role should be covered in part by central government and in part by imposing a levy on councils. This levy should be set by Cabinet via secondary legislation and require consultation with local government.



## Issue 5: Four-year terms (including transition and implementation)

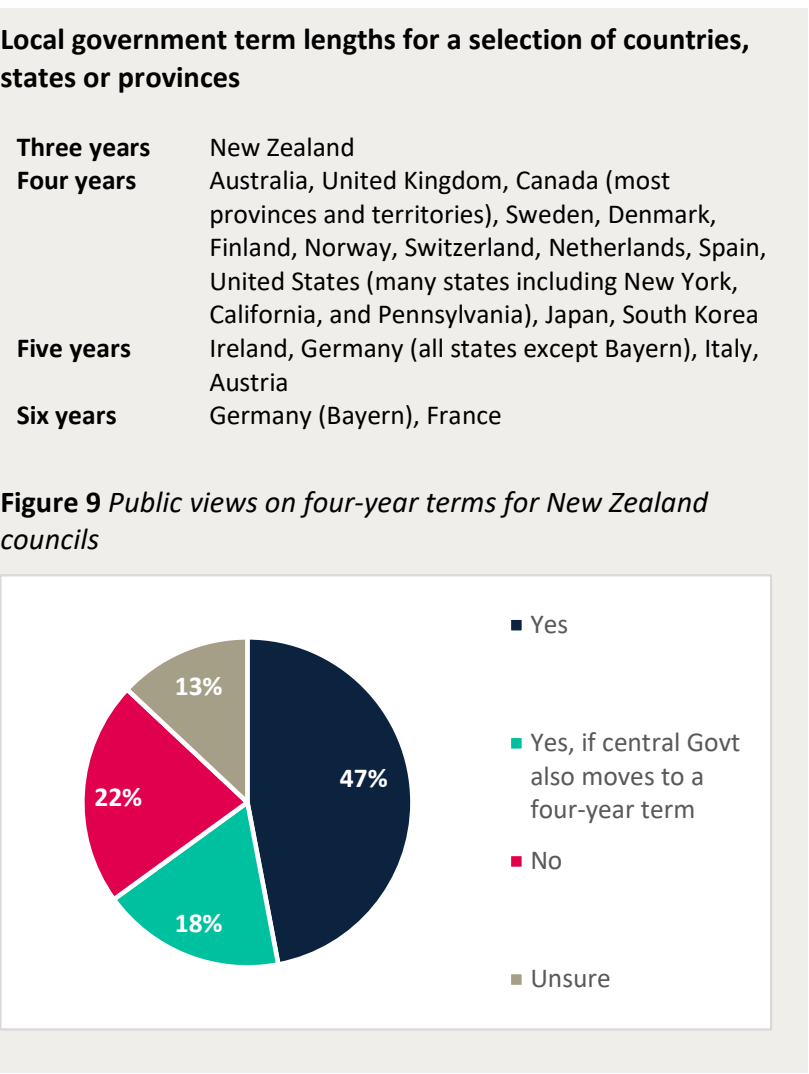
There is no optimum term length. Term length is a balancing act between maximising the productive period between elections that enables councils to deliver on agreed plans, and elections acting as a regular accountability mechanism for elected members. Having a large overlap in productive windows between central government and local government can foster greater collaboration and increase joint delivery. It also decreases the impact of changes in direction after elections at either level.

New Zealand’s three-year term for local government is short by international standards.

The Panel for the Review into the Future for Local Government recommended a move to a four-year term for local government as this would *“improve members’ abilities to make decisions for the long term by providing a longer window to get things done.”* LGNZ members agreed with the report’s recommendation and called for the local government term to shift to four years from the 2025 elections. This echoed a remit adopted at LGNZ’s 2020 AGM.

The longstanding practice for constitutional change would suggest a move to four-year terms requires broad support from the community and across parliament. LGNZ commissioned a poll testing public support for four-year terms in August 2024. This poll by Curia Market Research of 1,000 New Zealand adults aged 18+ found that 47% supported four-year terms, but 65% would support them if central government also had a four-year term.

Parliament, in early March 2025, voted 117 to 6 in favour of the first reading of the Term of Parliament (Enabling 4-year Term) Legislation Amendment Bill. The government has not committed in supporting this bill beyond the select committee process. This presents an opportunity to move to a four-year term for both central and local government.







## What we heard from submitters on this issue

### Four-year term

While there were a small number of submissions opposed to four-year terms for local government, the majority of submitters were in favour.

*“The council supports a four-year term in parallel to a similar change to the Parliamentary term and put to the public by referendum. Election campaigns can be a distraction in the final year of the term. A longer term could promote more innovative and strategic thinking, lengthen horizons on decisions, and encourage more use of deliberative democracy mechanisms. There would also be cost and time savings from less frequent elections and the potential to mitigate voter fatigue.”*  
Auckland Council

### Relative timing of local and central elections

A few submissions were in favour of combining central and local elections, primarily to benefit from the higher turnout of central elections. However an equal number of submissions opposed this, mostly due to concern that local issues would be crowded out. Most submissions favoured elections being spaced equally (two years apart), although there was also strong support for one year apart followed by a three-year space.

*“...local elections at the midpoint avoids voter fatigue during general elections while ensuring regular opportunities for citizens to engage with the democratic process... Holding local elections independently of parliamentary elections allows local issues to take centre stage, ensuring they are not overshadowed by national campaigns... A consistent midpoint election cycle creates predictability ... encouraging higher turnout.”* Individual submission

### Changes to timing

A majority favoured shifting the timing of major processes to a four or eight-year cycle.

*“If adopted, Long-term Plans should also be adjusted to follow a four-year cycle, with an eight-year horizon instead of ten. This would allow for the deferral of Long-term Plans in unforeseen situations (such as major weather events or emergencies), while ensuring the plans remain relevant for the future.”* Manawātū District Council

### Enhanced accountability

A number of submitters expressed the view that the range of current accountability measures, particularly the Minister’s powers to assist and intervene, were sufficient and did not need to change as part of a four-year term. A couple of submitters expressed support for recall elections although others opposed this.

There was support from several submitters for enhancing codes of conduct.

*“Strengthening codes of conduct and instituting more apparent consequences for breaches could also be an important accountability measure. By ensuring that council members adhere to a defined set of ethical and professional standards, councils would foster greater trust and transparency with their communities.”* Gisborne District Council



## Our draft position

Local Government and Central Government should move to four-year electoral terms, and the upcoming referendum should cover both. Such a significant constitutional change should be decided by electors. If both parliament and local government don't make this change in parallel then their elections would be out of sync. This means excluding local government from a shift to four-year parliamentary terms would be destabilising and confusing.

### Relative timings of central and local elections

When moving to four-year terms for both central and local government, the respective elections should be spaced evenly (i.e. local and central elections should be two years apart from each other). This gives people an understandable pattern of elections, and spaces the elections so the Electoral Commission has time to deliver both.

However, spacing elections a year apart followed by a three-year gap also has merit, given this maximises the productive period local and central governments have to work together.

Elections in the same year or at the same time would create administrative challenges (especially if the Electoral Commission was responsible for both). This would also risk important local issues being overshadowed by national ones.

Currently the maximum term of Parliament is set by the Constitution Act 1986 at three years from the day fixed for the return of the writs issued for the last election. This means central elections are at most about 3 years and two months apart; however, elections can be called at any time before this deadline. Early or snap elections would cause central and local elections to temporarily come out of alignment, and it could take many parliamentary terms before this timing would be reestablished. This challenge should be addressed by the legislation that implements a four-year term for central government.

Local elections are currently on fixed dates set in the Local Electoral Act. This should continue, but the date should be adjusted slightly for the 2028 elections and beyond to ensure the voting period avoids school holidays.

The transition to a four-year term for local government should start in 2028. Having one or two three-year terms for local government after 2028 may be required to achieve the desired spacing of local and central elections.

**Draft recommendation 17:** Local government and central government should move to a four-year term with elections spaced two years apart.

**Draft recommendation 18:** Section 10 of the Local Electoral Act should be amended so that the fixed election day avoids school holidays.



### Relative timings of key policy processes and decisions

As part of the transition to a four-year term, key planning and accountability processes should move from a three-year cycle to a four-year cycle. This would mean, withstanding wider changes to the present system, a Long-term Plan would be developed every four years, with another annual plan being required in year four. Representation reviews should be required at least every eight years.

The Land-Transport Management Act poses challenges in terms of the relative timings of key decisions and documents. This could be partially addressed by a four-year term with even spacing. However, this challenge should be specifically examined as part of implementing and transitioning to four-year terms for local and central government.

**Draft recommendation 19:** Local government legislation should be amended as part of a transition to four-year terms to move key planning, accountability, and representation processes from a three-year cycle to a four-year cycle. These include the Long-term Plan, Regional Land Transport Plans, Regional Public Transport Plans, and Representation Reviews.

### Enhanced accountability

A move to four-year terms should come with enhanced accountability because the key accountability measure of elections will apply less frequently.

Individual elected members accountability generally sits with the Code of Conduct. The current Code of Conduct process has a limited number of sanctions, and applying these sanctions often requires the support of a majority of elected members.

Further, currently code of conduct processes are often used inappropriately or for conflict that could be better addressed by a range of interventions before they escalate. Conflict or code of conduct issues should be triaged and while several organisations provide support in managing challenges, there would be significant benefits from a more formally established dispute resolution service. This service would support professional standards, provide alternative resolution pathways and early intervention to avoid escalation where possible. These are the hallmarks of modern conflict resolution systems where issues should be resolved as close to the source of the conflict as possible.

Where however, an issue does require escalation, the Code of Conduct process should be strengthened by introducing stronger penalties for significant breaches. While councils would retain a role around resolving and addressing most code of conduct complaints, investigations and application of penalties for significant breaches should sit independently from the council and the Government. Given its expertise and composition (which could be strengthened if need be to meet this extended brief), this role should be fulfilled by the Local Government Commission. This would be similar to the power of the Auditor-General to prosecute elected members for breaches of the Local Authorities (Members' Interests) Act 1968, which, if successful, automatically removes them from office. Alongside this, members can also be removed from office by ceasing to be registered or able to be registered as an elector, or convicted of an offence punishable by a term of imprisonment of two years or more. Removal of an elected member from office is a significant sanction and should have a high bar applied, with appropriate due process, and subject to strong checks.



Improving elected member performance would also pre-empt the need for a Code of Conduct process which would be a better outcome. This can be achieved through elected member training and support, and embedding a set of professional standards.

The current powers of the Minister to assist and intervene are not relevant here because they relate to councils as a whole rather than individual elected members, so act as a different accountability mechanism from elections. Recall elections are not supported. These can be very expensive, disruptive and, where they are in place, tend to be highly politicised, which would negatively impact how elected members carry out their roles.

**Draft recommendation 20:** The Local Government Act should be amended to strengthen the Code of Conduct process by:

- Empowering the Local Government Commission to investigate complaints relating to significant breaches;
- Implementing increased penalties for breaches, including suspension or fines, and empowering the Local Government Commission to apply these when it determines a significant breach by an elected member, with the penalty being proportionate to the breach and based on principles in the legislation;
- The Local Government Commission should also have the power to remove a member of local government for serious breaches. This recommendation must be made by unanimously by the members of the Local Government Commission and endorsed by the Minister of Local Government, with no resulting prohibition from standing in a by-election or any subsequent election; and
- Central government should invest in an independent dispute resolution service for local elected members to triage issues, and where possible pre-empt costly escalation.



## Draft recommendations

### Issue 1: The public's understanding of local government and why it's important

1. The Local Government Act 2002 should be amended to require the Secretary for Local Government to support public understanding of how local government works and how it impacts people's lives.
2. Councils should expand on their work to engage with schools to demonstrate how local government works, including how young people can be involved and expand on opportunities for young people to participate and be heard in decisions that affect them.
3. Central government should work with local government to reform Local Government Act requirements on how councils plan and engage to ensure this achieves best-practice engagement with and accountability to communities.
4. Councils should fully capitalise on all their current processes to communicate what they do and its value, and expand their use of localism approaches so that communities see themselves in the decisions made.
5. LGNZ, together with the Minister of Local Government, the Department of Internal Affairs and councils should create an annual Local Government Week where councils showcase what they do, where their investment goes, and why local government matters.
6. The Government should retain the Local Democracy Reporting scheme, and improve on it by:
  - Extending coverage to areas where commercial media companies no longer cover local government; and
  - Committing to a three-year funding cycle to attract and retain capable staff and unlock private co-investment.

### Issue 2: Understanding candidates and their policies

7. The administrator of local elections should be required by the Local Electoral Act to provide and maintain a website (directly or by contracting to a third party) that would give every candidate the opportunity to provide (as part of the nomination process):
  - A 150-word biography (as per the current candidate booklet);
  - Answers to four or five standard questions on policy views and priorities (with a 500-word limit across all answers). These questions could be set by a neutral body such as the Electoral Commission or in primary legislation; and
  - Links to candidate websites.

It would be useful if this website allowed for candidates to also provide a short video statement. A suggested maximum length is three minutes, and the video should be subtitled so it is accessible for hearing-impaired people.





Submissions from candidates should not be moderated, with the exception of objectional or defamatory statements.

8. As a transition step to recommendation 7:
  - For elections before the introduction website council electoral officers should be encouraged to provide candidate-supplied information to neutral third-party websites for the purposes of supporting better understanding of candidates; and
  - The Local Electoral Act should retain provision for the printed booklet with a 150-word candidate statement, with the need for this being reviewed after two elections after the introductions of the website.
9. Councils should continue, or give consideration to, supporting 'meet the candidate' events, either by directly running them or by funding politically neutral organisations to do so.
10. The Government should extend the Election Access Fund to candidates for local elections to address barriers faced by disabled people who want to stand.
11. Government should address the anomaly faced by candidates in Māori wards and constituencies by reviewing part 5, subpart 2, of the Local Electoral Act, which concerns candidate expenditure limits.

### Issue 3: Voting methods

12. Move to a nationally consistent system of in-person voting for all local elections that is as similar as possible to parliamentary elections over a two-week timeframe in which to vote, with polling booths in venues where people frequently visit. Preferably by the 2028 local elections or the 2031 local elections at the latest.
13. Until a change in voting system is made, councils should continue to expand availability of alternative ballot drop-off points such as 'orange bins' at supermarkets and drive-through drop-off points, and government should be encouraged to contribute to this financially.
14. If we do not shift away from postal voting in 2028, then the Local Electoral Act should be amended to enable overseas voters to use the same electronic voting approach as central government elections, and make it easier for voters to have voting papers reissued if they do not arrive.

### Issue 4: Administration and promotion of elections

15. The Government should amend the Electoral Act and Local Electoral Act to put the Electoral Commission in charge of administering and promoting local elections. This new role should come with the following requirements:
  - At least one member of the board of the Electoral Commission should possess knowledge and experience of local government and local elections;



- The board should expand to at least five members; and (like similar appointments) Local Government New Zealand should be consulted by the Minister prior to this appointment;
  - The Electoral Commission should be required to engage with councils on key decisions and processes on the running of local elections; and
  - Local elections should utilise the same branding as central government elections, including the 'orange man'.
16. Funding for the Electoral Commission's new role should be covered in part by central government and in part by imposing a levy on councils. This levy should be set by Cabinet via secondary legislation and require consultation with local government.

#### **Issue 5: Four-year terms (including transition and implementation)**

17. Local government and central government should move to a four-year term with elections spaced two years apart.
18. Section 10 of the Local Electoral Act should be amended so that the fixed election day avoids school holidays.
19. Local government legislation should be amended as part of a transition to four-year terms to move key planning, accountability, and representation processes from a three-year cycle to a four-year cycle. These include the Long-term Plan, Regional Land Transport Plans, Regional Public Transport Plans, and Representation Reviews.
20. The Local Government Act should be amended to strengthen the Code of Conduct process by:
- Empowering the Local Government Commission to investigate complaints relating to significant breaches;
  - Implementing increased penalties for breaches, including suspension or fines, and empowering the Local Government Commission to apply these when it determines a significant breach by an elected member, with the penalty being proportionate to the breach and based on principles in the legislation;
  - The Local Government Commission should also have the power to remove a member of local government for serious breaches. This recommendation must be made unanimously by the members of the Local Government Commission and endorsed by the Minister of Local Government, with no resulting prohibition from standing in a by-election or any subsequent election;
  - and Central government should invest in an independent dispute resolution service for local elected members to triage issues, and where possible pre-empt costly escalation.

