

# Environmental Delivery Committee

## 4 September 2025

Meeting will be held in the Council Chamber at Level 2, Philip Laing House  
144 Rattray Street, Dunedin

[ORC Official YouTube Livestream](#)



Otago  
Regional  
Council

### Members:

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

Senior Officer: Richard Saunders, Chief Executive

Meeting Support: Kylie Darragh, Governance Support Officer

04 September 2025 09:00 AM

## Agenda Topic

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### [Agenda](#)

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#### 1. WELCOME

#### 2. APOLOGIES

No apologies were received prior to publication of the agenda.

#### 3. PUBLIC FORUM

No requests to speak were received prior to the publication of this agenda.

#### 4. CONFIRMATION OF AGENDA

Note: Any additions must be approved by resolution with an explanation.

#### 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. [Councillor Declarations of Interests](#) are published to the ORC website.

## 6. PRESENTATIONS

1. Royal Forest and Bird Protection Society of New Zealand, Francesca Cunninghame, Otago Projects Manager will present "Hilltops to the sea: Striving to protect threatened species and ecosystems in Coastal Otago - learnings and challenges from Forest & Bird's Tautuku Restoration and Bring Back the Seabirds projects" funded by ORC's Large-scale Biodiversity Project. The presentation PowerPoint, linked here to the [Diligent Resource Centre](#) and the [ORC Website](#).

2. Otago Catchment Community (OCC) Annual Report  
Craig Simpson will present the OCC Annual Report, linked here to the [Diligent Resource Centre](#) and available on the [ORC Website](#).

## 7. CONFIRMATION OF MINUTES 4

Confirming the minutes of the Environmental Delivery Committee of 5 June 2025.

### 7.1 [2025.06.05 Environmental Delivery Committee Draft Minutes](#) 4

## 8. OPEN ACTIONS FROM RESOLUTIONS OF THE COMMITTEE

There are currently no open actions for this committee.

## 9. MATTERS FOR CONSIDERATION 10

### 9.1 [Biosecurity Update](#) 10

To update the Committee on the activities relating to Biosecurity between 1 July 2025 and 14 August 2025.

### 9.2 [Integrated Catchment Management \(ICM\) Review Update](#) 15

This paper provides an update on the independent review of the Integrated Catchment Management Programme.

#### 9.2.1 [ORC Integrated Catchment Management Programme Interview Questions](#) 18

### 9.3 [Catchments Team Annual Report and Upcoming Work Programme](#) 21

To present to the Environmental Implementation Committee a summary of the work completed by the Catchment Advisors for the 2024/25 financial year and the proposed work programme for the 2025/26 financial year.

#### 9.3.1 [Catchment Advisor Work Programme 2025-26](#) 37

### 9.4 [Biosecurity Operational Plan Annual Report 2024-2025](#) 40

To report on the implementation of the Biosecurity Operational Plan 2024-25 for the period 1 July 2024 to 30 June 2025, as required under Section 100C(2) of the Biosecurity Act 1993.

#### 9.4.1 [Biosecurity Operational Plan 2024 25 Assessment](#) 48

### 9.5 [Environmental Delivery Group Regulatory Activities Quarterly Update](#) 60

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

#### 9.5.1 [Maps - Consents Issued 1 July 2024 to 30 June 2025](#) 89

### 9.6 [Annual Compliance Report](#) 103

This report provides the Committee with the Otago Regional Council (ORC) Annual Operational Compliance Monitoring Report for the 2024/25 financial year.

#### 9.6.1 [Draft ORC Annual Operational Compliance Monitoring Report 2024-25FY](#) 107

#### 9.6.2 [Operational Compliance Audit and Performance Monitoring Schedule 2024-25FY](#) 152

#### 9.6.3 [ORC Compliance Plan 2023-2026](#) 166

#### 9.6.4 [ORC RMA Compliance and Enforcement Policy 2021](#) 184

9.7      [2025 Infringement Regulations Update](#) 195

To note the increase in infringement fees for offences under the Resource Management Act 1991, as set out in the Resource Management (Infringement Offences) Amendment Regulations 2025.

9.7.1    [Resource Management Infringement Offences Amendment Regulations 2025](#) 199

9.8      [Dam Safety Building Act Enforcement Policy](#) 204

To consider Otago Regional Council's Dam Safety (Building Act) Enforcement Policy.

9.8.1    [Building Act Enforcement Policy](#) 208

10.      CLOSURE



Otago  
Regional  
Council

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**Environmental Delivery Committee  
MINUTES**

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**Minutes of an ordinary meeting of the Environmental Delivery Committee held in the  
Council Chamber, Level 2 Philip Laing House, 144 Rattray Street, Dunedin  
on Thursday 5 June 2025, at 1:00 pm**

[https://www.youtube.com/live/RXtPTnRPJNQ?si=ohl\\_b17lbV\\_glnnl](https://www.youtube.com/live/RXtPTnRPJNQ?si=ohl_b17lbV_glnnl)

**PRESENT**

Cr Lloyd McCall

*(Chair)*

Cr Alexa Forbes

Cr Gary Kelliher

*(online)*

Cr Michael Laws

*(online)*

Cr Kevin Malcolm

Cr Tim Mephram

Cr Andrew Noone

Cr Gretchen Robertson

Cr Alan Somerville

Cr Elliot Weir

Cr Kate Wilson



## 1. WELCOME

Chair McCall welcomed Councillors, members of the public and staff to the meeting at 1:00 pm to the inaugural meeting of the Environmental Delivery Committee. Staff present included Richard Saunders (Chief Executive), Anita Dawe (GM Regional Planning and Transport), Joanna Gilroy (GM Environmental Delivery), Kylie Darragh (Governance Support Officer), and Libby Caldwell (Manager, Environmental Delivery).

## 2. APOLOGIES

There were no apologies for this meeting.

## 3. PUBLIC FORUM

There was no public forum for this meeting.

## 4. CONFIRMATION OF AGENDA

The agenda was confirmed as published.

## 5. DECLARATIONS OF INTERESTS

Members were reminded of the need to stand aside from decision-making if a conflict was to arise between their role as an elected representative and any private or other external interest they might have.

## 6. PRESENTATIONS

Paul Pope spoke on Te Nukuoro o Matamata and presented slides on environmental initiatives and resulting flora and fauna improvements. There was an opportunity for questions from Councillors, Chair McCall thanked

Paul Southworth from Aroha Kaikorai Valley, spoke on trapping, bird counting, and building the community group. There was an opportunity for questions, Chair McCall thanked Paul for attending.

Steph Scott spoke of the East Otago Te Hikapupu/Pleasant Catchment Group on freshwater monitoring, farmers workshops, and working towards FAP+. There was an opportunity for questions, Chair McCall thanked Steph for attending.

## 7. CONFIRMATION OF MINUTES

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

*That the minutes of the Environmental Implementation Committee meeting held on 5 March 2025 be received and confirmed as a true and accurate record.*

**MOTION CARRIED**

## 8. OPEN ACTIONS FROM RESOLUTIONS OF THE COMMITTEE

There are currently no open actions for this committee.

## 9. MATTERS FOR CONSIDERATION

### 9.1. Lake Hayes Wai Whakaata update

[YouTube 58:15] The report presented the Waiwhakaata strategy to the Environmental Delivery Committee for endorsement and provided an update on the Lake Hayes/Waiwhakaata project. Libby Caldwell (Manager Environmental Implementation), Jana Davis (Chair of Waiwhakaata Strategy Group), and Mike Hanff (Friends of Lake Hayes), and Jo Gilroy (GM Environmental Delivery), were available to respond to questions on the report.

**Resolution EDC25-101: Cr Forbes Moved, Cr Wilson Seconded**

*That the Environmental Delivery Committee recommends that Council:*

- 1) **Notes** this report.
- 2) **Notes** the progress of supporting and delivering water quality enhancement within the Lake Hayes/Waiwhakaata catchment.
- 3) **Endorses** the Waiwhakaata strategy as a document that sets the direction, in principle for enhancing the environment of the Lake Hayes/Waiwhakaata catchment.

**MOTION CARRIED**

Cr Laws voted against.

**9.2. Regional Pest Management Plan Effectiveness Review**

[YouTube 1:54:50] The report presented the findings of the review into the effectiveness of the Otago Regional Pest Management Plan 2019-29 (RPMP) and presented a recommended prioritised schedule of implementing the recommendations. Dr Julius Ohrnberger of the Sapere Research Group (online), Murray Boardman (Performance and Reporting Specialist), and Libby Caldwell (Manager Environmental Implementation), were available to respond to questions on the report.

*Cr Forbes left the meeting 3:30 pm.*

**Resolution EDC25-102: Cr Robertson Moved, Cr Somerville Seconded**

*That the Committee:*

- 1) **Notes** this report.
- 2) **Recommends** that Council approves the prioritisation of the recommendations to improve the effectiveness of delivery of the current and future RPMP.

**MOTION CARRIED**

*Cr Forbes returned to the meeting at 3:43 pm.*

**9.3. Regional Pest Management Plan Operational Plan 2025/26**

[YouTube 2:31:40] The report sought approval of the 2025-2026 Biosecurity Operational Plan. Robert Win (Team Leader Biosecurity), Michelle Ewans (Biosecurity Specialist - Terrestrial), Murray Boardman (Performance and Reporting Specialist), Libby Caldwell (Manager Environmental Implementation), and Jo Gilroy (GM Environmental Delivery), were available to respond to questions on the report.

**Resolution EDC25-103: Cr Robertson Moved, Cr Somerville Seconded**

*That the Committee:*

- 1) **Notes** this report.
- 2) **Recommends to Council to approve** the Otago Regional Council's 2025-2026 Biosecurity Operational Plan to enact the Otago Regional Pest Management Plan 2019-2029 and authorises the Chief Executive to correct minor errors to the 2025-2026 Biosecurity Operational Plan.
- 3) **Notes** that the 2025-2026 Biosecurity Work Plan will be developed to deliver the 2025-2026 Biosecurity Operational Plan, once approved.
- 4) **Notes** that a copy of the Otago Regional Council's Regional Pest Management Plan 2025-2026 Biosecurity Operational Plan will be provided to the Minister for Biosecurity.
- 5) **Notes** that staff will report back to Council any response from the Minister for Biosecurity.

**MOTION CARRIED**

**At 4:42 it was moved by Cr McCall, seconded by Cr Robertson**

*That the Committee adjourn for 10 minutes.*

**MOTION CARRIED**

#### **9.4. Integrated Catchment Management**

[YouTube 2:55] To provide an update on the Integrated Catchment Management (ICM) Programme and to seek approval for the rollout schedule for the next Catchment Action Plans (CAPs). Cr Robertson proposed alternative recommendations. Anna Molloy, (Principal Advisor Environmental Implementation), Libby Caldwell (Manager Environmental Implementation), and Jo Gilroy (GM Environmental Delivery), were present to respond to questions on the report.

#### **Resolution EDC25-104: Cr Robertson Moved, Cr Wilson Seconded**

*That the Committee:*

- 1) **Notes** the report and the progress made on the ICM programme in this quarter.
- 2) **Notes** the Terms of Reference adopted by the Catlins Governance Group.
- 3) **Endorses** the continuation of the projects currently underway as outlined in the report.
- 4) **Requests** that staff undertake a full review of the Integrated Catchment Management (ICM) Programme and report back to the September Committee meeting with options to accelerate delivery and streamline governance and oversight arrangements.

**MOTION CARRIED**

*Cr Robertson left the meeting at 4:16 pm.*

*Cr Robertson returned to the meeting at 4:19 pm, online.*

#### **9.5. Fresh Water Project Update**

[YouTube 3:09] The report provides an update on five water quality focused projects that Council is involved in. Libby Caldwell (Manager Environmental Implementation), Sarah Irvine (Team Leader Project Delivery), Melanie White (Project Delivery Specialist - Freshwater and Biodiversity), Alison Turner (Land Management Advisor), Jennifer Lawn (Project Delivery Specialist - Freshwater and Biodiversity), were available to respond to questions on the report.

#### **Resolution EDC25-105: Cr McCall Moved, Cr Wilson Seconded**

*That the Committee:*

- 1) **Notes** this report.
- 2) **Notes** the progress of implementation activities that are occurring on the water quality projects delivered by the community, partners and Council, as detailed in this report.
- 3) **Recommends** that the Council **approves** options 1 in regard to a funding application to MPI for further Hill Country projects.
- 4) **Notes** the implementation plans for Lake Tuakitoto (Attachment 1: Lake Tuakitoto Implementation Plan – FINAL) and Tomahawk Lagoon (Attachment 2: Tomohaka Tomahawk Lagoon Implementation Plan – FINAL).

**MOTION CARRIED**

### 9.6. Funding Agreement with MPI for Wilding Conifer and Wallaby Programmes

[YouTube 3:29:10] The paper sought approval to enter into service agreements with the Ministry for Primary Industries/Manatū Ahu Matua (MPI) for funding and operational delivery of the National Wilding Conifer Control Programme and the Tipu Mātoro National Wallaby Eradication Programme in Otago for the 2025/26 financial year. and to commence delivery of the National Wilding Conifer Control Programme and the Tipu Mātoro National Wallaby Eradication Programme from 1 July 2025. Gavin Udy (online) Will McBeth (online) Sarah Irvine, Libby Caldwell, Jo Gilroy (GM Environmental Delivery) were available to respond to questions on the report.

#### Resolution EDC25-106: Cr Wilson Moved, Cr Malcolm Seconded

*That the Committee:*

- 1) **Notes** this report.
- 2) **Recommends to Council that they approve Option 1** that Council continues to act as the Recipient of funding from MPI for the National Wilding Conifer Control Programme and Tipu Mātoro Wallaby Eradication Programme in Otago.
- 3) **Recommends to Council that they approve** the Goods and Services agreement over the period of 1 July 2025 to 30 June 2030 and Government funding of \$1,070,000 (excluding GST), or an amount similar to this if the budget is altered by MPI, over the period 1 July 2025 to 30 June 2026, for Otago's share of the National Wilding Conifer Programme and authorises the Chief Executive to sign the agreement for and on behalf of Council if there are no significant changes.
- 4) **Recommends to Council that they approve** the Goods and Services agreement over the period of 1 July 2025 to 30 June 2030 and Government funding of \$950,000 (excluding GST), or an amount similar to this if the budget is altered by MPI, over the period 1 July 2025 to 30 June 2026 for Otago's share of the Tipu Mātoro National Wallaby Eradication Programme and authorises the Chief Executive to sign the agreement for and on behalf of Council if there are no significant changes.
- 5) **Recommends to Council that they approve Option 3** to commence delivery of works for the National Wilding Conifer Control Programme and the Tipu Mātoro National Wallaby Eradication Programme from 1 July 2025, even if there is a delay in the signing of the agreements with MPI.
- 6) **Recommends that the Council Notes** the obligations for Council found in Schedule 2, Clause 6 of the draft Tipu Mātoro Wallaby Programme Goods and Services Agreement 2025-2030 (Attachment 1).

**MOTION CARRIED**

### 9.7. Port and Marine Harbour Safety Code Report

[YouTube 3:40] The purpose of this report was to update the Committee on the Port and Harbour Marine Safety Code (PHMSC) external review, carried out in November 2024 and received in March 2025. Steve Rushbrook (Harbourmaster) and Simon Wilson (Manager Environmental Delivery Data & Systems) were available to respond to questions on the report.

#### Resolution EDC25-107: Cr McCall Moved, Cr Forbes Seconded

*That the Committee:*

- 1) **Notes** this report.

**MOTION CARRIED**

**9.8. Quarterly Update on the Activities of the Regulatory Teams**

[YouTube 3:45] The report updated the Committee on the activities of the Regulatory Teams of the Environmental Delivery Group between 1 July 2024 and 30 April 2025 and outlined the proposed Compliance Audit and Performance Monitoring Schedule for the 2025-2026 year. Alexandra King (Manager Consents) Carlo Bell (Manager Compliance) Simon Wilson, (Manager Environmental Delivery Data and Systems) Steve Rushbrook (Harbourmaster), Joanna Gilroy (GM Environmental Delivery) were available to respond to questions on the report.

**Resolution EDC25-108: Cr Wilson Moved, Cr Noone Seconded**

*That the Committee:*

- 1) **Notes** this report.
- 2) **Recommends that Council approves the Compliance Audit and Performance Monitoring Schedule for the 2025/26 year.**

**MOTION CARRIED**

**10. CLOSURE**

There was no further business and Chair McCall declared the meeting closed at 4:55 pm with a karakia.

Chairperson

Date

### 9.1. Biosecurity Update

**Prepared for:** Environmental Delivery Committee  
**Report No.** GOV2504  
**Activity:** Regulatory: Consents and Compliance  
**Author:** Libby Caldwell, Manager Environmental Implementation  
**Endorsed by:** Joanna Gilroy, General Manager Environmental Delivery  
**Date:** 4 September 2025

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#### PURPOSE

- [1] To update the Committee on the activities relating to Biosecurity between 1 July 2025 and 14 August 2025.

#### EXECUTIVE SUMMARY

- [2] This inaugural quarterly report will provide information and updates on the wider Biosecurity Programme. These initiatives advance ORC's regulatory obligations, safeguard biodiversity and strengthen the region's capacity to manage current and emerging biosecurity challenges.
- [3] From 1 July to 14 August of the 2025/26 year, staff have focused on the following projects:
- a. RPMP (Regional Pest Management Plan) Effectiveness Review: Actioned 5 of 13 recommendations from the review, integrated nine into the upcoming RPMP review and initiated four pest strategies via Catchment Action Plans.
  - b. HPAI (Highly Pathogenic Avian Influenza) Preparedness and co-ordination with key agencies for arrival of avian flu.
  - c. Marine and Freshwater programme: Continued Mediterranean fanworm response, advanced marine surveillance planning, and strengthened freshwater pest control partnerships.
  - d. RPMP Site-Led Programme: Funded and supported community biodiversity projects with measurable gains at priority sites.
  - e. Community Rabbit Programme: Explored opportunity to plan and deliver a community rabbit programme in Waiholā.
  - f. Wilding Conifer Programme: Completed planning for targeted wilding conifer control and increased community engagement.
  - g. Wallaby Eradication Programme: Completed planning to finalise eradication case studies and undertake ongoing control efforts.

## RECOMMENDATION

*That the Environmental Delivery Committee:*

- 1) Notes this report.**

## DISCUSSION

### RPMP EFFECTIVENESS REVIEW

- [4] The findings of the RPMP Effectiveness Review (Sapere, 2025<sup>1</sup>) were presented in the agenda of the Environmental Delivery Committee meeting, 5<sup>th</sup> June 2025 [Full report: GOV2561].
- [5] Progress toward 5 of the 13 recommendations has been the focus of the first part of the 2025/26 financial year.

*Table 1. Progress toward RPMP Effectiveness Review recommendations.*

#	Recommendation	How it has been progressed
3	Improve transparency to and motivation of public by sharing more success stories.	Biosecurity Communications Plan Social Media
5	Increase the number of new and reinspection. Consider targeting areas with highest biodiversity or economic/cultural value first.	Annual Biosecurity Workplan 2025/26
6	Target enforcement efforts where investments and awareness are already in place (i.e. old man's beard, rabbits, bomarea, wilding pines). Also consider prioritisation of areas with highest biodiversity or economic / cultural value.	Annual Biosecurity Workplan 2025/26
7	Leverage data to optimise enforcement efforts.	Annual Biosecurity Workplan 2025/26.
8	Utilise powers under the Act of default work and cost recovery in cases of repeated noncompliance.	BEG Enforcement Group

### OTAGO REGIONAL PEST MANAGEMENT PLAN 2019-2029 REVIEW

- [6] The Otago Regional Pest Management Plan 2019–2029 (RPMP) review has commenced (RPMP Review 25-28). While the review is underway the existing biosecurity programme work will continue in alignment with the current RPMP. This work is mandatory, and updates will be provided through the Environmental Science and Policy Committee.

### HIGHLY PATHOGENIC AVIAN INFLUENZA (HPAI H5N1) PREPAREDNESS

- [7] Council is currently in Phase 1 of developing preparedness systems in anticipation of a potential HPAI incursion.

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<sup>1</sup> [ORC RPMP Effectiveness Evaluation Report Final April 2025.pdf](#)

- a. With the establishment of the Otago Regional HPAI Group - in collaboration with other regional councils, the Department of Conservation (DOC), Health New Zealand, and the Ministry for Primary Industries (MPI) – ORC have delegated roles across the Environmental Implementation team to maintain documentation and facilitate continued communications with the Regional HPAI Group.
- b. Updating the internal guidance document and developing a communications plan have been a key focus for the first part of this year.
- c. Discussions have been held internally and externally on how best to develop comprehensive preparedness and response plans; identify and update high-risk areas and conduct training exercises to enhance readiness.

### **MARINE PROGRAMME**

- [8] Marine biosecurity is critical for protecting Otago’s coastal marine area, which spans 480 km. The marine biosecurity programme has had a focus on:
- a. Lodging a resource consent application to wrap and treat vessel hulls in the event marine invasive species is found on a vessel in Otago.
  - b. Engagement with other councils to progress a joint vision of a marine pathways management.
  - c. Developing a Marine Monitoring and Surveillance Plan and identifying actions to support early detection of marine pest, including working with Earth Sciences New Zealand (formally NIWA) on high-risk surveillance of Port Otago; and
  - d. Maintaining and improving the Mediterranean fanworm incursion response through the establishment of a scientific, technical advisory group to guide next steps.

### **FRESHWATER PROGRAMME**

- [9] Otago’s diverse freshwater ecosystems support rich biodiversity and provide cultural, economic, and recreational benefits. However, these waterways are increasingly threatened by aquatic pest species, with some already present and others posing a risk of establishment.
- [10] The freshwater biosecurity programme has had a focus on:
- a. Planning for 2025/26 site-led lagarosiphon programme activities in collaboration with Toitū te Whenua/ Land Information NZ (LINZ); and
  - b. Further developing the Outreach and awareness to educate the public on risk mitigation through the nationally led “Check Clean Dry” program in preparation for the 2025/26 summer season.

### **SITE-LED PROGRAMME**

- [11] With the first round of the Site-Led Programme (Aramoana and Sandymount–Sandfly Bay) concluding on 30 June 2025, community groups have been finalising their reports and outcome statements. These are expected to be provided by the end of September



2025. Four out of five groups received funding for another year (until 30 June 2026) to continue and grow their projects. Strong collaboration was evident among the groups.

- [12] The second round of the programme (Okia–Papanui–Taiaroa Hill and Leith Saddle–Mihiwaka) began on 30 June 2025, with funding agreements completed and project work now commencing on the ground.

### **COMMUNITY RABBIT PROGRAMME**

- [13] Community Coordinators are scoping a potential Community Rabbit Programme based in Waiholā. Early stages of this have included: building relationships in the community and identifying areas and properties of concern that fall outside our standard compliance process which staff could look to support as part of this programme.

### **OTAGO WILDING CONIFER CONTROL PROGRAMME**

- [14] A Services Agreement has been signed with the Ministry for Primary Industries/Manatū Ahu Matua (MPI) for funding and operational delivery of the National Wilding Conifer Control Programme in Otago for 2025-2030. Funding for the 2025/26 financial year has been confirmed at \$1,070,000 to deliver the baseline operational plan with an additional work package of \$296,000.
- [15] Development of funding agreements is in progress for Central Otago Wilding Conifer Control Group, Whakatipu Wilding Control Group, and Upper Clutha Wilding Tree Group.

### **OTAGO WALLABY ERADICATION PROGRAMME**

- [16] A Services Agreement has been signed with MPI for funding and operational delivery of the Tipu Mātoro National Wallaby Eradication Programme in Otago for 2025-2030. Funding for the 2025/26 financial year has been confirmed at \$920,000.
- [17] Staff have commenced issuing statements of work for the Otago wallaby programme.

### **KEY STAKEHOLDER RELATIONSHIPS & ENGAGEMENT**

- [18] The 'RPMP Review 2025-2028' Project Team have formed a 'Bottom of the South' collaboration with Environment Southland and Environment Canterbury. Early meetings have focused on the development of shared review method and areas in which neighbouring Councils can cost-share. An online information-sharing platform established in July is being shared across the neighbouring Council review teams.
- [19] ORC maintains the HPAI (High Pathogenicity Avian Influenza) Otago Coordination Group. This group includes partners and other key stakeholders including (but not limited to) ORC and Otago territorial authorities. This group will share and disseminate information on HPAI and be a hub for internal and external communications should an outbreak occur.

- [20] Staff have been engaging with a range of agencies on terrestrial and freshwater biosecurity:
- Land Information New Zealand/Toitū te Whenua (LINZ) on terrestrial and freshwater biosecurity work planning for 2025/26;
  - MPI regarding marine and freshwater biosecurity projects such as Freshwater Gold Clam working group, Protect Your Paradise and Check Clean Dry awareness campaigns and the Clean Vessel Programme tools development project.
- [21] Staff actively contribute to both the Biosecurity Working Group and Bio Managers groups. These groups are hosted by Te Uru Kahika and were formed to enhance collaboration among regional councils and unitary authorities regarding biosecurity and biodiversity policy and practice. Through this collaboration, staff contribute to the sharing of best practice, alignment of approaches, and development of national guidance to improve environmental outcomes. This connection helps ensure our work in Otago is both regionally responsive and nationally consistent.

## **CONSIDERATIONS**

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

- [22] None for this paper.

### **Financial Considerations**

- [23] All work included in this update and to be delivered this financial year has been captured in the Annual Plan 25/26.

### **Significance and Engagement Considerations**

- [24] None for this paper.

### **Legislative and Risk Considerations**

- [25] None for this paper.

### **Climate Change Considerations**

- [26] None for this paper.

### **Communications Considerations**

- [27] The Biosecurity and Communications teams are progressing a Strategic Biosecurity Communications Plan for the 2025/26 year.

## **NEXT STEPS**

- [28] Work to deliver on the Biosecurity programme will continue with a further quarterly update will be provided.

## **ATTACHMENTS**

Nil

## 9.2. Integrated Catchment Management (ICM) Review Update

**Prepared for:** Environmental Delivery Committee  
**Report No.** ENV2507  
**Activity:** Governance Report  
**Author:** Libby Caldwell, Manager Environmental Implementation  
**Endorsed by:** Joanna Gilroy, General Manager Environmental Delivery  
**Date:** 4 September 2025

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### PURPOSE

- [1] This paper provides an update on the independent review of the Integrated Catchment Management Programme.

### EXECUTIVE SUMMARY

- [2] At the Environmental Delivery committee meeting on the 5 June 2025, a motion was passed by the committee which requested '*...that staff undertake a full review of the Integrated Catchment Management (ICM) Programme and report back to the September Committee meeting with options to accelerate delivery and streamline governance and oversight arrangements*'.
- [3] Transcend Consulting have been commissioned to carry out an independent review of our catchment management planning process to date. The review will:
- Examine the current programme and identify opportunities where the programme could be accelerated.
  - Examine current governance structures and identify opportunities for a streamlined structure and opportunities for mana whenua.
  - Review how the programme could better integrate with other catchment action plan work being completed.
- [4] The review has started and is due to be supplied to staff prior to the end of August 2025.

### RECOMMENDATION

*That the Committee:*

- 1) **Notes** this report and progress to date on the review.
- 2) **Notes** that the review will be presented to Council for noting in September, at this time options will be provided to Council for implementing the findings of the review and a decision will be sought around if the paper should come to the new Council post the elections for consideration.

## BACKGROUND

- [5] Otago Regional Council's Long-Term Plan (LTP) 2024-34 outlines the Level of Service for the ICM programme is to "Develop and maintain an integrated catchment management programme that aligns with national directions and enables sustainable environmental management." It contains a target of one catchment action plan to be presented to Council for approval by 30 June each year in the LTP period.
- [6] In August 2023, Council endorsed the first three CAPs to be developed in the region. These are in the Catlins, Upper Lakes and Taieri areas. Progress to date includes:
- a. The Catlins CAP has been developed, is available online, and is being implemented.
  - b. The Upper Lakes CAP is under development and will be presented to Council in September.
  - c. The Taieri CAP process has recently commenced. Expressions of interest are now open for people to join the working group, but these will not be signed off until the elections.
- [7] At the Environmental Delivery committee meeting on the 5 June 2025, a motion was passed by the committee which requested '*...that staff undertake a full review of the Integrated Catchment Management (ICM) Programme and report back to the September Committee meeting with options to accelerate delivery and streamline governance and oversight arrangements*'.
- [8] Transcend Consulting have been commissioned to carry out an independent review of our catchment management planning process to date. The review will:
- a. Examine the current programme and identify opportunities where the programme could be accelerated.
  - b. Examine current governance structures and identify opportunities for a streamlined structure and opportunities for mana whenua.
  - c. Review how the programme could better integrate with other catchment action plan work being completed.
- [9] The review has started and is due to be supplied to staff prior to the end of August 2025.

## DISCUSSION

- [10] In conducting the review, Transcend has:
- a. Reviewed and analysed documents provided by ORC.
  - b. Interviewed key people involved in the ICM Programme, including Councillors, ORC staff involved in the programme, community representatives and mana whenua representatives. Interview questions are attached as Attachment 1.
  - c. Sought feedback via a survey from a subset of people involved in the development of individual CAPs.
- [11] Transcend are analysing qualitative data from interviews and surveys to identify common themes, challenges and opportunities for improvement. They are developing

actionable recommendations that build on work done to date and are in line with good national and international practice.

- [12] The report will be provided to staff by the end of August 2025. It is proposed that a paper for noting to present the review is brought back to Council in September and then a draft implementation plan and recommendations for consideration is brought to Council in November. However, there is the option for the report and the recommendations to be brought to the current Council in September.

## **CONSIDERATIONS**

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

- [13] There are no strategic framework or policy considerations applicable to this paper.

### **Financial Considerations**

- [14] There are no financial considerations applicable to this paper. The cost of this review is being absorbed within existing budgets. However, there may be financial considerations once the findings of the review have been received. These will be discussed in the Council paper. It should be noted that there are impacts on the current work programme for staff whilst the review is underway and until a decision is made on implementation of the review. This is because the work programme is currently paused, and direction has not been provided on where to commence the next CAP past the Taieri area.

### **Significance and Engagement**

- [15] This review does not trigger the Significance and Engagement policy.

### **Legislative and Risk Considerations**

- [16] There are no legislative or risk considerations.

### **Climate Change Considerations**

- [17] There are no climate change considerations.

### **Communications Considerations**

- [18] The final report will be presented to Council for noting on 25 September 2025, with a further paper for decision making brought to the new Council post the election. Public release of the report (or a summary of its findings) will be considered. A one-page overview of the report (including key messages) will be developed, and key messages communicated.

## **NEXT STEPS**

- [19] Finalisation of the report is ongoing and once received it will then be presented to Council.

## **ATTACHMENTS**

1. ORC Integrated Catchment Management Programme Interview Questions [9.2.1 - 3 pages]

## ORC ICMP interview questions

### Feedback on the CAP Process

We are keen to get your views on the current process for developing a Catchment Action Plan (using the Conservation Standards approach) from inception through to delivery.

#### *Pre-planning stage*

1. Please share your thoughts on the pre-planning stage of the CAP approach. As part of this you might want to comment on:
  - What are the key activities that you take part in the pre-planning stage? How long does this take? What activities take up the most time?
  - What is working well with the pre-planning stage? What should we keep?
  - What are the pain points in pre-planning?
  - How can we make pre-planning activities happen more effectively and efficiently?

#### *Development stage*

2. Please share your thoughts on the development stage of the CAP approach. As part of this you might want to reflect on:
  - What are the key activities that you take part in the development stage? How long does this take? What activities take up the most time?
  - What is working well with the development stage? What should we keep?
  - What are the pain points in development?
  - How can we make pre-planning activities happen more effectively and efficiently?

#### *Delivery*

3. Please share your thoughts on the delivery stage of the CAP approach. As part of this you might want to comment on:
  - What are the key activities that you take part in the delivery stage? How long does this take? What activities take up the most time?
  - What is working well with the delivery stage? What should we keep?
  - What are the pain points in delivery?
  - How can we make pre-planning activities happen more effectively and efficiently?

#### *Monitoring and reporting*

4. Please share your thoughts on the monitoring and reporting stage of the CAP approach. As part of this you might want to comment on:

- What are the key activities that you take part in or will take part in the monitoring and reporting stage?
- How is monitoring and reporting requirements set up in the development and delivery stages?
- How can we undertake monitoring and reporting activities in the most effective and efficient way?

#### **Feedback on CAP Governance**

5. We are keen to get your views on how the governance of ICMP is going – at the programme level and for individual CAPs. As part of this you might want to comment on:
- What is the governance model across the programme and individual CAPs?
  - How are mana whenua engaged? What would work better for mana whenua?
  - What are the things that are working well with governance?
  - What are the pain points?
  - What could a more effective and efficient governance model look like?

#### **Feedback on CAP Outcomes**

6. We are keen to get your views on the outcomes CAPs are seeking to achieve and the extent to which the process is supporting the delivery of these outcomes. As part of this you might want to comment on:
- From your perspective, what are the desired outcomes of the CAPs?
  - Do you feel that the CAP process has been set up to deliver on these outcomes?

#### **Links to other work**

7. We are keen to get your views on how CAPs can be better integrated with related work – both within the Council and being undertaken by mana whenua and community groups. As part of this you might want to comment on:
- What are the opportunities to integrate CAPs with other work?
  - How could these be better integrated?

#### **Supporting and Accelerating ICM work**

8. We'd like to understand, what you think would help accelerate the ICM work if more resource or momentum were available. As part of this, you may like to consider:
- What additional tools, support from other teams, opportunities for collaboration would be ideal to enable this?
  - Do you see any areas of potential collaboration across Council?
  - What is your ideal meeting frequency for ICM work, from regular team catch ups to internal working groups?

- Have you used, or know of any other models that could achieve the same outcome as the conservation standards?
- Do you have any ideas on how we can make plans shorter and reflect known information and issues?

**Any other feedback**

9. We are keen to get your thoughts on anything else we haven't covered. As part of this you might want to comment on:
- What does a successful ICMP model look like from your perspective?
  - What else do we need to think about or consider?



### 9.3. Catchments Team Annual Report and Upcoming Work Programme

<b>Prepared for:</b>	Environmental Delivery Committee
<b>Report No.</b>	GOV2571
<b>Activity:</b>	Governance Report
<b>Author:</b>	Oliver Eden-Mann, Team Leader Catchments; Libby Caldwell, Manager Environmental Implementation
<b>Endorsed by:</b>	Joanna Gilroy, General Manager Environmental Delivery
<b>Date:</b>	4 September 2025

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#### PURPOSE

- [1] To present to the Environmental Implementation Committee a summary of the work completed by the Catchment Advisors for the 2024/25 financial year and the proposed work programme for the 2025/26 financial year.

#### EXECUTIVE SUMMARY

- [2] Over the last four years Council has increased its capacity and capability in the Catchments Team. This team sits within the Environmental Implementation Team.
- [3] The Catchments Team operates under three guiding principles:
- building meaningful relationships;
  - empowering and activating the Otago community for community-led change; and
  - supporting by keeping the Otago community informed about ORC's work programmes, providing best practice guidance and supporting ORC in delivering its regulatory obligations, updating on the latest regulations and providing up to date information.
- [4] In the 2024-2025 financial year, notable achievements included the successful running of 14 Intensive Winter Grazing workshops; the establishment of a region-wide urban engagement programme; increased focus on indigenous biodiversity; direct Catchment Advisor support to the Waiora Manuherekia Project and the successful completion of 233 stream health checks on farm with individual landowners, Catchment Groups, urban residents and primary schools across the region.
- [5] The 2025-2026 work programme (Attachment 1) focuses on building strong community relationships, empowering local initiative and ensuring effective communication of regulations and best practices to landowners and community groups across the region. The work programme aligns with and delivers on the Council's Strategic Directions and Goals and emphasises integrated catchment management, science engagement, cross team collaboration and support for community-driven initiatives to foster a resilient and sustainable regional environment.
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## RECOMMENDATION

*That the Environmental Delivery Committee:*

- 1) **Notes** this report and the work completed in the 2025/2026 financial year.
- 2) **Recommends** that Council endorses the 2025-2026 Catchment Advisor work programme (Attachment 1).

## BACKGROUND

- [6] The Environmental Implementation team supports work across Biosecurity, Biodiversity, and Catchments and includes Integrated Catchment Management. This paper focuses on the work of the Catchment Advisors within this team. Over the last four years ORC has increased its capacity and capability in the Catchments Team. The locations that the team work in is included in Figure 1 below.

### Otago Regional Council Catchment Advisors Freshwater Management Unit / Rohe Responsibility

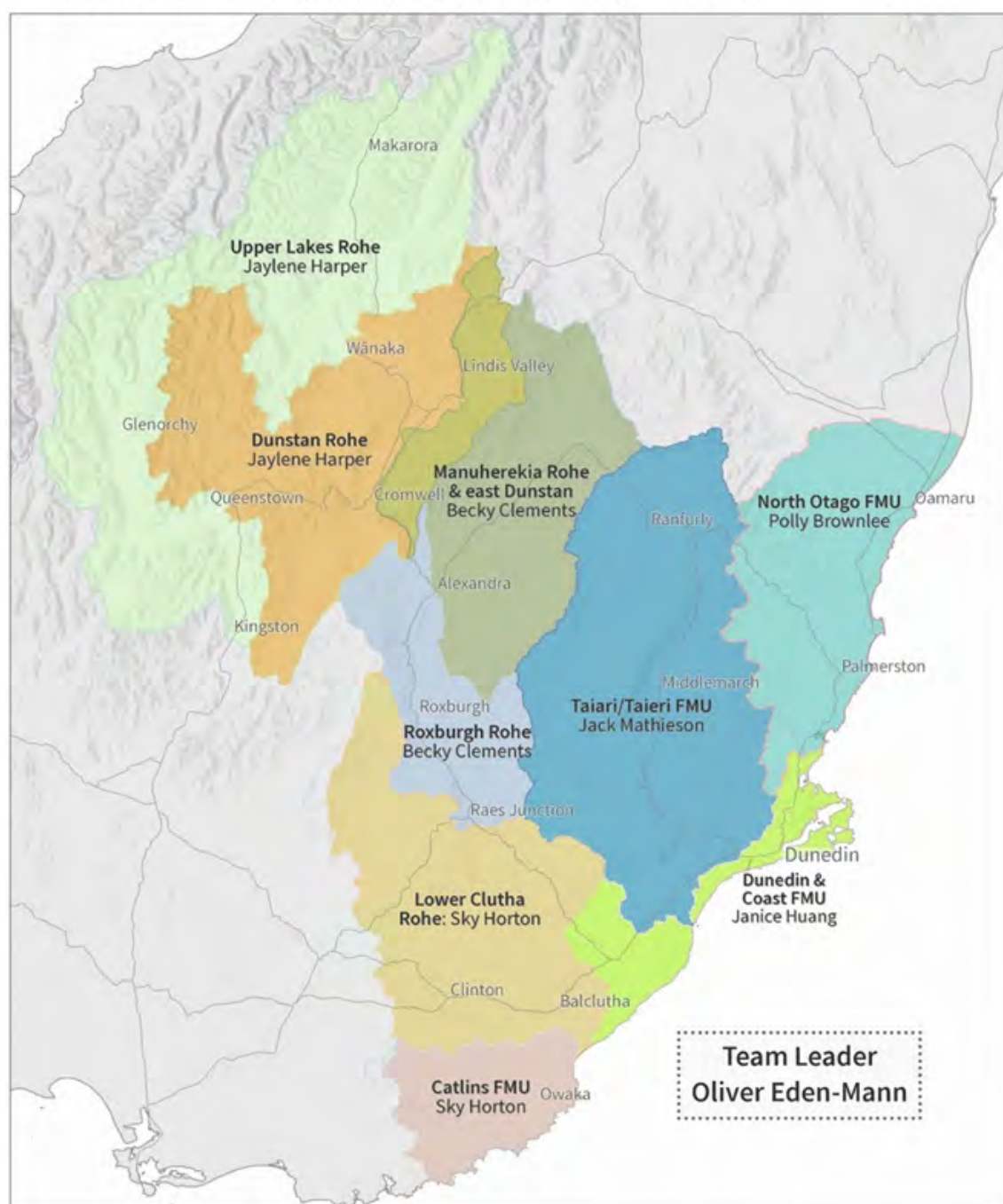


Figure 1: Catchment advisor work areas.

## DISCUSSION

- [7] The Catchment Advisor work programme is a discretionary initiative that Council has chosen to support. The Catchment Advisor team and the work it delivers is funded from the Land and Water implementation budget line.
- [8] The Catchments Team and associated work programme connects to the ORC Strategic Directions by aligning to the communities, partnership, climate and environment focus areas. Through this work programme we are providing leadership in communication, coordination, education and collaboration to support behaviour change to enhance the environment. Staff have sought input from the community and industry to develop and enhance the work programme and will continue to do this. Staff enable healthy biodiversity through collaboration with landowners, communities and industry and provide advocacy, education and collaboration to support improved environmental management.
- [9] The Catchments Team operates under three guiding principles:
- a. building meaningful relationships;
  - b. empowering and activating the Otago community for community-led change;
  - c. supporting by keeping the Otago community informed about ORC's work programmes, providing best practice guidance and supporting ORC in delivering its regulatory obligations, updating on the latest regulations and providing up to date information.

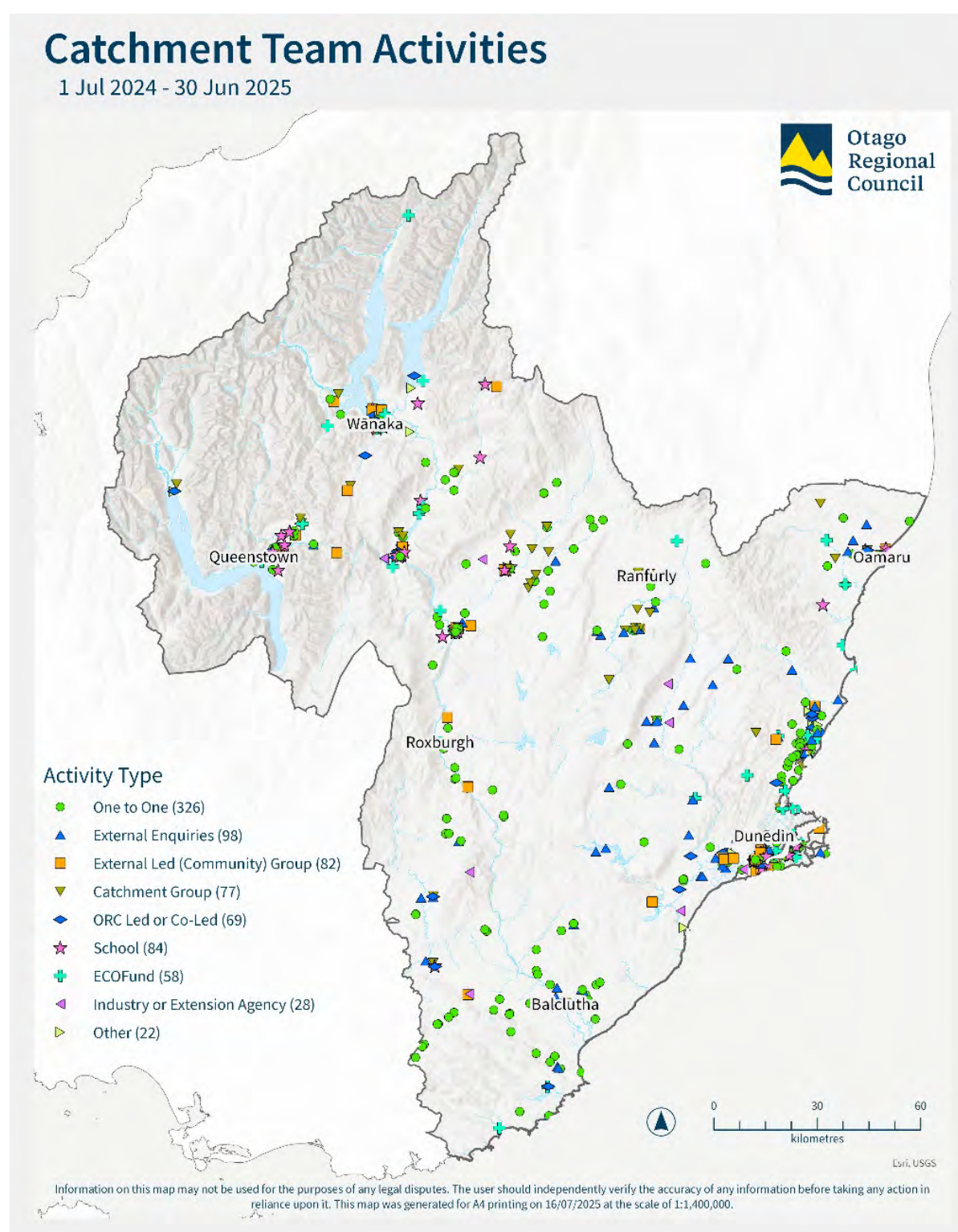


Figure 2: Snapshot of engagements for Catchments team from July 2024 to 30 June 2025.

- [10] The 2024-25 financial year included 844 engagements and events led or co-led by the team across Otago. These included:
- 233 Stream Health Support engagements
  - 126 Urban work programme engagements
  - 12 Effluent management engagements
  - 58 Biodiversity engagements
  - 49 Intensive Winter Grazing engagements
  - 169 Supporting Key ORC Projects engagements
  - 80 connecting with and supporting ECO-fund applicants
  - 115 other engagements (including Waiora Manuherekia, Balance Farm Awards and general enquiries)



- [11] In the 2024-2025 financial year, notable highlights included the successful running of 14 Intensive Winter Grazing workshops, the establishment of a region-wide urban engagement programme (Adopt a Drain), increased focus on indigenous biodiversity, direct Catchment Advisor support to the Waiora Manuherekia Project through the development of 10 farm wetland management plans in the Manuherekia Catchment, and the successful completion of 233 stream health checks with individual landowners, Catchment Groups, urban residents and primary schools across the region. The purpose of these initiatives is to support the community to build knowledge, capacity and sense of place for community-led action. This happens through ongoing upskilling, provision of information and resource sharing through on ground support from the Catchment Advisor Team.



*Image 1 Catchment Advisor and Catchment Group member planting at Thompson Wetland*

- [12] To undertake these initiatives, Catchment Advisors utilise equipment which includes 6 stream health assessment kits, clarity tubes and kick nets that the community can access. Staff also have engaging materials such as an Enviroscape, and metal fish that are installed on the kerb for the “Adopt A Drain” urban stormwater programme.





*Image 2: Catchment Advisors demonstrating the Enviroscope to high school students in Queenstown and Dunedin.*

- [13] The 2024-2025 rural engagements include 14 Intensive Winter Grazing workshops, the creation and mailbox delivery of the Intensive Winter Grazing flyer in collaboration with MPI, ongoing advice on dairy effluent, participation in extension agency network events, support (financial and in-kind) for the Balance Farm Awards, upskilling the team on soil health, working with the science team to explore winter grazing alternatives and the attendance at 7 rural A&P shows.
  
- [14] The Adopt a Drain Programme is underway in the Upper Clutha area, where Catchment Advisors are supporting WAI Wānaka. The ORC led programme (the rest of Otago) is also underway in Queenstown, Cromwell, Alexandra and Dunedin. The Dunedin area is starting with the Tomahawk Lagoon Catchment and a collaboration with the Otago University's Sustainability Office at their main campus in Dunedin. The Catchments Team also attended the Wanaka A&P show in March, with a focus on stormwater awareness and the Adopt a Drain programme.
  
- [15] The Catchments Team has also been actively supporting various work programmes delivered across Council. Some examples include Integrated Catchment Management (Catlins, Hāwea, Upper Taieri and the Upper Lakes), Strategy and Policy work such as the creation of the indigenous biodiversity strategy; Air Plan and land and water plan public consultations, as well as supporting and collaborating on educational initiatives with Enviro Schools.
  
- [16] The Team have contributed to the ECO Fund by completing site visits and building relationships with recipients, providing support and advice to potential applicants and increasing awareness of the ECO Fund by attending 13 funding clinics across the region. Catchment Advisors are also available to discuss projects with potential applicants throughout the year.



- [17] The team have supported the ORC priority projects, including Wai Whakaata (Lake Hayes), Tomahawk Lagoon, Lake Tuakitoto, and the Toitū Te Hākapupu Restoration Project. The team have also supported Consents, Compliance and Science teams work programmes.



*Image 3 Catchment Advisor checking for tuna (eels) ahead of an education day with the Tomahawk Community*

- [18] Support was provided to a range of community and catchment groups across Otago. Some of these key groups include Manahuerekia Catchment Group, WAI Wānaka, East Otago Catchment Group, Pomahaka Water Care Group, Wānaka Catchment Group, Whakatipu Reforestation Trust, Aroha Kaikorai Valley, Upper Lakes Conservation Alliance, Hāwea Stakeholder Group and Southern Lakes Sanctuary.





*Image 4 Catchment Advisors and community members looking at macroinvertebrates*

- [19] The team is aligned and works closely with the Otago Catchment Community (OCC), attending OCC lead events and forums. The Team Leader Catchments and the OCC Regional Manager meet monthly to discuss opportunities for collaboration and alignment. The aim of these meetings is to minimise duplication, enhance collaboration, and ensure alignment of work programmes to optimise resource efficiency and support the Otago catchments community effectively.

### **2025-2026 Work Programme**

- [20] The 2025-2026 work programme (Attachment 1) focuses on building strong community relationships, empowering local initiatives, and ensuring effective communication of regulations/ best practices to landowners and community groups across the region. The key focus areas include Project Support, Stream Health Support, Biodiversity Support and specific work in both urban and rural areas.

### ***Project Support***

- [21] The aim for the project support focus area is to support ORC priority projects to successfully meet their deliverables and create further opportunities within the specific



project areas. Table 1 below provides a list of ORC led projects that the Catchment Advisors are actively supporting.

**Table 1:** Catchment Advisor Priority Support Areas

<b>Priority Projects</b>	<b>Desired Outcome</b>	<b>Key Actions</b>
Lake Tuakitoto	Successfully support the project team to meet their KPIs.  Outside of the project the community and environment are supported.	Support of Project Managers and Project Delivery Specialists - events, communications and education around onsite waste management.  Scope further opportunities with project manager.
Tomahawk Lagoon	Priority projects are delivered to a high standard / successful.  Outside of the project the community and environment are supported.	Plan and implement community days and events.  Plan and implement the Adopt a Drain program within the Catchment.
Te Hikapupu	Outside of the project the community and environment are supported.	River Watch Waka – maintenance.  Support project wrap up and future transition actions.
Lake Hayes	Priority projects are delivered to a high standard / successful  Outside of the project the community and environment are supported.	Support actions from the Wai Whakaata strategy.  Support Friends of Lake Hayes and other active groups.  Support the project delivery lead where applicable.
Tiaki Maniototo / Living Manuherekia	Support delivery of these Central Government projects so they are successful and relationships with these communities are enhanced.	Support the organisation of community engagement events, such as the Taieri Wai festival.  Attend TAG and AGMS and answer queries where appropriate. Provide feedback to relevant teams at ORC.
ECO Fund	Ensure ECO Fund Lead is supported.	Conduct check in site visits with fund recipients and report back on progress to ECO Fund team.  Attend funding clinics to promote fund across the region.  Offer support and guidance to fund recipients and potential applicants.

Integrated Catchment Management	<p>Ensure consistent messaging and reduce overlap of work programmes.</p> <p>Attend all meetings with the ICM team and wider community.</p>	<p>Attend all community ICM meetings.</p> <p>Support ICM team and community as required.</p> <p>Support projects that deliver or support strategies in the CAPs. Specifically, Catlins, Hawea, Taieri and Upper Lakes.</p> <p>As the CAPs come online, refine the Catchments Work programme to align and deliver on actions.</p>
Dairy Effluent & Intensive Winter Grazing	<p>Community is aware of up-to-date regulations/future signaled changes and are actively participating in recommended best practice.</p>	<p>Raise awareness of regulations through workshops in relevant areas.</p> <p>Develop &amp; implement minimum of 3 'Farmer' Events.</p> <p>Develop and implement 6 Intensive Winter Grazing workshops.</p> <p>Collaborated with MPI to produce future IWG flyers + mailbox drop.</p> <p>Collaborate with industry to ensure that correct information is being relayed to farmers and support them where required. This includes DairyNZ, Fonterra, Beef and Lamb etc.</p>
Hill Country Erosion	<p>The Programme is impactful and successful, made stronger through the local knowledge and connections contributed through the Catchments Team.</p>	<p>Meet with project manager as requested.</p> <p>Connect the project manager to local community/landowners around the region.</p> <p>Support with any planting days in the future.</p> <p>Actively look for opportunities to support this work further.</p>
Waste Minimisation	<p>An informed and engaged rural community who understand the impact of waste and are enabled to carry out best practice management on their land.</p>	<p>Support waste extension agencies in the region.</p> <p>Collaborate on Ag chemical recover events around the region.</p> <p>Actively look for opportunities to progress this work in the future.</p>

ORC Science Team Support	Support the science team where possible and connect them to the community to communicate science work.	Scope the concept of a science Road Show which supports the science team to communicate their work to the community in an educational way.  Facilitate access to local stakeholders/landowners.  Work with Science on Hotspots / new impactful projects and create a list of potential 'new' projects for each FMU.
Water Allocation Support (In times of low flows)	Support wider ORC to know and understand all water users/groups in Otago.  Support wider ORC to Mitigate impact of low flows - on ecosystems and users.	Where appropriate, support the adoption of best practice flow sharing within the community.  Support a high-level communication with water management groups to mitigate impact of low flows.

**Stream Health Support**

[22] The aim of this workstream is to enhance understanding and best practices related to stream health, by providing individual and group workshops, updating resources, supporting industry groups and engaging with schools and community groups to educate and build community capacity for community-led freshwater enhancement. During 2025-2026 we plan to continue this successful focus area within the work programme.



*Image 5 Catchment Advisor collecting Macroinvertebrates with the community during a stream health assessment*

**Biodiversity Support**

[23] The aim of the 2025-2026 workstream is to promote and enhance biodiversity in the region through workshops on managing native biodiversity on farm; developing

biodiversity management plan templates, that align with industry assurance programmes and supporting nurseries and propagation efforts within the community. As the ORC Biodiversity Strategy comes online, the Catchments Team will refine their approach and align it to the wider strategy.

- [24] Using successful methods transferred from stream health assessments, Catchment Advisors plan to help landowners understand the importance of protecting and enhancing native biodiversity. The Catchments Team plan to create a template to support landowners to write their own biodiversity plans or conduct biodiversity assessments. This programme is similar to the stream health assessments work we undertake with a biodiversity/land focus. The template will align with the biodiversity section in NZFAP+.
- [25] Catchment Advisors will assist landowners in understanding the importance of protecting and enhancing native biodiversity in a consistent manner. This approach will encourage landowners to develop biodiversity management plans that align with industry standards whilst also promoting collaboration with their relevant industry partners to ensure comprehension and effective biodiversity protection.
- [26] Workshops on managing native biodiversity on farms will include a presentation from a Catchment Advisor, followed by a visit to a local example of native biodiversity on farm. The Catchment Advisor will facilitate discussions on enhancing biodiversity and what the threats to maintaining and enhancing biodiversity are. This work will also connect to the Biosecurity work programme.

### **Urban**

- [27] In 2025-2026 the urban programme will focus on building education and awareness of stormwater issues in urban areas around the region. The programme has the aim of bringing stormwater awareness to the community and reducing pollution by implementing the "Adopt a Drain" education/awareness programme both in the community and in schools.
- [28] The programme focuses on raising awareness about stormwater impacts, drawing the connection between the drain and what lives in the stream (macroinvertebrates, eels and fish etc.) and supporting urban action groups to undertake local projects in a bid to better understand their local environment and how to mitigate their impacts.



*Image 6 Catchment Advisor installing a metal fish next to the storm drain to promote "Only Drain Rain"*

- [29] The Adopt a Drain programme has two key work streams, school education and community awareness. So far in 2025, Catchment Advisors have carried out school sessions with 3 schools in Queenstown, all schools in Alexandra, a homeschool group in Cromwell and 4 schools in Dunedin. A breakdown of the school sessions framework is highlighted in figure 3.

Further information can be found on the ORC website:

<https://www.orc.govt.nz/environment/waste/pollution/only-drain-rain/adopt-a-drain/>





Figure 3 shows an example of the promotional flyer sent to schools highlighting what is in each adopt a drain session

### **Rural**

- [30] The rural programme goal is to support rural communities in implementing best practices for water and land management by conducting workshops, providing one-on-one support/advice and delivering educational resources to landowners/occupiers around the region. Over the 2025-2026 financial year, the plan is to explore what further opportunities there are for the Catchments Team in support rural waste minimisation on farm and increasing our efforts to support on farm biodiversity (see 2025- 2026 work programme for more details). Work will also continue to support existing elements of the rural work programme, such as IWG workshops and dairy effluent management.



*Image 7 Members of the Catchments Team, Project Support Team and Science Team attending a soils and erosion workshop lead by consultant Murray Harris.*

## OPTIONS

### Option 1:

- [31] The Committee recommends that Council endorses the 2025-26 Catchment Advisor work programme (Attachment 1) as presented. This is the recommended option. This option enables support and direction for the Catchment Advisor team to deliver this work programme which builds on last year's work programme.
- [32] There are no disadvantages with this option.

### Option 2:

- [33] The Committee does not recommend that Council endorses the 2025-2026 Catchment Advisor work programme (Attachment 1) and provides detail on what needs to be changed, included or excluded from the work programme.
- [34] Depending on the nature of the changes suggested, this option would potentially cause delays to delivery of the Catchment Advisor work programme as it is refined and communicating priorities to the community will be delayed.

## CONSIDERATIONS

### Strategic Framework and Policy Considerations

- [35] The Catchment Advisor work programme aligns to the ORC Strategic Directions by aligning to the communities, partnership, climate and environment focus areas.

**Financial Considerations**

- [36] The budget associated with delivery of the Catchment Advisor work programme has been approved through the 2025-26 Annual Plan. There are no deviations from this budget envisaged.

**Significance and Engagement Considerations**

- [37] Engagement is a key aspect of the catchments team role. This paper does not trigger any further significance or engagement considerations.

**Legislative and Risk Considerations**

- [38] There are no legislative and risk considerations.

**Climate Change Considerations**

- [39] There are no specific climate change considerations for this paper. The work that is delivered by the catchments team supports climate change resilience and outcomes if behaviour change is achieved.

**Communications Considerations**

- [40] The Catchment Advisor team are consistent contributors to the communications that Council produce, this will continue to be the case, and the team will continue to work with the communications team to share the work the community achieves with support from the Catchment Advisor team.

**NEXT STEPS**

- [41] A 6 monthly update will be provided to Council to update on progress achieved in delivery of the work programme.
- [42] Each year the annual work programme will be presented to Council for endorsement alongside the achievements that have occurred for the previous year.

**ATTACHMENTS**

1. Catchment Advisor Work Programme 2025-26 [9.3.1 - 3 pages]



ORC Strategic Alignment	The Catchments team and associated work programme connects to the ORC Strategic Directions by aligning to the communities, partnership, climate and environment focus areas. Through this work programme we are providing leadership in communication, coordination, education and collaboration to support behaviour change to enhance the environment. We have sought input from the community and industry to develop and enhance our work programmes and will continue to do this. We also enable healthy biodiversity through collaboration with landowners, communities and industry and provide advocacy, education and collaboration to support improved environmental management.		
Catchments Team's Guiding Principles:	Building Relationships (Meaningful Engagement)	Community Catalyst (Empower and activate the community for community-led solutions)	ORC Support (Sharing Regulation updates & key information)
Programme	What Do We Want To See - Desired Outcomes	Goal	Key Actions
Project Support	PRIORITY PROJECTS	Determine deliverable requirements - type, dates etc Support of Project Managers and Project Delivery Specialists - events, comms etc	Develop plans/events that support : (as requested) Lake Tuakitoto
	Project Delivery Specialist's' are supported	Plan and implement community days and events	Tomahawk Lagoon
	Priority Projects are delivered to a high standard / successful	High attendance and engagement at events	Te Hākapupu
	ORC projects are positively promoted	Be creative in Engagement / Delivery	Lake Hayes
	Use collateral to develop programs that can be used anywhere in Otago	Meet project managers and community expectations	Tiaki Maniototo™ / Living Manuhēkia
	Additional actions are identified and implemented	Attend funding clinics to promote fund	Work with Funding Co-ordinator
	ECOFUND	Develop good reporting with EcoFund team	Attend atleast 1 funding clinic per FMU per year
	Ensure ECO Fund Delivery Lead is supported	Attend any site visits to assist with Funding Applications	Attend all EcoFund Applicants and generate report/offer support
	Generate reports back to ECO Fund Lead - supporting applicant / Fund	Visit ECO Fund applicants and produce report per applicant	Attend any enquiry
	INTERGRATED CATCHMENT MANAGEMENT	Attend meetings with the ICM team	Attend all ICM community meetings
	Ensure consistent messaging and reduce overlap of work programmes by reviewing an aligning CA/ICM relationship regularly.	Identify any quick actions	Facilitate tables / groups as requested
	Support ICM team where needed	As CAPs come online, support projects that deliver or support strategies in those CAPs	Support ICM team and community as required
	Community are aware of process	Raise awareness of regulations through workshops in relevant areas	Actively work to align ongoing work plans and actions
	DAIRY EFFLUENT	Raise awareness of recommended best practice management	Develop & implement minimum of 3 'Farmer' Events
	Community are aware of up to date regulations and are actively participating in recommended best practice	Reduce contaminants entering waterways through GMP Support project	Develop & implement minimum of 2 'Rural Professional' Events
	HILL COUNTRY EROSION	Provide support and access stakeholders / landowners	Meet with project manager as requested
	The Project is impactful and successful, made stronger through the local knowledge and connections contributed	Meet with project manager regularly and look for opportunity/alignment	Meet with project manager & create a yearly plan
	by the Catchments Team.	Catchments Team are represented and contributing to the Hill Country Erosion TAG	Create a list of potential 'new' projects for each FMU
	AIR STRATEGY IMPLEMENTATION	Otago community are aware of best practice management	Attend all Hill Country Erosion TAG meetings
	ORC SCIENCE TEAM SUPPORT	Catchments and Science and are aligned and collaboratively working together	Promote key messaging and support Otago Community to implement best practice management e.g burn offs and wood burner smoke mitigation.
	Fish Passage	Catchments are aware of ways they can support Biosecurity coordinators and are actively collaborating where possible	Regular meetings between Biosecurity and Catchments Team Leaders
	Soil Health	Mitigate impact of low flows - on ecosystems and users	Support ORC (consents, compliance), landowners, water
	Projects of Impact	Meet with all internals and gather ORC intel along with other ORC parties	allocation groups and catchment groups to improve best practice
	BIOSECURITY TEAM SUPPORT	Map irrigation and water users / groups in Otago	Identify opportunities for improvement in approach through interactions and conversations with the community
	Rural Water Allocation/Low flow Management	Identify gaps in knowledge for ORC	
	Know and understand water user groups in Otago	Understand how water users are working together and how regulations and ORC can enhance and give greater power to the community	
	High level of communication with water management groups to mitigate impact of low flows		
	All low flows managed well		
Programme	What do we want to see - desired outcomes	Goal	Key Actions
Stream Health Support (whole of Catchment)	Good Understanding of Stream Health best practice	Resources available throughout Otago	Update 'Stream Health Check' resources with industry standards
	Share knowledge & provide GMP on : Fish passage, stream maintenance, biodiversity, biosecurity, riparian planting, sediment, fish, invertebrates, macrophytes, periphyton ...	All schools / groups have access to a kit / how to guides/Advisors	Keep up to date with Science / Industry bodies OL&W / CBM
	Prioritisation of actions based on science (SHC)	Develop a community plan for Stream Health Checks	Run atleast 6 group workshops or minimum of 1 workshop per FMU/Rohe
			ID 'new' potential project areas

	Identify biodiversity opportunities	People know where to go for kits and advice - CA's and link to understading the Environmental Data Portal	In the field (on farm and with communtiy groups) capacity building for Stream Health Assesments (1:1 or with groups) Share knowledge & provide good management practice on : Fish passage, stream maintenance, biodiversity, biosecurity, riparian planting, sediment, fish, invertebrates, marcophytes, periphyton
	Clear Guidance on Stream Health Checks Resources are readily available Kits and guides available to all interested groups / people	Have good base knowlegdge in the community - or where to go to get it  Inspire conversations around biodiversity enhancements, fish passage / barrier discussions, riparian planting whilst out doing stream health checks Offer One;One's where needed Provide Workshops to all groups / schools	Offer school sessions to all schools in Otago
	All CA are trained and skilled to deliver SHC's and train others	Insprire evidence based actions	
	Relevant knowledge is shared to the community	Focused engagment leads to better understanding and increased actions Link to ORC science team i.e. eDNA, fish passage program	
Programme	What do we want to see - desired outcomes	Goal	Key Actions
Biodiversity Support	Greater understanding within the community of current biodiversity state and how to restore, protect and enhance it.	Deliver a work programme that aligns with ORCs Indigenous Biodiversity Strategy	Develop a pilot biodiversity management plan generic template to assist landowners in understanding and managing their native biodiversity. This will align with industry requirements and existing templates such as NZFAP+
(whole of Catchment)	Identified nurseries/tunnel houses and support the development of a community program to utilise these sites Increased area of protected and enhanced streams and wetlands	People have a greater understanding of the steps that individuals can take to create an impact on their land and wider catchment  Educate and enable the community to Insprire evidence based actions	Scope Urban biodiversity enhancment opportunities
	Greater understanding of ecosystem / biodiversity benefits People understand how to identify, protect and enhance biodiversity within Critical Source Areas.	Members of the Lindis catchment group all complete a pilot biodiversity management plan and understand the actions to take to protect indigenous biodiversity on their property.	Offer one:one sessions to work through generic biodiversity management plan templates and talk through options, such as riparian planting and critical source area management  Offer site visits to give a broad over view of the native biodiversity already present on the property
	Genuine passion within the community for protecting and restoring indigenous biodiversity. Biodiversity is seen as a vital part/priority for farm planning and is incorporated into everyday life on the farm		Provide biodiversity workshops in all FMU  Provide relevant resources about native biodiversity
	Biodiversity outcomes from biosecurity work are identified	Catchments and Biosecurity are actively working together to protect and enhance our biodiversity.	Attend field days to learn about local catchments and farm systems to ensure the program is appropriate  Develop a list of appropriate experts for each FMU/Rohe  Develop a list of nurseries to support each FMU / Rohe  Biosecurity and Catchments Team Leaders alignment meetings  Share how to understand planting plan principles - where to plant  Share how to manage weed and pests around plantings  Share how to eco source seeds and how to propagate. Field trip during summer to collect seed. Workshop with expert on propagating
Programme Urban	What do we want to see - desired outcomes	Goal	Key Actions
Adopt a Drain	Protected freshwater ecosystems from all urban environment contaminants	Develop and deliver stormwater programme to schools and urban communities. Interactive programe developed that includes Adopt a Drain and microplastics awareness and contractor toolbox sessions.	Adopt a Drain Programe Community - fish on drains - Coms through GIS map
Urban Action Groups	High level of understanding from urban communites (school, home, work) of their impact on freshwater and how to mitigate them		Adopt a Drain Programe Schools - 3 sessions each school
	Awareness of actions and implications on the environment	Urban Stormwater messages delivered to communities to reduce contaminants in streams	1. What is SW (enviroscape session)

	Change of behaviour (long term reduction in behaviour that leads to polluted freshwater from 'urban lifestyles' and land use		2. Conneting the drain to the end of the pipe (macro inverts)
	Community-led approach to urban freshwater enhancement	Identify and support Urban Action Groups where applicable	3. Adopting the drain at their schools (drilling on the fish) + tangible actions to mitigate SW pollution Develop a series of Contractor workshops or 'toolbox sessions' in collaboration with the Compliance team to promote best practice with contractors.
Programme	What do we want to see - desired outcomes	Goal	Key Actions
RURAL			
Freshwater Farm Plans	Correct ID of Risks - Slope, Rainfall, Soils, Land Use Class, Production capacity etc Impactful ID Mitigation / GMP options that are avialabale and understand modellling is just a tool ID Actions - bassed of prioritising easy, affordable through to most impactful per \$ spent  High Levels of awareness and support for FWFP/best practice High awareness of available tools and resources  Reduced Sediment / E.Coli in Waterways	High level of engagment with Famers across Otago  Aware of available resources  Find an example farm and promote pathways they used - farmer to farmer Ensure we are up to speed with regualtions and resources as these are updated/changes rolled out Run workshops with specific CG / Farmers across Otago	Specific actions to be updated to reflect any new policy/regulation in this space aligned with national direction  Promote good management practice on desired outcomes section    Minimum 5 farmer workshops or 1 per FMU/Rohe
Intensive Winter Grazing	Assist farmer to identify improvments to winter grazing practices  Assist farmers to correctly identify CSA's and establish mitigations Educate industry professionals & create common understanding / consistent advice to farmers Influence GMP on farm Increased Buffers & CSA's protected  Ensure strong understanding and therefore correct advice is given to 'industry' farmers Ensure next season's understanding are improved - high compliance rate	Workshops provided in all FMU's - Rural Professionals and Farmers  Provide One:One's as requested, contractors, farmers & Rural Professionals  High level of attendance at workshops  Share Science modelling Share Mitigation options Assist with what options are apporpriate for each system  Every farmer to have an IWG Management Plan	       Minimum of 5 Rural Professionals Workshops  Scope geographic areas for future effluent management workshops
Effluent Management	Attendance and interest in community workshops  High level of farmers completing an IWG Management Plan Influence the group with GMP advice Offer programmes i.e. stream assessment leading to mitigations / workshops available Higher level of awareness - with reference to effluent management , Stock holding and Silage  Good managemet practice is understood - adequate storage and discharge  Workshops in key areas to raise awareness Ensure no surprises for Dairy Farmers	Responding to referrals and enquiries consistently - internal and external  Update grazing management plan yearly to ensure it remains relevant and simple to follow       Ensure landowners understand the rules, regulations and GMP   Reduce E-coli in fresh water Attend dairy discussion groups - and offer information Good liaison with Dairy NZ  Liaison with Fonterra etc	Ensure all necessary liaison undertaken with ORC Regulatory teams  Create informative handouts for events  Liaise with industry representatives to promote event amongst farmers Liaise with ORC Consents & Compliance & Industry to deliver a  Support Consents and Compliance on Animal Effluent regulations and best practice management.  Agriculture Chemical Recovery Drive - lead by AgRecovery and supported by Anna Robinson Regional Waste Officer  Support extension agencies and community such as Regional Waste Officer and other key stakeholders
Waste Minimisation	An informed and engaged rural community who understand the impact of waste and are enabled to carry out best practice management on their land.	Build strong regional relationships in the waste sector  Provide oppourtunities for best practice in rural waste/recycling	Support and attend Agchemical recovery drives around the region  Actively scope further regional oppourtunities for waste minimisation

#### 9.4. Biosecurity Operational Plan Annual Report 2024-2025

**Prepared for:** Environmental Implementation Committee  
**Report No.** EVN2504  
**Activity:** Environmental: Land  
**Authors:** Murray Boardman, Performance and Reporting Specialist  
Libby Caldwell, Manager Environmental Implementation  
**Endorsed by:** Jo Gilroy, General Manager Environmental Delivery  
**Date:** 4 September 2025

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#### PURPOSE

- [1] To report on the implementation of the Biosecurity Operational Plan 2024-25 for the period 1 July 2024 to 30 June 2025, as required under Section 100C(2) of the Biosecurity Act 1993.

#### RECOMMENDATION

*That the Committee:*

- 1) **Notes** this report and the range of work undertaken to give effect to Otago's Regional Pest Management Plan and the Biosecurity Act (1 **Notes** the lessons learnt from the 2024-25 Biosecurity Operational Plan are being applied to the delivery of the 2025-26 Biosecurity Operational Plan.
- 2) **Notes** that this report and the attached Biosecurity Operational Plan 2024-25 Report will be provided to the Minister for Biosecurity as required under Section 100C(2) of the Biosecurity Act 1993.

#### EXECUTIVE SUMMARY

- [2] A Biosecurity Operational Plan (BOP) is required by the Biosecurity Act 1993 to detail the nature and scope of activities the Council undertakes in the annual implementation of the Regional Pest Management Plan. Under Section 100C(2) of the Act, ORC "*must prepare a report on the operational plan and its implementation not later than 5 months after the end of each financial year*" and "*provide a copy of the report to the Minister or council.*" This paper, including the attachments, fulfils that requirement.
- [3] The 2024-25 BOP had 62 Key Performance Indicators (KPIs). Four KPIs were not measurable as the required events did not occur, which leaves 58 KPIs that were measured. Overall, 46 KPIs were fully achieved or exceeded (achievement rate of 79.3%). Nine KPIs were partially achieved (15.5%) with three KPIs not achieved (5.2%). For priority pests<sup>1</sup>, 24 out of 25 KPIs were completed (96.2%). One was partially achieved, and one was not able to be measured.

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<sup>1</sup> Priority pests, as listed in the 2024-25 Biosecurity Operation Plan, are: Pests in the Exclusion Programme, Rabbits, Wallabies, Wilding Conifers and Lagarosiphon.

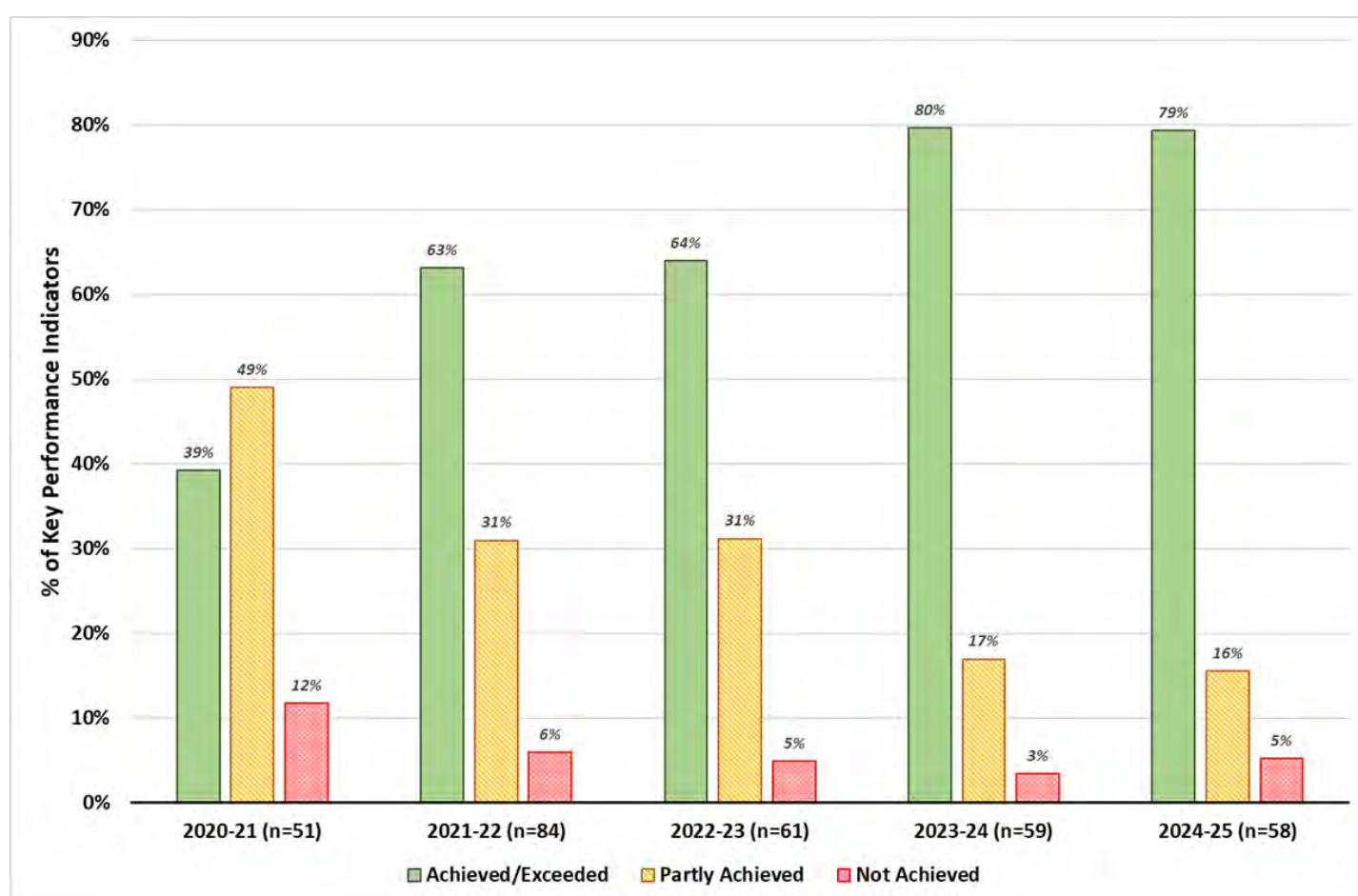
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## BACKGROUND

- [4] In accordance with the Biosecurity Act 1993, the Otago Regional Pest Management Plan (RPMP) 2019-2029 was adopted in November 2019. The RPMP details the plants and animals that are declared pests in the Otago region, explains why they are declared as pests and outlines how each pest will be managed over a ten-year period. The RPMP is a Council plan that is operationalised by the Biosecurity Team.
- [5] An annual operational plan is required by the Act to detail the nature and scope of activities the Council intends to deliver as it implements the RPMP. The Biosecurity Operational Plan (BOP) details the range of activities that will be undertaken by Council to manage pests in Otago for the year.
- [6] The BOP enacts the RPMP and details how the RPMP objectives will be met through specific deliverables (actions), performance measures and targets.

## DISCUSSION

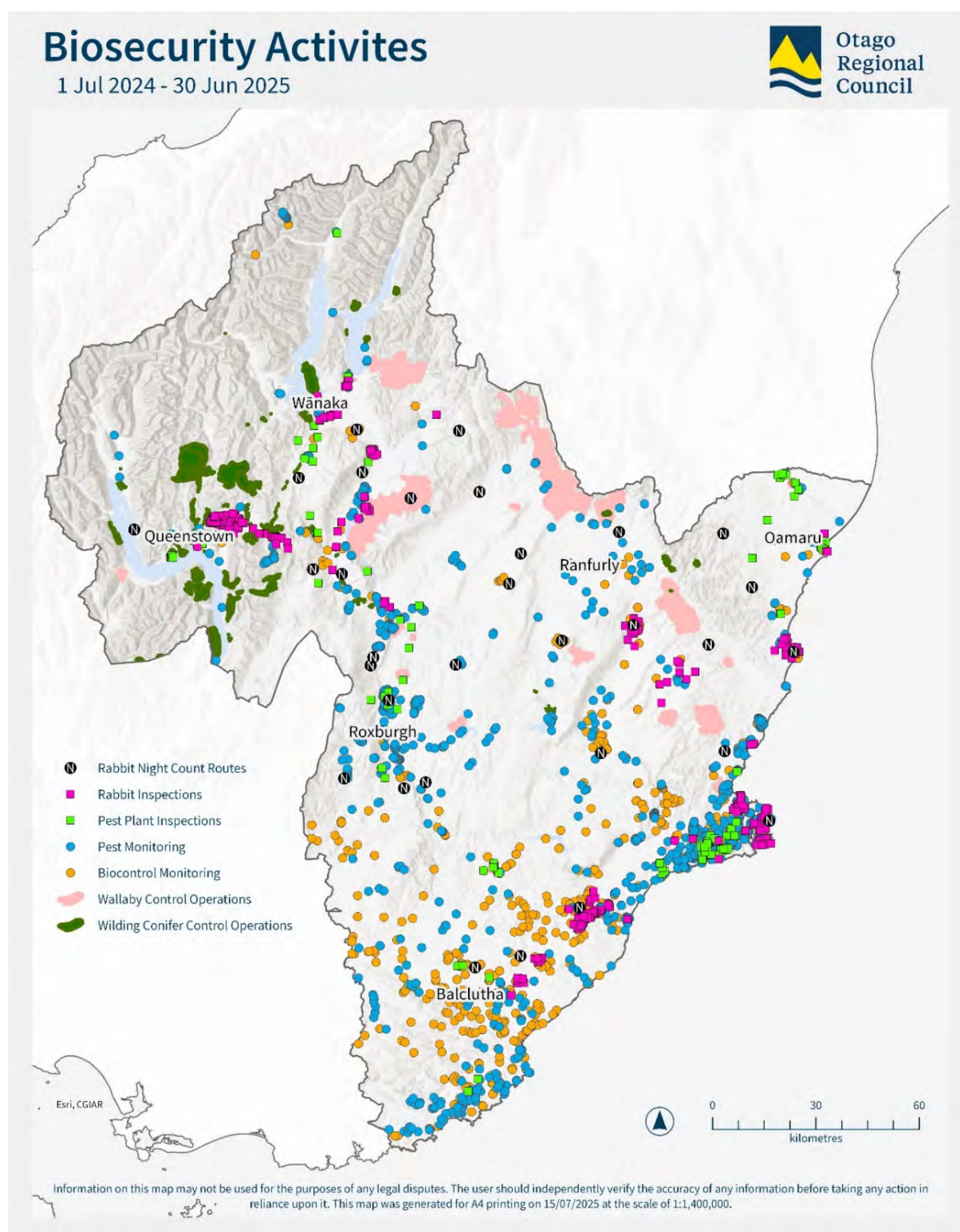
- [7] A summary of achievement towards the delivery of the BOP 2024-25 is presented in the attached document (Appendix 1: Biosecurity Operational Plan 2024-25 Assessment of Performance), detailing the achievement of each Key Performance Indicator (KPI).
- [8] The 2024-25 BOP had 62 Key Performance Indicators (KPIs). Four KPIs were not measurable as the required events did not occur, which leaves 58 KPIs that were measured. Overall, 46 KPIs were fully achieved or exceeded (achievement rate of 79.3%). Nine KPIs were partially achieved (15.5%) with three KPIs not achieved (5.2%). For priority pests, 24 out of 25 KPIs were completed (96.2%). One was partially achieved, and one was not able to be measured. See Appendix 1 for details of each KPI.
- [9] The achievement rate for 2024/25 was broadly similar to the previous year (Figure 1).



**Figure 1: Annual Achievement Rate since 2020-21**

[10] Figure 2 shows the geographical spread of biosecurity inspections and monitoring activities during the year, July 2024 – June 2025.





**Figure 2: Geographical distribution of Biosecurity Pest Inspections and Monitoring Activities**

### ***Rabbit Inspections***

- [11] Over the 2024-25 year, 460 rabbit inspections were completed. 346 rabbit inspections were completed in non-community programme areas (against a target of 250 rabbit inspections). A further 114 rabbit inspections were completed in community programme areas (against a target of 80 rabbit inspections).
- [12] Overall, 37.6% of inspections were compliant with 62.4% being non-complaint (Table 1). In comparison, 33.0% were compliant and 67.0% non-compliant in the previous year (Table 2). This shows a slight improvement in the compliance response to rabbit inspections compared to the previous year. One observation worth nothing, is that when comparing the relative proportions, the compliance rate after re-inspection is

higher for 2024-25 than for 2023-24 (34.5% compared to 27.1%). This difference is statistically significant and suggests that owners were more responsive to attending to rabbit control after they received a letter informing them of non-compliance.

**Table 1: Rabbit inspection compliance and non-compliance 2024-25 (Jul-Jun)**

Compliance Status	Compliant	Non-compliant	Total
New Inspection	60 (45.5%)	72 (54.5%)	132
Re-Inspection	113 (34.5%)	215 (65.5%)	328
<b>Total</b>	<b>173 (37.6%)</b>	<b>287 (62.4%)</b>	<b>460</b>

**Table 2: Rabbit inspection compliance and non-compliance 2023-24 (Jul-Jun)**

Compliance Status	Compliant	Non-compliant	Total
New Inspection	108 (42.2%)	148 (57.8%)	256
Re-Inspection	109 (27.1%)	293 (72.9%)	402
<b>Total</b>	<b>217 (33.0%)</b>	<b>441 (67.0%)</b>	<b>658</b>

- [13] Care is needed when comparing against previous year results due to the varying context of the inspections. Inspected properties can cover a range of topographies each having an underlying proneness to rabbit infestation. In turn, the actual prevalence of rabbits in any specific area will depend on the level of control, virus activity and ecological factors. When properties are marginally non-compliant (i.e. MMS 4), it is more likely they can be controlled faster and can become compliant quicker. In comparison, for areas with higher infestations (i.e. MMS  $\geq 5$ ) achieving compliance is likely to take longer as it may require more than one annual cycle of intensive control before a property is able to become compliant (e.g. two, or more, re-inspections).
- [14] As reported in the RPMP Effectiveness Review, the analysis of paired data<sup>2</sup> from 148 non-compliant properties shows that, based on the median, there is a decrease of one level in the Modified McLean Scale (MMS) between first and re-inspections. Given the MMS is an 8-point scale, a change of one level is statistically significant and suggests that inspections and re-inspections, as an integrated strategy, can have a positive effect towards encouraging occupiers/owners to sustainably control rabbits.

### ***Pest Inspections (Non-rabbits)***

- [15] 3,136 non-rabbit pest inspections and monitoring visits were completed against a target of 1,500. The total was made up of 295 formal inspections and 2,841 monitoring visits.
- [16] Table 3 shows the compliance rate for the formal inspections for 2024-25, with a comparison to 2023-24 in Table 4. Similar to the observation with rabbits, when comparing the relative proportions, the compliance rate after re-inspection is higher for 2024-25 than for 2023-24 (45.9% compared to 27.5%). This difference is statistically significant and suggests that owners were more responsive to attending to pest control after they received a letter informing them of non-compliance.

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<sup>2</sup> Paired analysis compares properties that were non-compliant at first inspection which then had a follow-up re-inspection.



**Table 3: Pest inspection (non-rabbits) compliance and non-compliance 2024-25 (Jul-Jun)**

Compliance Status	Compliant	Non-compliant	Total
New Inspection	39 (34.2%)	75 (65.8%)	114
Re-Inspection	83 (45.9%)	98 (54.1%)	181
<b>Total</b>	<b>122 (41.4%)</b>	<b>173 (58.6%)</b>	<b>295</b>

**Table 4: Pest inspection (non-rabbits) compliance and non-compliance 2023-24 (Jul-Jun)**

Compliance Status	Compliant	Non-compliant	Total
New Inspection	67 (47.9%)	73 (52.1%)	140
Re-Inspection	39 (27.5%)	103 (72.5%)	142
<b>Total</b>	<b>106 (37.6%)</b>	<b>176 (62.4%)</b>	<b>282</b>

- [17] Table 5 and 6 present the monitoring visit data in terms of ‘presence-absence’<sup>3</sup> for 2024-25 and 2023-24 respectively. (Note: 2023-24 data commenced in October 2023).

**Table 5: Pest monitoring visits (non-rabbits) absence and presence 2024-25 (Jul-Jun)**

Compliance Status	Absent	Present	Total
Monitoring Visit	796 (28.0%)	2,045 (72.0%)	2,841

**Table 6: Pest monitoring visits (non-rabbits) absence and presence 2023-24 (Oct-Jun)**

Compliance Status	Absent	Present	Total
Monitoring Visit	734 (39.0%)	1,150 (61.0%)	1,884

- [18] Based on the infestation grading recorded during a monitoring visit, 2024/25 showed that, overall, there were fewer extensive infestations than the previous year however there were more low-level infestations. While no formal conclusions can be made at this stage, a movement from extensive to low-level infestations would be a promising trend as that indicates that there is some level of sustained control or progressive containment being achieved.

### ***Pest Management Engagement***

- [19] A total of 55 engagements were had with key Crown agencies and territorial authorities in regard to various aspects of pest management. These agencies include MPI, DoC, LINZ, KiwiRail, Waka Kotahi, WDC, DCC, CDC, CODC and QLDC.
- [20] 830 interactions were made over summer through the “Check, Clean, Dry” campaign to advocate and educate the public on preventing the transmission of aquatic weeds, focusing on lagarosiphon.
- [21] Eighteen collaborations were held with neighbouring Regional Councils on pest management, including meetings, information sharing, site visits and staff exchanges. In addition, eight meetings/visits were held with ECan on wallabies. Eight collaborations were held with Kāi Tahu on biosecurity issues.

<sup>3</sup> The presence of a pest does not automatically mean non-compliant as, due to the RPMP, some pests can be present yet are compliant (e.g. ragwort).

- [22] Nineteen community events attended to support best practice pest control, such a regional A&P shows.
- [23] 325 pest related enquiries were received with 271 responded to (83.3%) within the set timeframe of 10 working days.

### ***Compliance and Enforcement***

- [24] 653 letters (excluding Notices of Direction) were sent to occupiers or landowners to advise them of the outcome of the inspection. 78.3% of the letters were sent within 3 weeks of the inspection (target 75%) and 89.9% sent within 6 weeks (target 100%).
- [25] 12 Notices of Direction (NOD) were issued during the year to eligible non-compliant properties, that meet the required NOD criteria. These properties will be re-inspected during the 2025-26 year to determine progress towards compliance.

### ***2024-2025 Lessons learned and Improvements***

- [26] During the year, a review into the RPMP was conducted and presented to the Environmental Delivery committee on 5<sup>th</sup> June 2025. This has led to a series of recommendations to improve the implementation of the RPMP, and by association, the Operational Plan. Recommendations relevant for future Operational Plans are outlined below:
- A greater emphasis on ensuring pest rules, as listed in the RPMP, are adhered to. This requires an increase in inspections and, if non-compliant, ensure the properties are re-inspected.
  - Target inspections where investments and awareness are already in place (e.g. old man's beard, rabbits, bomarea, wilding pines).
  - Ensure repeated non-compliance is attended to through the provisions of the Biosecurity Act.
  - Prioritise inspections and monitoring in areas with the highest biodiversity or economic/cultural value.
  - Actively and simply communicate pest management objectives (including rules) to key audiences.

## **CONSIDERATIONS**

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

- [27] None.

### **Financial Considerations**

- [28] None.

### **Significance and Engagement Considerations**

- [29] None.

### **Legislative and Risk Considerations**

- [30] In line with the Biosecurity Act (1993), it is desirable that the attached report is proactively submitted to the Minister of Biosecurity prior to the 30 November 2025.

### **Climate Change Considerations**

- [31] None.

**Communications Considerations**

[32] None.

**NEXT STEPS**

[33] Lessons learned and required improvements identified through preparing this report are being implemented.

[34] The attached report will be provided to the Minister for Biosecurity.

**ATTACHMENTS**

1. Appendix 1 - Biosecurity Operational Plan 2024 25 Assessment F [**9.4.1** - 12 pages]

Appendix 1: Biosecurity Operational Plan 2024-25

Assessment of Performance

Implementing the Regional Pest Management Plan 2019-29

This appendix presents an assessment of the Biosecurity Operational Plan 2024-25 and reviews the achievement of the Key Performance Indicators (KPIs) as listed in the plan. This report is divided into the five pest control programmes as outlined in the Regional Pest Management Plan 2019-29, along with the administration programme.

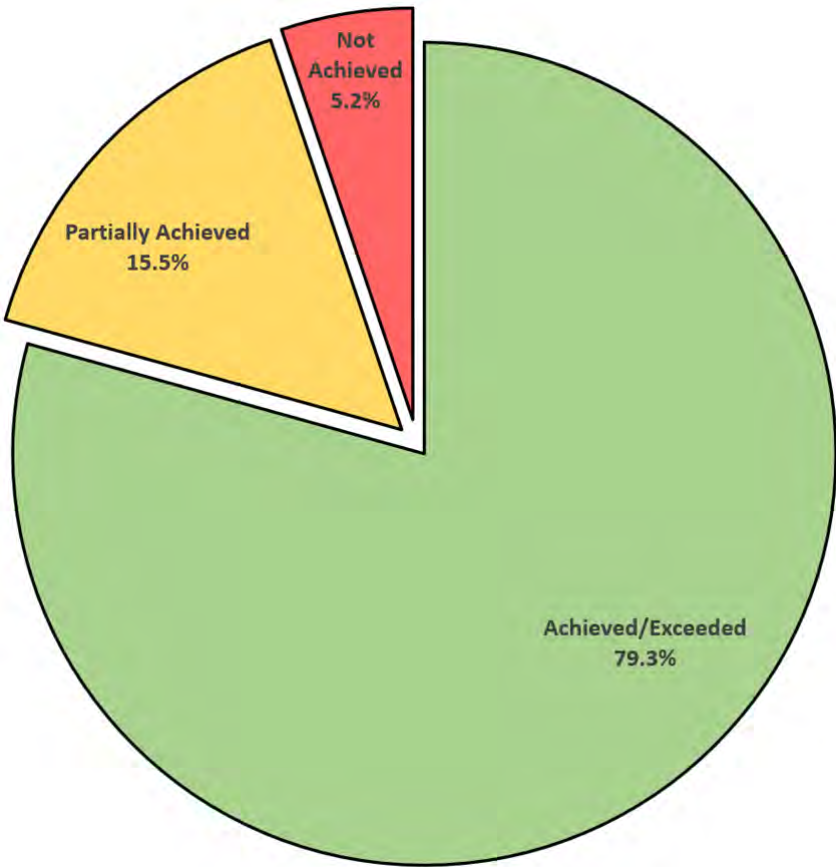






Figure 1: Snapshot of Biosecurity Performance in 2024-25


Key Legend		
	Achieved/Exceeded	100% or more achieved
	Partly Achieved	Between 1-99% achieved
	Not Achieved	0% achieved
	Not Measurable	Not able to be measured

## Summary

The 2024-25 BOP had 62 Key Performance Indicators (KPIs). Four KPIs were not measurable as the required events did not occur, which leaves 58 KPIs that were measured. Overall, 46 KPIs were fully achieved or exceeded (achievement rate of 79.3%). Nine KPIs were partially achieved (15.5%) with three KPIs not achieved (5.2%). For priority pests, 24 out of 25 KPIs were completed (96.2%). One was partially achieved, and one was not able to be measured.

## 1. Exclusion Pest Programme






ORC will prevent six high threat pest plants from establishing in the region.


Exclusion Pest Programme				
<b>Objective:</b> Preclude the establishment of the following plant pests (listed below) in the Otago region for the duration of the RPMP: African feather grass, Chilean needle grass, Egeria, False tamarisk, Hornwort, and Moth plant.				
		Target	Actual	
KPI 1	# of meetings with neighbouring regional councils on exclusion pest threats.	6	8	
KPI 2	% of response actions completed within the required timeframes as set out in the incursion pest response plan for each confirmed sighting (assessed by checklist).	100%	See comment	---
Comments	KPI 2: As there were no confirmed sightings of any exclusion pests, the KPI is not able to be measured (not applicable).			
Lessons Learnt	To ensure the Otago region is free of exclusion pest species targeted surveillance and inspection’s will be included in the 2025-2026 annual work plan for high risk locations for exclusion pest species.			



## 2. Eradication Pest Programmes

ORC will eliminate spiny broom, and eradicate Bennett’s wallaby and rooks from the region.

Bennett’s Wallaby	
<b>Objective:</b> There are three key objectives in the eradication of Bennett’s Wallaby.	
<ul style="list-style-type: none"><li>Reduce known wallaby populations to zero density and prevent their further expansion in the region,</li><li>Prevent further spread of wallaby into North Otago from Canterbury, and</li><li>Inform the Otago community on the wallaby threat and encourage vigilance and reporting to council.</li></ul>	






		Target	Actual	
KPI 1	All sightings are classified to determine credibility within three working days of receiving a report.	100%	100%	
KPI 2	If presence is confirmed, a decision on appropriate control action is decided within a further two working days.	100%	100%	
KPI 3	% of Operational Advisory Group meetings attended	100%	100%	
KPI 4	Fulfil requirements of MPI funding agreement	100%	100%	
KPI 5	# of meetings or visits with Environment Canterbury on wallaby control	4	31	
Comments	KPI 1: 71 reports on wallabies received. Most of these were deemed unreliable upon further investigation. KPI 2: Five sightings were credible and control actions undertaken.			
Lessons Learnt	Programme is meeting the required targets. No lessons learnt.			

Rooks				
<b>Objective:</b> Reduce rook populations to zero density, within the RPMP period and maintain this status until eradication is attained.				
		Target	Actual	
KPI 1	# of known rookery locations inspected	50	59	
KPI 2	All sightings are classified to determine credibility within three working days of receiving a report.	100%	See comments	---
KPI 3	If presence is confirmed, a decision on appropriate control action is decided within a further two working days.	100%	See comments	---
Comments	KPI 1: In additional to the 50 known rookeries, a further nine sites were checked (two of these were due to possible rook sightings but no rooks found). KPI 2 & 3: As there were no confirmed sightings of rooks, these two KPIs were not able to be measured (not applicable).			
Lessons Learnt	To ensure that when are rook sighting is reported that it is followed up in a systematic way, a formal response procedure will be actioned that will document actions taken to determine credibility of report and control actions where appropriate.			

Spiny broom				
<b>Objective:</b> Reduce spiny broom populations to zero density within the RPMP period and maintain this status until eradication is attained.				
		Target	Actual	
<b>KPI 1</b>	# of monitoring and surveillance visits undertaken for spiny broom.	13	46	
<b>KPI 2</b>	If presence is confirmed, a decision on appropriate control action is decided within five working days.	100%	100%	
<b>Comments</b>	KPI 2: Nine plants were found in one Waihola street. All were immediately controlled.			
<b>Lessons Learnt</b>	There is a need to actively involve the local community to identify and be aware of possible outbreaks of spiny broom and report when sighted. Communication plan being developed.			



### 3. Progressive Containment Pest Programmes


ORC aims to contain and reduce the extent of 11 pest plants (or groups of plants) across the region.


Wilding conifers				
<b>Objective:</b> Contain wilding conifers within the region (in accordance with national strategy), reduce infestation densities where practicable and prevent their spread to new locations				
		Target	Actual	
<b>KPI 1</b>	# of properties inspected for wilding conifer compliance	50	50	
<b>KPI 2</b>	% of Operational Advisory Group meetings attended	100%	100%	
<b>KPI 3</b>	Fulfil requirements of MPI funding agreement	100%	100%	
<b>KPI 4</b>	% of actions from the regional strategy commenced within specified due timeframes	100%	100%	
<b>KPI 5</b>	Funding disbursed as per agreement*	100%	100%	
<b>Comments</b>	No comments on KPIs			
<b>Lessons Learnt</b>	Programme is meeting the required targets. No lessons learnt.			

\* To “Support regional partnerships through funding Whakatipu Wilding Conifer Control Group and Central Otago Wilding Conifer Control Group”






African love grass				
<b>Objective:</b> Contain African love grass to its 20 known sites within the region, reduce its densities at these sites and prevent spread to new sites.				
		Target	Actual	
KPI 1	# of monitoring and surveillance visits undertaken for African Love Grass.	20	See comment	
KPI 2	If African love grass is sighted, control action is commenced within 10 working days of the inspection.	100%	100%	
Comments	KPI 1: 20 known locations were checked (167 site visits and follow-up), with presence observed at 73% of visits. One new active site was found outside the known locations. KPI 2: All presence was controlled by grubbing.			
Lessons Learnt	African love grass is a persistent plant with a hardly seed. There is some evidence that seeds are being transported on transport and recreation corridors. Community education will be developed to assist.			

Nassella tussock				
<b>Objective:</b> Contain Nassella tussock to known areas within the region, reduce its densities at these sites and prevent spread to new sites.				
		Target	Actual	
KPI 1	# of inspections, monitoring and surveillance visits undertaken for Nassella tussock.	38	96	
Comments	KPI 1: In additional to the 38 known locations, a further 58 visits have been conducted to control and contain Nassella tussock.			
Lessons Learnt	Nassella tussock is a persistent plant with a hardly seed. This requires a long-term management approach to control and contain.			

Old Man’s Beard				
<b>Objective:</b> Contain old man’s beard to known areas within the region, reduce its densities at the above sites and prevent spread to new locations.				
		Target	Actual	
KPI 1	% of Old Man’s Beard inspections undertaken on properties with high biodiversity values.	50%	89%	
Comments	KPI 1: A total of 204 inspections were undertaken for Old Man’s Beard with 89% occurring on properties (or adjoining properties) that had high biodiversity values.			












Lessons Learnt	Continuation to focus on properties that have, or are near to, sites of high biodiversity for Old Man’s Beard. This is seen as an effective strategy and allocation of resources.
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Spartina and Six Containment Plants				
<b>Objective:</b> Contain [1] spartina to known areas within the region, reduce its densities at the known sites and prevent spread to new sites and [2] the six pest plants (Bomarea, Boneseed, Bur daisy, Cape Ivy, Perennial nettle, White-edged nightshade) within the region, reduce their densities at known sites and prevent spread to new sites				
		Target	Actual	
KPI 1	# of inspections, monitoring and surveillance visits undertaken for spartina.	12	122	
KPI 2	If presence is confirmed, a decision to initiate appropriate control action occurs within five working days.	100%	100%	
KPI 3	% of non-compliant properties re-inspected within set timeframes for bomarea, boneseed, bur daisy, cape ivy, perennial nettle, and white-edged nightshade.	100%	69%	
Comments	KPI 3: 45 re-inspections were completed following up on 65 non-compliant inspections. Difference due to rescheduling re-inspections, primarily for seasonality and flowering of pest plants.			
Lessons Learnt	The importance of inspections and re-inspections was highlighted in the RPMP Effectiveness Review. A greater focus on this will be rolled out in the 25/26 Operational Plan.			


4. Sustained Control Pest Programmes



ORC will enforce rules to ensure control of rabbits and five widespread pest plants (or groups of plants) to reduce their impacts and spread.

Feral rabbits				
<b>Objective:</b> Ensure continuing control of feral rabbits to manage their spread and to reduce adverse effects and impacts on economic wellbeing and the environment.				
		Target	Actual	
KPI 1	# of rabbit inspections undertaken in non-community programme areas.	250	345	
KPI 2	# of rabbit inspections undertaken in community programme areas.	80	115	
KPI 3	% of non-compliant rabbit inspections re-inspected within set timeframes for compliance.	100%	83%	

<b>KPI 4</b>	# of rabbit night count routes completed.	30	31	
<b>KPI 5</b>	# of fly traps routes monitored	10	12	
<b>KPI 6</b>	Report on analysis of historical serological data completed by 30 November 2024	1	1	
<b>KPI 7</b>	# of peri-urban areas with fixed photo counts undertaken	2	2	
<b>KPI 8</b>	# of community rabbit programmes where landowner engagement is undertaken.	5	5	
<b>KPI 9</b>	Funding round is oversubscribed with eligible applications.	Yes	Yes	
<b>Comments</b>	KPI 3: 83.3% of non-compliant rabbit inspections re-inspected within set timeframes (paired properties). Difference due to rescheduling re-inspections, primarily to ensure at least one winter season for poisoning operations or to continue existing active rabbit control (formal extension). Overall, 328 re-inspections were completed. KPI 9: \$265,071 requested out of \$100,000 available. 10 proposals received with 3 fully funded.			
<b>Lessons Learnt</b>	The importance of inspections and re-inspections was highlighted in the RPMP Effectiveness Review. A greater focus on this will be rolled out in the 25/26 Operational Plan.			

† Listed agencies are: MPI, DoC, LINZ, KiwiRail, Waka Kotahi, WDC, DCC, CDC, CODC and QLDC.

Gorse and broom				
<b>Objective:</b> Ensure continuing control of gorse and broom, that prevents land free of these pests from becoming infested and reduces adverse effects on the economic (and environmental) wellbeing of occupiers regionwide.				
		Target	Actual	
<b>KPI 1</b>	% of non-compliant properties re-inspected within set timeframes in gorse and broom free areas.	100%	See comment	
<b>Comments</b>	KPI 1: A total of 10 properties were re-inspected over the year against 10 non-compliant properties – however no inspections (or re-inspections) were done in gorse and broom free areas. Focus on complaints due resource constraints and prioritising other pests.			
<b>Lessons Learnt</b>	To help inform priority areas within the gorse and broom free areas we will be undertaken an investigation into the use of remote sensing for gorse and broom.			

Russell lupin				
<b>Objective:</b> Instigate boundary controls of Russell lupin to prevent spread (e.g. the planting and subsequent seeding) of wild lupin plants, and to reduce adverse effects in rural zoned land.				
		Target	Actual	
KPI 1	% of actions completed by due date as described in the Russell lupin strategy.	100%	100%	
KPI 2	Action plan developed and presented to stakeholders.	1	See comment	
Comments	KPI 1: All four actions set down for 2024-25 were completed as required. Some actions may extend into the following year. KPI 2: Action plan is being progressed but has not been finalised yet primarily due to revising the strategy			
Lessons Learnt	It has become clear that there is a need for greater focus on this species within the upcoming RPMP review for effective long-term management of Russel lupin in Otago.			

Ragwort and Nodding thistle				
<b>Objective:</b> Over the duration of the Plan, implement sustained control of nodding thistle and ragwort on rural zoned land within specified distances of property boundaries throughout the Otago region to prevent their spread in order to minimise adverse effects on production values and economic well-being.				
		Target	Actual	
KPI 1	% of GNR complaints responded to within one month.	100%	See comment	---
Comments	KPI 1: No nodding thistle and ragwort complaints were received hence under RPMP rules no inspections were needed. Consequently, the KPI was not able to be measured.			
Lessons Learnt	No lessons learnt. Inspections only possible through complaints as set out by the RPMP.			



## 5. Site-led Pest Programmes

ORC has two site led pest programmes.

1. ORC will take a lead role in supporting community and agency control of six pest plants and nine pest animals to support Predator Free Dunedin and wider biodiversity enhancement initiatives.
2. ORC will target one freshwater pest plant.






### Otago Peninsula, West Harbour – Mount Cargill and Quarantine & Goat Islands

**Objective:** Support community groups and other agencies to protect the ecological integrity of the Otago Peninsula, West Harbour-Mt Cargill, and Quarantine & Goat Islands.







		Target	Actual	
<b>KPI 1</b>	Site-led plan reconfirmed by 30 September 2024.	1	1	
<b>KPI 2</b>	% of actions implemented by 30 June 2025.	100%	100%	
<b>Comments</b>	None to note			
<b>Lessons Learnt</b>	No specific lessons learnt. Continue programmes as planned.			




### Lagarosiphon

**Objective:** Support LINZ in controlling and eradicating lagarosiphon in the region's rivers and lakes

		Target	Actual	
<b>KPI 1</b>	# of meetings attended with LINZ and other stakeholders	4	9	
<b>KPI 2</b>	Funding disbursed as per agreement	100%	100%	
<b>KPI 3</b>	# of interactions in the 'Check, clean, dry' programme	650	830	
<b>KPI 4</b>	# of bi-annual monitoring visits to priority water bodies to determine the presence of lagarosiphon.	22	22	
<b>KPI 5</b>	# of sites monitored or inspected for freshwater pests.	40	42	
<b>Comments</b>	<p>KPI 4: Of the eleven priority water bodies, lagarosiphon was present at two sites (Bullock Creek, Wanaka and Albert Town retention ponds).</p> <p>KPI 5: Lagarosiphon was present in three further sites (Inch Clutha; unnamed waterway leading to Paddock Bay, Lake Wanaka; roadside drain at Earnscleugh)</p>			
<b>Lessons Learnt</b>	<p>For next year, working with LINZ, ORC will incorporate several changes to the programme, for example, moving the Whakatipu switch-off zone further down the Kawerau river; incorporating locally sourced wool matting into LINZ control programme; integration of new AI driven underwater lagarosiphon detection tools; a greater focus for surveillance and inspection on tributaries as well as boat ramp compliance inspections at Whakatipu.</p>			

6. Integrated Programmes







Shared Pest Programmes				
		Target	Actual	
KPI 1	# of pest inspections/monitoring visits undertaken (excludes rabbits)	1,500	3,136	
KPI 2	% of non-compliant properties (or sites) re-inspected.	100%	71%	
KPI 3	# of monitoring visits to sites where biocontrol agents are present	25	793	
KPI 4	A set of monitoring plans completed by 31 October 2024.	1	1	
KPI 5	Report on ‘State of Pest Management in Otago’ submitted to Council before 31 March 2025.	1	See comment	
KPI 6	Control actions for the selected pests are completed by 30 June 2025.	100%	100%	
Comments	KPI 1: The total was made up of 295 formal inspections and 2,841 monitoring visits. KPI 2: Overall, 181 properties re-inspected (excludes rabbits) since 1 July 2024. In terms of paired re-inspections for the 24/25 FY, there 36 re-inspections that can be paired with 51 non-compliant new inspections (71%). KPI 5: The Report on ‘State of Pest Management in Otago’ was replaced by the RPMP Effectiveness Review that was presented to Council on 5 June 2025.			
Lessons Learnt	A leading recommendation from the RPMP Effectiveness Review is the need to undertake more inspections and follow up with re-inspections for non-compliant properties. This is being actively rolled out in 25/26.			

Pest Programme Engagement				
		Target	Actual	
KPI 1	# of communication engagements with listed agencies† at least once annually.	10	10	
KPI 2	# of community events attended to support best practice pest control.	8	19	
KPI 3	Otago Marine Biosecurity Programme presented to Council by 30 June 2025	1	See comment	

KPI 4	# of collaborations with other regional councils (Marine/Freshwater).	4	10	
KPI 5	# of collaborations with Kāi Tahu on biosecurity issues.	4	8	
KPI 6	# of nurseries and pet shops visited	10	10	
Comments	KPI 3: Otago Marine Biosecurity Programme to be replaced with more flexible Marine Surveillance and Monitoring Plan to be started in Dec 2025 (and aligned to the new Regional Pest Management Plan due in 2027).			
Lessons Learnt	Engagements with partners and stakeholders going well. Important to ensure programmes/plans are aligned for consistency, efficiency and effectiveness.			

† Listed agencies are: MPI, DoC, LINZ, KiwiRail, Waka Kotahi, WDC, DCC, CDC, CODC and QLDC.

## 7. RPMP Administration

Compliance and Enforcement Actions				
		Target	Actual	
KPI 1	% of occupier/landowner advised of inspection status within three weeks of the inspection	75%	78%	
KPI 2	% of occupier/landowner advised of inspection status within six weeks of the inspection	100%	90%	
KPI 3	Any Notices of Direction are issued within 20 working days after re-inspection.	100%	50%	
KPI 4	% of exclusion pest enquiries responded to within 24 hours	100%	100%	
KPI 5	% of eradication pest enquiries responded to within three working days	100%	86%	
KPI 6	% of all pest enquiries responded to within 10 working days	100%	83%	
Comments	<p>KPI 1 &amp; 2: Letters were prioritised for non-compliant properties. Some letters were placed on hold, re-scheduled or suspended for operational reasons.</p> <p>KPI 3: 12 Notices of Direction (NoD) were issued with six served within 20 working days.</p> <p>KPI 4: Five potential exclusion pests were reported during the year (excludes wallabies which are reported separately). All were responded to with 24 hours of receiving the report.</p> <p>KPI 5: Seven enquires were received on eradication pets and six were actioned within three working days. One was actioned within five working days.</p>			

	KPI 6: There were 325 related pest enquiries with 271 responded to within 10 working days. (Longest response 13 working days).
<b>Lessons Learnt</b>	A leading recommendation from the RPMP Effectiveness Review is the need to ensure the compliance sequence for new inspections and re-inspections for non-compliant properties is improved. This focus is being implemented, especially to ensure data systems are accurate.



## 9.5. Environmental Delivery Group Regulatory Activities Quarterly Update

<b>Prepared for:</b>	Environmental Delivery Committee
<b>Report No.</b>	ENV2502
<b>Activity:</b>	Regulatory
<b>Authors:</b>	Alexandra King, Manager Consents and Manager Environmental Data and Systems Simon Wilson, Manager Compliance Steve Rushbrook, Harbourmaster Libby Caldwell, Manager Environmental Implementation
<b>Endorsed by:</b>	Joanna Gilroy, General Manager Environmental Delivery
<b>Date:</b>	4 September 2025

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### PURPOSE

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

### EXECUTIVE SUMMARY

- [2] This report summarises the activity of the Consents, Compliance, Environmental Delivery Data and Systems, Harbour Master and Environmental Implementation Teams from 1 July 2024 to 31 July 2025. This includes the full year results 1 July 2024 to 30 June 2025 and the first month of the 2025/26 year.

### RECOMMENDATION

*That the Committee:*

- 1) **Notes** this report.

### DISCUSSION

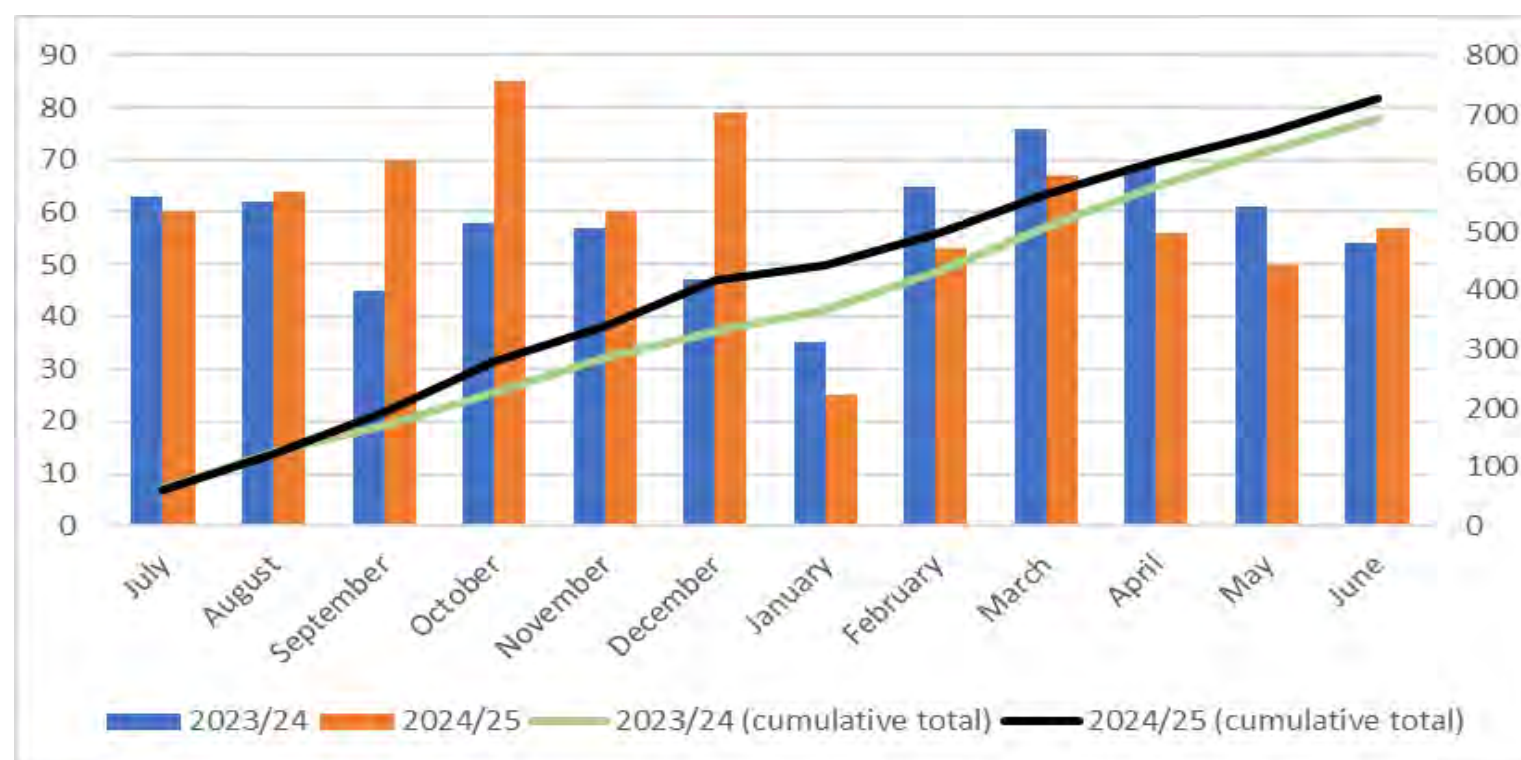
- [3] The following report provides a summary of the activity of the Consents, Compliance, Harbourmaster, Environmental Delivery Data and Systems, Biosecurity and Catchments teams within the Environmental Delivery Group.
- [4] Attachment 1 contains maps relating to activity for the period 1 July 2024 to 30 June 2025 and separate maps from 1 July 2025 to 31 July 2025. The charts formally located in this attachment are now part of the main document. Maps and charts for work programmes within the Environmental Implementation Team have been added for the first time, these cover data from 1 July 2025 to 31 July 2025.

## CONSENTS

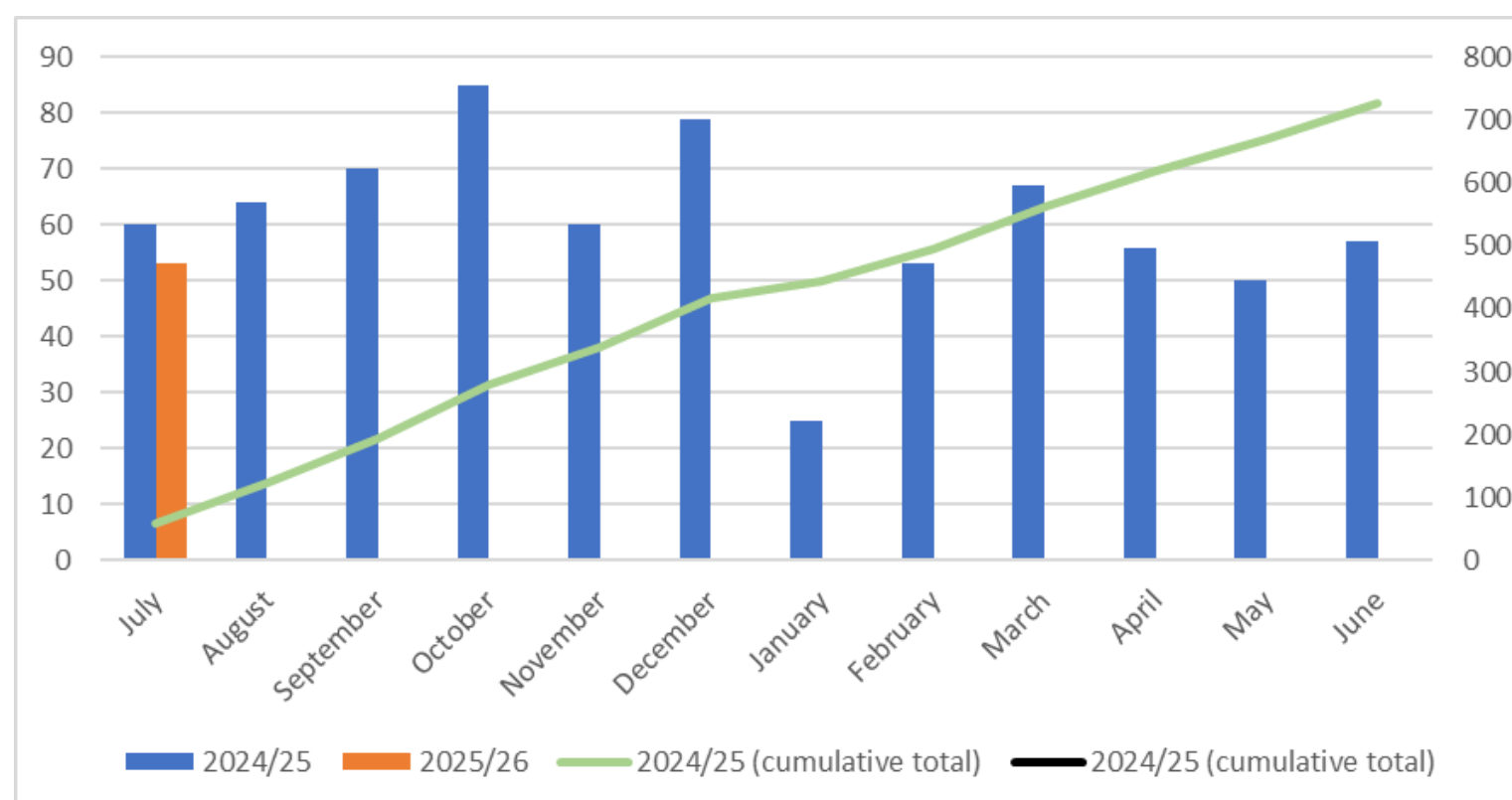
### Consent Processing

- [5] The Consents Team received 777 resource consent applications between 1 July 2024 and 31 July 2025, compared to 759 during the same period last financial year, as shown in Figures 1 and 2 below.

**Figure 1: Resource Consent Applications Received 24/25**



**Figure 2: Resource Consent Applications Received YTD 25/26**

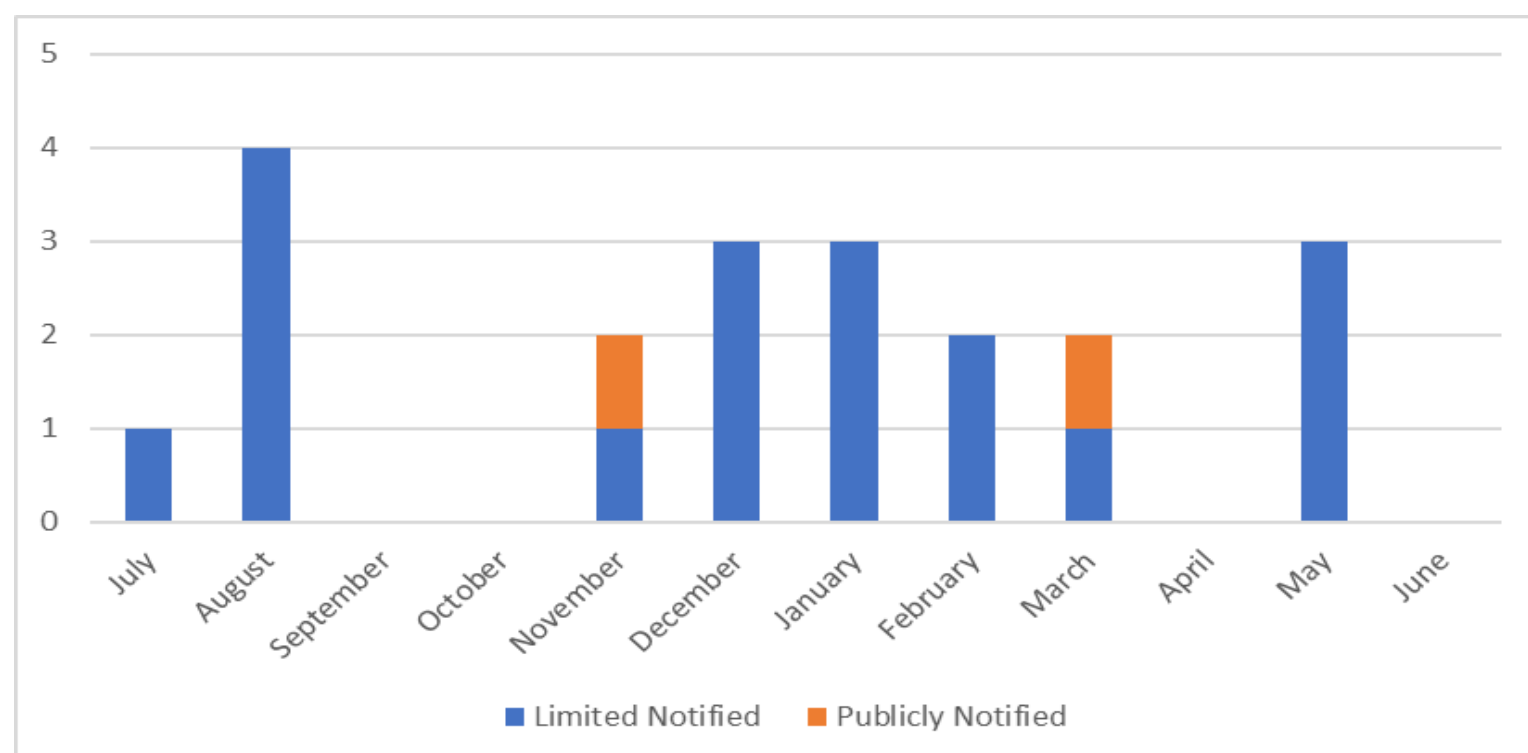


- [6] Decisions were made on 1,005 individual consents (cumulative total) between 1 July 2024 and 31 July 2025 compared with 832 during the same period last financial year. All of these consents were processed in compliance with the timeframes set in the Resource Management Act 1991.
- [7] Map 1 in the Attachment 1 shows the spread of consents granted for the period 1 July 2024 and 30 June 2025 throughout Otago and Map 2 shows 1 July to 31 July 2025. 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.

- [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] Eighteen applications were limited notified between 1 July 2024 to 31 July 2025, as shown in Figure 3 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, building a bridge and a discharge to air consent. No applications were limited notified at the start of the new reporting period (from 30 June 2025 to 31 July 2025).
- [10] Two applications were publicly notified between 1 July 2024 to 31 July 2025. These were the Green Island Landfill, which has been granted and Oceana Gold MP4 mine expansion which is awaiting hearing. No applications were publicly notified from 30 June 2025 to 31 July 2025.

**Figure 3: Notified Applications 24/25**



#### **Appeals, objections, and reviews**

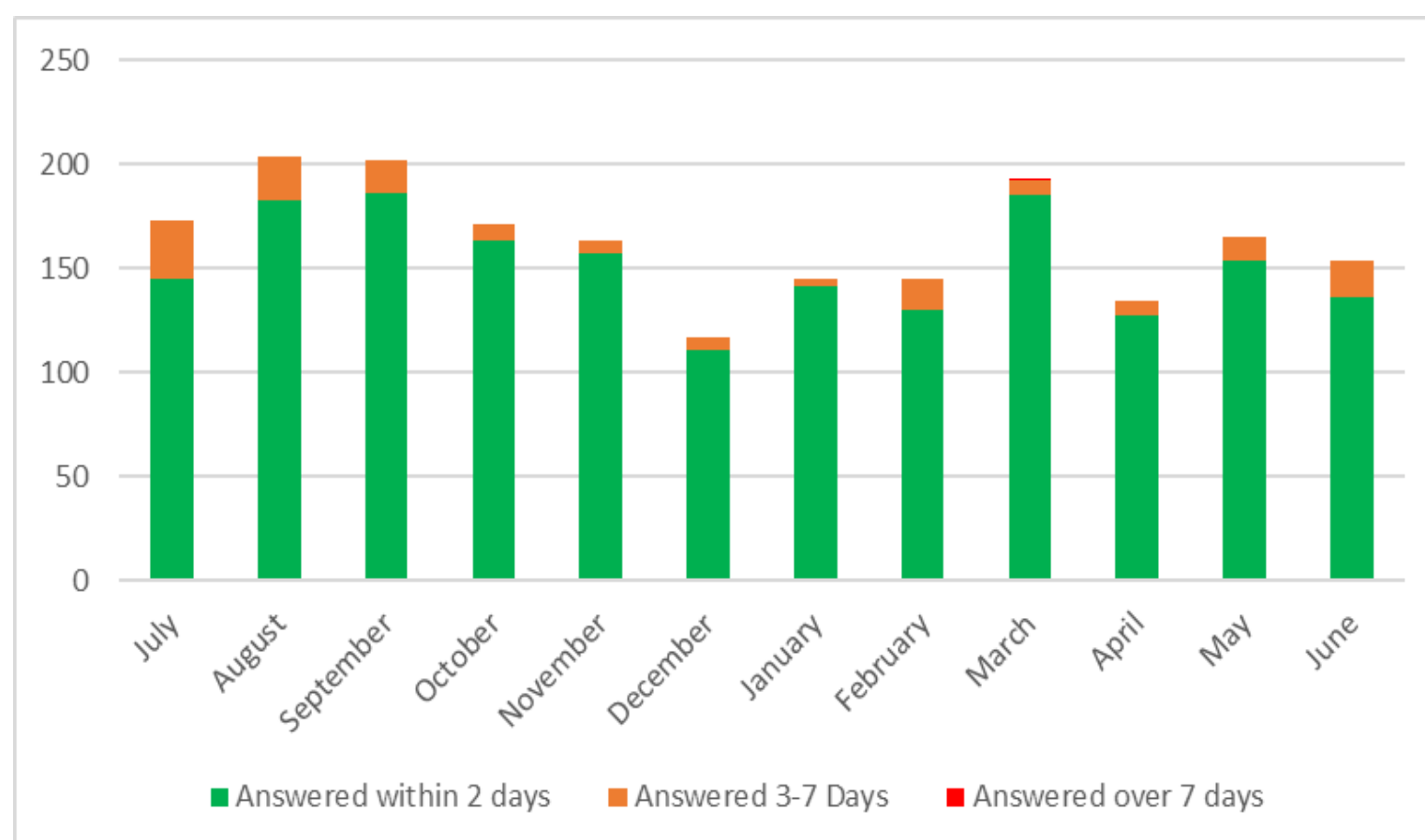
- [11] Two objections were received on consent decisions. They were upheld and have been resolved. No other objections on consent decisions were received between 1 July 2024 to 31 July 2025.
- [12] One appeal has been received on a consent decision. This is currently being reviewed.

- [13] Two cost objections were received under Section 357B of the RMA between 1 July 2024 and 31 July 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.
- [14] No reviews are currently being processed, and none were undertaken within the reporting period.

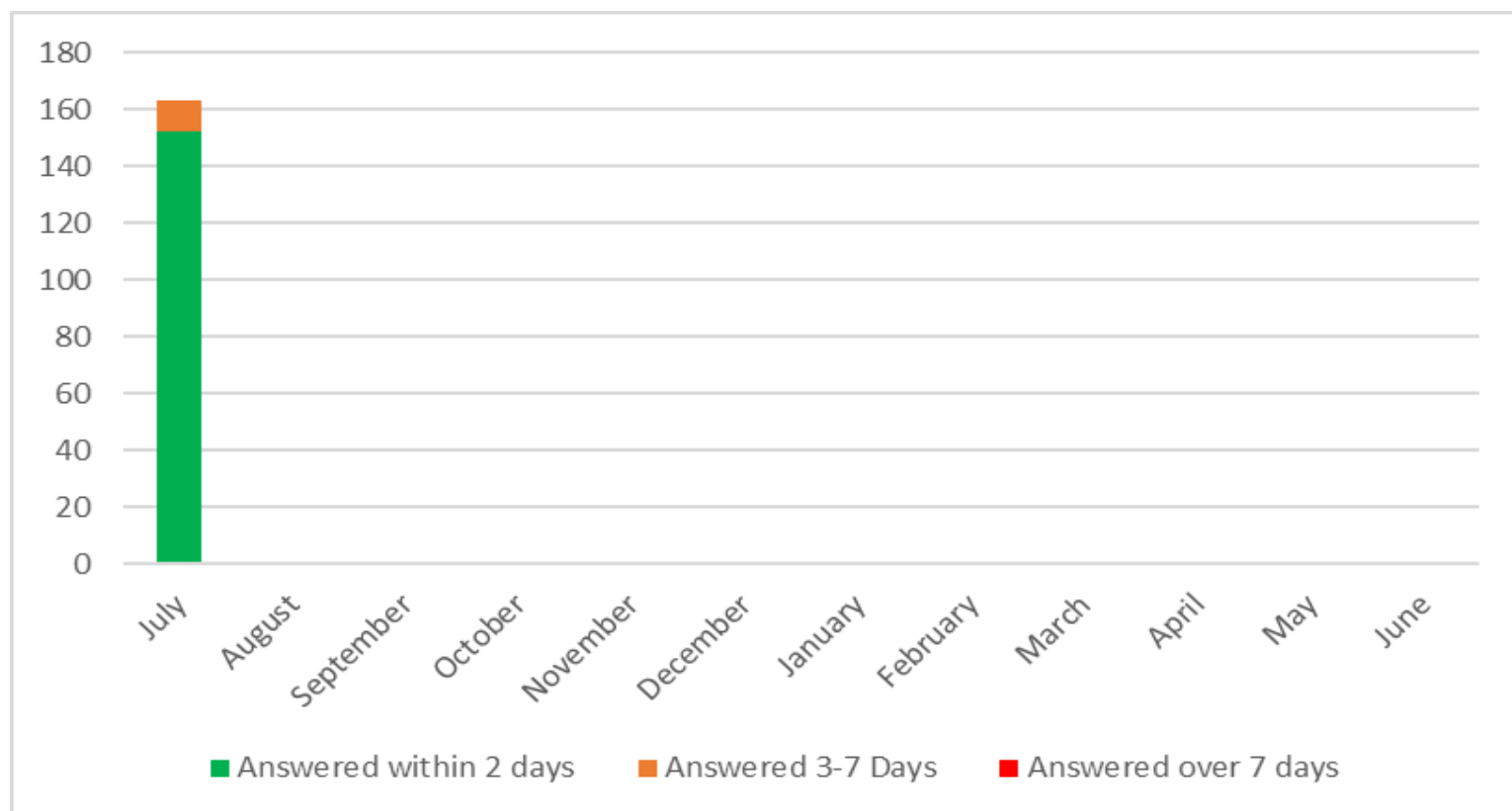
### Consent Enquiries

- [15] Responding to consent enquiries remains a significant part of the workload of the Consents Team. Council received 2,170 enquiries from the public between 1 July 2024 and 31 July 2025, shown in Figures 4 and 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 Figures 6 and 7 below. The large number of public enquiries responded to demonstrate the value of this service provided by Council.
- [16] Requests for copies of documents, as well as information about discharges to land, farming activities, consent process and Fast Track are the most common enquiry types. The main method for requests is email.

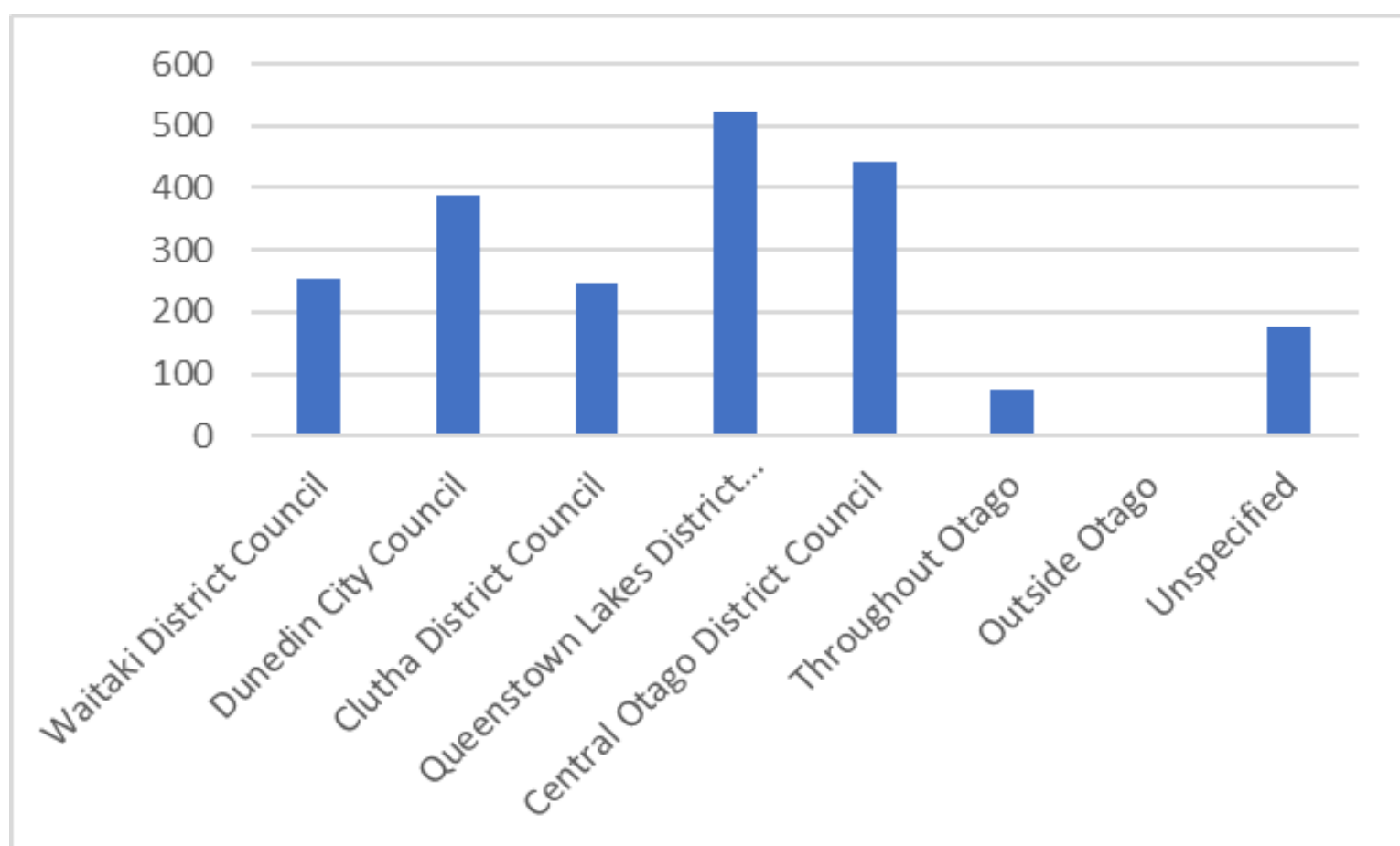
**Figure 4: Consent Enquiry Response Times 24/25**



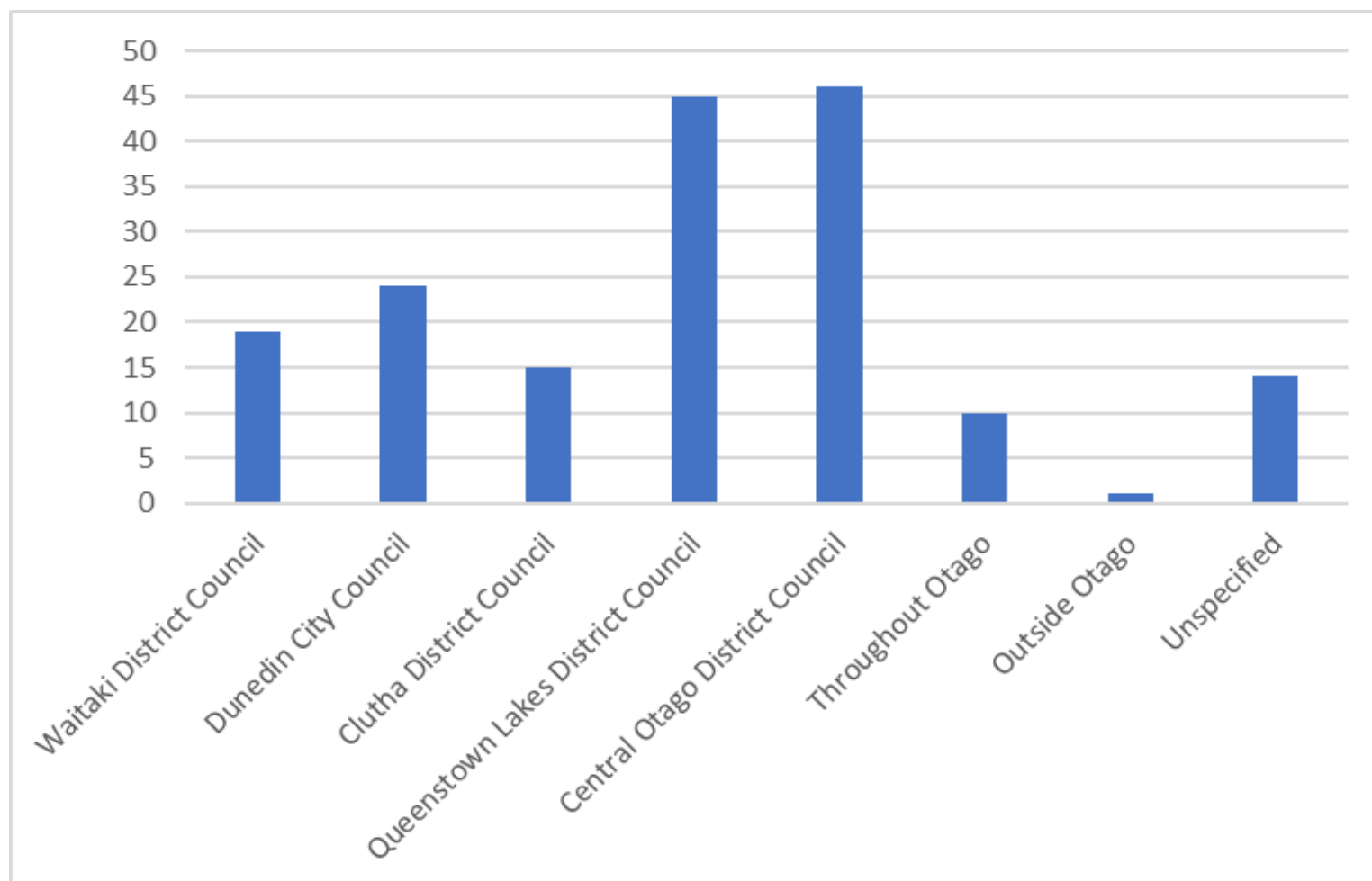
**Figure 5: Consent Enquiry Response Times YTD**



**Figure 6: Consent Enquiries by Location 24/25**





**Figure 7: Consent Enquiries by Location YTD**

[17] The Consents Team have been managing multiple fast-track projects at various stages within the process, including pre-application consultation and responding to requests for comment from the Environmental Protection Authority (EPA) who administers the fast-track process. The projects that our team has been actively engaging with are:

- a. Ayrburn Screen Hub (referral project accepted into the fast-track)
- b. Bendigo-Ophir Gold Mine (listed)
- c. Homestead Bay (listed)
- d. Kaihiku Wind Farm (listed)
- e. Mahinerangi Wind Farm (listed)
- f. 6 additional referral or pre-application stage projects

[18] 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. Process improvements for fast-track applications;
- b. New Zealand wide regional council monthly forums on fast track processes. Otago wide meetings are being established;
- c. Continuing to support applicants to seek funding under the Consent Fee Support, promoting the service and fielding questions;
- d. Updates to fast-track webpage including monthly project updates, frequently asked questions, and pre-application consultation advice;
- e. Effluent workshops with farmers and consultants;
- f. Update emails and briefings;
- g. Planning for primary industry consultant workshops, earthworks development workshops from Spring of 2025; and
- h. Oversight of Council's Building Act responsibilities relating to dams, which are delegated to Environment Canterbury.

- [19] All the above projects help to 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.

#### **Consent funding for Environmental enhancement**

- [20] In 2021 Council approved a policy and associated fund to provide financial support for projects which have an environmental benefit but require resource consent. An annual budget of \$50,000 was included for this purpose. Funding for this policy has been provided for the first three years of the Long-Term Plan (LTP) 2024-2034.
- [21] The Consents Team and other Council Teams have promoted the consent fund when working with applicants, speaking at workshops and by ensuring that other teams promote it whilst out in the field and talking to the community.
- [22] During the 2024/25 financial year six applications for funding support were received with \$32,961 spent. None of these were declined and we fully funded all consent costs. In comparison nine were funded in the 2023/24 financial year with \$33,371 spent. Table 1 provides detail on the 2024/25 projects including the costs covered by the fund.

*Table 1: Summary of applications which used the consent fund 2024-2025*

<b>Applicant</b>	<b>Reason</b>	<b>Location</b>	<b>Cost (excl GST)</b>
Appleton Dairy Farm Ltd	Pre-application - Advice regarding stream clearance and sediment trap construction (PA) before Tiaki Maniototo planning project	Puketoi	\$1,323.88
Appleton Dairy Farm Ltd	To disturb the bed of Stony Creek for the purpose of clearing aquatic weeds and sediment	Puketoi	\$7,176.73
Ellis-Lea Farms (2000) Ltd	Land Use Consent for removal of sediment and vegetation.	Enfield	\$3,606.35
Hawksburn Station Ltd	To discharge contaminants to the Hawks Burn and to disturb the bed of Hawks Burn for the purpose of instream clearance and willow removal	Cromwell	\$2,824.70
Manuherikia Catchment Group Inc	To disturb the beds of various waterways and discharge sediment to water for the purpose of willow removal	Manuherikia catchment	\$9,926.81
Otago Fish & Game Council	To disturb the bed of a wetland area for the purpose of erecting a structure and removing vegetation	Balclutha	\$4,351.17

Otago Youth Adventure Trust	To discharge treated wastewater to land in a manner that could enter water for the purpose of disposing of treated wastewater from a campsite	Catlins	\$569.99
Otago Youth Adventure Trust	To dam water for the purpose of recreation and firefighting and to discharge water for the purpose of operating a dam	Berwick	\$3,182.11
Totals			\$32,961.74

COMPLIANCE MONITORING AND ENFORCEMENT

- [23] 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.
- [24] A separate paper is also presented on the compliance metrics reported in this paper, which includes the annual compliance report.

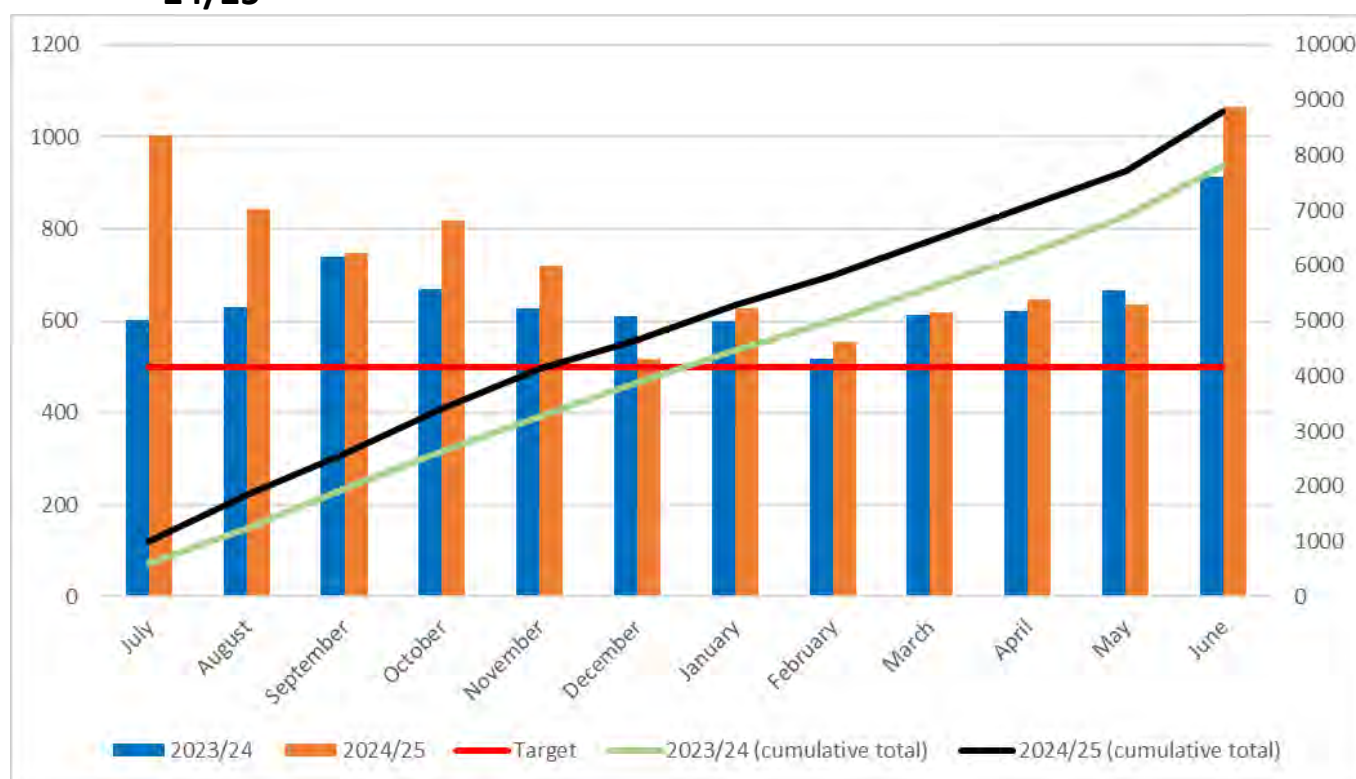
Performance Monitoring

- [25] Performance monitoring returns include all information Consent Holders are required to submit by conditions in their resource consents. This includes photographs of work, water meter returns, complex annual reports, and management plans. Some consents require multiple submissions of performance monitoring per year, for example monthly water quality results, while others have no performance monitoring requirements. The grading of performance monitoring tends to be faster than a full audit and is used to help the Compliance Team prioritise which consents require audits.
- [26] In the period from 1 July 2024 to 30 June 2025, the Environmental Delivery Data and Systems and Compliance teams graded 8,794 performance monitoring returns against a target of 6,000. This is up on the 7,807 returns graded in the same period last financial year. The increased volume of returns graded is reflective of changes in systems and procedures over the last few years which reduced the time it takes to grade water take and discharge consents. Water take returns are assessed annually (starting 1 July) for data compliance. With Aquarius Dashboards now built for most consents the team are working through the grading process more quickly than in previous years. An example of these dashboards is shown in Figure 8.
- [27] A summary of the performance monitoring returns is shown in Figures 9 to 12 below.

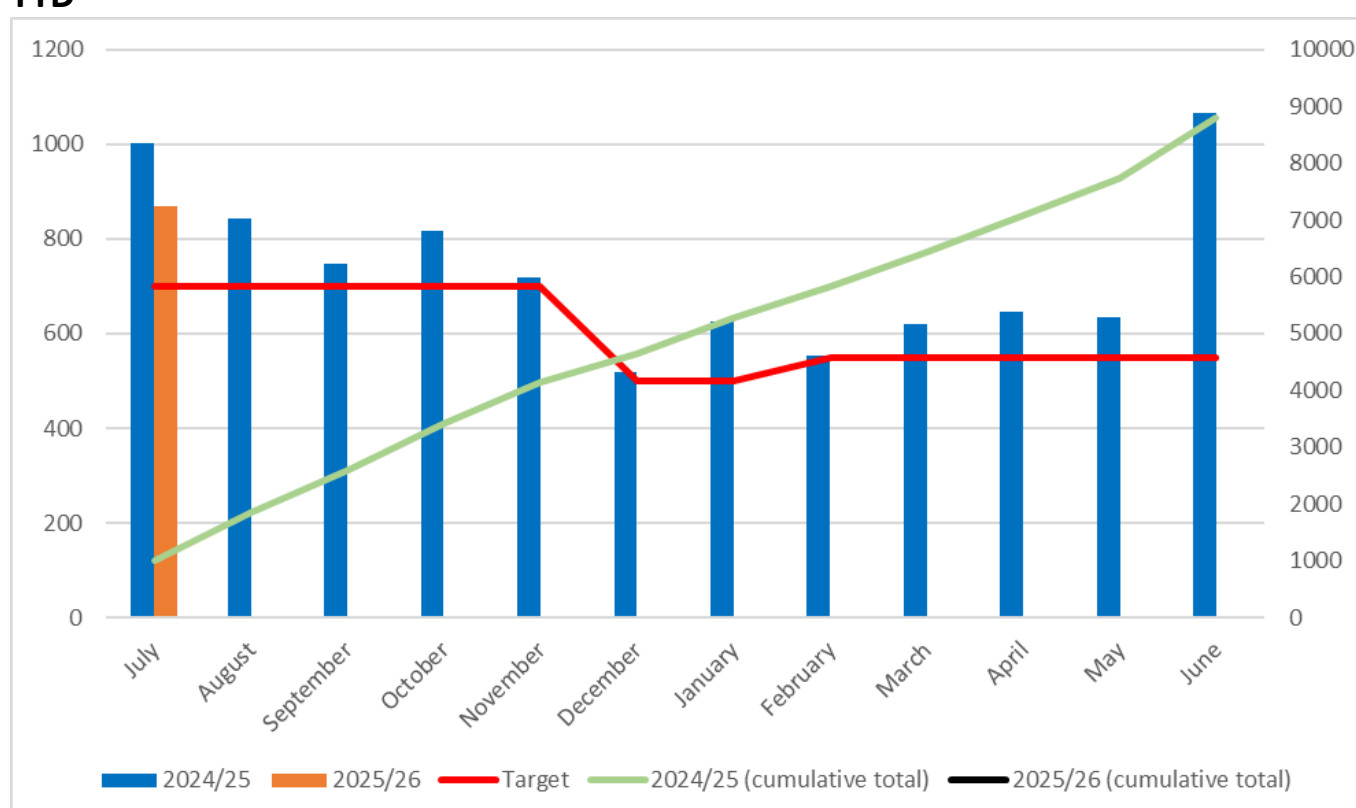
**Figure 8: Example Aquarius Dashboard Chart**

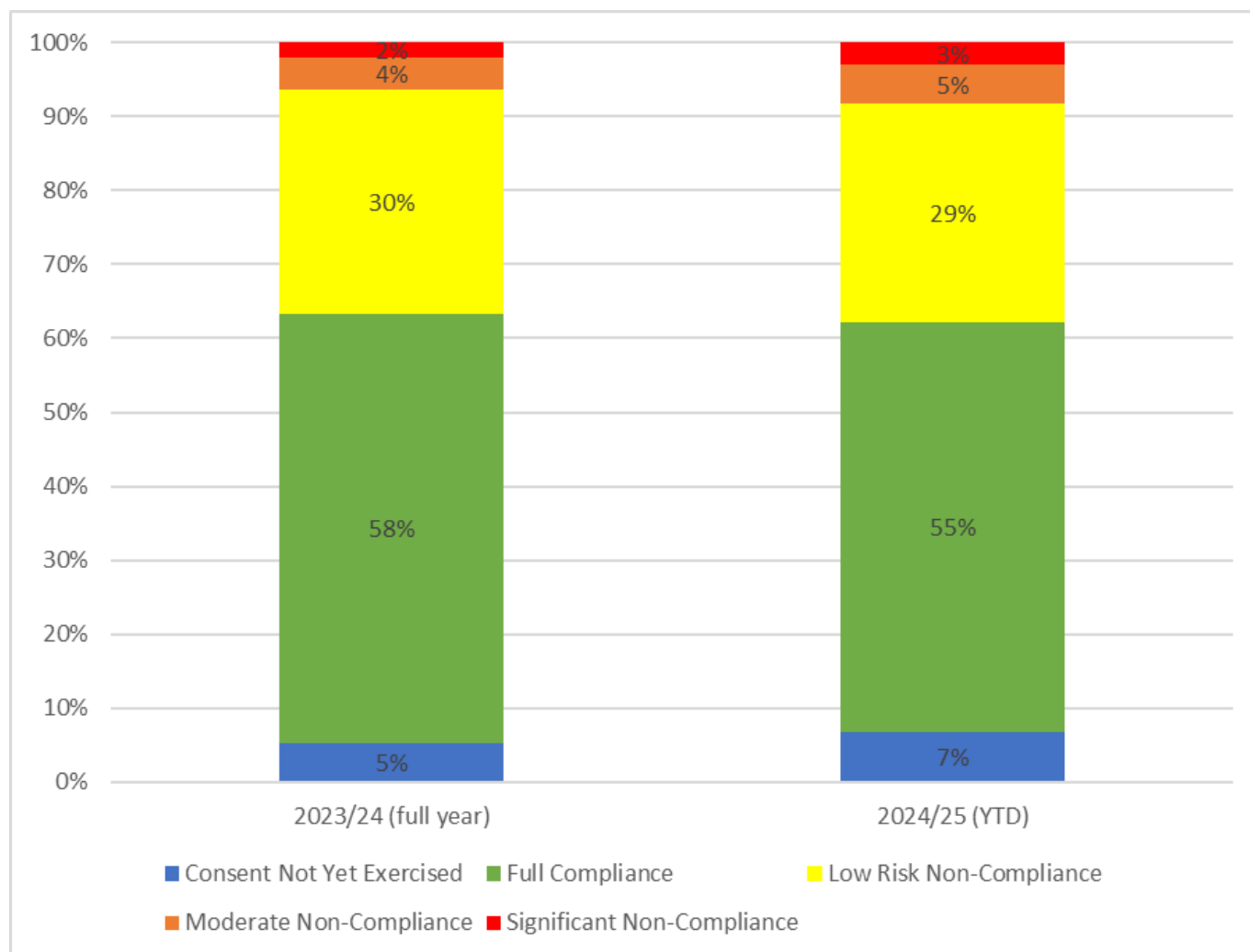
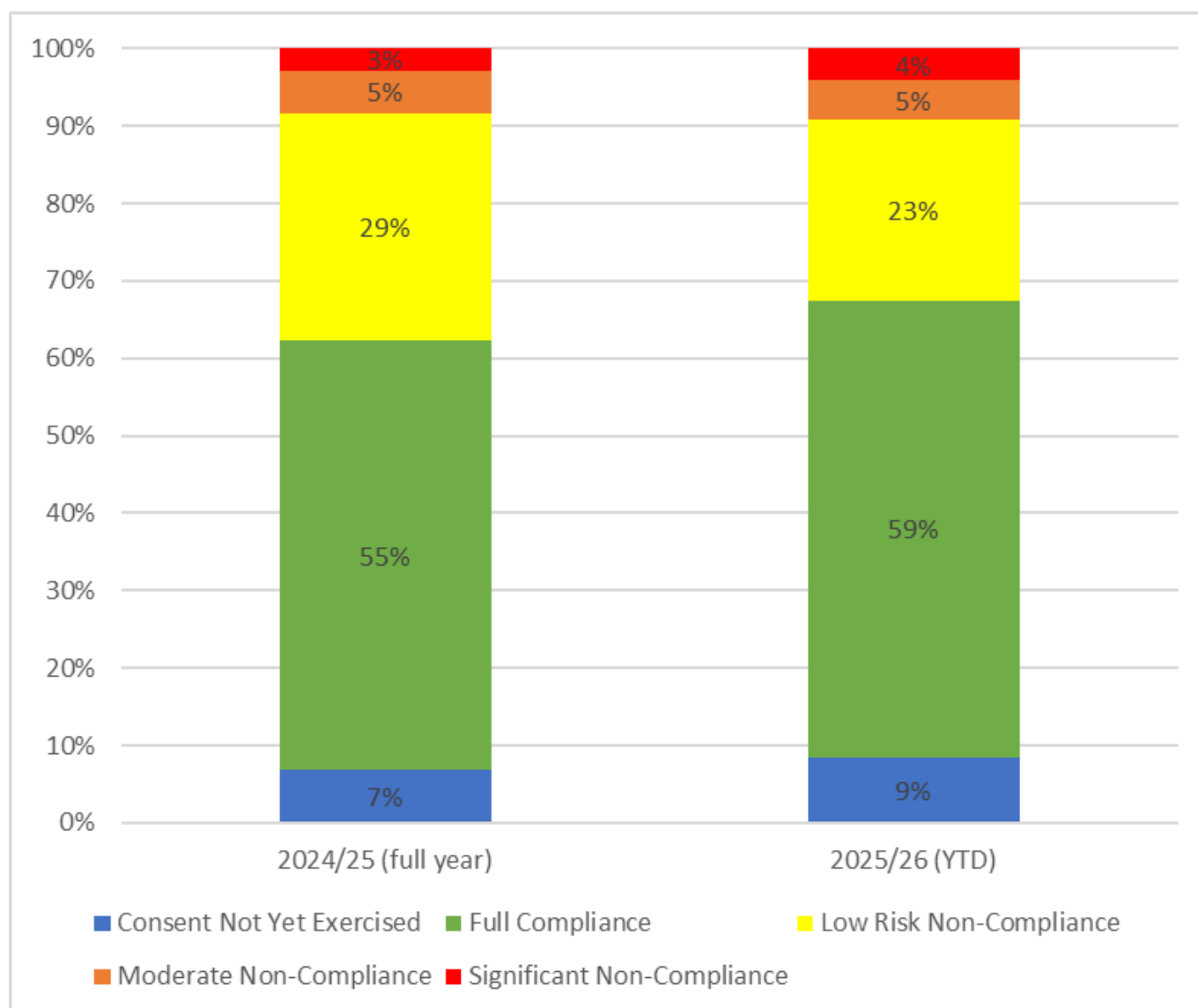


**Figure 9: Performance Monitoring Returns Completed against LTP Performance Measure 24/25**



**Figure 10: Performance Monitoring Returns Completed against LTP Performance Measure YTD**



**Figure 11: Performance Monitoring Grades Year on Year 24/25****Figure 12: Performance Monitoring Grades YTD**



### Compliance audits and inspections

- [28] In the period from 1 July 2024 to 30 June 2025, 1,267 on-site audits and inspections were completed. This includes 984 consent audits, 244 permitted activity dairy inspections and 39 forestry inspections. This is 127% of the planned compliance audits or field inspections.
- [29] Between 1 July 2025 and 31 July 2025, 49 on-site audits and inspections were completed. This includes 37 consent audits and 12 forestry inspections. This is 70% of the planned compliance audits and field inspections. This start to the year is reflective of the normal seasonal pattern of the Compliance Team's work as shown in figures 13 and 14 below.

### RMA consent audits

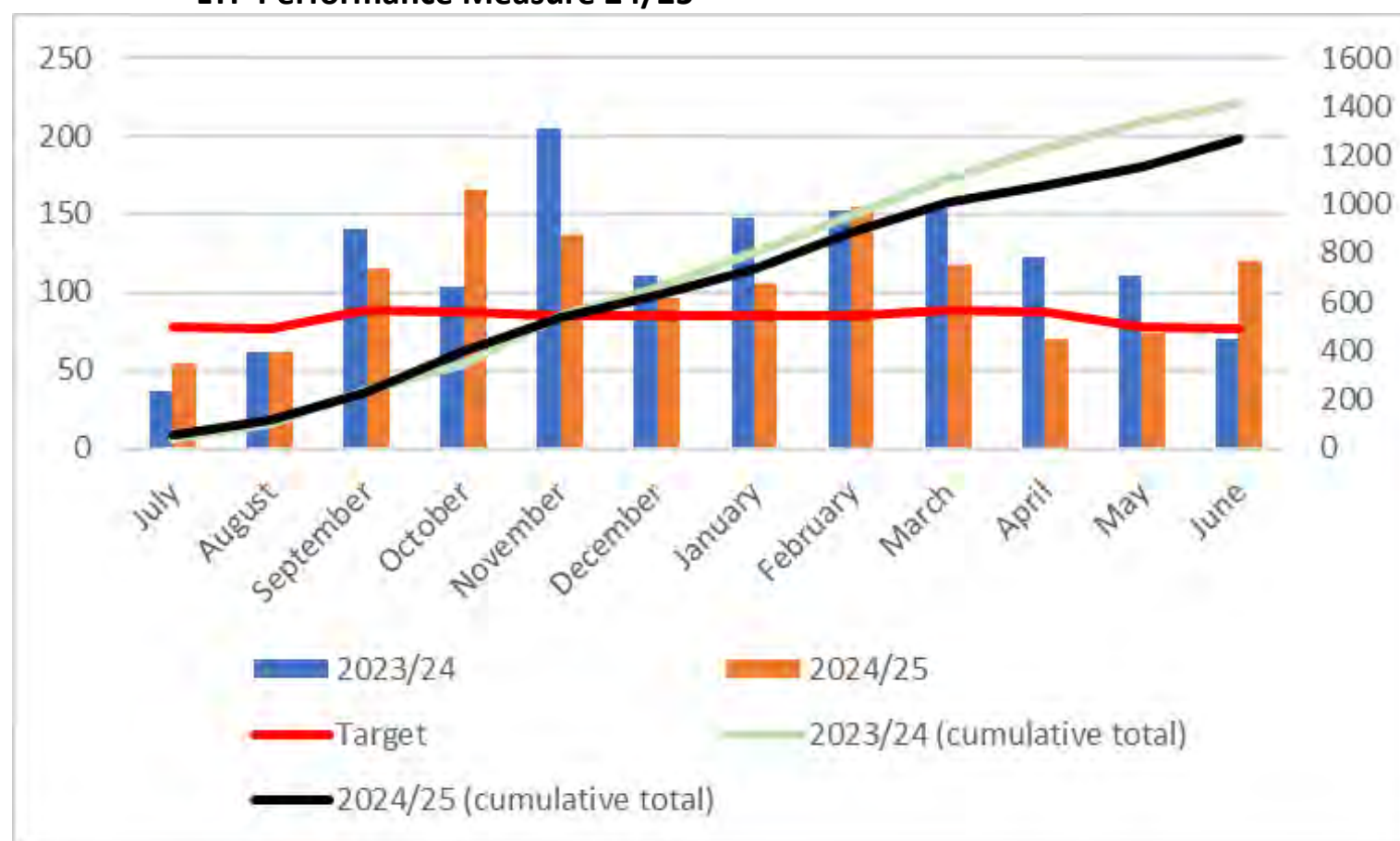
- [30] In undertaking audits and monitoring under the Compliance Plan, audits and performance monitoring returns are assigned the grades outlined below based on a staff assessment of compliance. This grading system is in line with best practice and is based on the Ministry for Environment 'Best Practice 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.

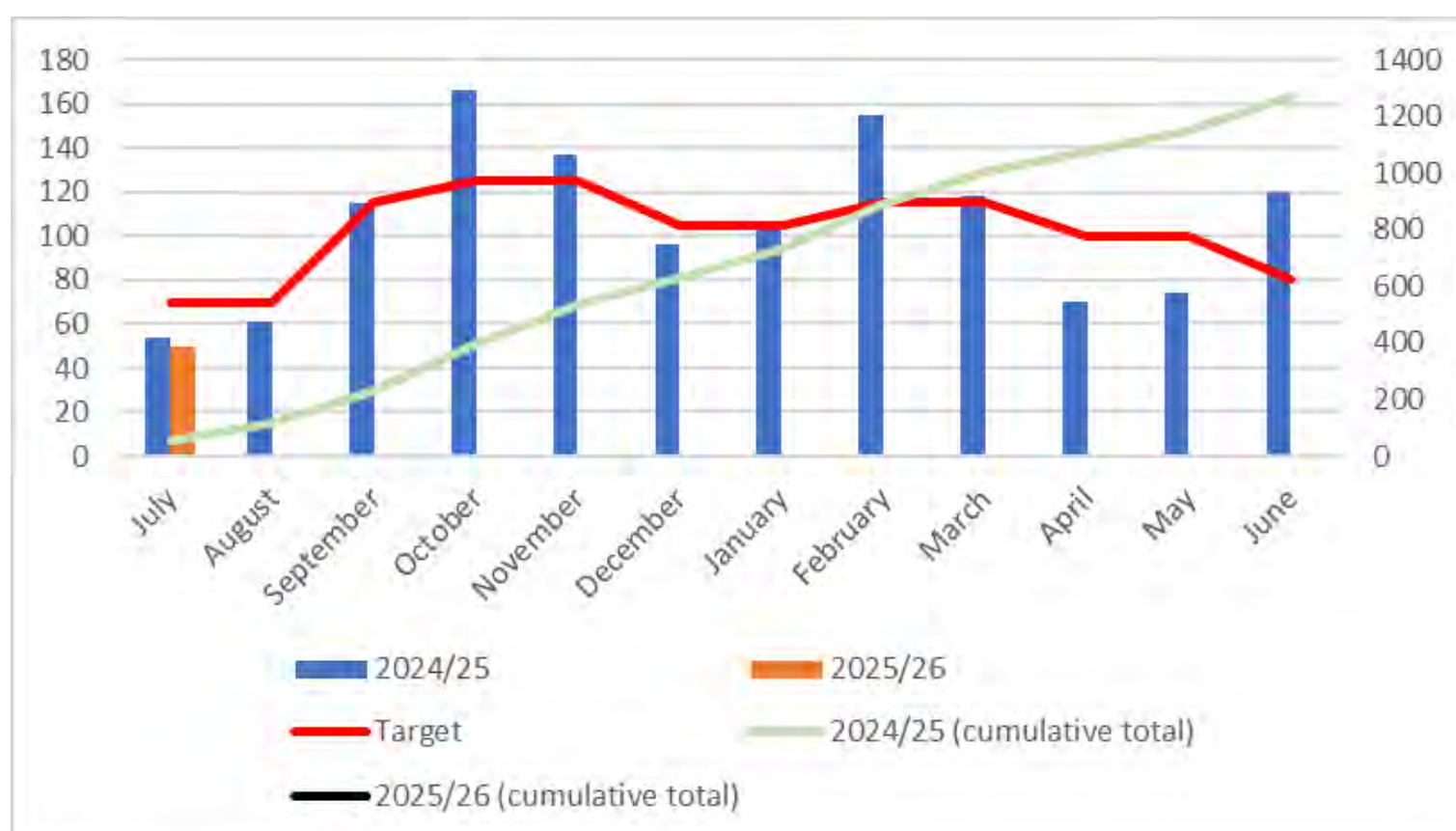
- [31] In the period from 1 July 2024 to 30 June 2025 of the 984 consent audits undertaken, compliance with consent conditions can be considered moderate with most consents being considered either fully compliant (40% consents), or low risk non-compliance (29% consents). Consents are graded as low risk 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).
- [32] All consent audits graded with moderate non-compliances (140 consents) and significant non-compliances (140 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. As outlined in previous reports the unusually high number of significant non-compliances in 2024/25 can be attributed to a high number of significant non-compliances given as part of a series of audits for Oceania Gold. These non-compliances relate to historic reporting problems which have now been resolved.
- [33] Formal enforcement action taken over the reporting period, in relation to consent non-compliance includes 30 abatement notices and 22 infringement notices.

- [34] In the period from 1 July 2025 to 31 July 2025 the 37 consent audits undertaken saw a high percentage of significant non-compliance (16%) and moderate non-compliance (14%) however this early in the year the sample size is too small to indicate a trend.
- [35] Formal enforcement action taken between 1 July 2025 and 31 July 2025, in relation to consent non-compliance includes 4 abatement notices and 3 infringement notices.

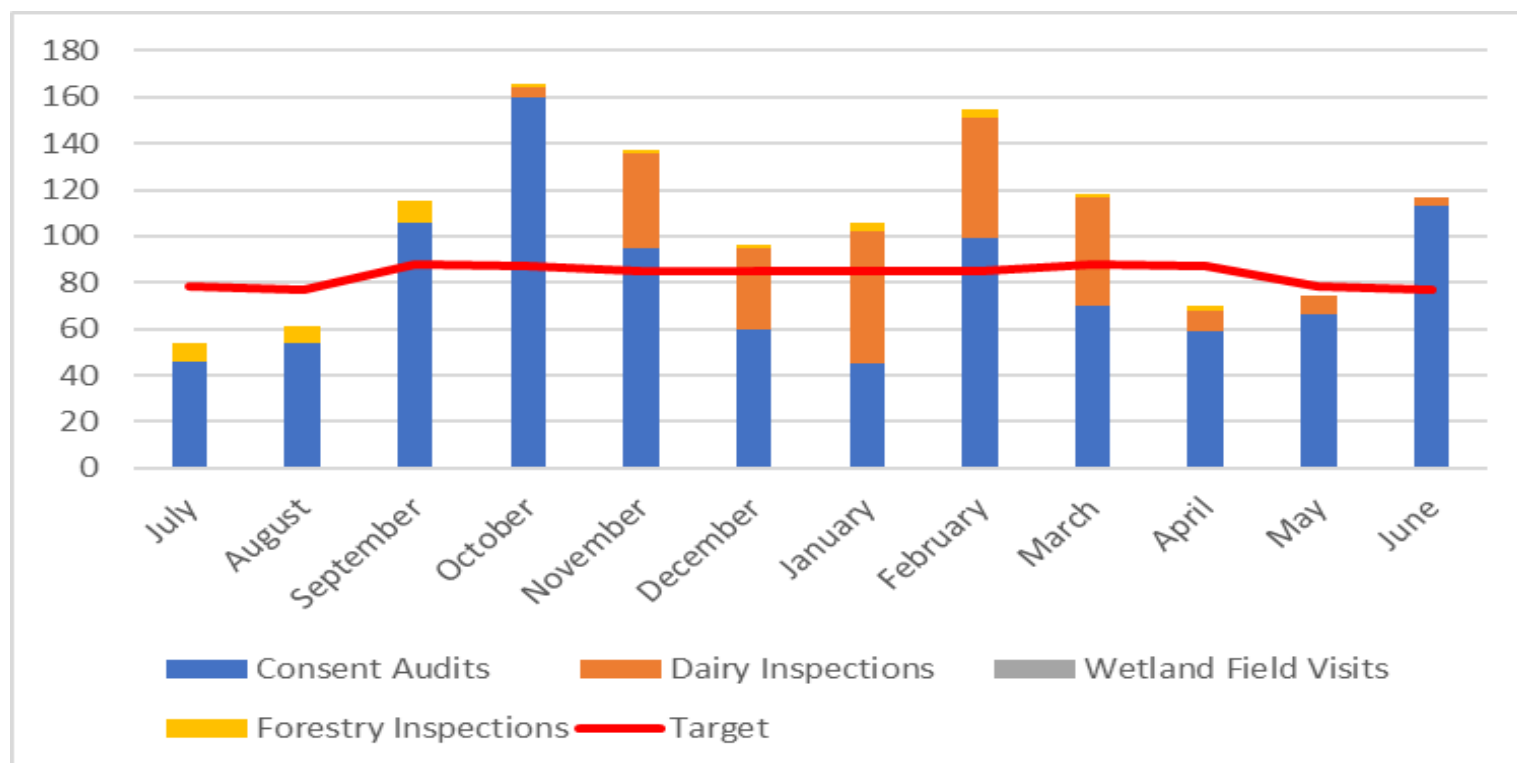
**Figure 13: Compliance Audits and Field Inspections Year on Year  
LTP Performance Measure 24/25**



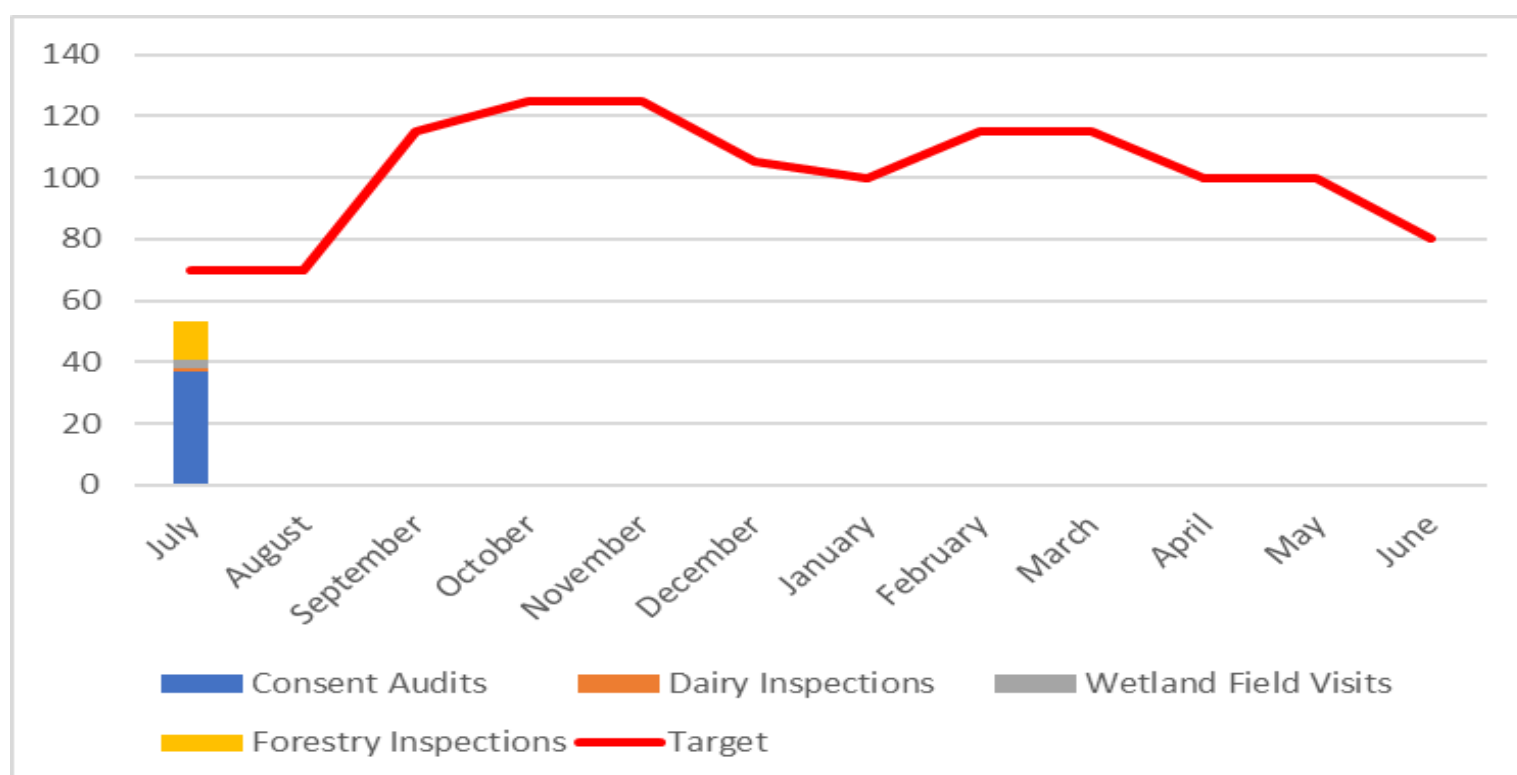
**Figure 14: Compliance Audits and Field Inspections YTD LTP Performance Measure**

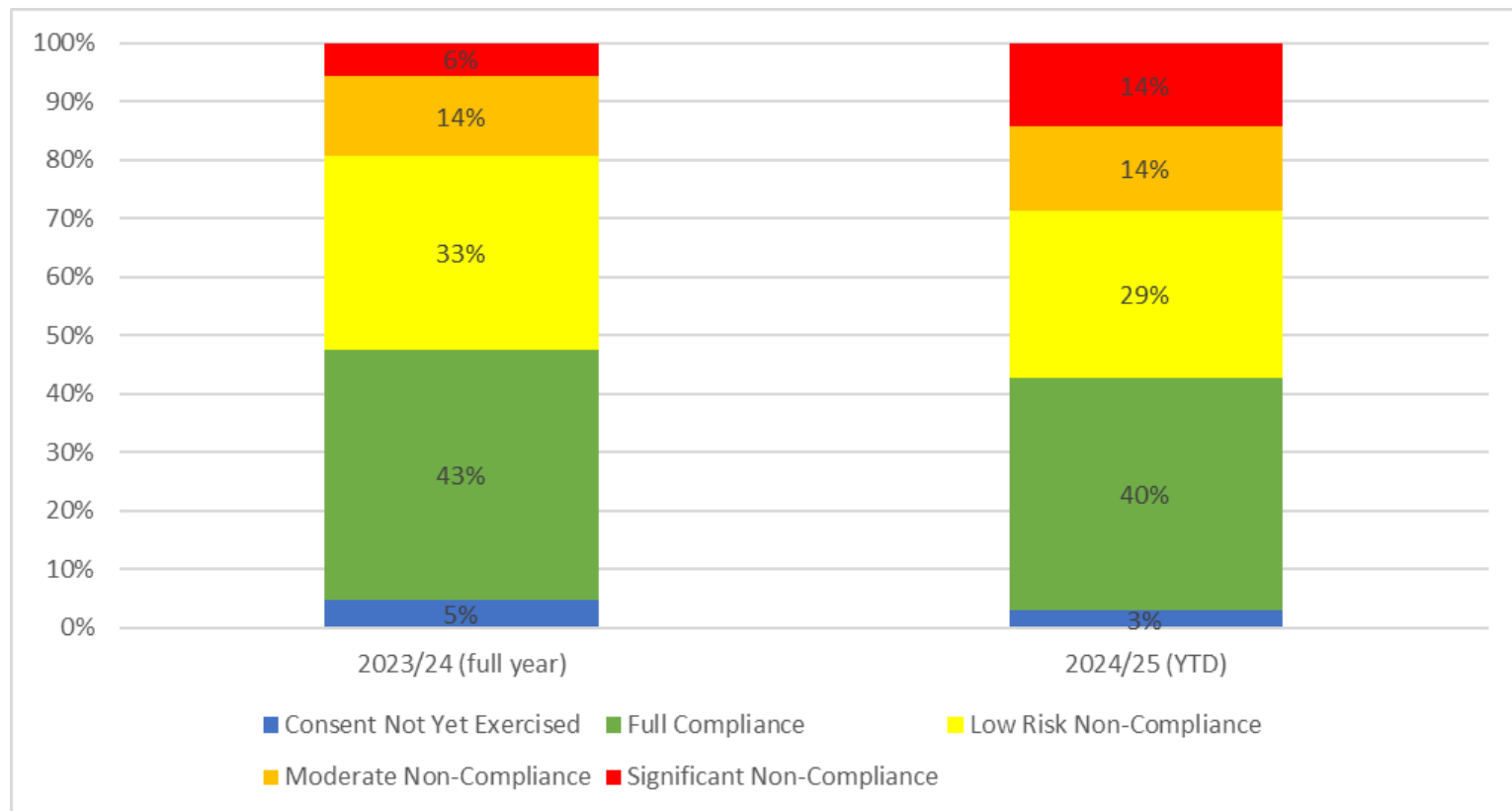
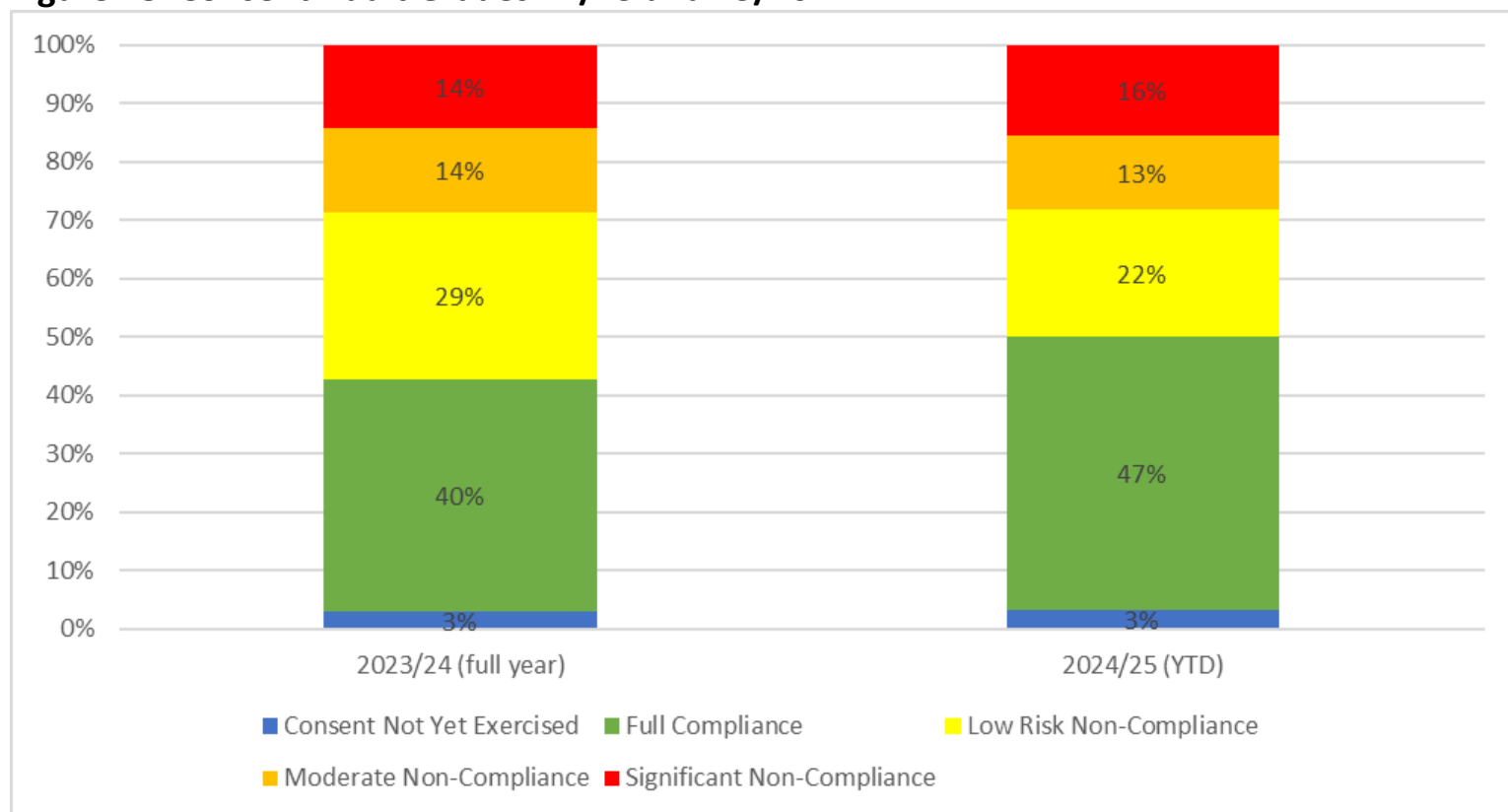


**Figure 15: Compliance Audits and Field Inspections by Type 24/25**

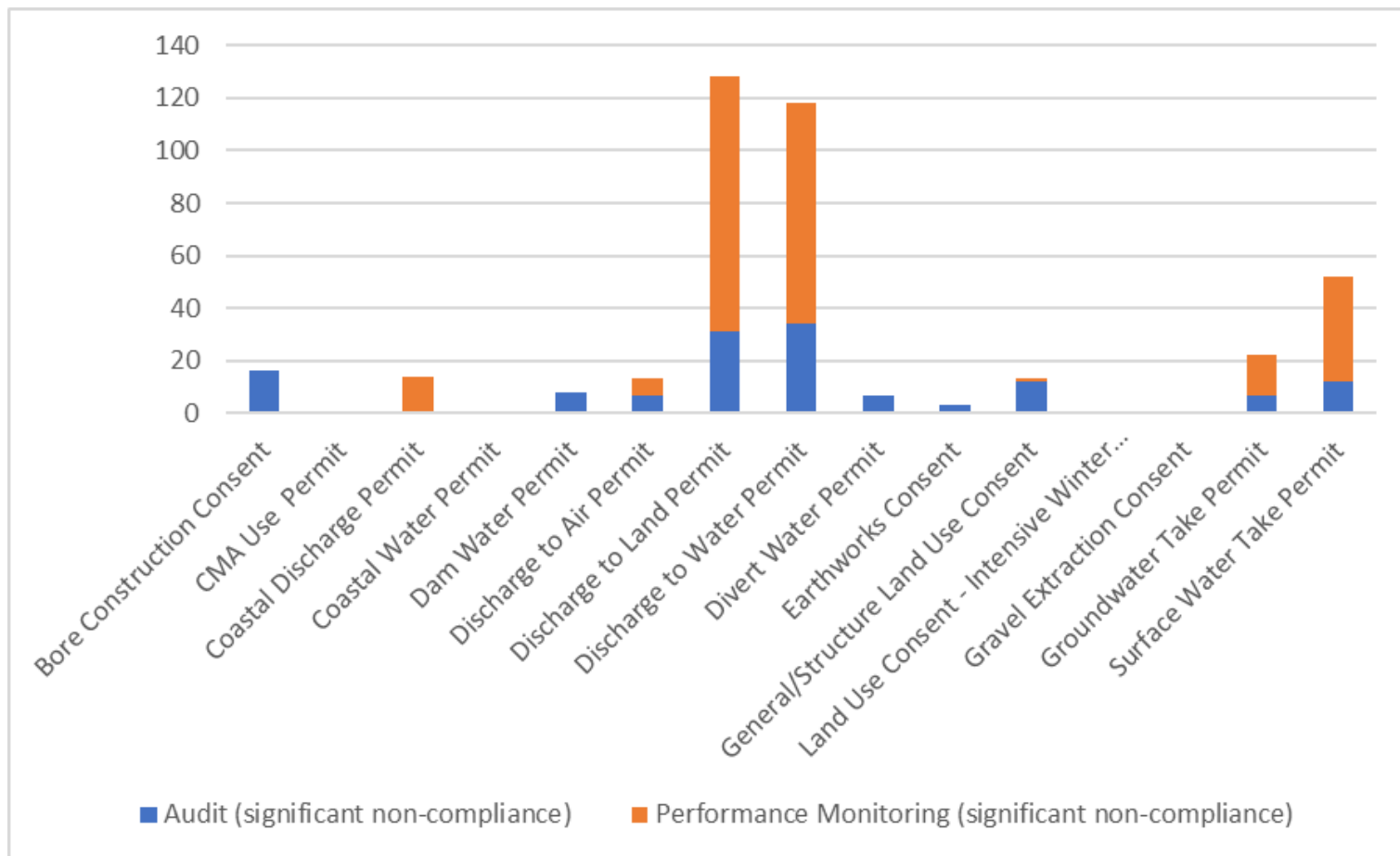


**Figure 16: Compliance Audits and Field Inspections by Type YTD**



**Figure 17: Consent Audit Grades Year on Year****Figure 18: Consent Audit Grades 24/25 and 25/26**

**Figure 19: Significant Non-Compliance by Consent Type 24/25**



**Figure 20: Significant Non-Compliance by Consent Type YTD**

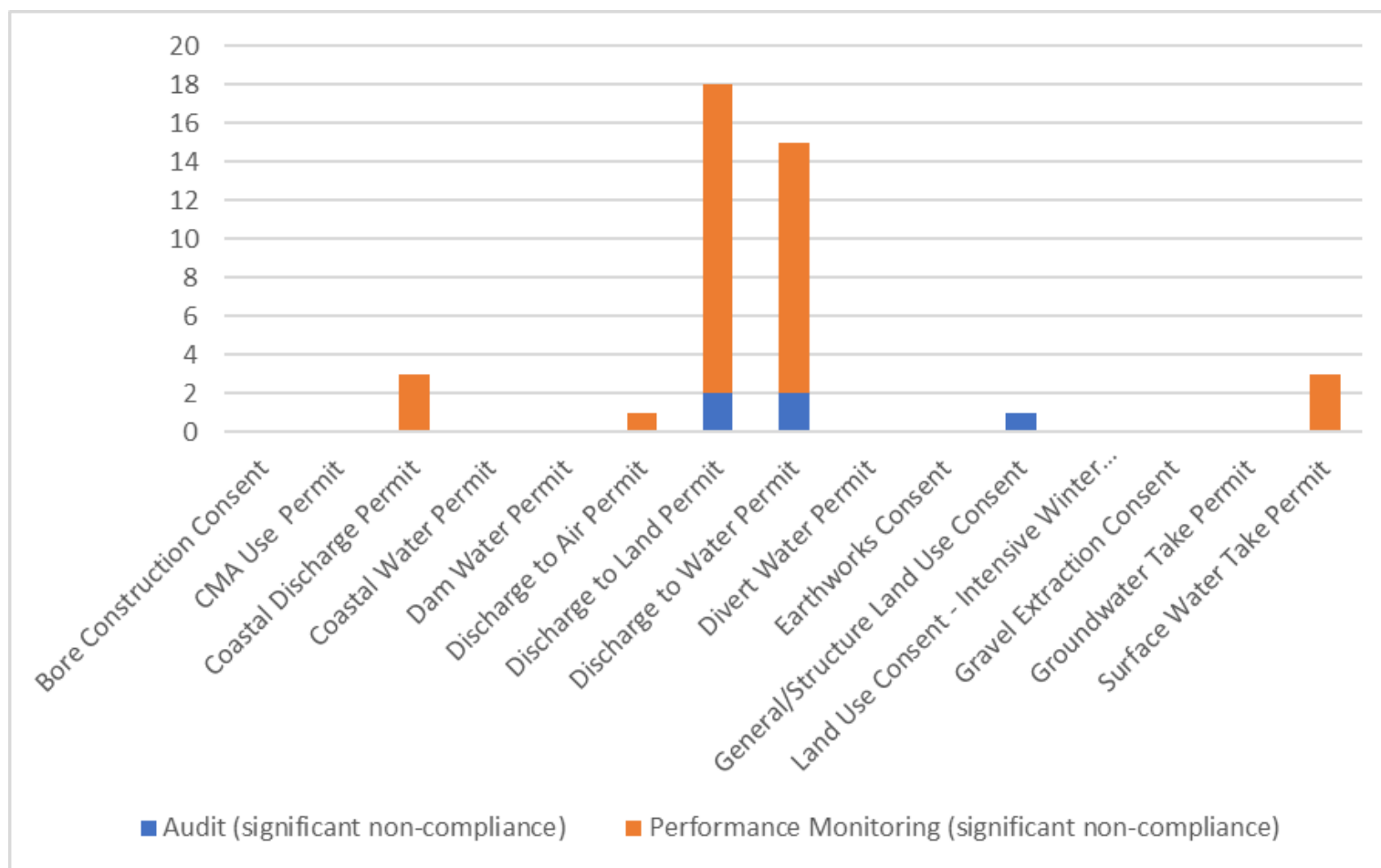




Figure 21: Moderate Non-Compliance by Consent Type

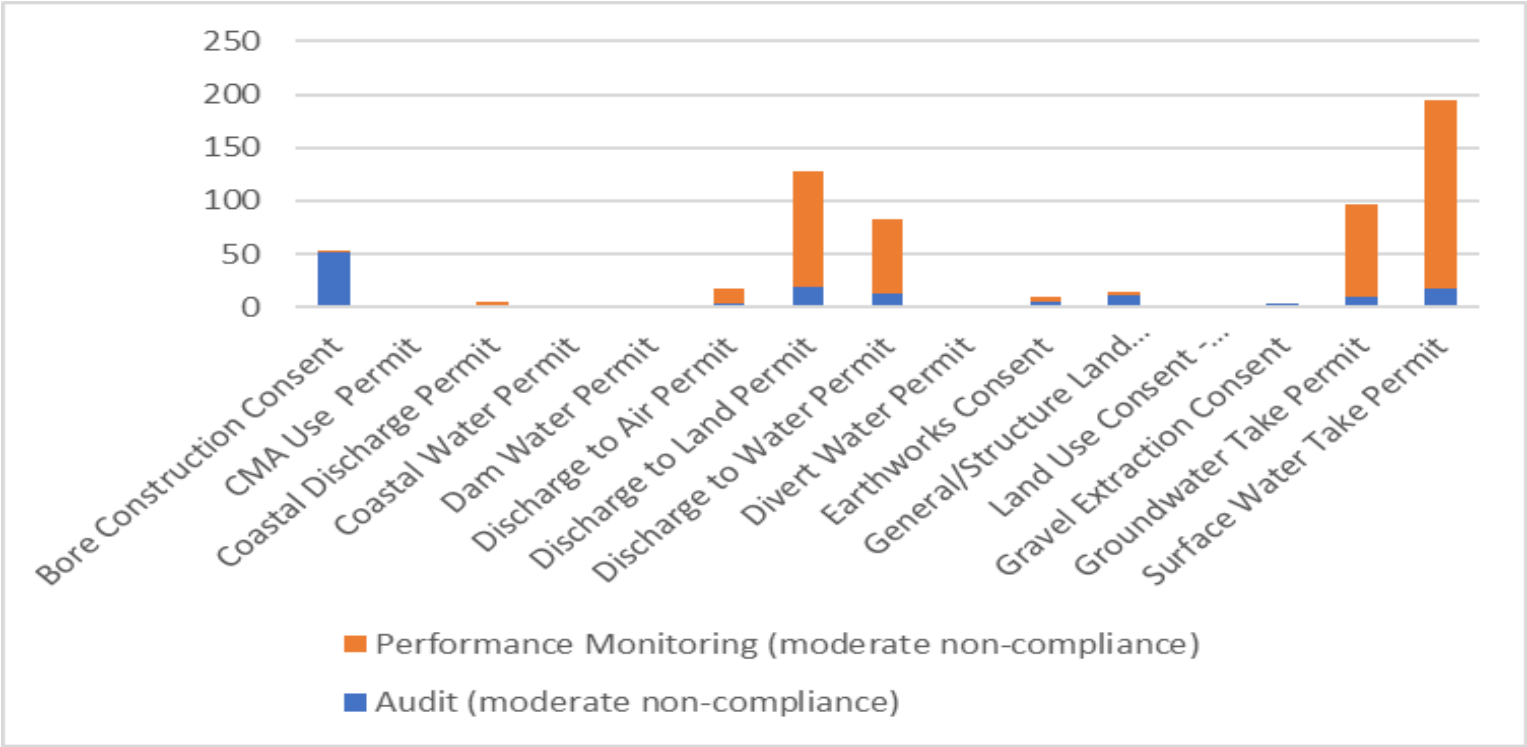
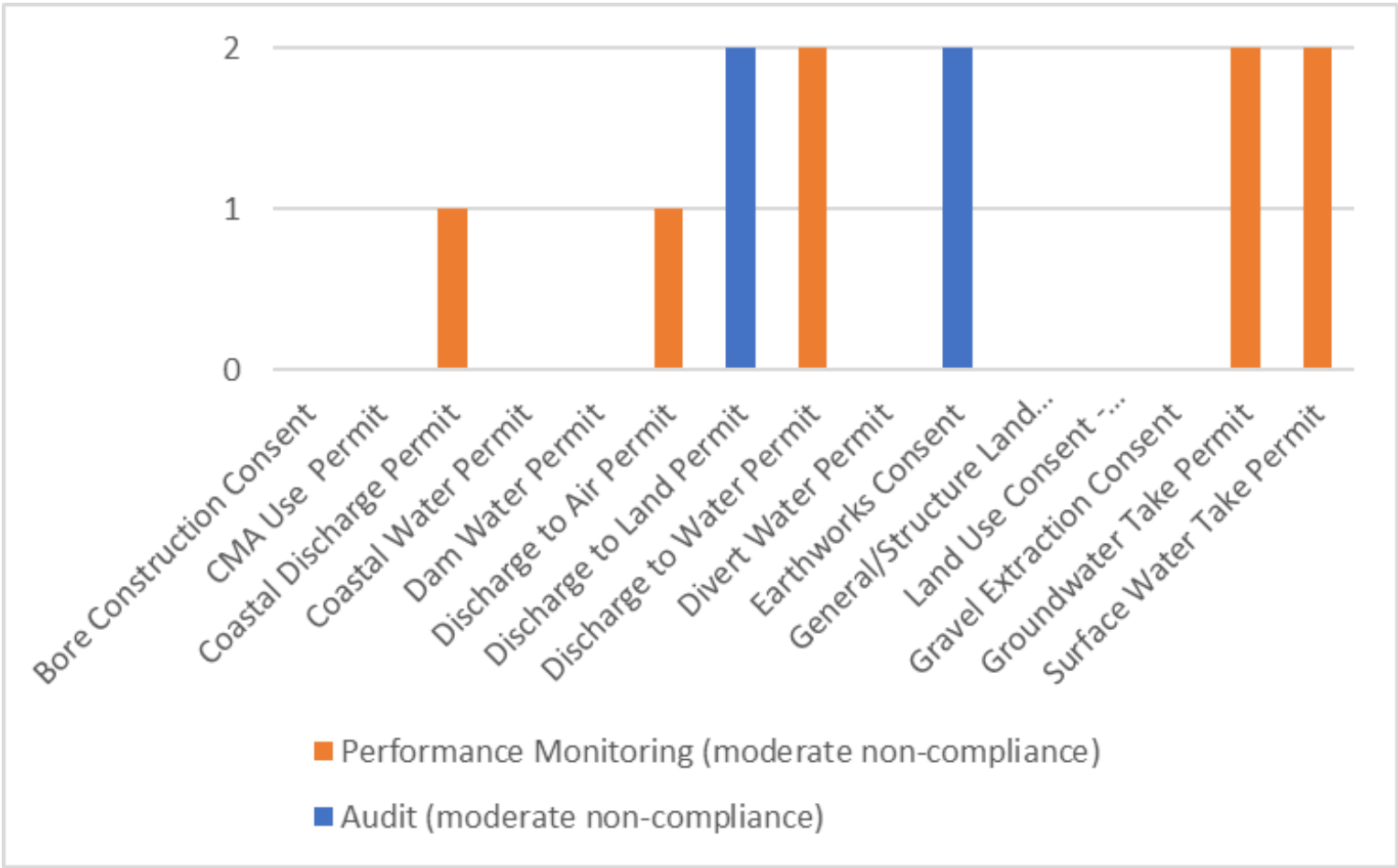


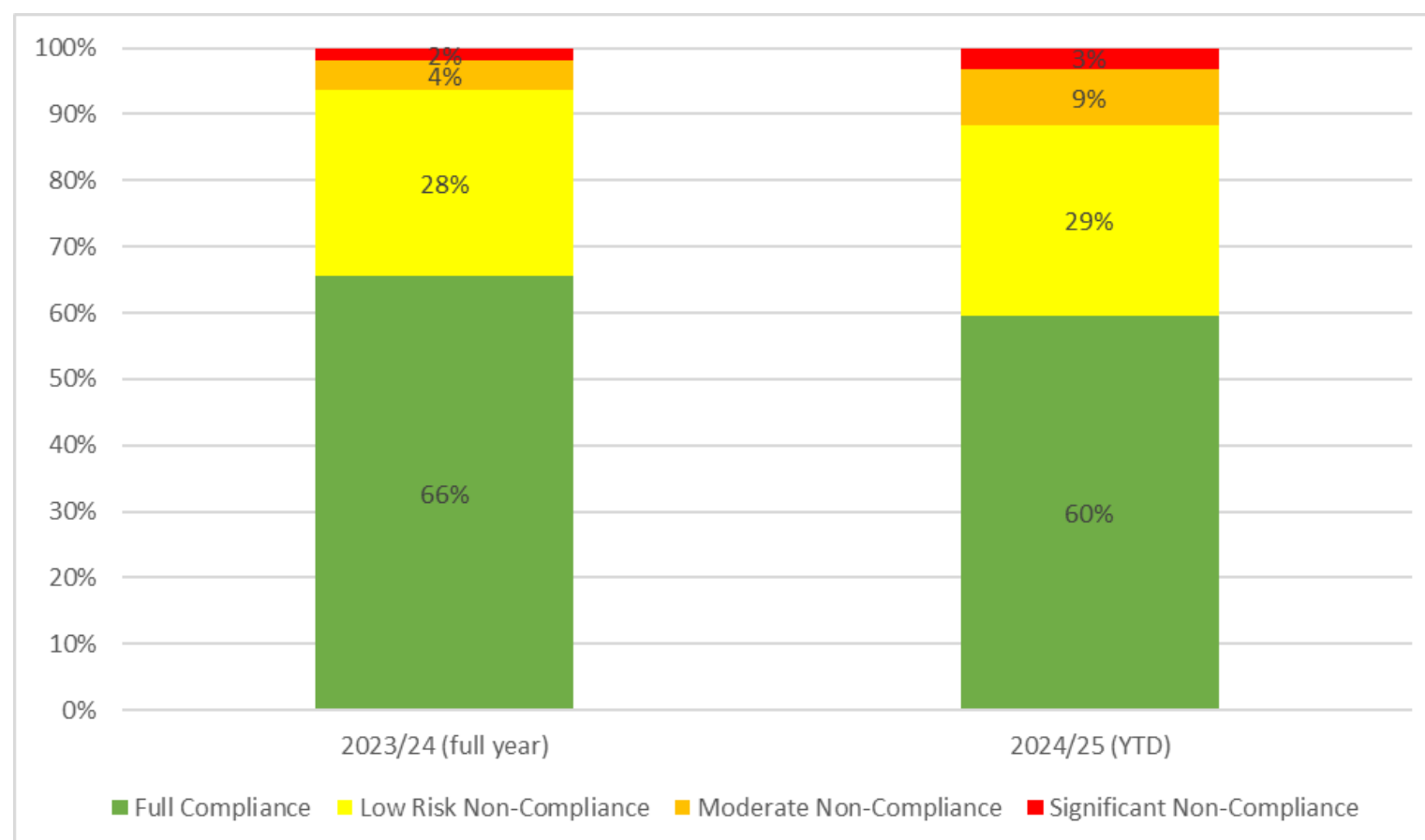
Figure 22: Moderate Non-Compliance by Consent Type YTD



[36] Map 3 of Attachment 1 shows the spread of consents that have been audited throughout Otago.

Dairy Compliance Programme

[37] The 2024/25 Dairy Inspection Compliance Project is seasonal. In the period 1 July 2024 to 30 June, 244 permitted activity dairy audits have been completed with most farms considered either fully compliant (60%), or low risk non-compliance (29%). In addition to the 244 permitted activity dairy audits the dairy programme also included 2 audits of dairy effluent consents, these numbers are included as part of the 984 consent audits.

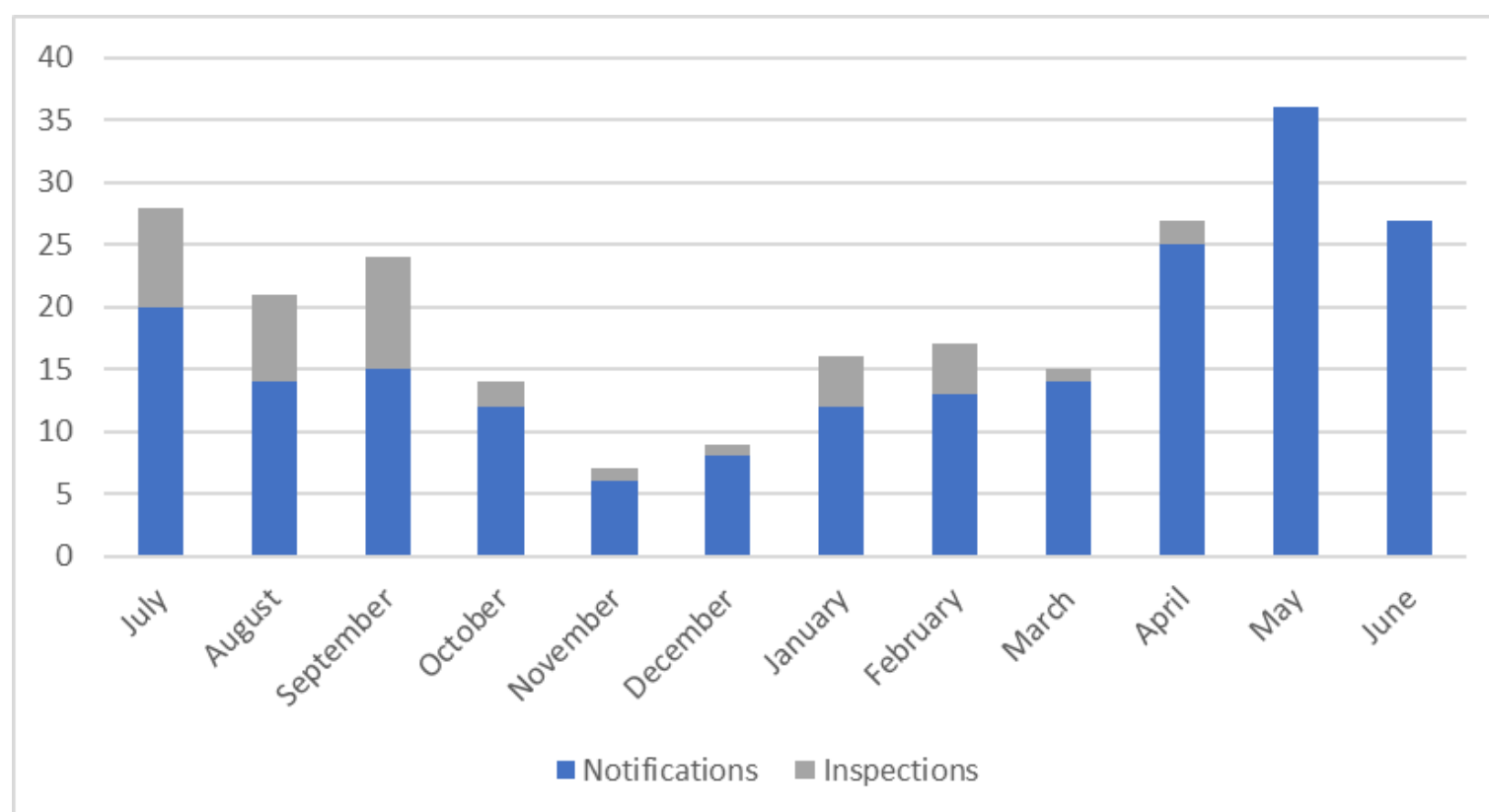
**Figure 23: Dairy Audit Grades Year on Year**

### Commercial Forestry

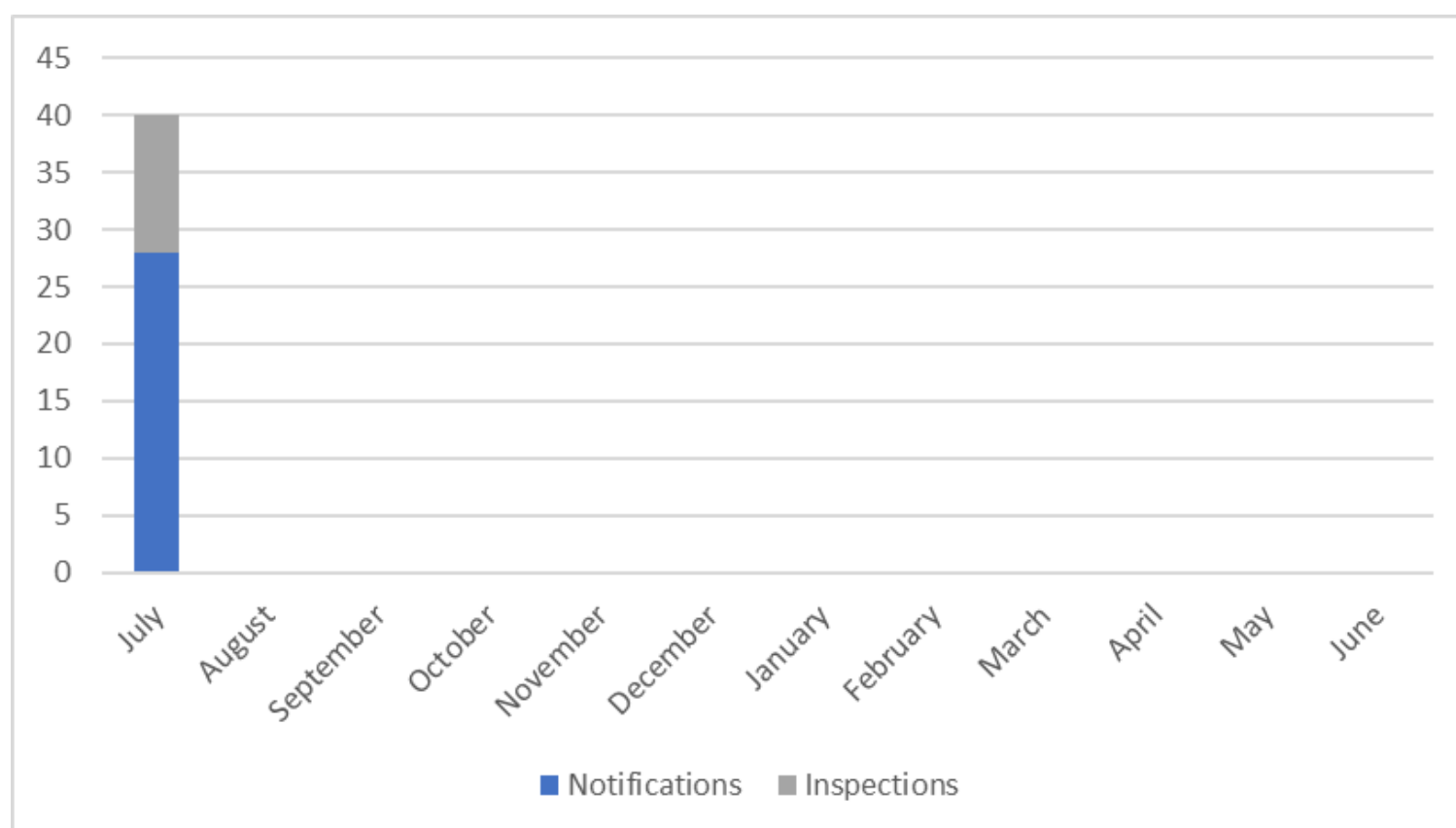
- [38] In the period from 1 July 2024 to 30 June 2025, Council received 202 forestry notifications. This is under the National Environmental Standards – Commercial Forestry. Most of the forestry notifications related to afforestation and replanting activities. To prioritise inspecting higher risk activities, 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.
- [39] In the period from 1 July 2024 to 30 June 2025, compliance staff undertook 39 forestry inspections. Notifications and inspections are shown in Figure 29 below. Compliance Staff to focus on high-risk activities.
- [40] Of the sites monitored, compliance was good with 21 forestry sites graded fully compliant and 8 forestry sites graded low-risk non-compliance. 8 forestry sites were graded moderate non-compliance, and 2 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 26 below. The level of compliance has dropped slightly from this period last year; however, this is based on a small sample size of only 39 inspections.
- [41] Between 1 July 2025 and 31 July 2025, the Council received 28 forestry notifications and undertook 12 inspections. Compliance was good with 10 full compliance and 2 moderate non-compliance.
- [42] Compliance staff actively engage with the forestry sector to encourage best practice in forestry management.

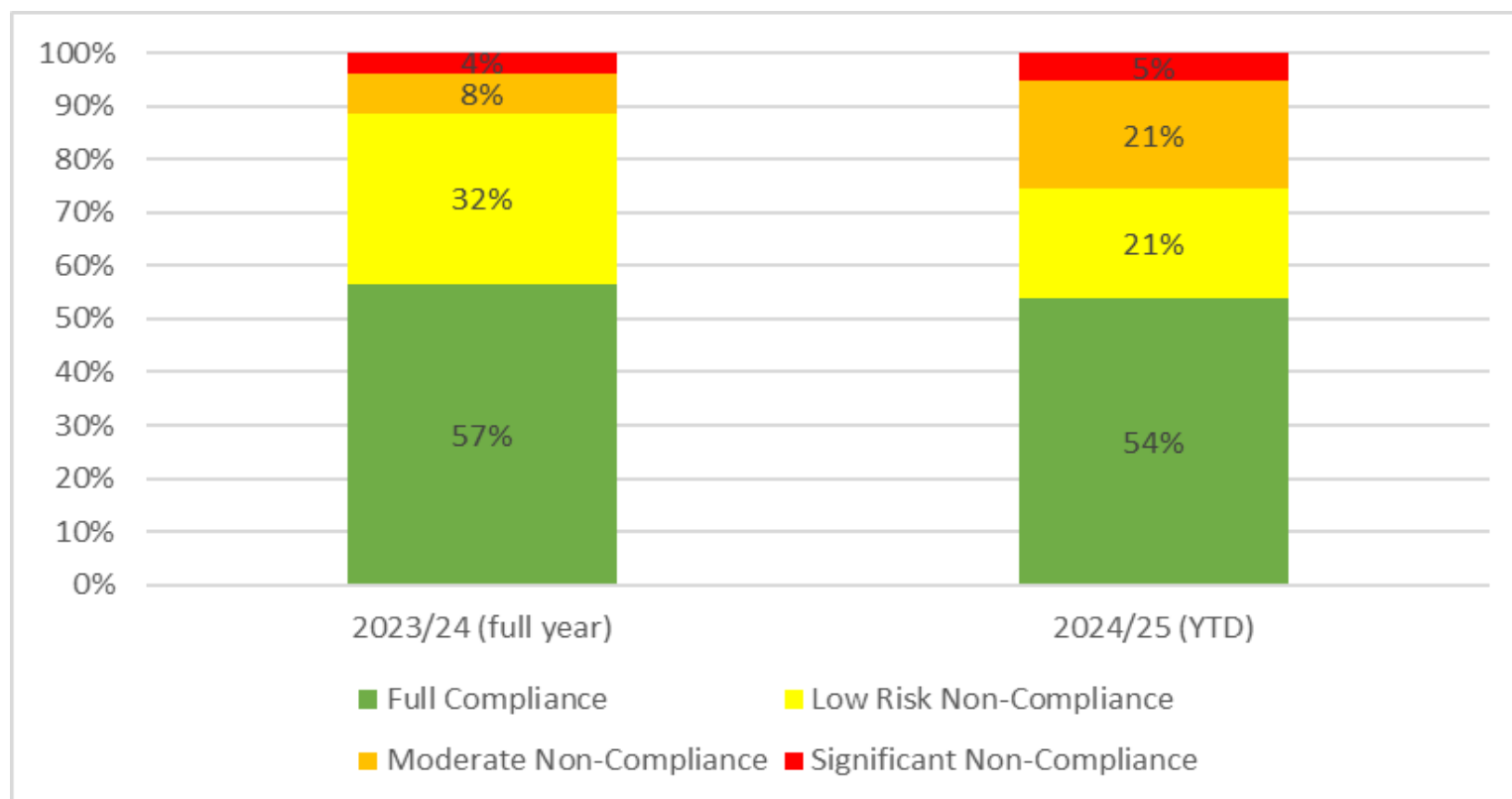
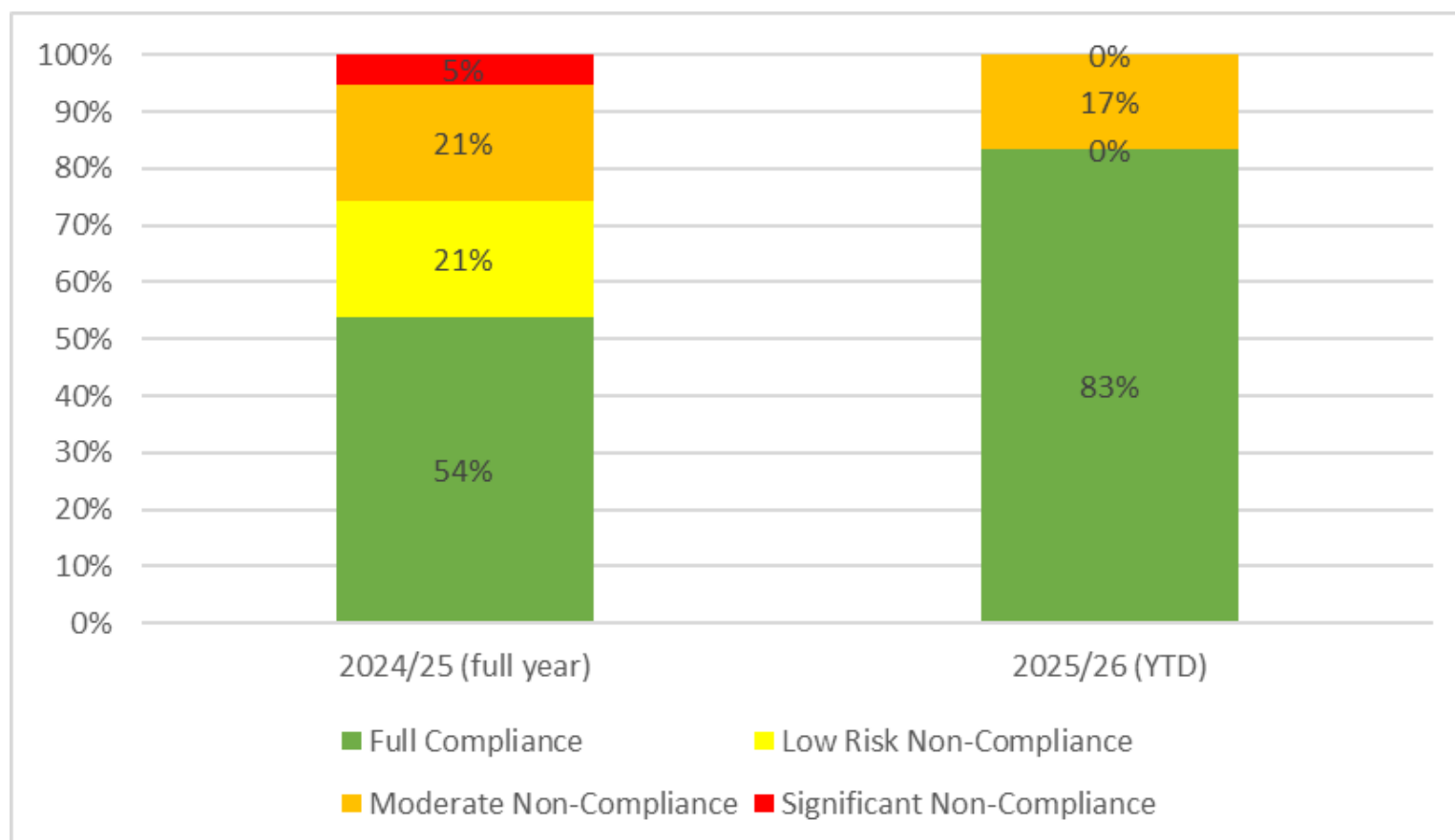
- [43] Te uru Kahika's (Regional Sector Group) Compliance Special Interest Group established a Forestry Working Group this year. The purpose of the forestry working group is to support consistent interpretation and implementation of the NES-CF, and standardisation of forestry inspection assessments. Council 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 24: Forestry Notifications and Inspections 24/25**



**Figure 25: Forestry Notifications and Inspections YTD**



**Figure 26: Forestry Inspection Grades Year on Year 23/24 and 24/25****Figure 27: Forestry Inspection Grades Year on Year 24/25 and 25/26****Environmental pollution incidents**

- [44] In the period from 1 July 2024 to 30 June 2025, 1,407 service requests were received on the pollution response hotline, resulting in 1,042 incidents being generated. The most common reasons for requests related to water pollution (331), outdoor burning (230), and odour (160).

[45] Between 1 July 2025 and 31 July 2025, 137 service requests were received relating to 111 incidents. The most common cause was outdoor burning (74).

Figure 28: Pollution Complaints by Type 24/25

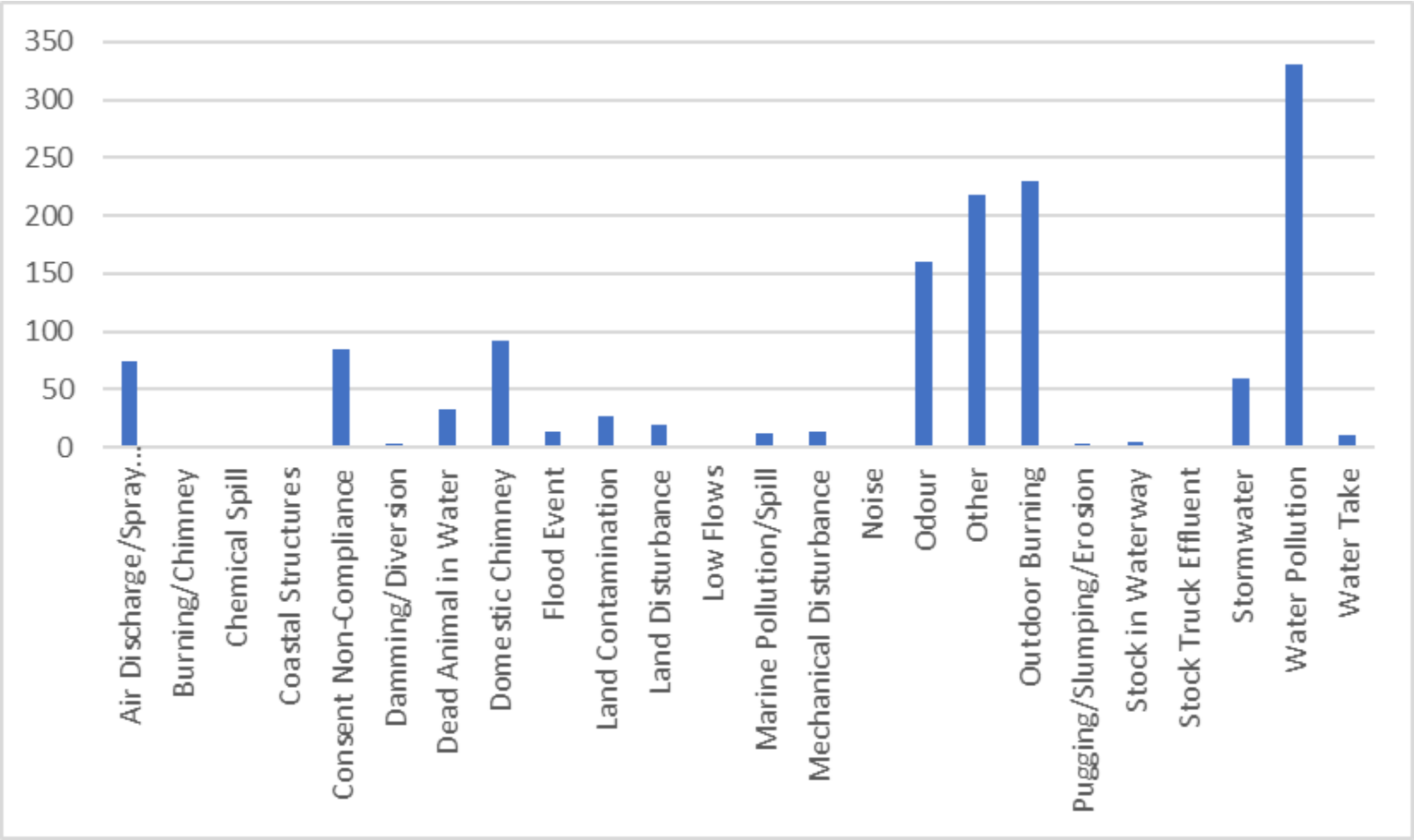
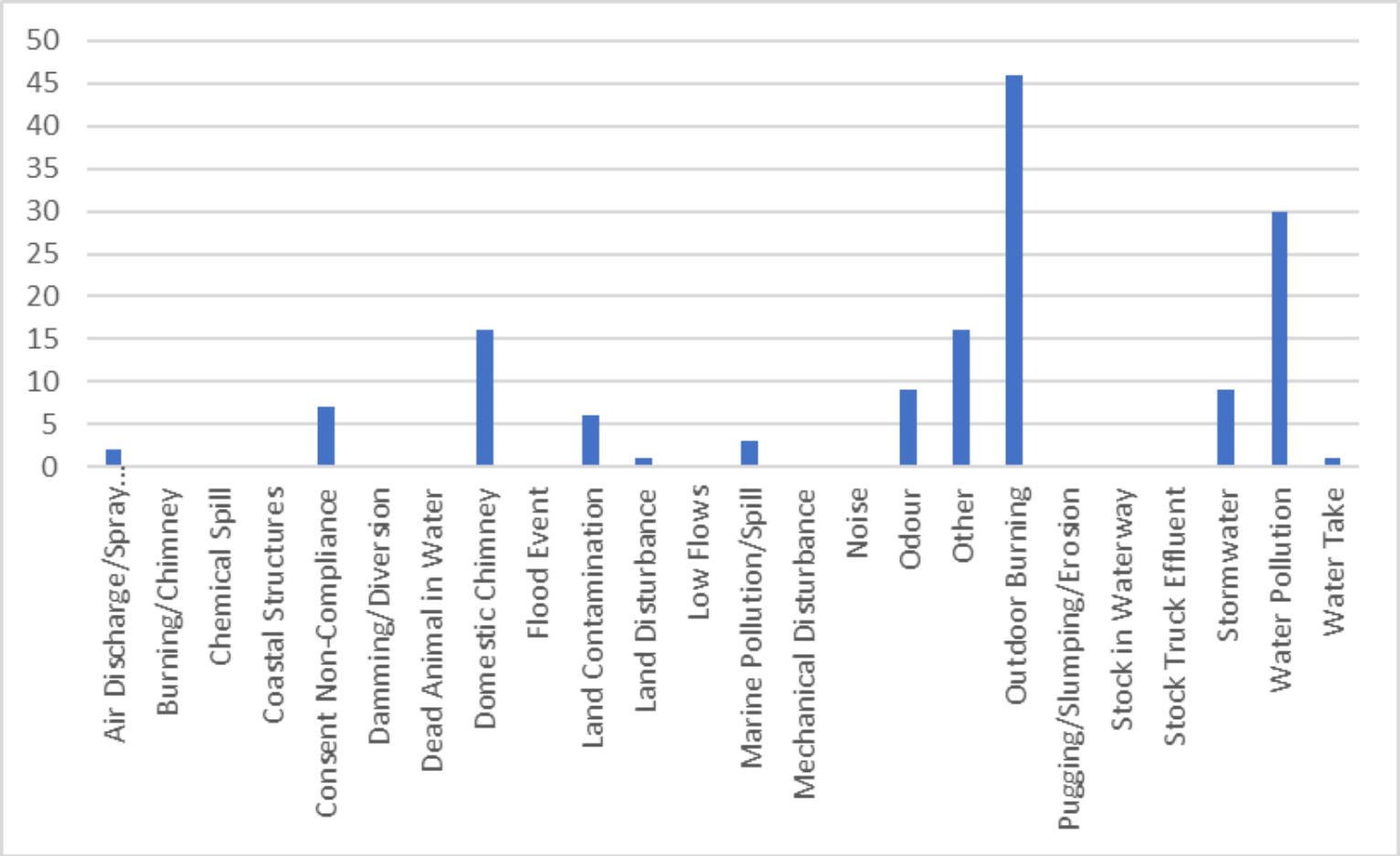


Figure 29: Pollution Complaints by Type 25/26

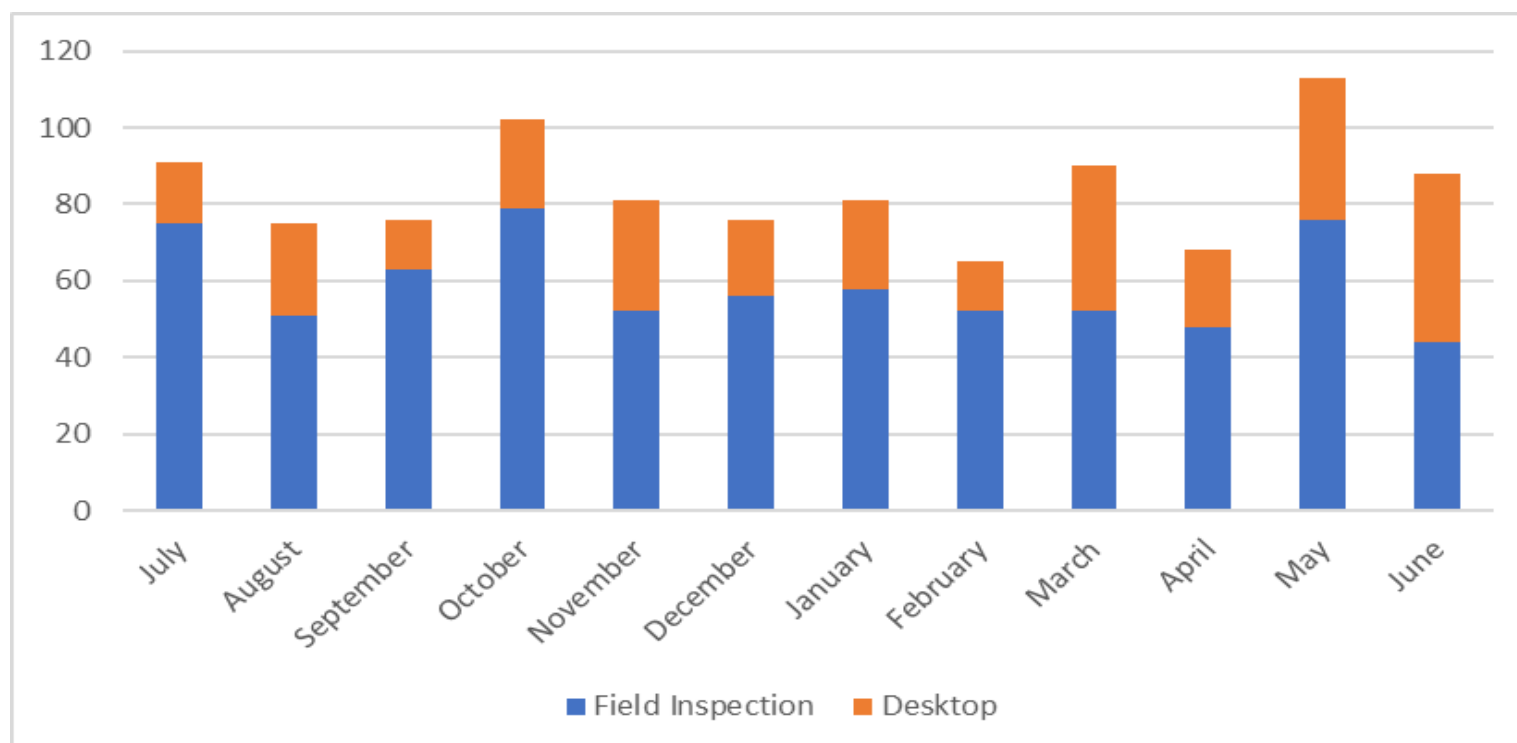


[46] The 24/7 pollution response service was maintained throughout the reporting period. Map 5 of Attachment 1 shows pollution incidents have occurred throughout the region.

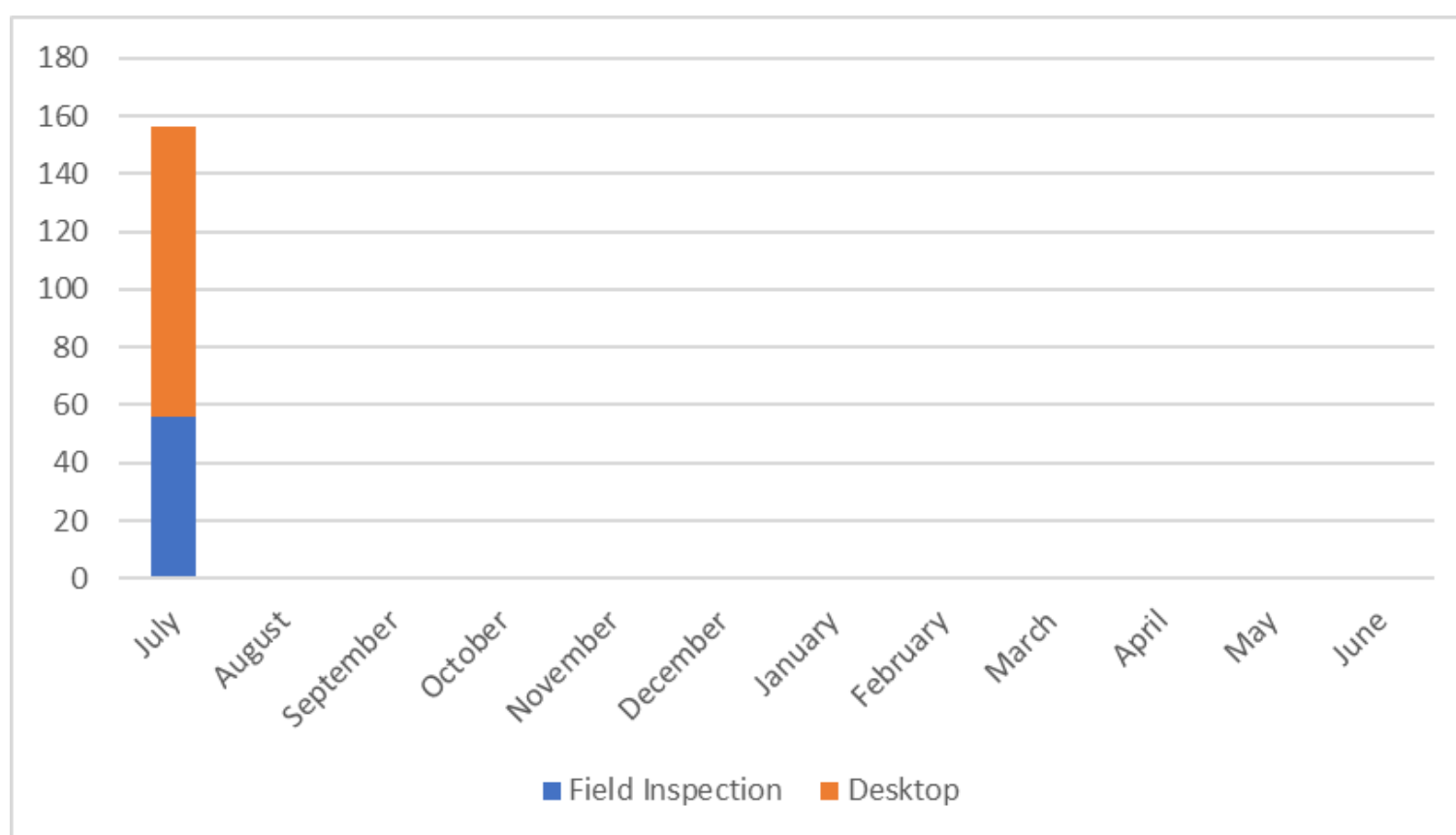


- [47] The majority (67%), of the pollution incidents between 1 July 2024 and 30 June 2025 were attended in person.

**Figure 30: Incident Response Type Full Year**



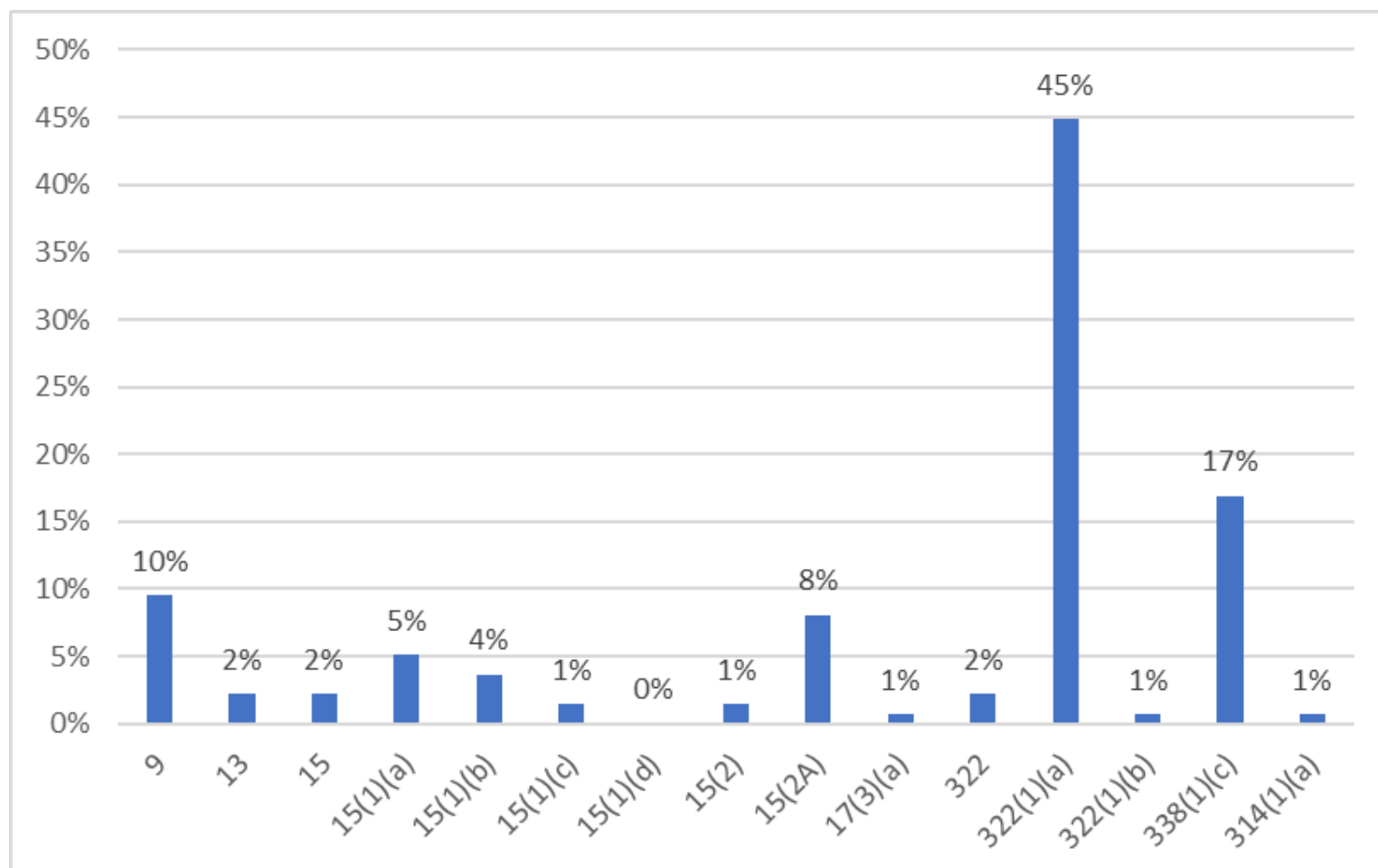
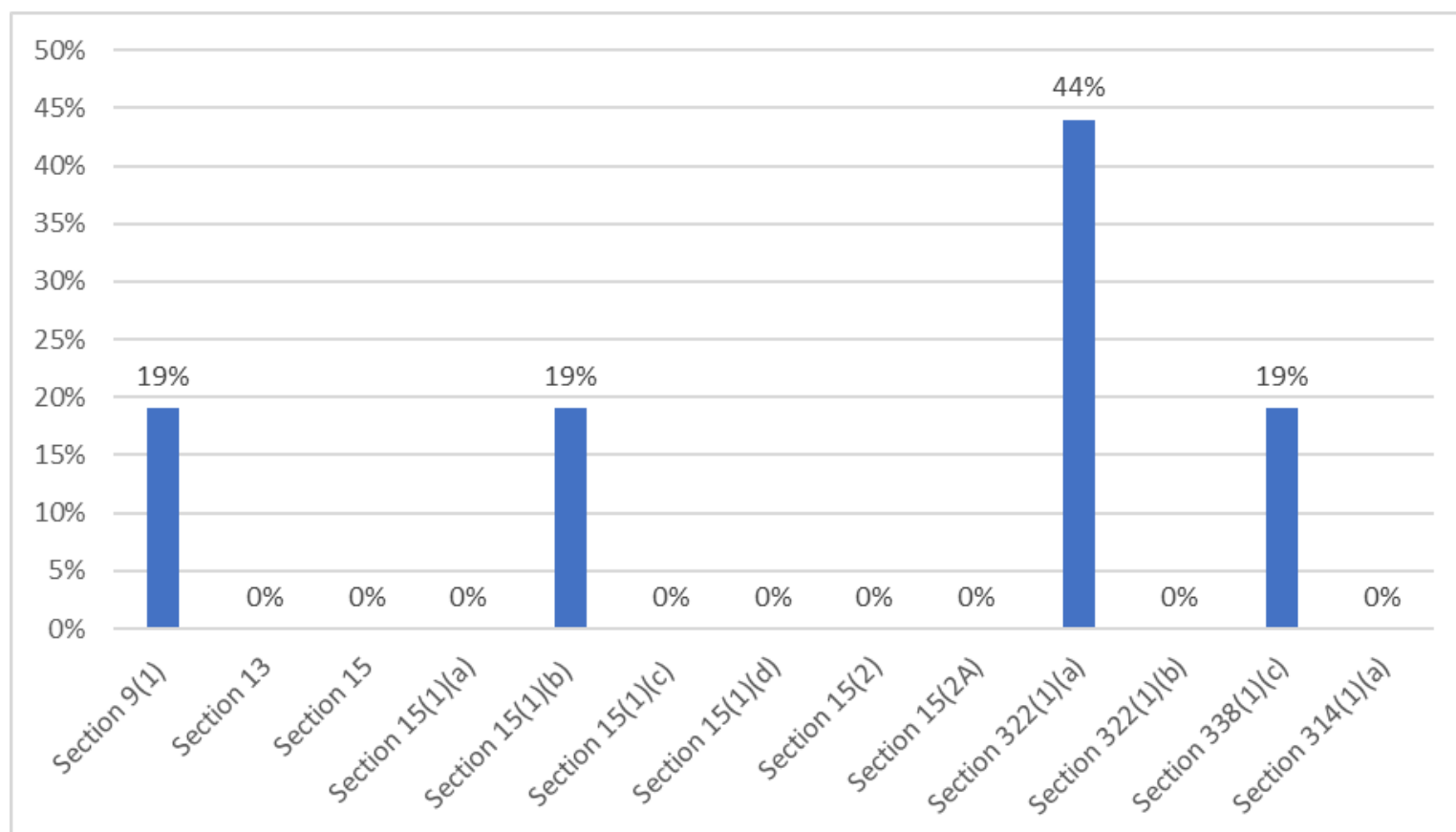
**Figure 31: Incident Response Type Full Year 25/26**



### Investigations and enforcement action

- [48] In the period from 1 July 2024 to 30 June 2025 Council issued 125 formal enforcement actions, including 62 infringement notices, 56 abatement notices, 1 enforcement order application 5 formal warnings and 1 prosecution.
- [49] 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.

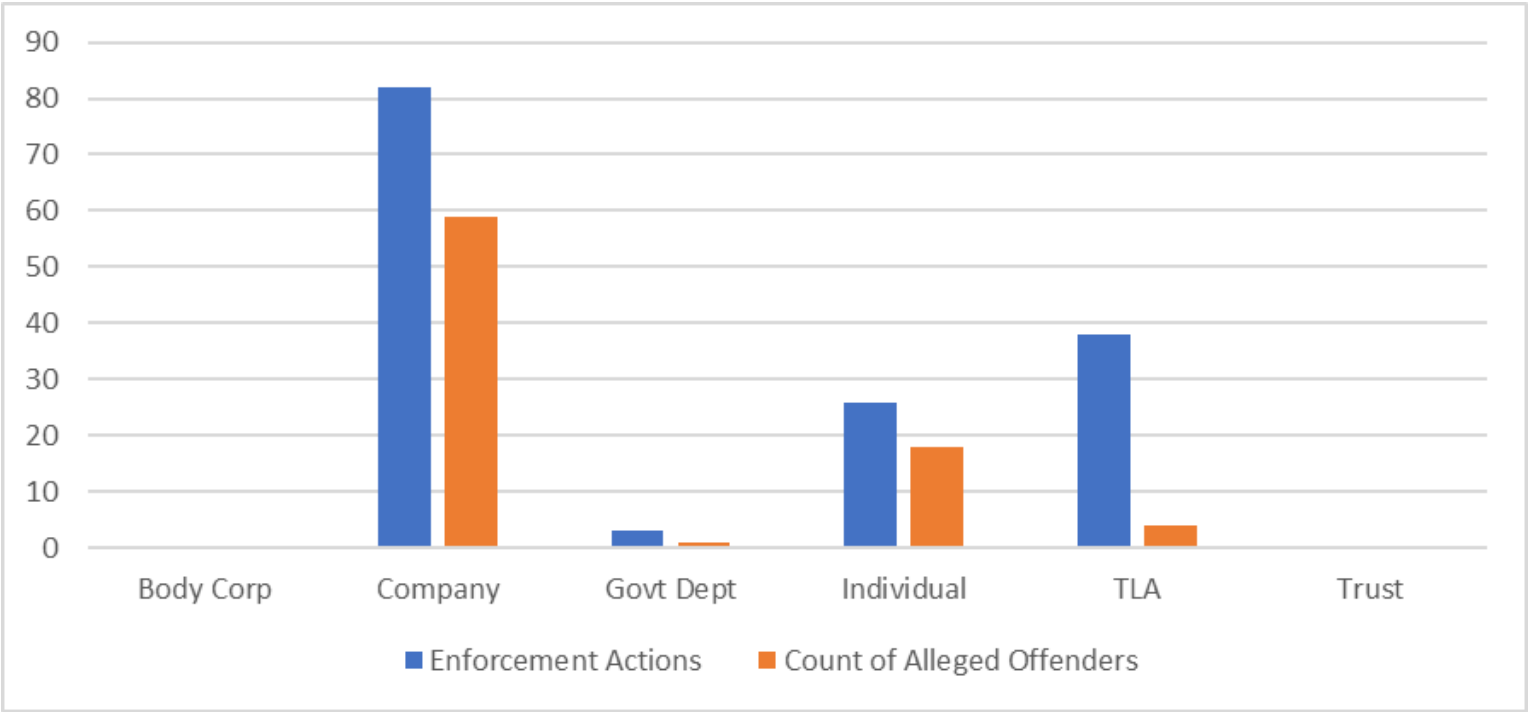
- [50] In the period from 1 July 2024 to 30 June 2025 Council issued 62 infringement notices. 55 infringement notices have been paid and five were withdrawn for various reasons. Geographically the spread of infringement notices across the districts is as follows: Clutha (13), Dunedin (14), Queenstown Lakes (20) and Waitaki (13) and Central Otago (2).
- [51] New Infringement regulations were gazetted by the Government on 4 August 2025. From 4 September 2025 penalties for most offences double up to a maximum of \$4,000 for a company breaching an abatement notice. A separate paper to the Committee explains these increases.
- [52] In the period from 1 July 2024 to 30 June 2025, Council issued 56 abatement notices. Geographically the spread of abatement notices across the districts is as follows: Central Otago (4), Clutha (21) Dunedin (17), Queenstown Lakes (5) and Waitaki (9).
- [53] In the period from 1 July 2024 to 30 June 2025, 25 abatement notices have been cancelled due to compliance being met. Some of these abatement notices were issued some time ago. Council 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.
- [54] Between 1 July 2025 and 31 July 2025, the Council issued three infringement notices and seven abatement notices. two abatement notices have been cancelled due to compliance being met and two infringements have been paid.
- [55] 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.

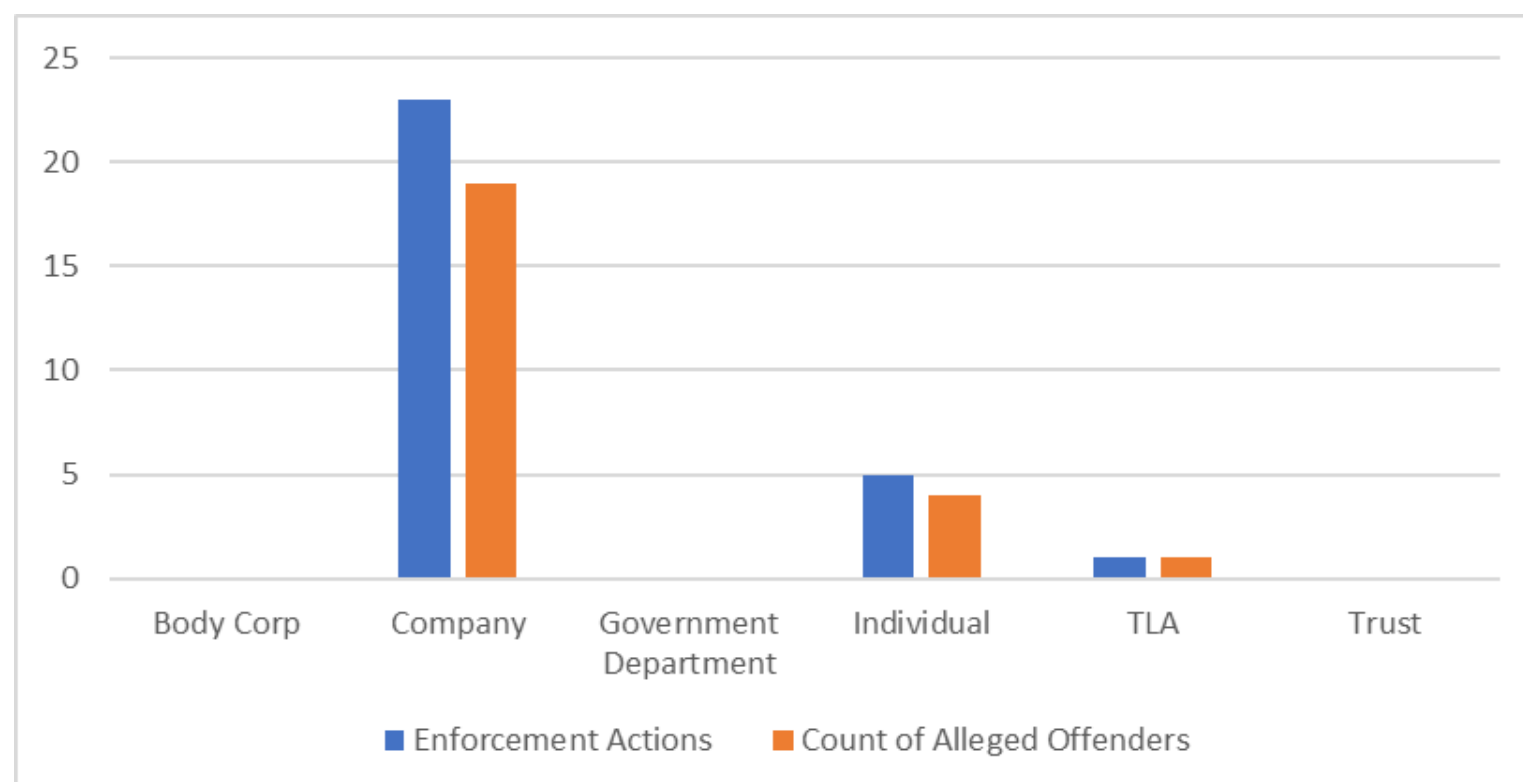
**Figure 32: Enforcement Offences 24/25****Figure 33: Enforcement Offences 25/26**

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)

[56] In the period from 1 July 2024 to 30 June 2025 124 formal enforcement actions were taken against 59 companies, 18 individuals, four territorial authorities and one Government Department. 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 34.

Figure 34: Enforcement by Offender Type Full Year



**Figure 35: Enforcement by Offender Type Full Year YTD**

[57] In the period from 1 July 2024 to 30 June 2025, one prosecution was initiated. One enforcement order was issued.

#### **Compliance engagement and education activities**

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

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

- a. Workshops on dairy conversion and land use rules
- b. An Earthworks toolbox session

## **HARBOURMASTER**

### **Major Incidents**

[60] Council's Long-Term Plan metrics include a requirement for major incidents to be reported to Council. This incident reporting is included as part of the quarterly update reports. Major incidents can be considered incidents which have the potential to result in one or more of the following:

- a. Significant adverse effects to the environment.
- b. Pose significant risks to health and safety; and
- c. Significant navigational safety issues.

[61] There was one major incident this financial year, which was the sad incident in the Catlins. No major incidents have happened in the start of the new financial year.



**Other activities**

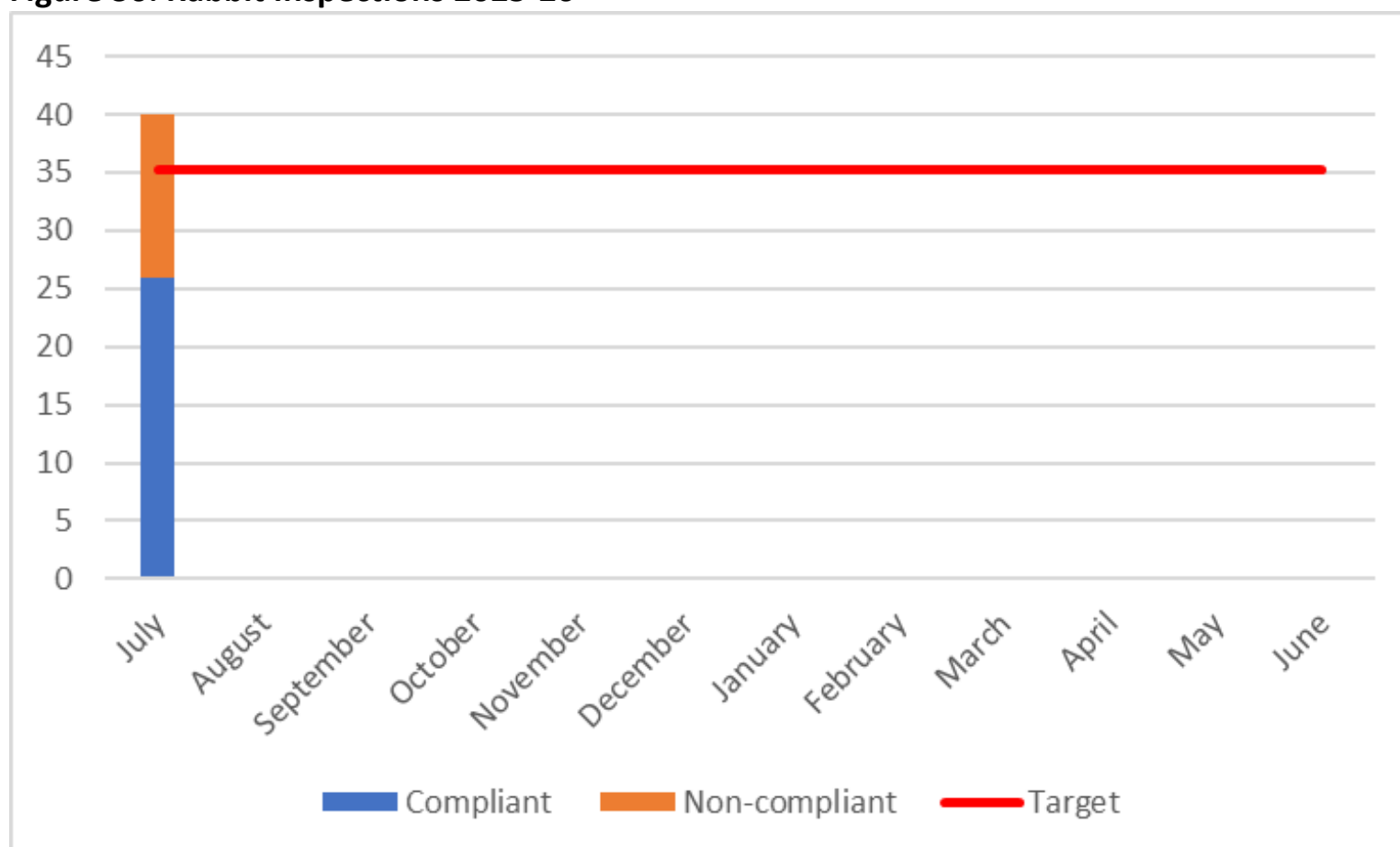
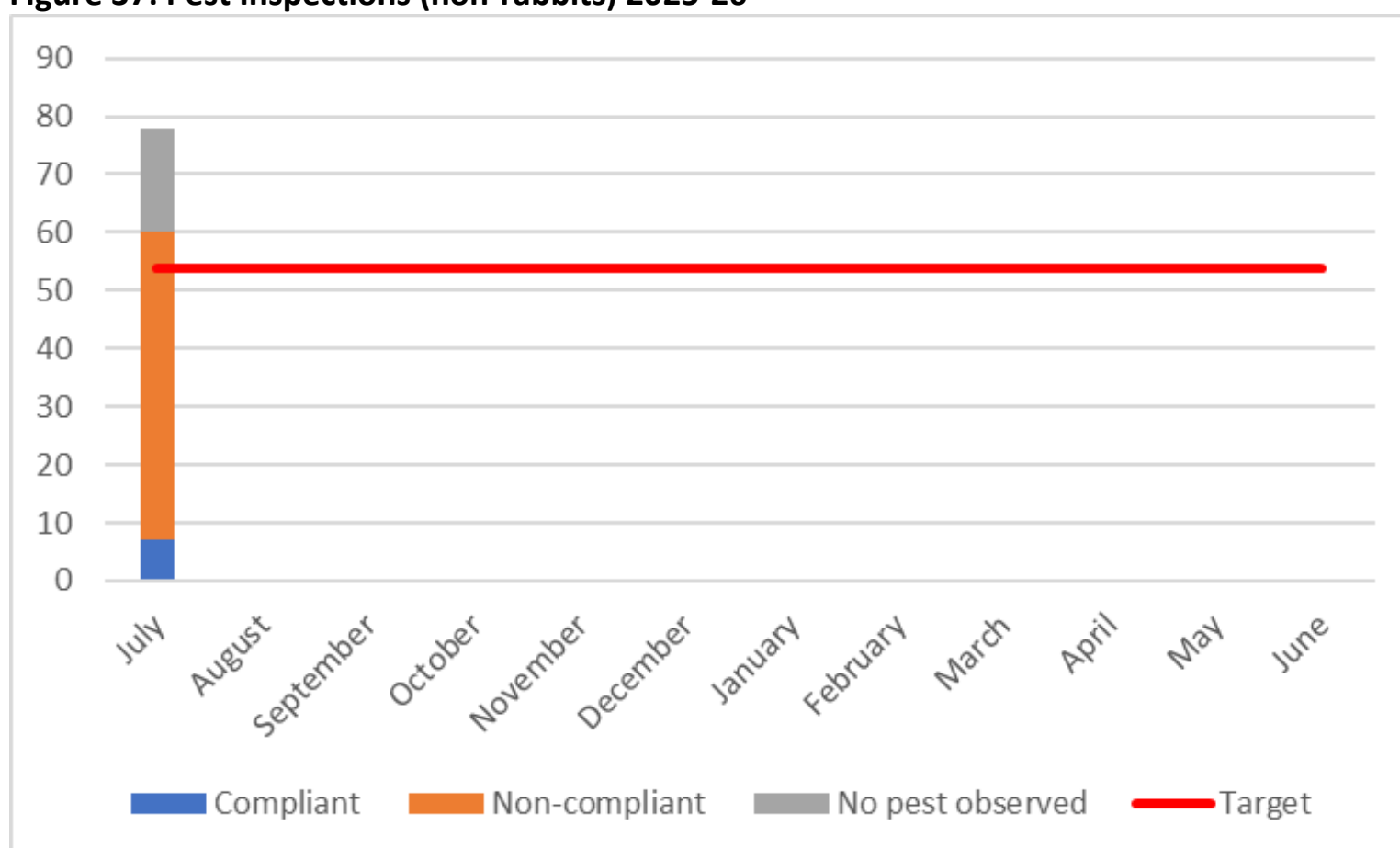
- [62] Maritime New Zealand carried out a MOSS (Maritime Operator Safety System) audit on ORC Vessels. The management system for both vessels was found to be compliant and the next audit for this will be in 3 years' time.
- [63] As previously reported, an oil Spill exercise undertaken in May. There was great attendance from ORC Staff, Port Otago crews and external Oil Based companies.
- [64] The Harbourmaster team attended the national Harbourmaster meeting and Port and Harbour Marine Safety Code Forum during this period.
- [65] In terms of collaborating with other teams, the Harbourmaster Team has been:
- a. providing support for the Consents Team, collating information on coastal permits across our waterways.
  - b. supporting the Environmental Monitoring team with sampling and buoy maintenance on Lake Wakatipu, Lake Wānaka, Lake Hawea, Lake Hayes, and Lake Dunstan.
  - c. Preparing the work programme for the upcoming summer period.

**ENVIRONMENTAL IMPLEMENTATION**

- [66] In-depth updates on the work completed by the Catchment Advisor Teams and the wider Biosecurity Programs are presented in separate papers.

***Biosecurity***

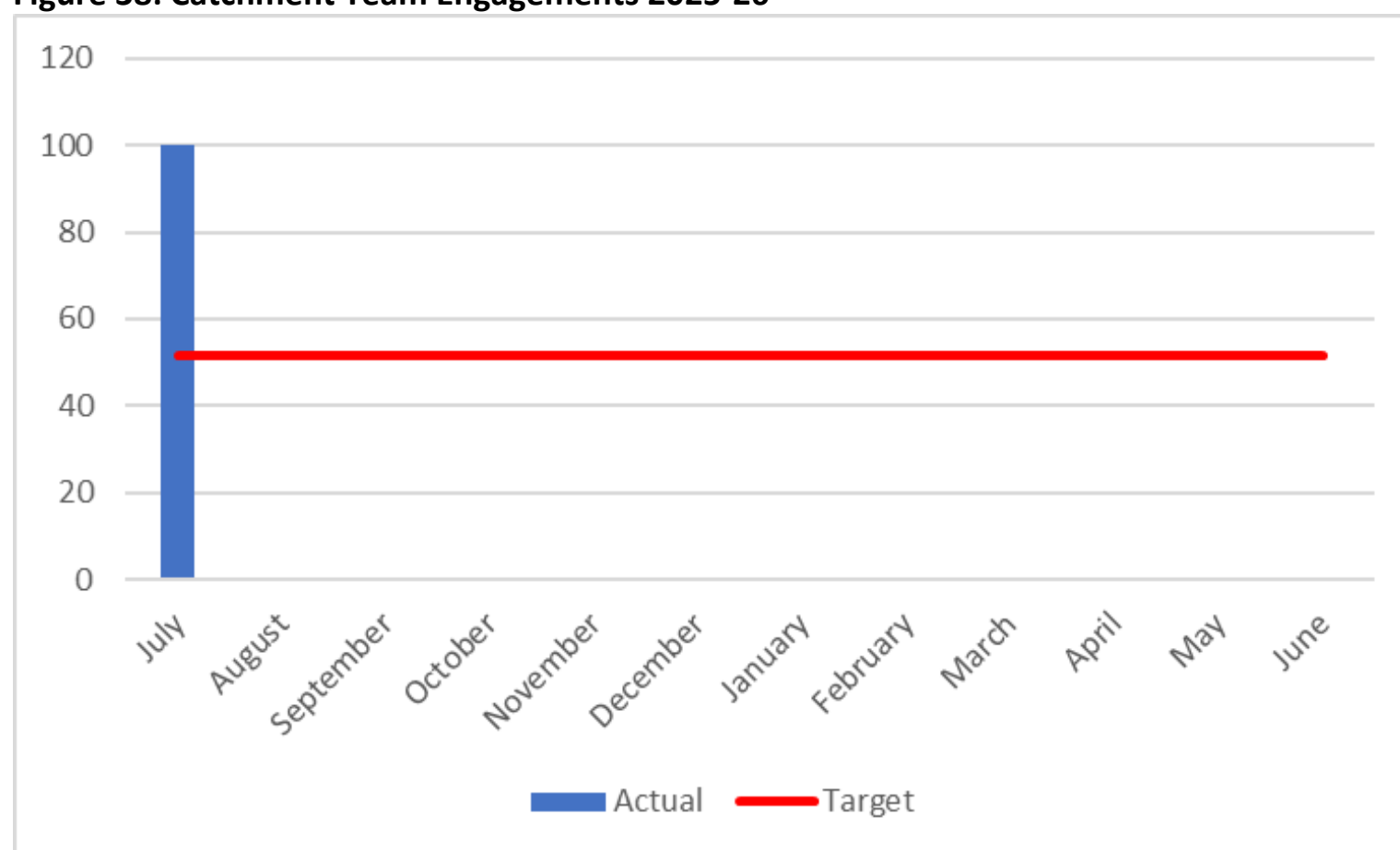
- [67] Inspections have commenced this financial year and have started positively. The current progress, separated into rabbits and non-rabbit inspections, are shown in Figures 36 and 37. The higher non-compliance rates for non-rabbit (essentially plant pests) can be explained as being due to reduced control over the winter period. Conversely, more control of rabbits is undertaken during winter leading to more compliance. The geographical spread of inspections is shown in Attachment 1 as Map 7 (rabbits) and Map 8 (non-rabbits).

**Figure 36: Rabbit Inspections 2025-26****Figure 37: Pest Inspections (non-rabbits) 2025-26**

[68] As of the end of July, 15 of the 31 night count routes have been completed. All night count routes are expected to be finished by the end of August. Data analysis is expected to be available by end of October.

#### **Catchment Team**

[69] In July, 100 engagements were undertaken by the Catchments Team (Figure 38) showing a strong start to the year. Fifteen of the engagements have been for ORC, or ORC, co-led events. The geographical spread of engagements is shown in Attachment 1, Map 9.

**Figure 38: Catchment Team Engagements 2025-26**

## OPTIONS

[70] There are no options as this is a noting paper.

## CONSIDERATIONS

### Strategic Framework and Policy Considerations

[71] There are no policy considerations.

### Financial Considerations

[72] There are no financial considerations.

### Significance and Engagement Considerations

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

### Legislative and Risk Considerations

[74] A number of legislative requirements govern the activities of the Environmental Delivery Group.

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

### Climate Change Considerations

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

### Communications Considerations

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

**NEXT STEPS**

[78] Activities will be reported quarterly to the Environmental Delivery Committee.

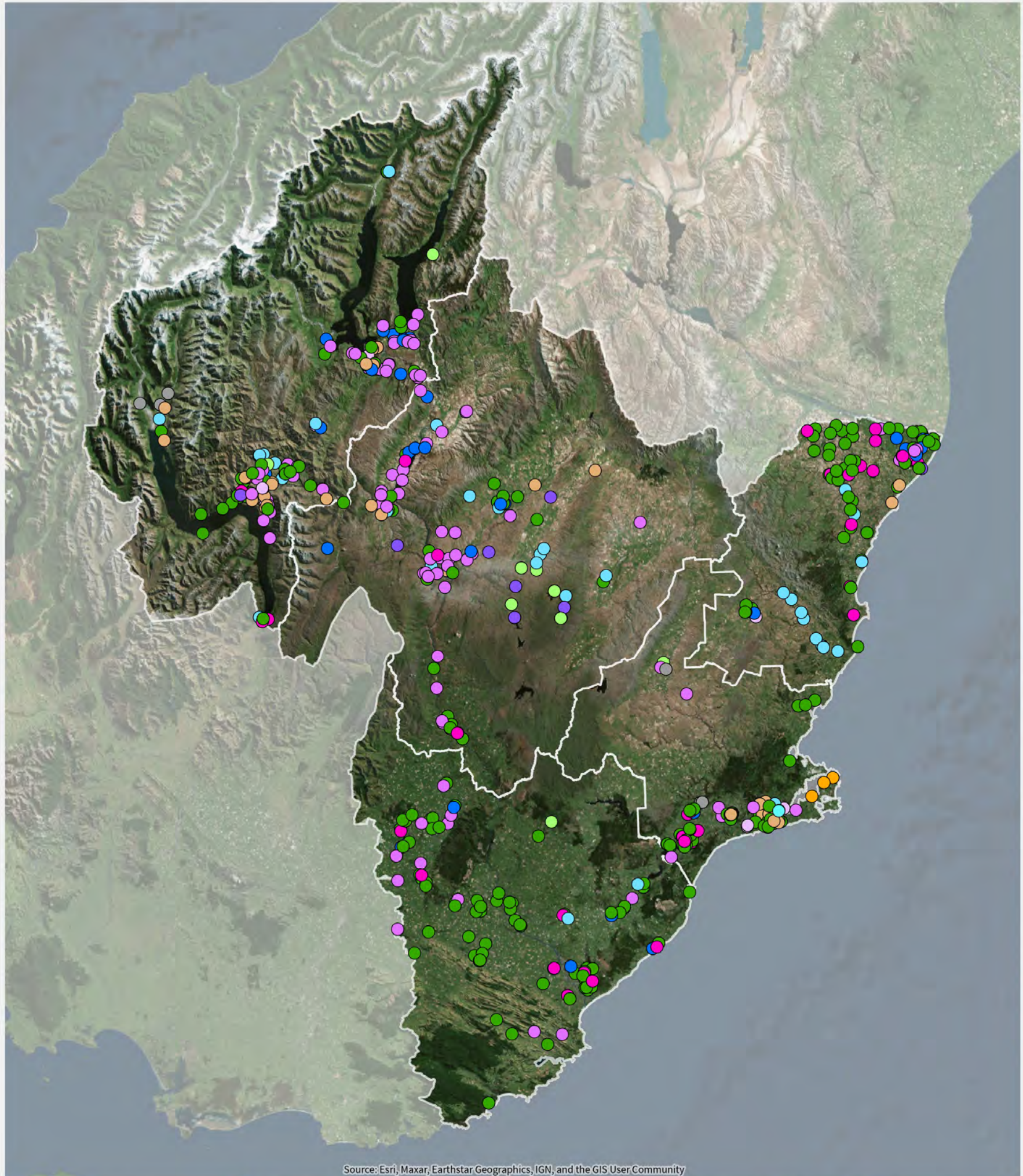
**ATTACHMENTS**

1. Maps - Consents Issued 1 July 2024 to 30 June 2025 [**9.5.1** - 14 pages]



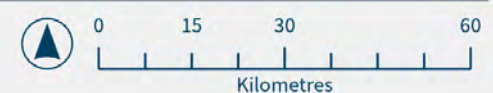
# Map 1 – Consents Issued

1 July 2024 to 30 June 2025



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

- |                                   |                                  |                                  |
|-----------------------------------|----------------------------------|----------------------------------|
| ● Bore Construction Consent (100) | ● Discharge to Land Permit (292) | ● Groundwater Take Permit (49)   |
| ● CMA Use Permit (9)              | ● Discharge to Water Permit (29) | ● Land Use Consent (1)           |
| ● Coastal Discharge Permit (2)    | ● Divert Water Permit (18)       | ● Surface Water Take Permit (45) |
| ● Dam Water Permit (18)           | ● Earthworks Consent (78)        |                                  |
| ● Discharge to Air Permit (65)    | ● Gravel Extraction Consent (7)  |                                  |

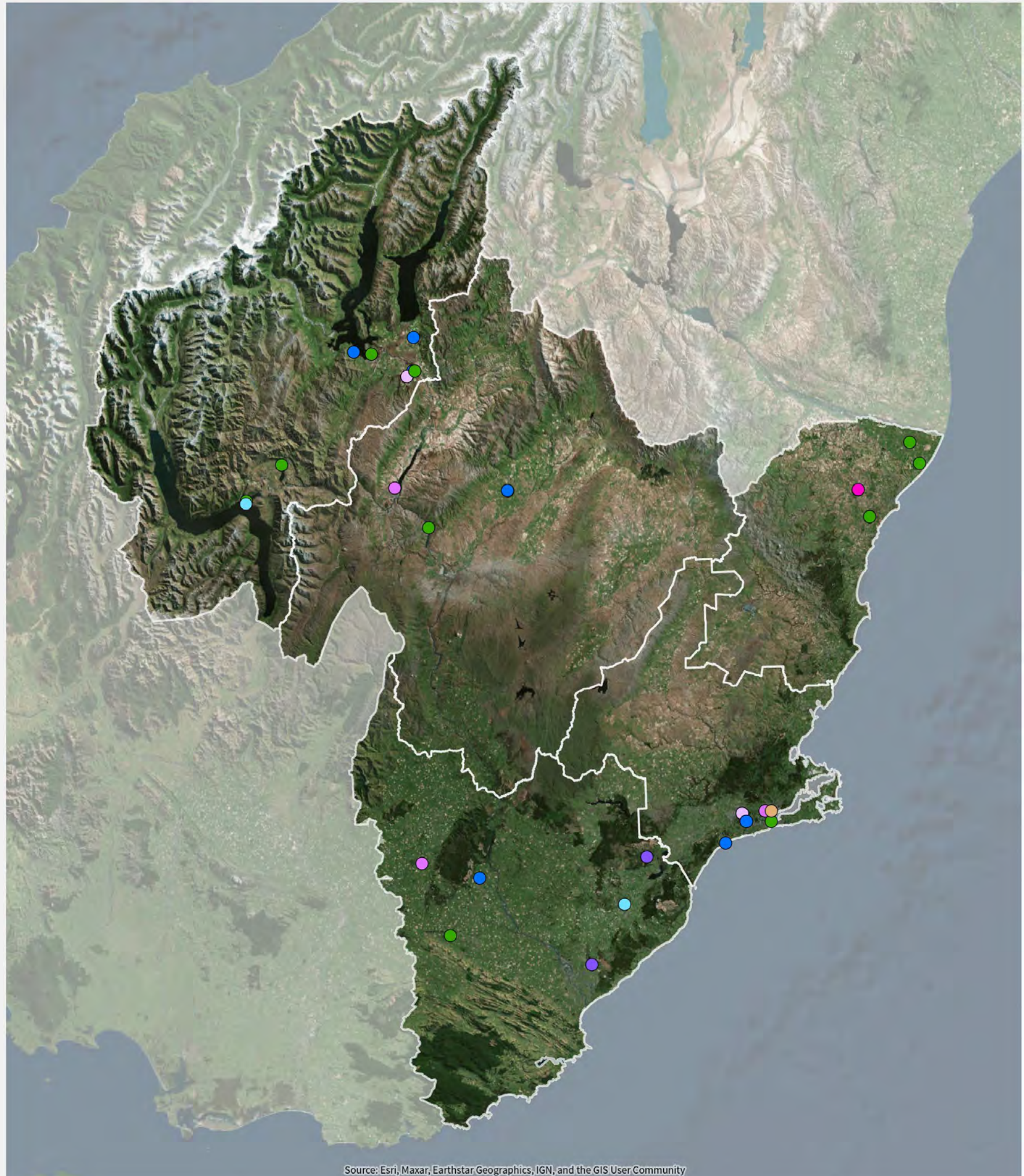


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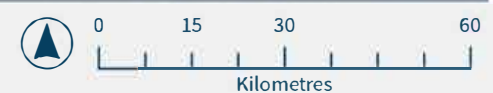
# Map 1.1 – Consents Issued

1 July 2025 to 31 July 2025



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

- |  |   |
|--|---|
| <span style="color: magenta;">●</span> Bore Construction Consent (4) | <span style="color: magenta;">●</span> Divert Water Permit (3)    |
| <span style="color: magenta;">●</span> Discharge to Air Permit (2)   | <span style="color: brown;">●</span> Earthworks Consent (4)       |
| <span style="color: green;">●</span> Discharge to Land Permit (14)   | <span style="color: blue;">●</span> Groundwater Take Permit (8)   |
| <span style="color: purple;">●</span> Discharge to Water Permit (3)  | <span style="color: cyan;">●</span> Surface Water Take Permit (2) |

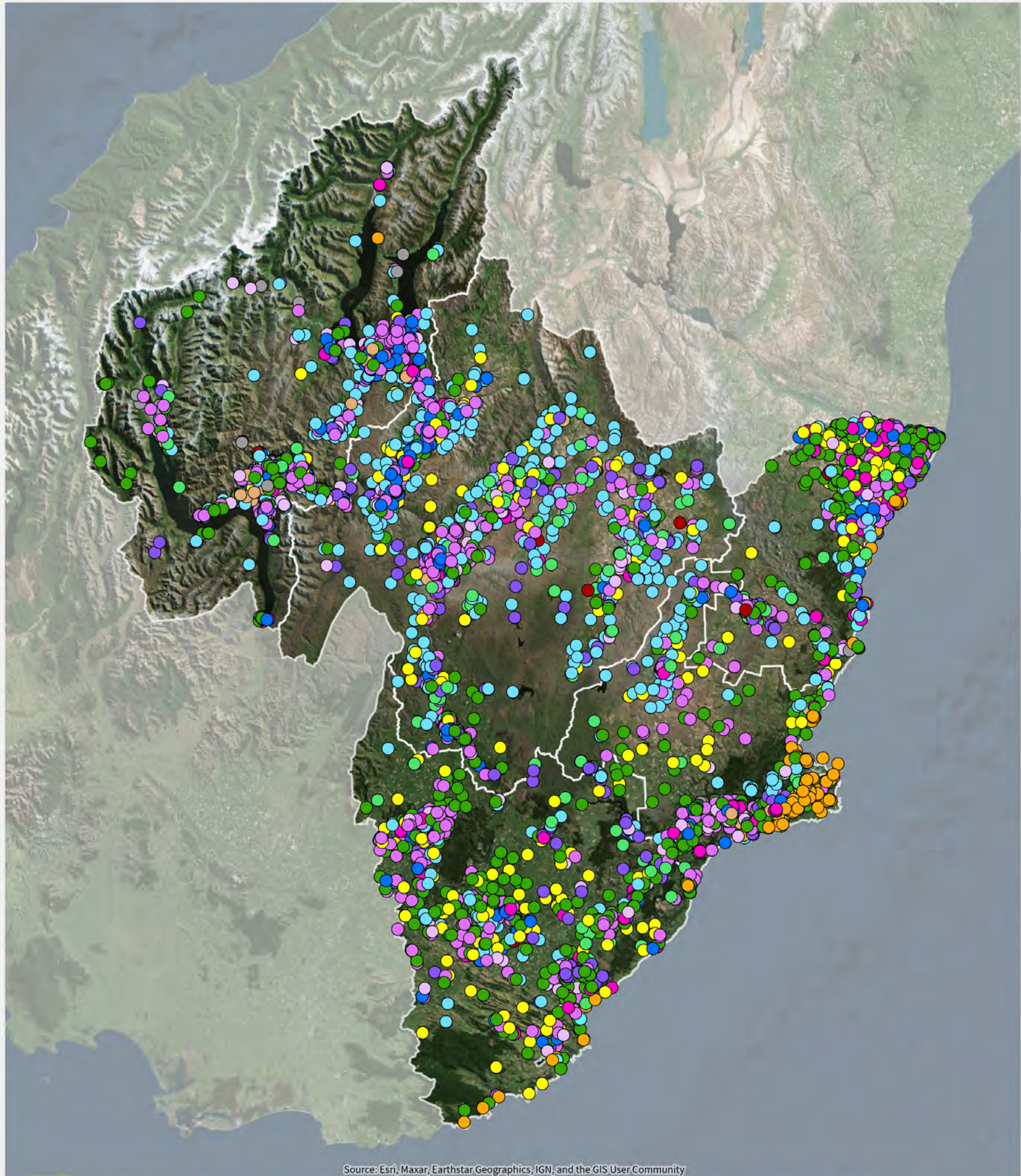


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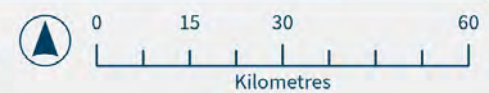


## Map 2 – Current Consents

5/08/2025



● Bore Construction Consent (1332)	● Dam Building Permit (24)	● Discharge to Water Permit (444)	● Gravel Extraction Consent (35)
● CMA Use Permit (696)	● Dam Water Permit (276)	● Divert Water Permit (270)	● Groundwater Take Permit (646)
● Coastal Discharge Permit (46)	● Discharge to Air Permit (285)	● Earthworks Consent (166)	● Land Use Consent (408)
● Coastal Water Permit (7)	● Discharge to Land Permit (1323)	● Effluent Storage Consent (0)	● Surface Water Take Permit (911)

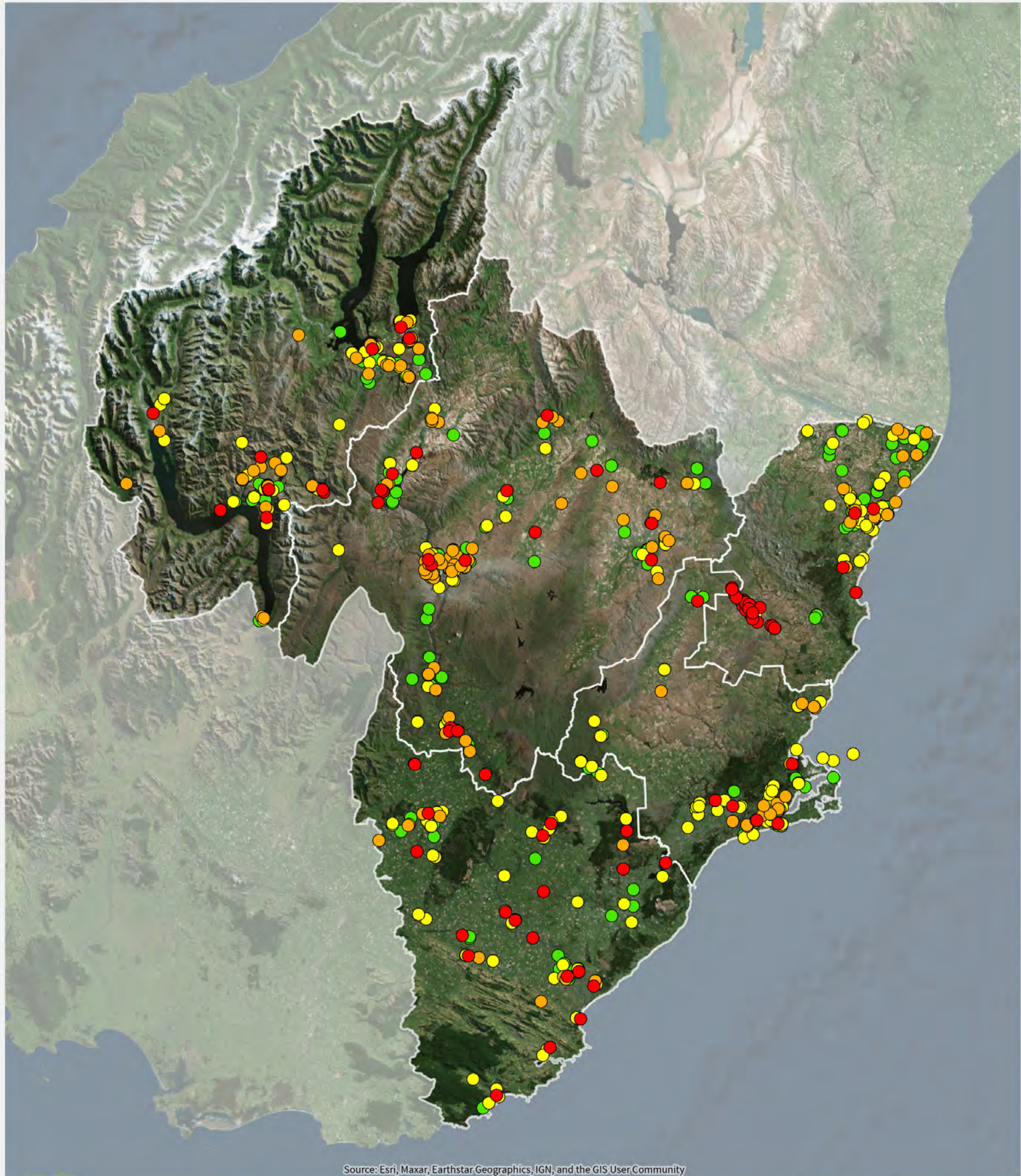


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# Map 3 – Consent Audits

1 July 2024 to 30 June 2025



- |   |   |
|---|---|
| <span style="color: green;">●</span> Full Compliance (386)          | <span style="color: orange;">●</span> Moderate Non-Compliance (139) |
| <span style="color: yellow;">●</span> Low Risk Non-Compliance (278) | <span style="color: red;">●</span> Significant Non-Compliance (139) |



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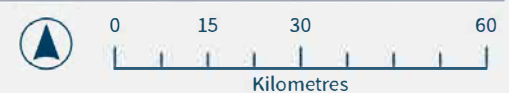


# Map 3.1 – Consent Audits

1 July 2025 to 31 July 2025



- Full Compliance (21)
- Low Risk Non-Compliance (6)
- Moderate Non-Compliance (4)
- Significant Non-Compliance (5)

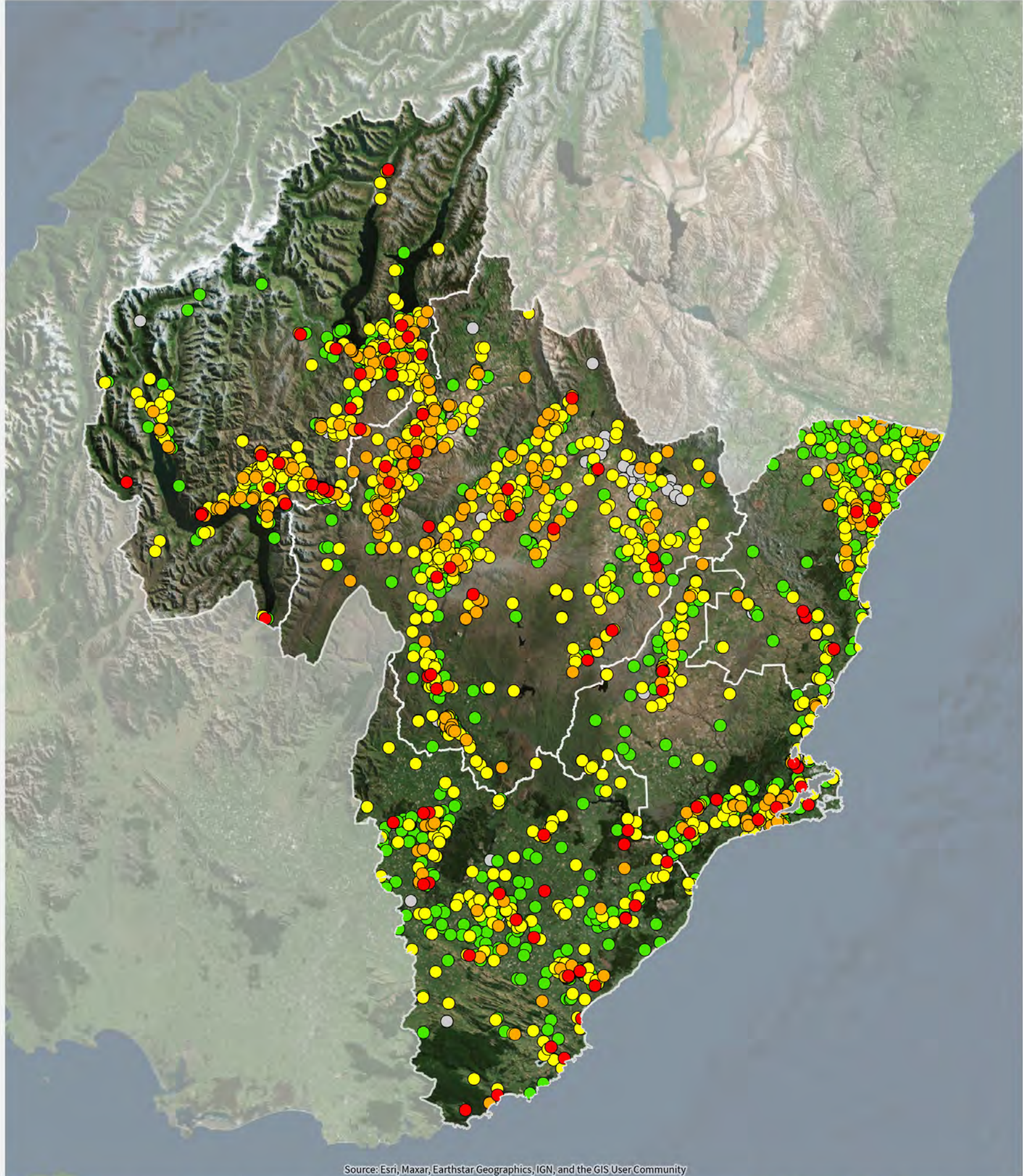


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## Map 4 – Consent Performance Monitoring

1 July 2024 to 30 June 2025



- |                                   |                                    |
|-----------------------------------|------------------------------------|
| ○ Consent Not Yet Exercised (595) | ○ Moderate Non-Compliance (472)    |
| ● Full Compliance (4877)          | ● Significant Non-Compliance (253) |
| ● Low Risk Non-Compliance (2595)  |                                    |

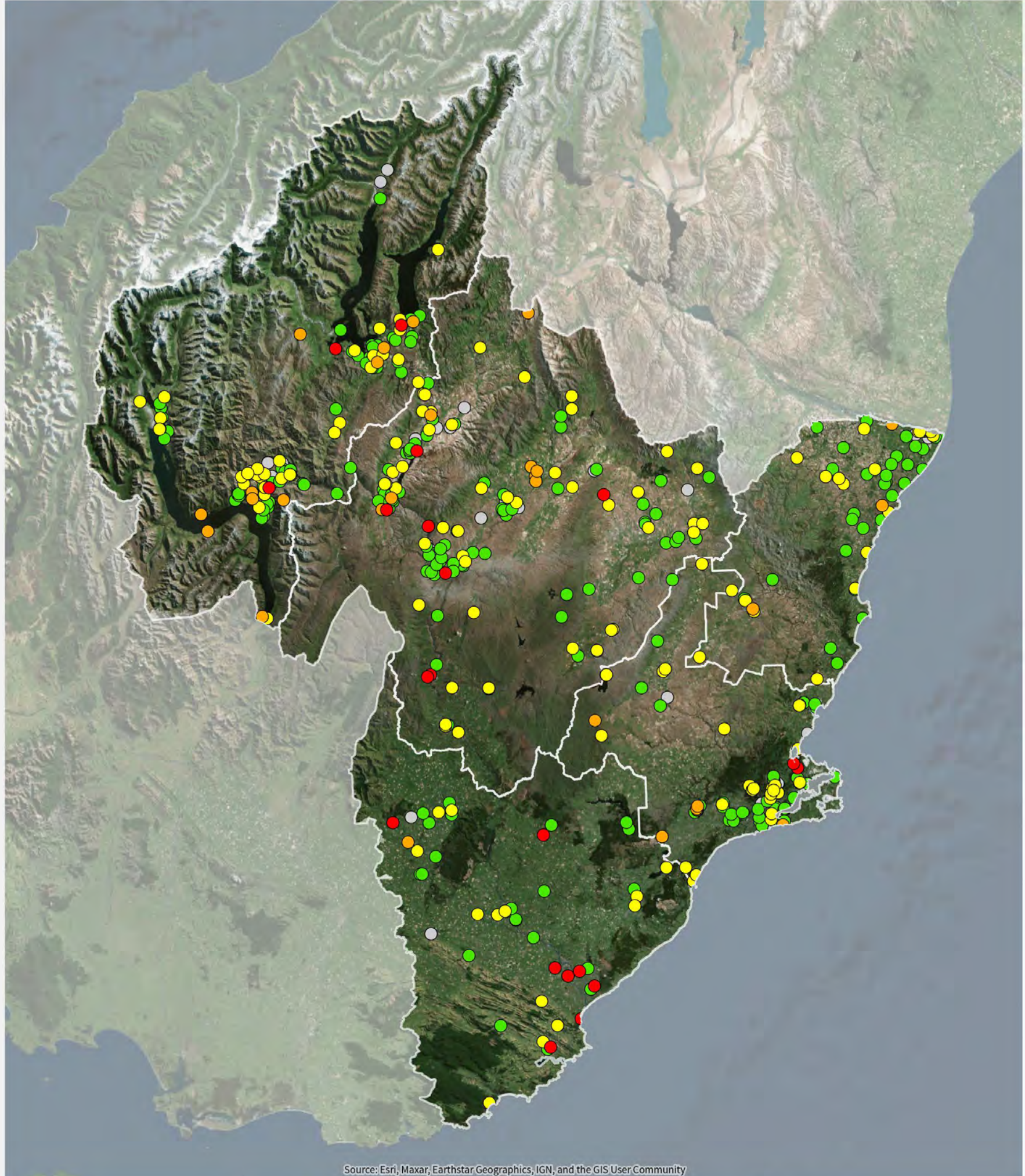


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# Map 4.1 – Consent Performance Monitoring

1 July 2025 to 31 July 2025



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

- Consent Not Yet Exercised (74)
- Full Compliance (513)
- Low Risk Non-Compliance (203)
- Moderate Non-Compliance (43)
- Significant Non-Compliance (36)

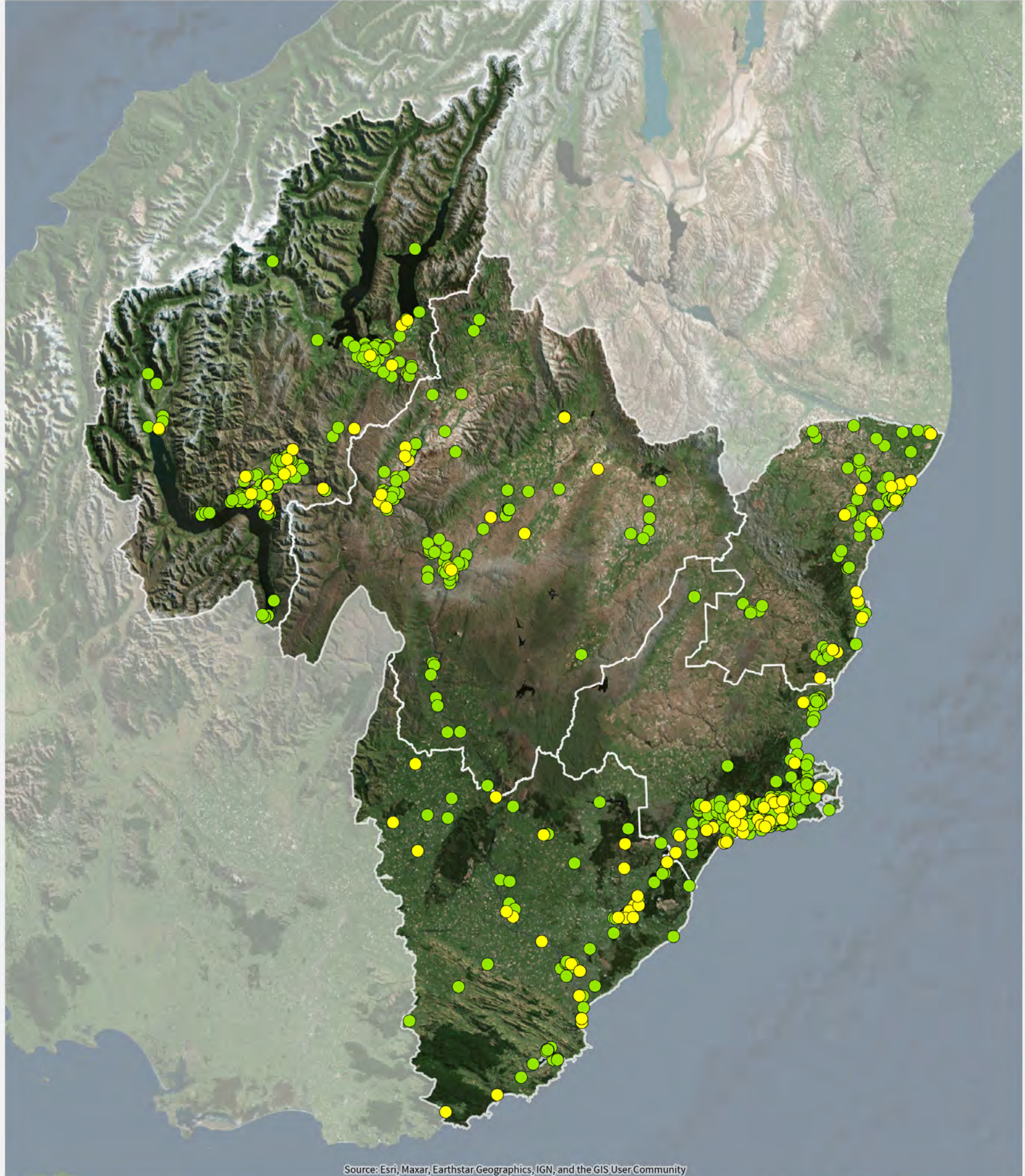


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# Map 5 – Incidents

1 July 2024 to 30 June 2025



● In Progress (118)

● Completed (888)

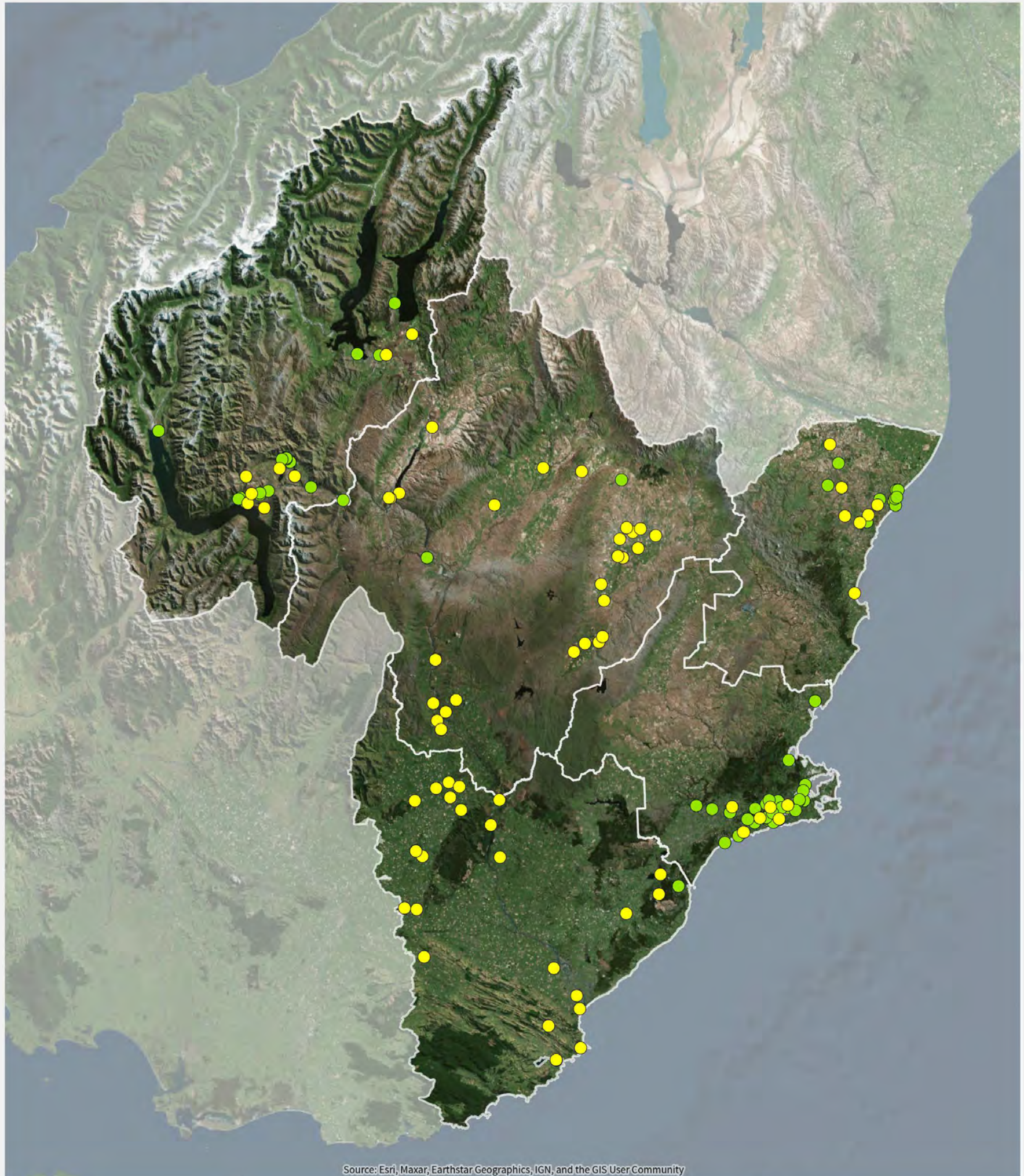


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# Map 5.1 – Incidents

1 July 2025 to 31 July 2025



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

- In Progress (76)
- Completed (66)

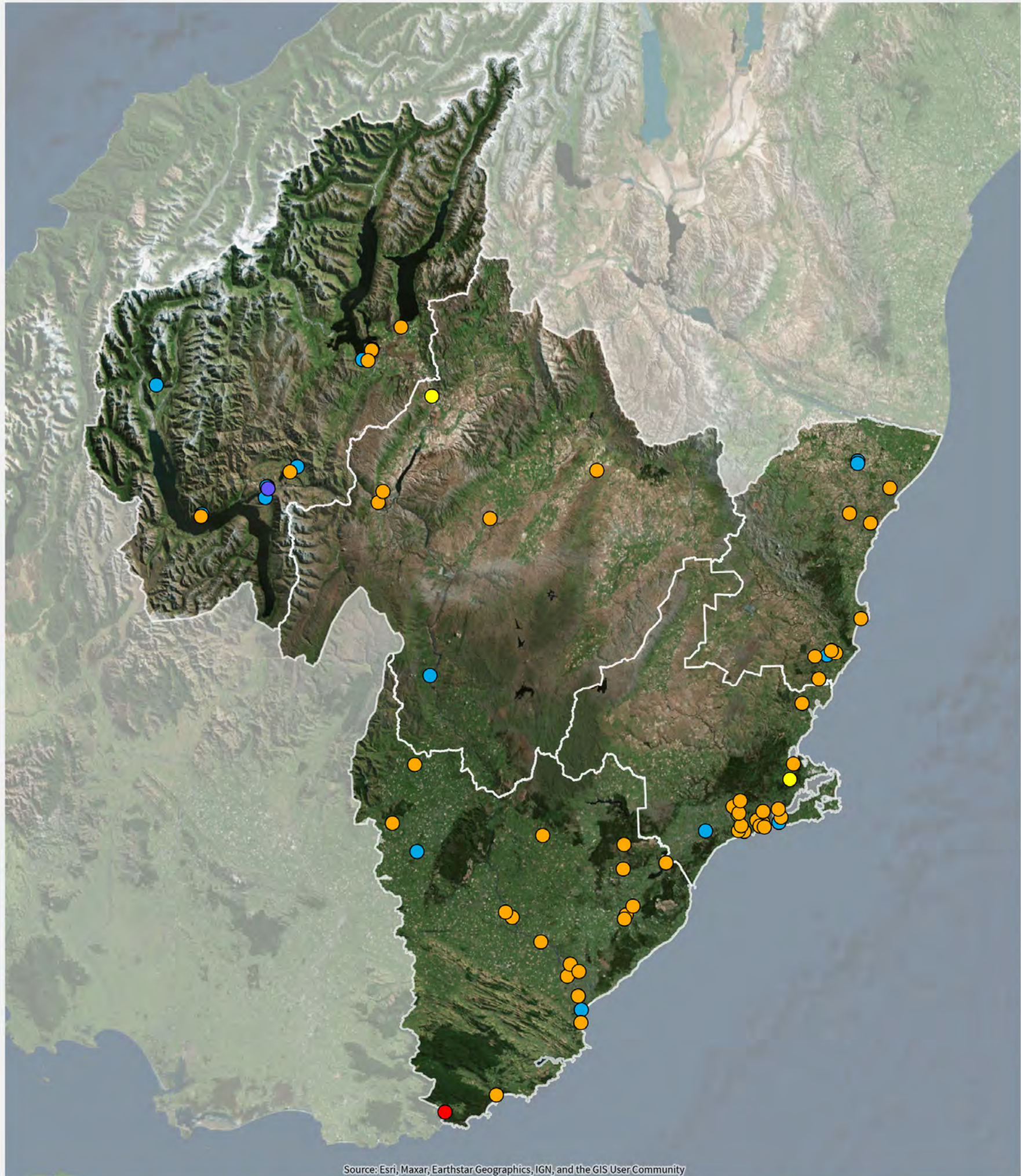


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# Map 6 – Enforcement Actions

1 July 2024 to 30 June 2025



- Prosecution (1)
- Abatement Notice (56)
- Warning (5)
- Enforcement Order (1)
- Infringement (62)

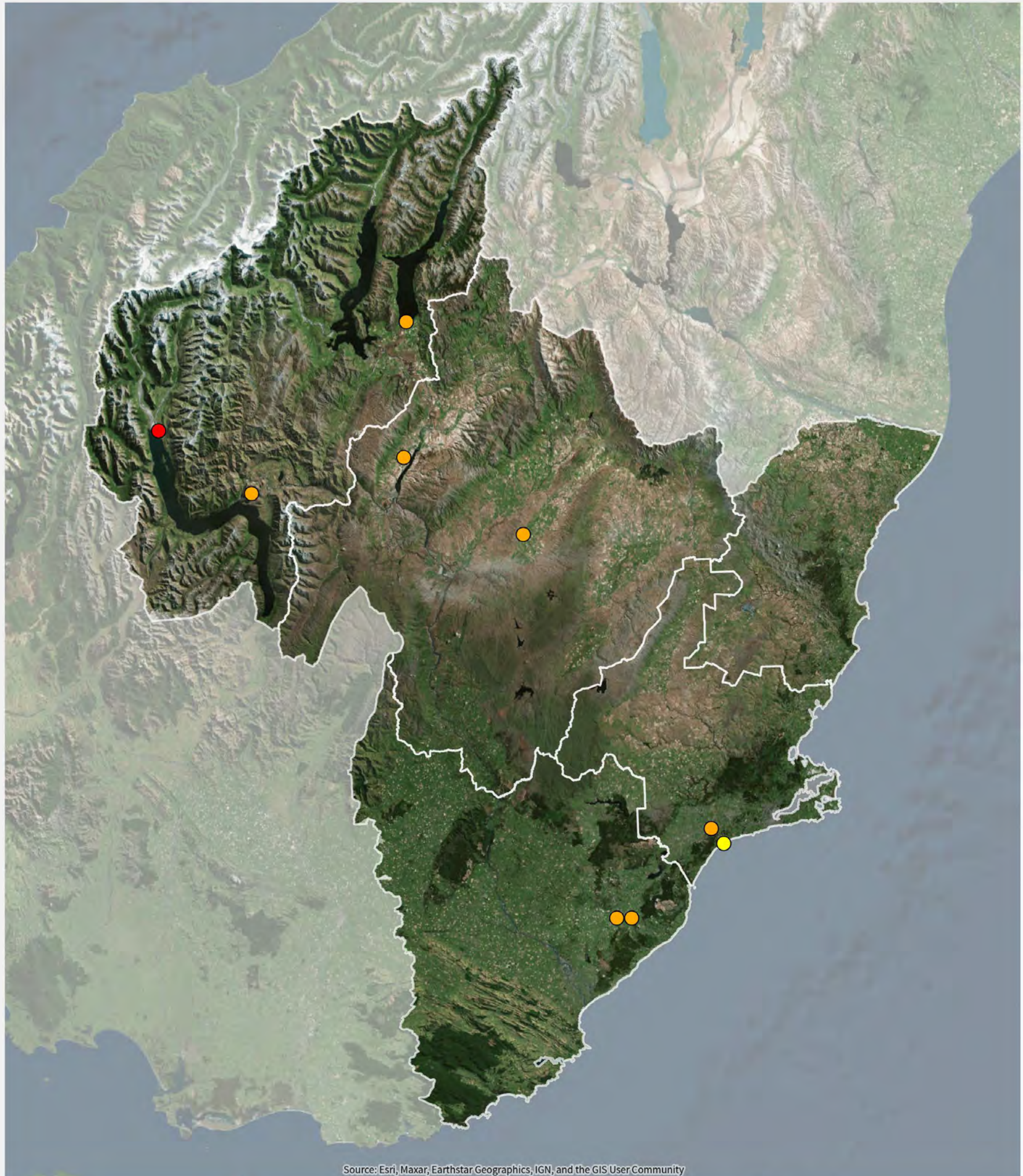


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# Map 6.1 – Enforcement Actions

1 July 2025 to 31 July 2025



- Prosecution (3)      ● Infringement (3)
- Abatement Notice (7)      ● Warning (1)

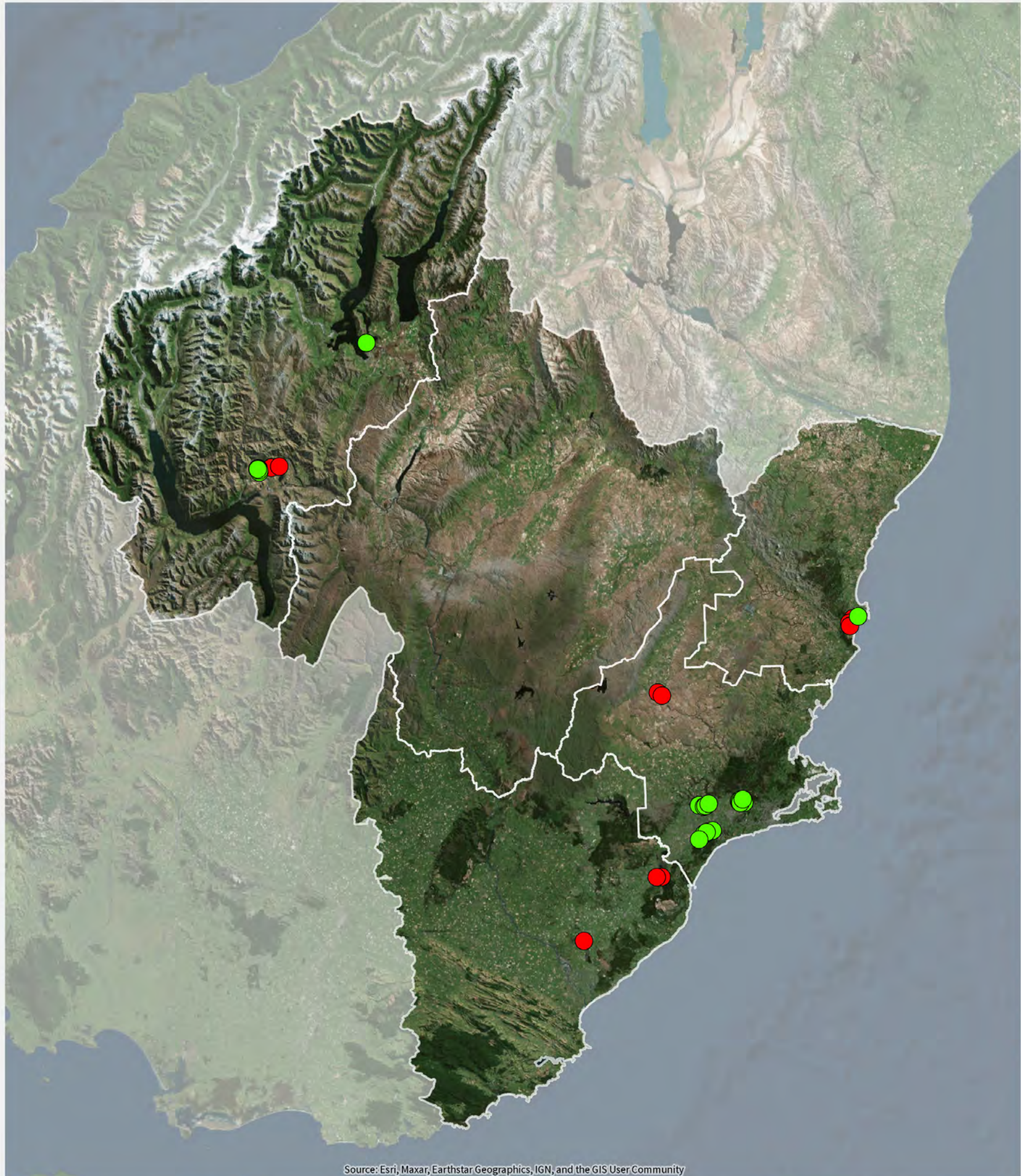


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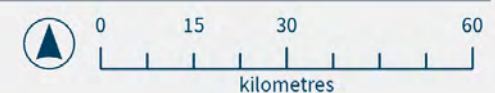


# Map 7 – Biosecurity Inspections: rabbit

1 July 2025 to 31 July 2025



- Rabbit inspection (compliant) (26)
- Rabbit inspection (non-compliant) (14)



Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it.  
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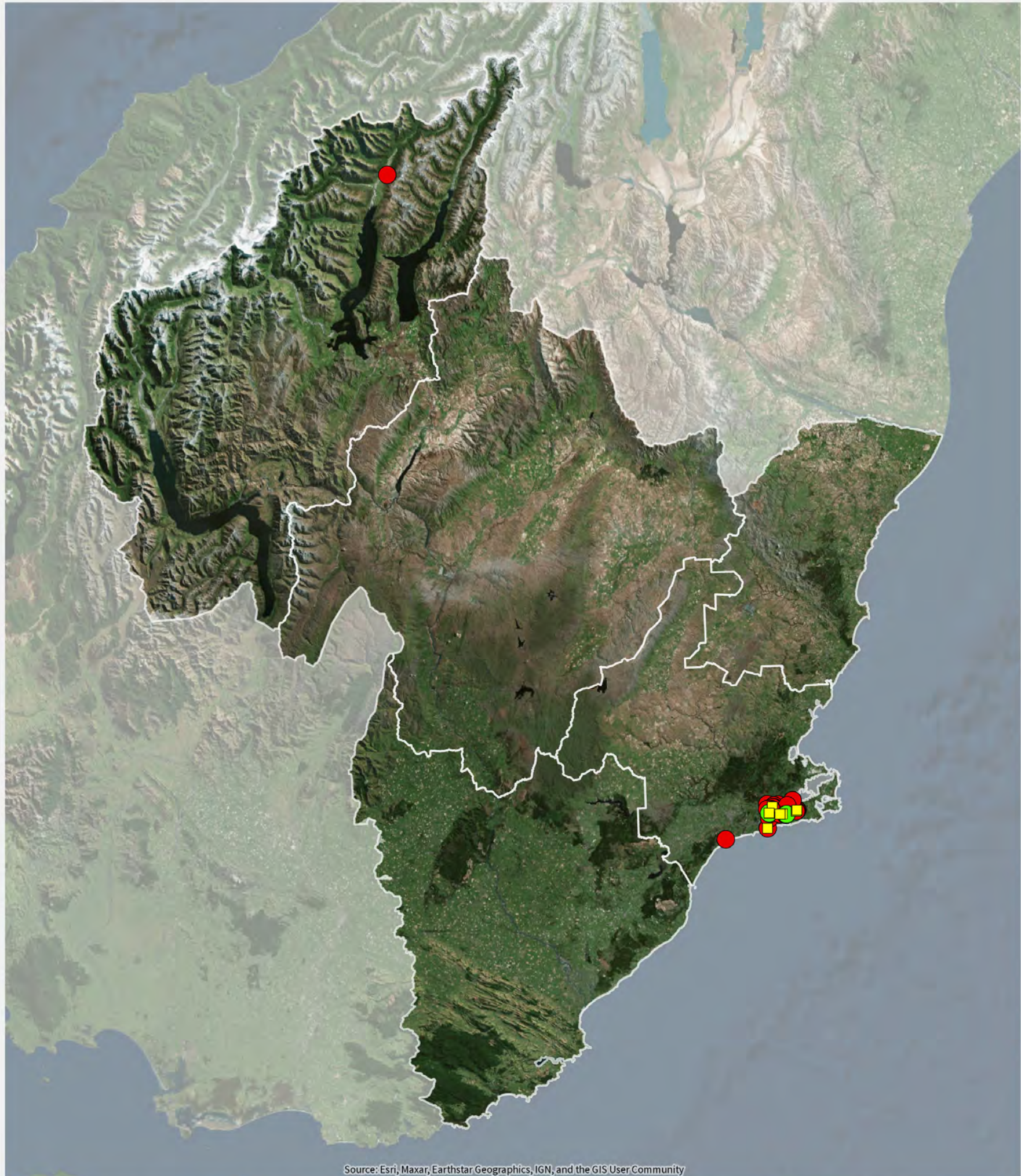


## Map 8 – Biosecurity Inspections: non-rabbit

1 July 2025 to 31 July 2025



Otago  
Regional  
Council



- Non-rabbit inspection (compliant) (7)
- Non-rabbit inspection (non-compliant) (52)
- No pests seen during inspection (18)

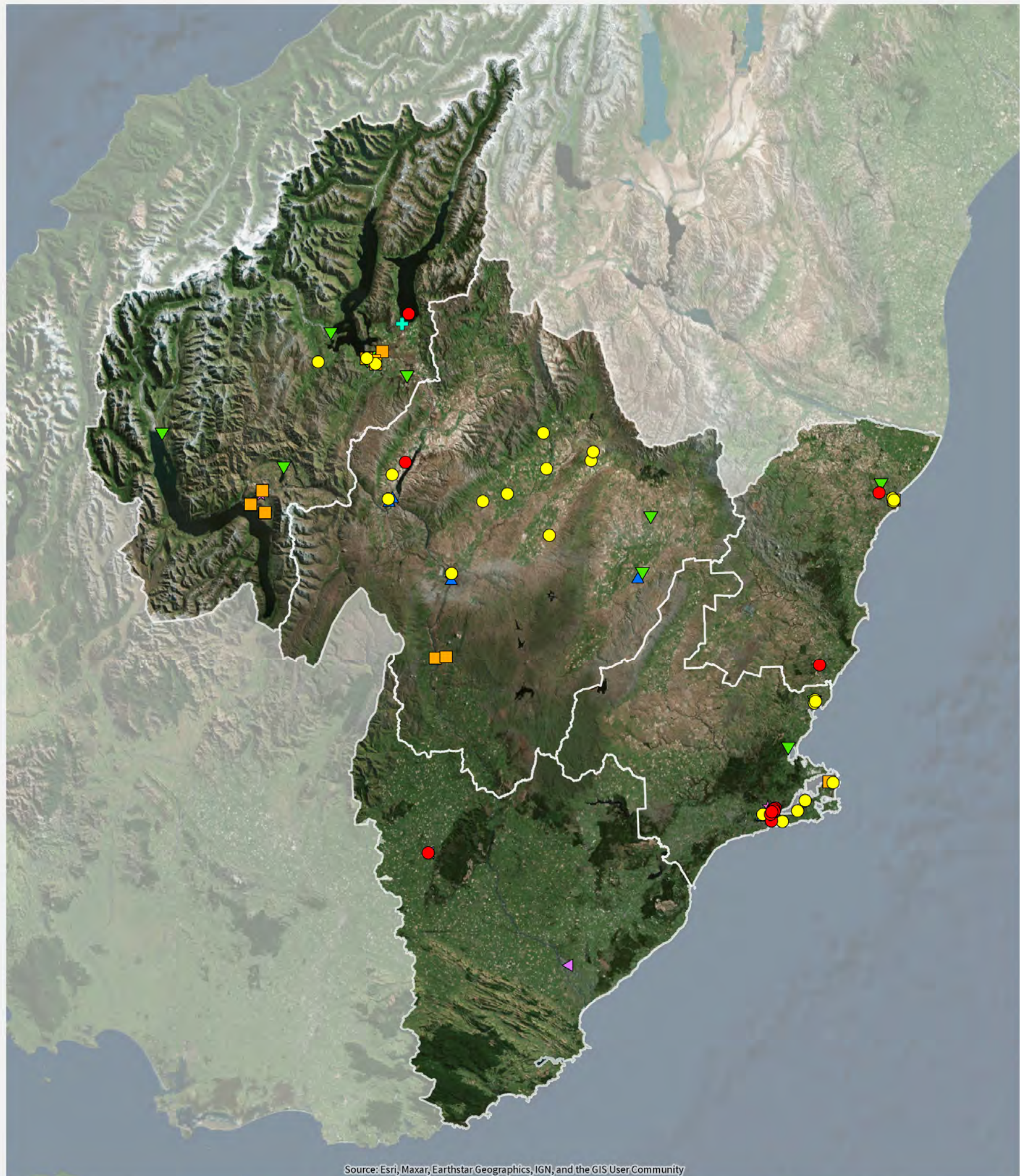


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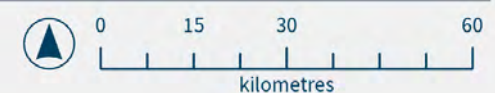


# Map 9 – Catchment Team Engagements

1 July 2025 to 31 July 2025



- |                                       |                                    |
|---------------------------------------|------------------------------------|
| ● One to One (37)                     | ● ORC Led or Co-Led (15)           |
| ▲ External Enquiries (9)              | ★ School (8)                       |
| ■ External Led (Community) Group (11) | + ECOFund (3)                      |
| ▼ Catchment Group (15)                | ◀ Industry or Extension Agency (3) |



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## 9.6. Annual Compliance Report

<b>Prepared for:</b>	Environmental Delivery Committee
<b>Report No.</b>	GOV2592
<b>Activity:</b>	Regulatory: Consents and Compliance Simon Wilson, Compliance Manager
<b>Author:</b>	Alexandra King, Manager Consents and Manager Environmental Data and Systems Byron Pretorius, Principal Compliance Specialist
<b>Endorsed by:</b>	Joanna Gilroy, General Manager Environmental Delivery
<b>Date:</b>	4 September 2025

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### PURPOSE

- [1] This report provides the Committee with the Otago Regional Council (ORC) Annual Operational Compliance Monitoring Report for the 2024/25 financial year.

### EXECUTIVE SUMMARY

- [2] A *Draft ORC Annual Operational Compliance Monitoring Report 2024/25FY* has been prepared which provides an overview of the compliance monitoring and enforcement (CME) activities undertaken by the ORC in the 2024/25 year. This report shows the extensive compliance monitoring work completed and reflects the level of compliance by the Otago community.

### RECOMMENDATION

*That the Committee:*

- 1) **Notes** this report and the *Draft ORC Annual Operational Compliance Monitoring Report 2024/25FY*.
- 2) **Notes** that the content of the *Draft ORC Annual Operational Compliance Monitoring Report 2024/25FY* may be updated post feedback from the Environmental Delivery Committee and to correct any minor grammatical errors.
- 3) **Recommends** to Council that they approve the *Draft ORC Annual Operational Compliance Monitoring Report 2024/25FY*, subject to the changes offered above in b) being made.

### BACKGROUND

- [3] The *ORC Compliance Plan 2023-2026* was originally developed in 2020 and was reviewed in 2022. These Plans run for a period of three years with the next due to be developed at the end of the 2025/26 financial year. This Plan is set by Council and 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.
-



- [4] The *ORC Compliance Plan 2023-2026* supports a responsive and risk-based approach to the allocation of resources for proactive compliance monitoring as well as reactive response to environmental incidents. It identifies 6 priorities for compliance monitoring activities focussed on issues with the highest environmental impacts. The priorities are:
- Reduce non-compliant discharges for improved freshwater quality
  - Proactive and integrated approach to monitoring large-scale activities
  - Monitor water takes and use to protect water quantity
  - Monitor structures and works in and adjacent to freshwater
  - Reduce non-compliant air discharges to improve air quality
  - Monitor coastal structures and oil spill preparedness
- [5] As part of implementing the *ORC Compliance Plan 2023-2026*, annual targets are set and approved by the Environmental Delivery Committee for the team's activities. These targets then support the implementation of the Long-Term Plan levels of service.
- [6] In June 2024, the Environmental Delivery Committee approved the *Operational Compliance Audit and Performance Monitoring Schedule 2024-25* for the 2024/25 financial year. This set the operational targets for delivering against the *ORC Compliance Plan 2023-2026* in the 2024/25 financial year. Progress against these targets has been reported to the Environmental Delivery Committee through the quarterly updates. The *Draft ORC Annual Operational Compliance Monitoring Report 2024/25FY* takes all of this information and reports it in one place and provides an overview of all the compliance activities for the financial year.
- [7] The targets for the 2024/25 financial year were:

#### Compliance Audit and Performance Monitoring Schedule 2024-25

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

## DISCUSSION

- [8] The *Draft ORC Annual Operational Compliance Monitoring Report 2024/25FY* has been prepared and is included as Attachment 1. The Annual Report provides an overview of the CME activities and actions during the 2024/25 financial year and shows delivery against the approved *ORC Compliance Plan 2023-2026*.
- [9] The report seeks to ensure the transparency of ORC's CME activities and accountability to the community for our regulatory work in Otago.
- [10] Some of the CME highlights in the 2024/25 financial year included:
- a. 1,267 on site audits and inspections were completed (decrease from 1,411 in 2023/24).
  - b. 8,794 performance monitoring returns from were graded (increase from 7,807 in 023/24).
  - c. 1,407 pollution calls were responded to and investigated (increase from 1,367 in 2023/24).
  - d. 125 formal enforcement actions were taken (increase from 100 in 2023/24).
  - e. One enforcement order was issued, and two prosecutions were resolved.
- [11] The above and the data in the report demonstrates the overall compliance picture for Otago. It shows that our consent holders and those undertaking activities are putting effort into being compliant and engaging in our processes. This reflects the good work of our communities and the collaboration shown by our teams.
- [12] The targets set for the teams in terms of compliance activities have been exceeded. This reflects the ongoing efficiency gains that the teams have worked on and put in place. Progress against the new targets for the 2025/26 financial year will continue to be reported to the Environmental Delivery Committee every quarter. Targets for the 2025/26 have been increased to reflect an increase in the number of consents and actual numbers achieved.
- [13] There are some limitations in data and the *Draft ORC Annual Operational Compliance Monitoring Report 2024/25FY* is not an exhaustive list of all the CME activities undertaken by the Environmental Delivery Teams. The Annual Report is presented for feedback from the Environmental Delivery Committee.

## OPTIONS

### Option one (recommended)

- [14] The Committee provides any feedback on the *Draft ORC Annual Operational Compliance Monitoring Report 2024/25FY* and recommends to Council that it is approved. This will enable the report to be published.

### Option two

- [15] The Committee does not support the recommendations and the *ORC Annual Operational Compliance Monitoring Report 2024/25FY* is not published. This option is

not recommended as it will not enable the data and overall compliance picture to be provided to the public.

## CONSIDERATIONS

### Strategic Framework and Policy Considerations

- [16] The *Draft ORC Annual Operational Compliance Monitoring Report 2024/25FY* and *ORC Compliance Plan 2023-2026* delivers on the ORC's commitment to implement central government directions in the regional context and effectively engage communities.

### Financial Considerations

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

### Significance and Engagement

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

### Legislative and Risk Considerations

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

### Climate Change Considerations

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

### Communications Considerations

- [21] Communication with the Otago community occurs on a regular basis to educate and inform people on regulatory matters.
- [22] The report will be designed and uploaded to Council's website and shared with stakeholders and partners.

## NEXT STEPS

- [23] The *Draft ORC Annual Operational Compliance Monitoring Report 2024/25FY* will be updated in line with feedback received from the Environmental Delivery Committee.
- [24] The *Draft ORC Annual Operational Compliance Monitoring Report 2024/25FY* and the *ORC Compliance Plan 2023-2026* will be edited and designed, for publication on the ORC website, and distributed to interested parties.

## ATTACHMENTS

1. Draft ORC Annual Operational Compliance Monitoring Report 2024-25FY [9.6.1 - 45 pages]
2. Operational Compliance Audit and Performance Monitoring Schedule 2024-25FY [9.6.2 - 14 pages]
3. ORC Compliance Plan 2023-2026 [9.6.3 - 18 pages]
4. ORC RMA Compliance and Enforcement Policy 2021 [9.6.4 - 11 pages]





# Otago Regional Council Annual Operational Compliance Monitoring Report 2024/25FY



Otago  
Regional  
Council

Lake Dunstan, Cromwell

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## Introduction

Otago Regional Council (ORC) is responsible for regulating activities affecting water, air, land, and the coast to promote the sustainable management of our environment. ORC carries out Compliance, Monitoring and Enforcement (CME) functions in relation to its responsibilities under section 30 RMA, that relates to soil conservation, water quantity and quality, air quality, the coastal marine area, land use to avoid natural hazards, and investigating and monitoring contaminated land. CME activities set clear expectations for the regulated community on the need to comply and are necessary to achieve desired behaviour change.

Critical CME activities include, but are not limited to:

- (1) compliance monitoring involving the receipt and assessment of performance monitoring data and requirements of consent holders under consent conditions.
- (2) site audits and inspections for resource consents and permitted activities like dairy and forestry with our plans and national regulations in line with the *ORC Compliance Plan 2023-2026* and *Operational Compliance Audit and Performance Monitoring Schedule 2024-25FY*.
- (3) response to complaints and notifications of pollution or potential permitted activity rule breaches through pollution hotline.
- (4) undertaking of enforcement action in line with the *ORC RMA Compliance and Enforcement Policy 2021* and *ORC Formal Warning Policy 2022*.

This *ORC Annual Operational Compliance Monitoring Report 2024/25FY* provides an overview of the CME activities carried out by the Environmental Delivery Data and Systems, Compliance and Investigations Teams over the 2024/25 financial year. This report also illustrates the delivery against the approved *ORC Compliance Plan 2023-2026* and *Operational Compliance Audit and Performance Monitoring Schedule 2024-25FY* that had set out the planned targets for performance monitoring assessment and on-site auditing by the Environmental Services Group throughout the 2024/25 financial year.



## Approach to compliance monitoring

ORC's CME function is comprised of the Coastal Compliance and Central Compliance, Investigations, Compliance Support and Environmental Data Teams. A shared compliance approach is adopted by all the teams, aligned with the RMA and is based on '4E model' of Engage, Educate, Enable and Enforce.



Figure 1: '4E model' of Engage, Educate, Enable and Enforce.

Each of the '4E model' components are explained as:

**Engage** – consult with regulated parties, stakeholders and community on matters that may affect them. This will require maintaining relationships and communicating until final outcomes have been reached. This will facilitate greater understanding of challenges and constraints, engender support, and identify opportunities to work with others.

**Educate** – educate regulated parties about what is required to be compliant, and that the onus lies with them to maintain their compliance. Educate the community and stakeholders about what regulations are in place around them, so they will better understand what is compliant and what is not.

**Enable** – provide opportunities for regulated parties to be exposed to industry best practice and regulatory requirements. Link regulated parties with appropriate industry advisors and promote examples of best practice.

**Enforce** – when breaches of regulation, or non-compliance, are identified, a range of enforcement tools are available to bring about positive behaviour change. Enforcement outcomes should be proportional to the circumstances of the breach, and culpability of the party.

The CME function continued to align its compliance approach with the *ORC RMA Compliance and Enforcement Policy 2021* and *ORC Compliance Plan 2023-2026*. For consistency with the Regional Sector Strategic Compliance Framework, the Compliance and Investigations Teams couple the the strategic ‘spectrum’ approach with the ‘4E model’ to encouraging positive behaviour change to ensure the highest levels of compliance possible.

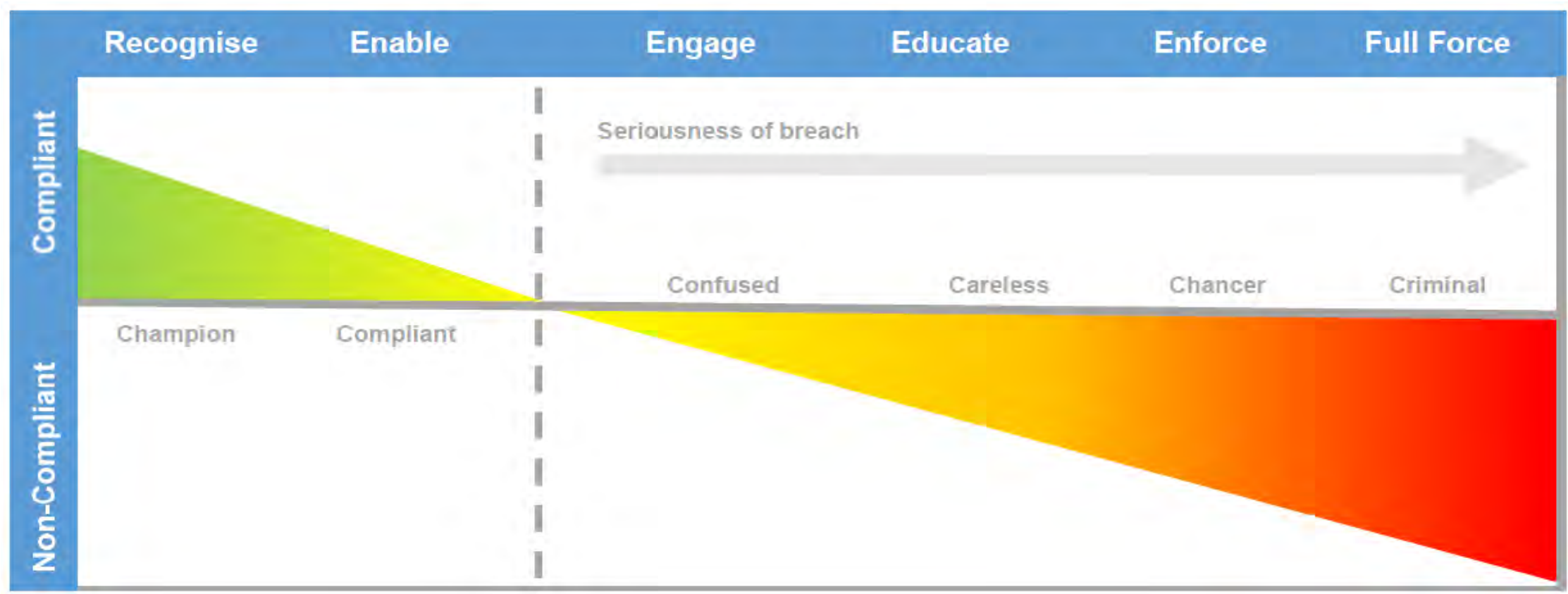


Figure 2: Strategic ‘spectrum’ compliance approach under the RMA.



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

	COMPLIANCE GRADE
1	<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.

Figure 3: ORC’s compliance audit grading system.

The CME function continued to support and encourage compliance through proactive engagement with landowners, consent holders and the community on compliance matters and good practice. Some of the education activities in the 2024/25 year included compliance notification and letter campaigns, the establishment of auditing projects targeting specific high-risk activities, attending community and industry events, field days and workshops, developing fact sheets and quick guides.

The planning of ORC's CME functions is undertaken in an integrated manner with iwi partners Aukaha and Te Ao Mārama through direct engagement and involvement. Valuable input from iwi partners also supported the review of the *ORC Compliance Plan 2023-2026*, which sets CME priorities in the Otago region.

During major incidents or comprehensive investigations, iwi partnerships are generally advised and engaged with. Notification of relevant pollution incidents are sent directly to iwi partners and a monthly hui has been established. Iwi Māori provide expertise in Cultural Impact Assessments to assist the court with any cultural effects attributable to the offending in prosecution cases. This approach aligns with the high-level governance partnership agreement with Mana Whenua, being Mana-to-Mana that has representatives from the seven papatipu rūnaka across the takiwā that ORC serves. Additionally, the CME function also aligns with ORC's governance structure and partnership agreement with iwi Māori that is called Te Rōpū Taiao, which focuses specifically on how we will jointly protect and care for the whenua and Taiao.

Highlights

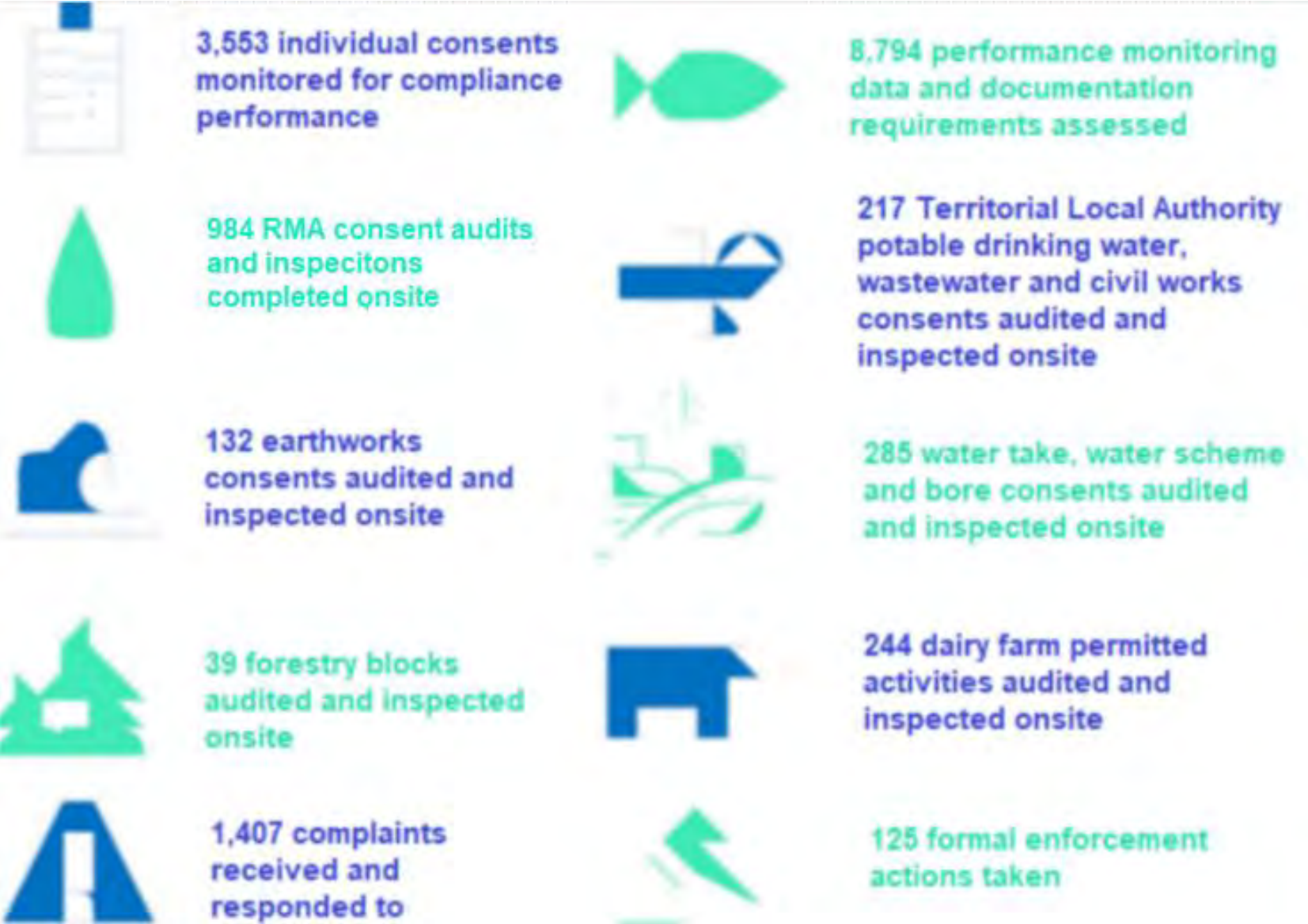


Figure 4: High level infographic providing the CME Teams performance with numerous key performance indicators measured against the approved *ORC Compliance Plan 2023-2026* and *Operational Compliance Audit and Performance Monitoring Schedule 2024-25FY*.



Background

Compliance monitoring priorities were established within the *ORC Compliance Plan 2023-2026* and applied to the 2024/25 financial year. The compliance monitoring priorities enable ORC’s CME teams to focus on the activities and issues that have the highest associated environmental risks and effects.

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

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

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

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

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

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

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

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

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

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

Priority 6: Monitor coastal structures and oil spill preparedness

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

As at 12 August 2025, a **total of 8,252 combined consents and permitted activities** were within the ORC's regulatory database:

- 2,438 were assigned as Priority 1
- 2,116 were assigned as Priority 2
- 2,521 were assigned as Priority 3
- 477 were assigned as Priority 4
- 52 were assigned as Priority 5
- 648 were assigned as Priority 6

The *Operational Compliance Audit and Performance Monitoring Schedule 2024-25FY* outlines the agreed targets across the CME activities for the 2024/25 financial year. The **targets of 6,000 planned performance monitoring assessments and 1,000 audits and inspections were established for the 2024/25 financial year.**

Further to this, targets for the 1,000 audits and inspections were also established across each of the 6 priorities for the 2024/25 financial year, these were:

- 360 audits and site inspections planned for Priority 1
- 480 audits and site inspections planned for Priority 2
- 120 audits and site inspections planned for Priority 3
- 20 audits and site inspections planned for Priority 4
- 20 audits and site inspections planned for Priority 5
- No audits and site inspections planned for Priority 6

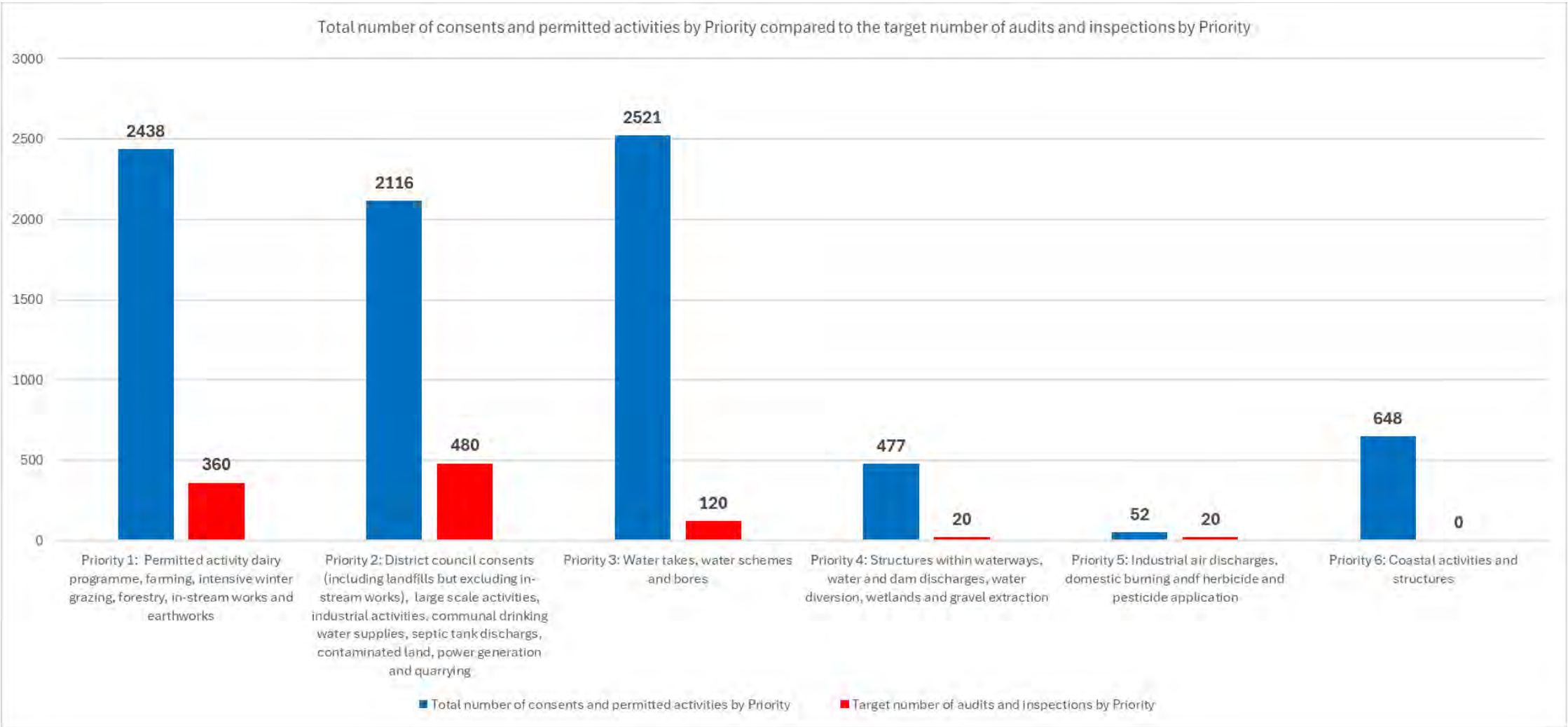


Figure 5: Total number of consents and permitted activities within the ORC’s regulatory database by Priority compared to the total target number of audits and inspections planned for completion by Priority for the 2024/25 financial year.



## Compliance monitoring results

### Analysis of performance monitoring data and documentation under consent conditions

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

During the 2024/25 financial year, **8,794 performance monitoring data and documentation requirements were received and assessed for compliance**. After having planned to complete 6,000 performance monitoring assessments for the 2024/25 financial year, the 8,794 completed by the Compliance Support, Environmental Data, Coastal Compliance and Central Compliance Teams represent a **146.6% over-delivery of the 6,000 planned performance monitoring assessments** for the 2024/25 financial year.

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>Planned performance monitoring assessed*</b>	500 1,003	500 843	500 747	500 818	500 719	500 518	500 626	500 553	500 619	500 646	500 636	500 1,066	6,000 <u>8,794</u>

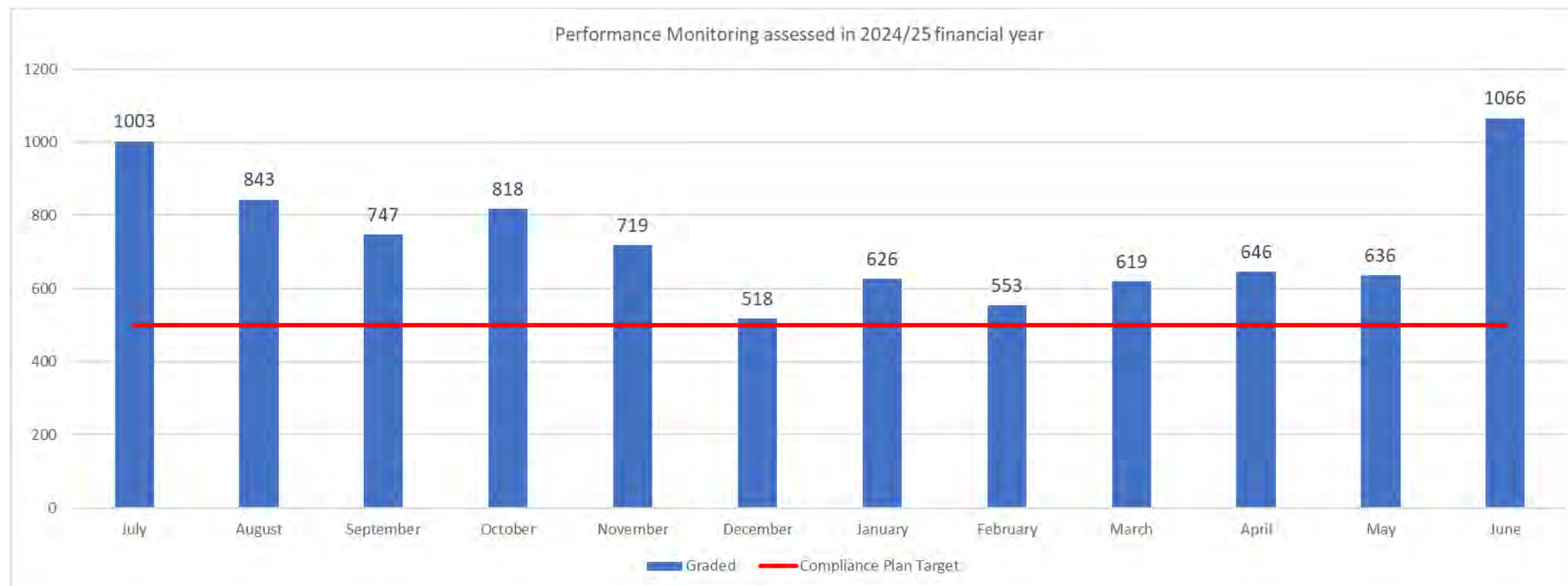


Figure 6: Monthly number of performance monitoring assessments completed by the Compliance Support, Environmental Data, Coastal Compliance and Central Compliance Teams throughout the 2024/25 financial year. Please note, the standard approach of completing low-priority overdue performance monitoring assessments in the final month of June 2025 was implemented again during the 2024/25 financial year, contributing to an increased number of assessments completed in the final month of the financial year.

The performance monitoring compliance gradings assessed during the 2024/25 financial year followed an expected distribution. Performance monitoring assessment results for the 2024/25 financial year showed that **84.9% were either in Full Compliance or Low Risk Non-Compliant** due to administrative deficiencies that had no associated environmental effects. **2.9% were assessed as being Significantly Non-Compliant**. All Significantly Non-Compliant performance monitoring assessments were followed up by staff, either

appropriate action was taken in line with the *ORC Compliance and Enforcement Policy 2021* or *ORC Formal Warning Policy 2022*, or investigations are still currently ongoing.

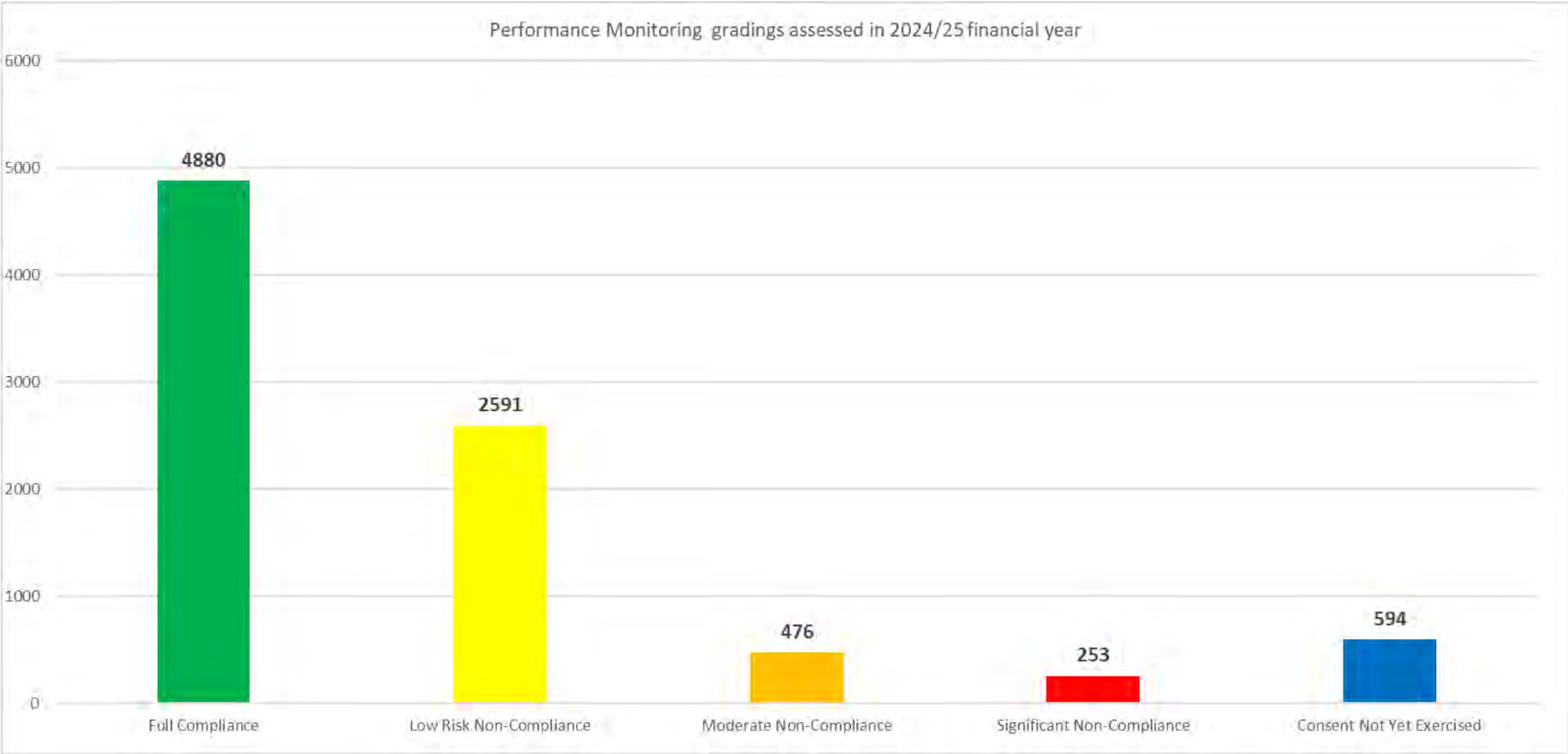


Figure 7: Compliance results assessed for performance monitoring consent requirements during the 2024/25 financial year.



During the 2024/25 financial year, the Environmental Data Team played a key role in supporting compliance activities, with a strong focus on water use management and reviews during the drier summer months addressing and monitoring compliance with minimum flow conditions. Oversight of higher-risk operations, including large industrial sites and Territorial Local Authority-owned wastewater treatment plants, remained a priority. The team continued to work closely with the Compliance Team to address both historical and emerging non-compliance issues, while internal systems were further streamlined to improve the efficiency and effectiveness of monitoring.

The Environmental Data Team continue to provide data reviews to support consent audits and inspections, ensuring that site visits were informed by reliable, up-to-date, quality-checked data. To date, 1,728 Aquarius dashboards and 6,427 charts have been created, improving visibility of consented data and enabling more efficient performance monitoring and auditing. This year, the team also took responsibility for maintaining ORC's first public-facing compliance dataset for the Shotover Wastewater Treatment Plant, helping ensure transparency and public access to current monitoring data via the ORC website.

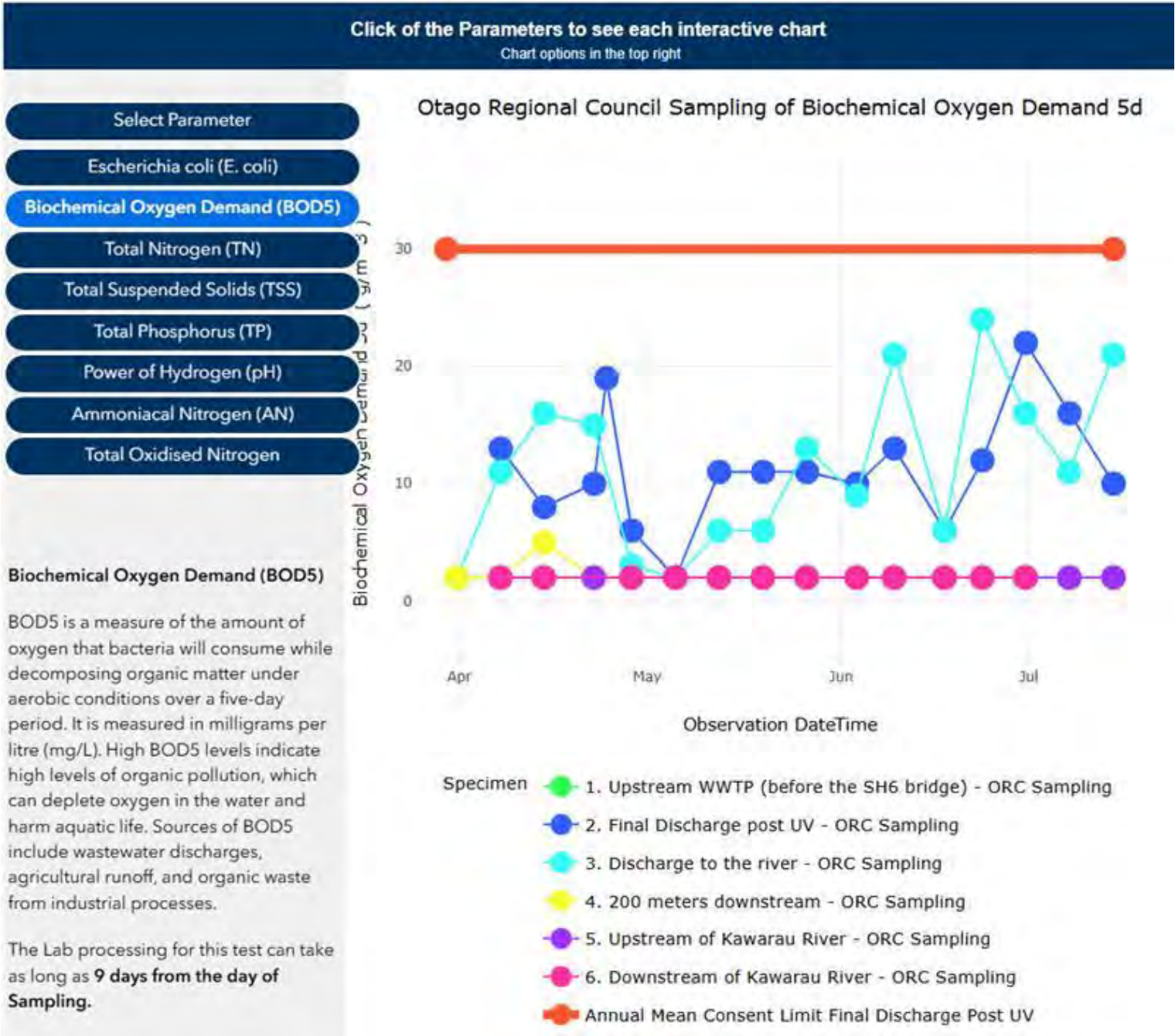


Figure 8: Public-facing compliance dataset for the Shotover Wastewater Treatment Plant.

During the 2024/25 financial year, the Compliance Support Team focused on data cleansing in preparation for the move to Datascape Enterprise. Compliance Support Coordinators also played an active role in initial working groups for Datascape Enterprise. Environmental Officers in the Compliance Teams focused on bore audits throughout the year, enabling the Compliance Support Team to update many contacts and ensure bore tags were provided and installed. This facilitated a better experience for consent holders. Water Metering Coordinators were busy between the months of July 2024 to September 2024, as they managed end of water year returns. This included sending timely reminders to consent holders and required the processing of a high volume of data returns. Their efforts ensured strong engagement from consent holders and maintained our high compliance standards. Throughout the year, regular reminders and follow-ups helped consent holders stay on top of their performance monitoring obligations. This consistent communication ensured a steady flow of returns and supported overall compliance.

The consistent communication and regular reminders provided by the Compliance Support Team to consent holders resulted in a marked reduction in the overdue performance monitoring backlog within ORC's regulatory database. **1,904 overdue performance monitoring requirements were followed up with and assessed during the 2024/25 financial year, reducing the number of overdue performance monitoring requirements from 3,045 to 1,141.**



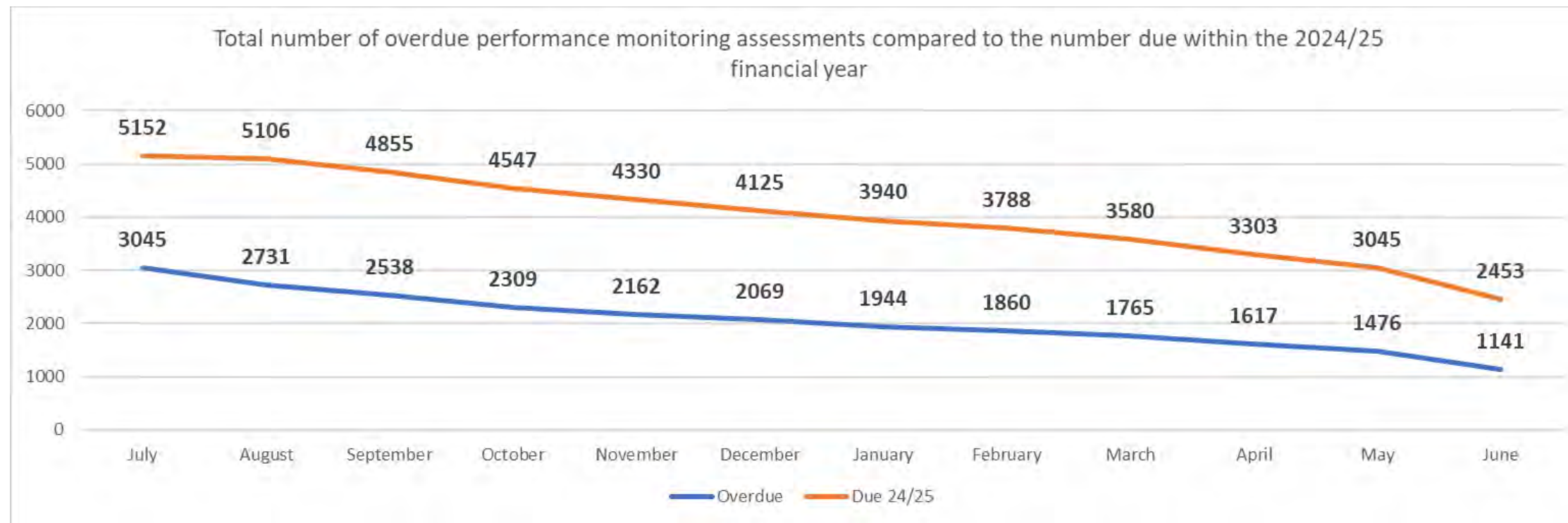


Figure 9: Monthly number of performance monitoring assessments overdue compared to those due in the remainder of the 2024/25 financial year.

Site audits and inspections for resource consents and permitted activities

**1,000 site audits and inspections were planned** within the *Operational Compliance Audit and Performance Monitoring Schedule 2024-25FY*. During the 2024/25 financial year, **1,264 total site audits and inspections were completed** across both consented and permitted activities. The 2024/25 financial year saw a decrease in the number of completed permitted activity dairy and forestry inspections, with **244 on-site permitted activity dairy audits** and **39 on-site permitted activity forestry audits** completed respectively. **984 on-site consent audits and inspections were completed**, an increase compared to the 950 completed in the 2023/24 financial year. After having planned to complete 1,000 site audits and inspections, the 1,264 site audits and inspections completed by the Coastal and Central Compliance Teams represent a **126.4% over-delivery of the 1,000 planned site audits and inspections** that were planned for the 2024/25 financial year.

	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Audits/inspections*	78	77	88	87	85	85	85	85	88	87	78	77	1,000
	54	61	115	166	137	96	106	155	118	70	73	113	1,264

\*Total consents planned for monitoring (including grading of information, audits and inspections) in 2024/25 is 2,500. **The Environmental Delivery Group monitored and assessed a total of 3,553 consents during the 2024/25 financial year.**

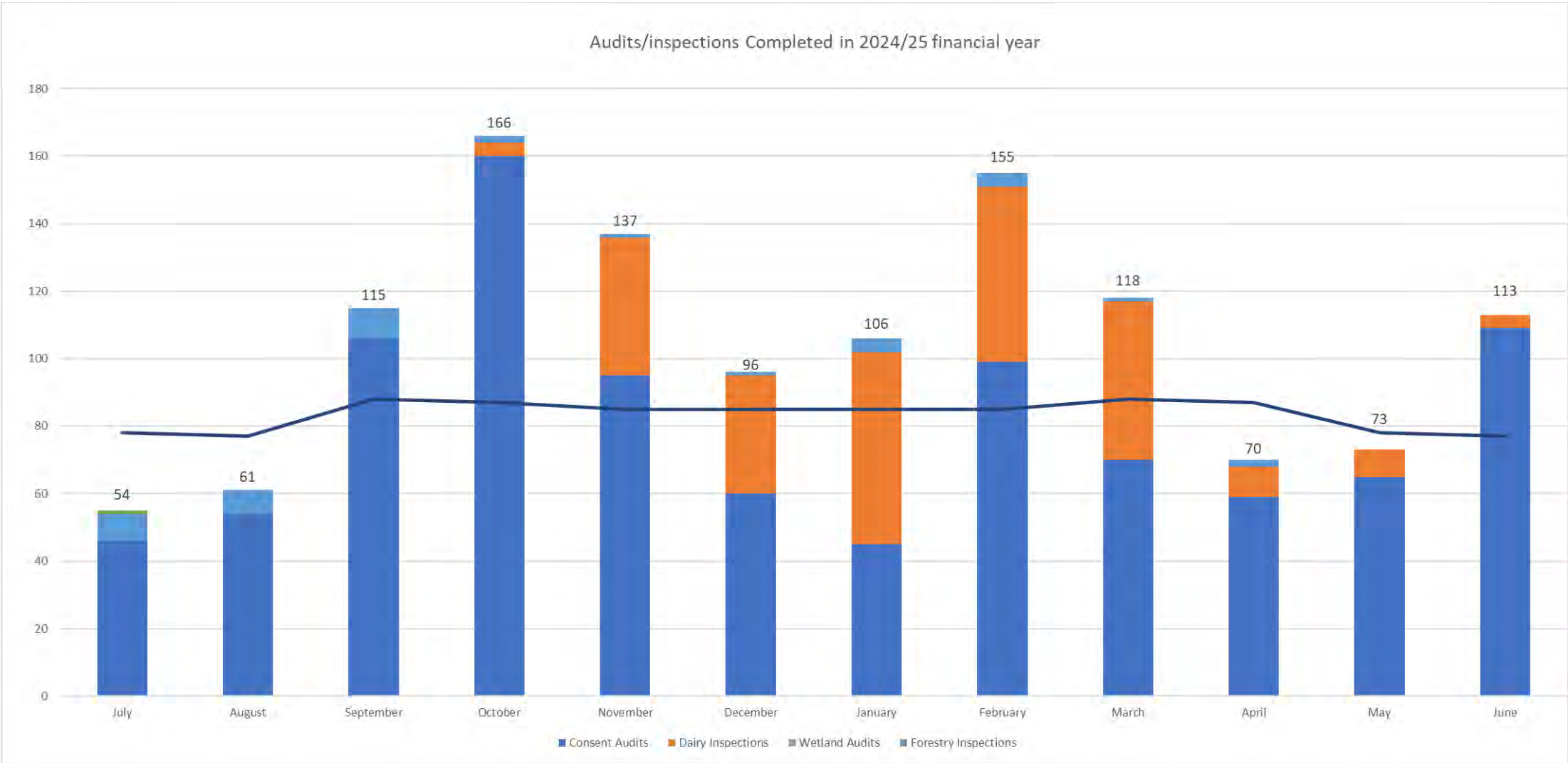


Figure 10: Consent site audits and inspections completed by both the Coastal and Central Compliance Teams each month during the 2024/25 financial year.

When considering the planned distribution of 1,000 audits and inspections anticipated to have been completed across the 6 priorities during the 2024/25 financial year, the Central and Coastal Compliance Teams **over-delivered on the number of audits and inspections**



completed within Priority 1, Priority 3, Priority 4 and Priority 6. The Coastal and Central Teams marginally under-delivered on the number of audits and inspections completed within Priority 2 and Priority 5.

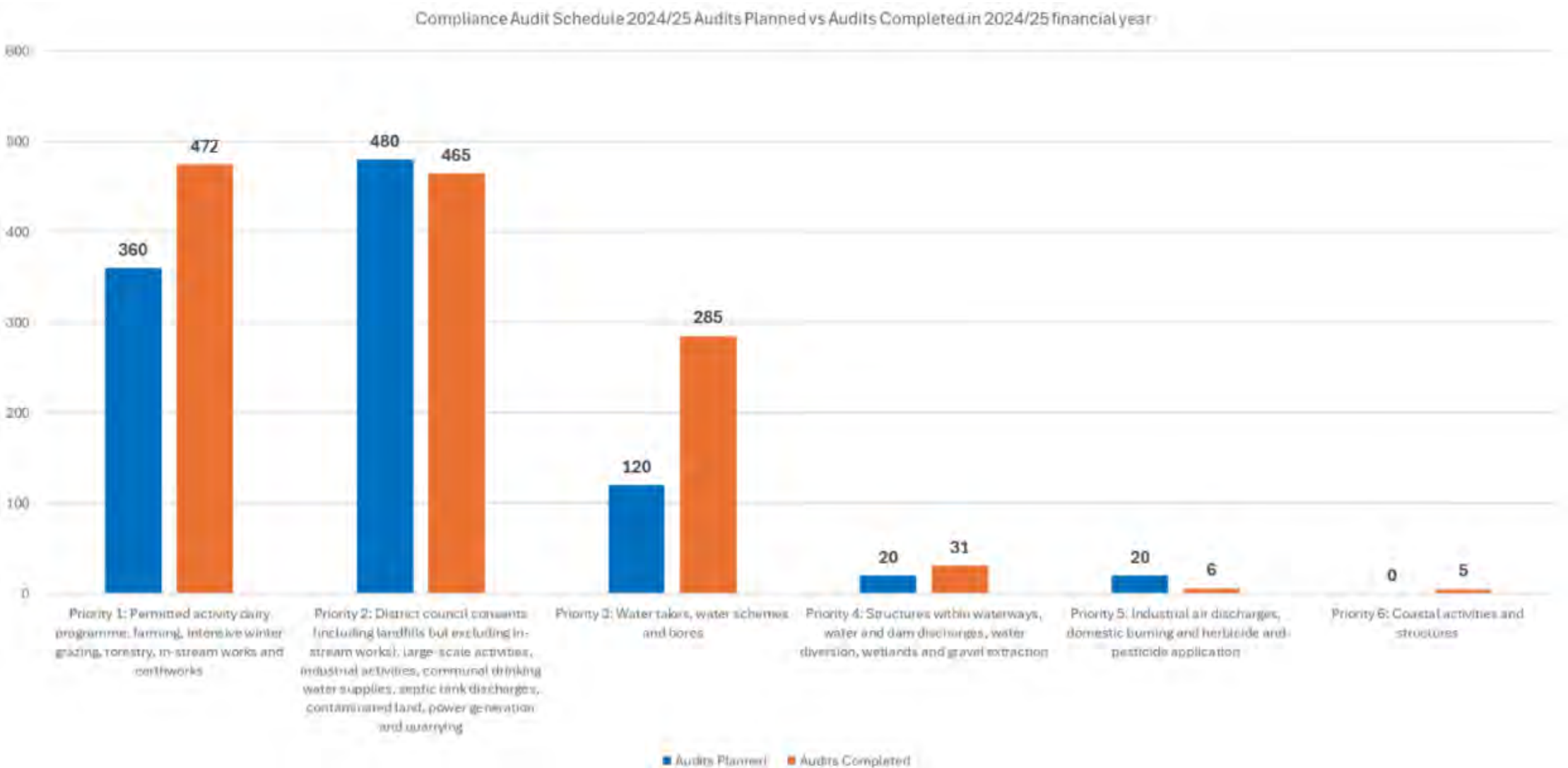


Figure 11: Comparison between the quantity of audits planned for the 2024/25 financial year and the quantity of audits completed within each Priority.

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

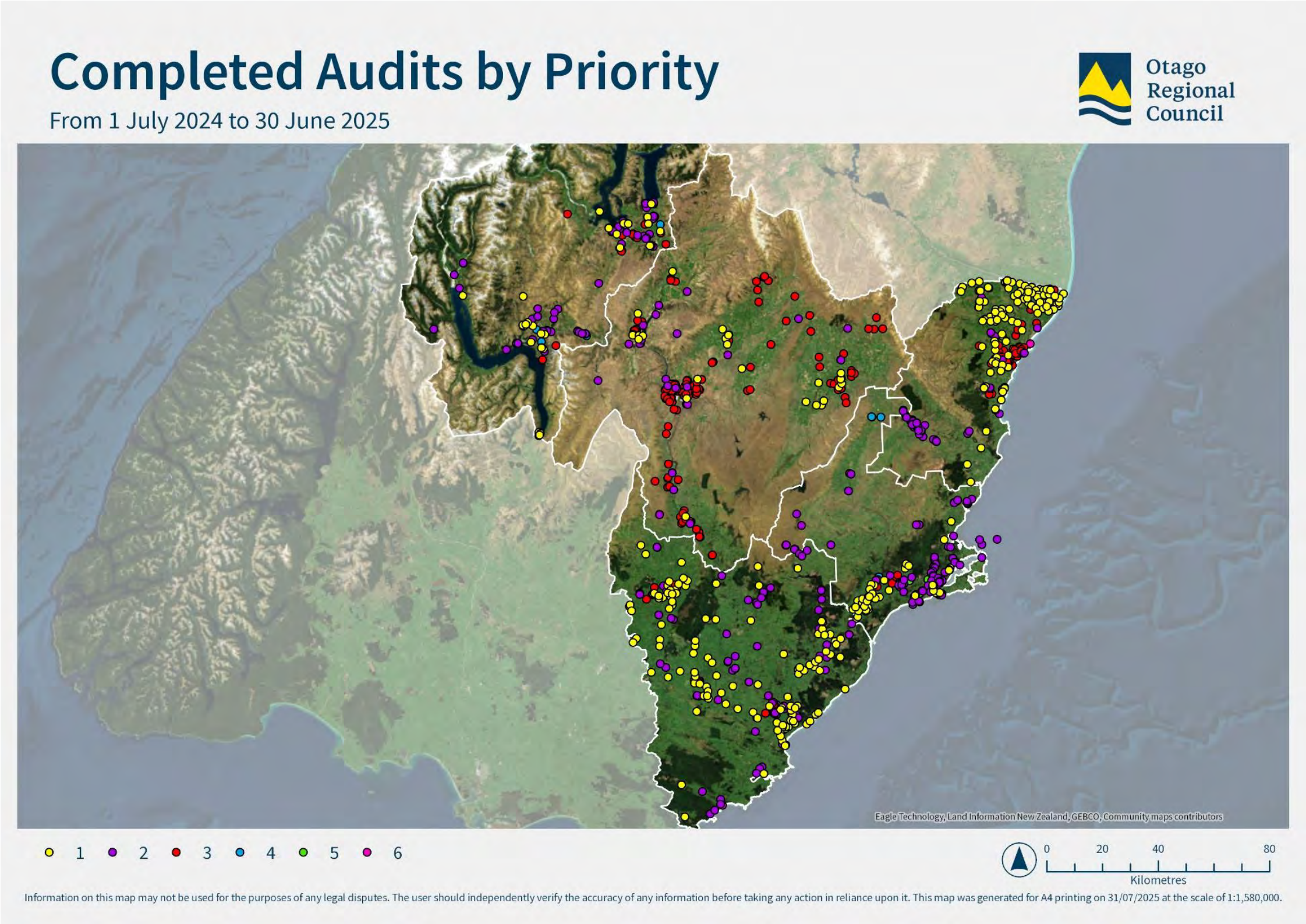
The coastal districts of Waitaki, Clutha and Dunedin typically contain greater proportions of highly productive land, contributing to the completion of more Priority 1 site audits and inspections associated with farming and forestry activities. Most large-scale primary industrial consent holders such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

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

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

The CME teams continued to meet the targets set by *Operational Compliance Audit and Performance Monitoring Schedule 2024-25FY for the 2024/25* financial year. The effectiveness of work planning, training and the implementation of efficiency gains across the CME teams led to **3553 individual consents being monitored during the 2024/25 financial year, over-delivering by 142% of the planned 2,500 consents planned for monitoring.**

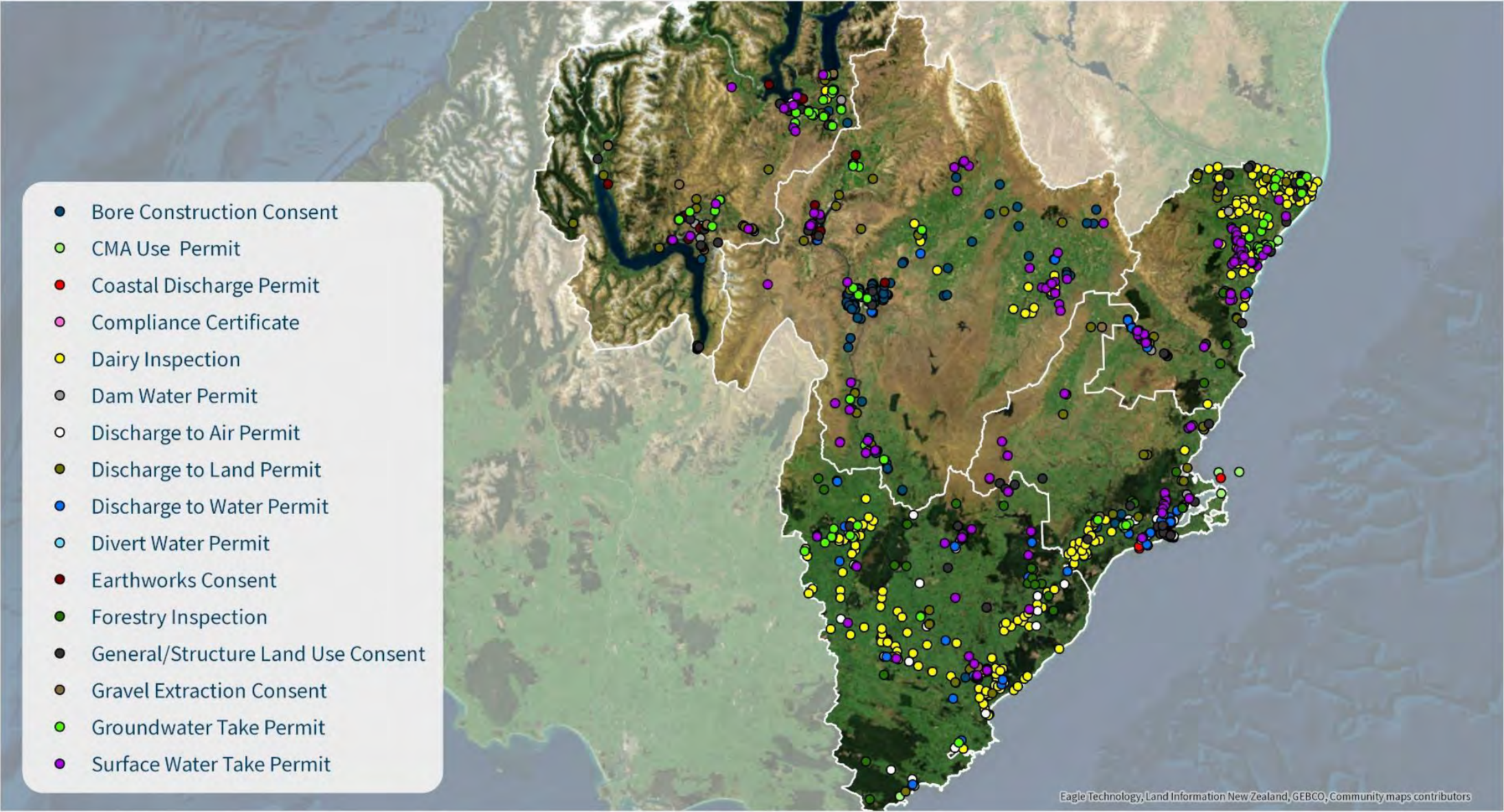






# Completed Audits by Type

From 1 July 2024 to 30 June 2025

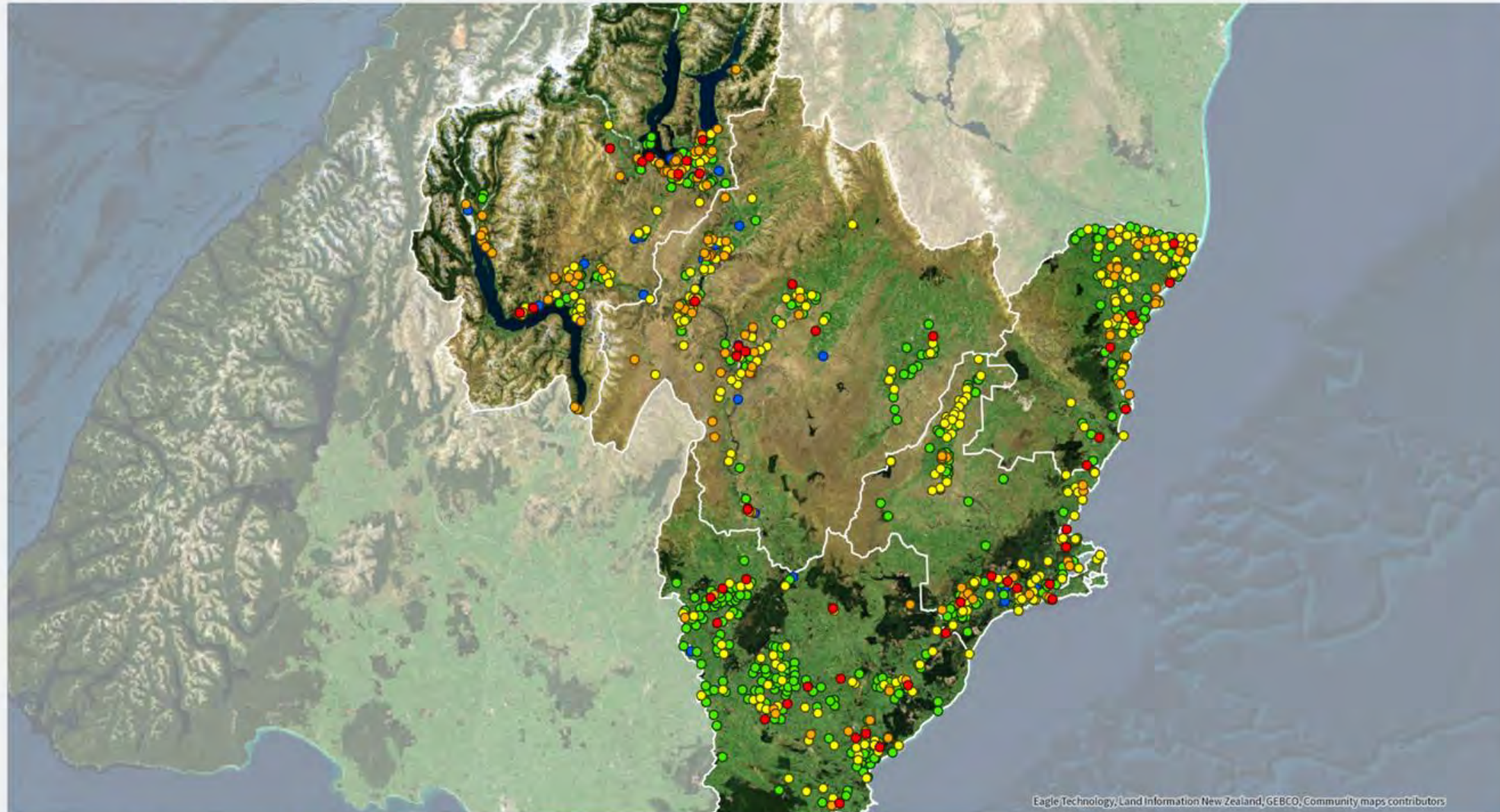


Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it. This map was generated for A4 printing on 31/07/2025 at the scale of 1:1,580,000.

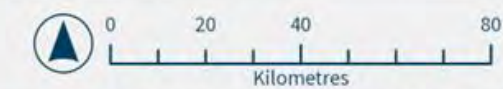


# Completed Audits by Audit Grade

From 1 July 2023 to 30 June 2024



- Consent Not Yet Exercised
- Low Risk Non-Compliance
- Significant Non-Compliance
- Full Compliance
- Moderate Non-Compliance



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### Compliance results from resource consent auditing

The Coastal Compliance and Central Compliance Teams **completed 984 on-site compliance site audits and inspections** of RMA resource consents during the 2024/25 financial year. The Compliance grades assessed for the 2024/25 financial year showed that **68.7% of the consented site audits and inspections were either in Full Compliance or Low Risk Non-Compliant** due to administrative deficiencies that had no associated environmental effects. **14.2% of the site audits and inspections were assessed as being Significantly Non-Compliant**, an increase from previous years, attributed largely to the 59 Significant Non-Compliant gradings assigned to Oceana Gold (New Zealand) Limited. **Of the 140 Significantly Non-Compliant site audits and inspections, 18.6% related to three waters activities by Territorial Local Authorities. 15% related to water permit and bore non-compliances. 9.3% related to earthworks activities in the Queenstown Lakes and Central Otago districts.** All Significantly Non-Compliant site audits and inspections were followed up by staff and appropriate action was taken in line with either the *ORC Compliance and Enforcement Policy 2021* or *ORC Formal Warning Policy 2022*, or investigations are still currently ongoing.



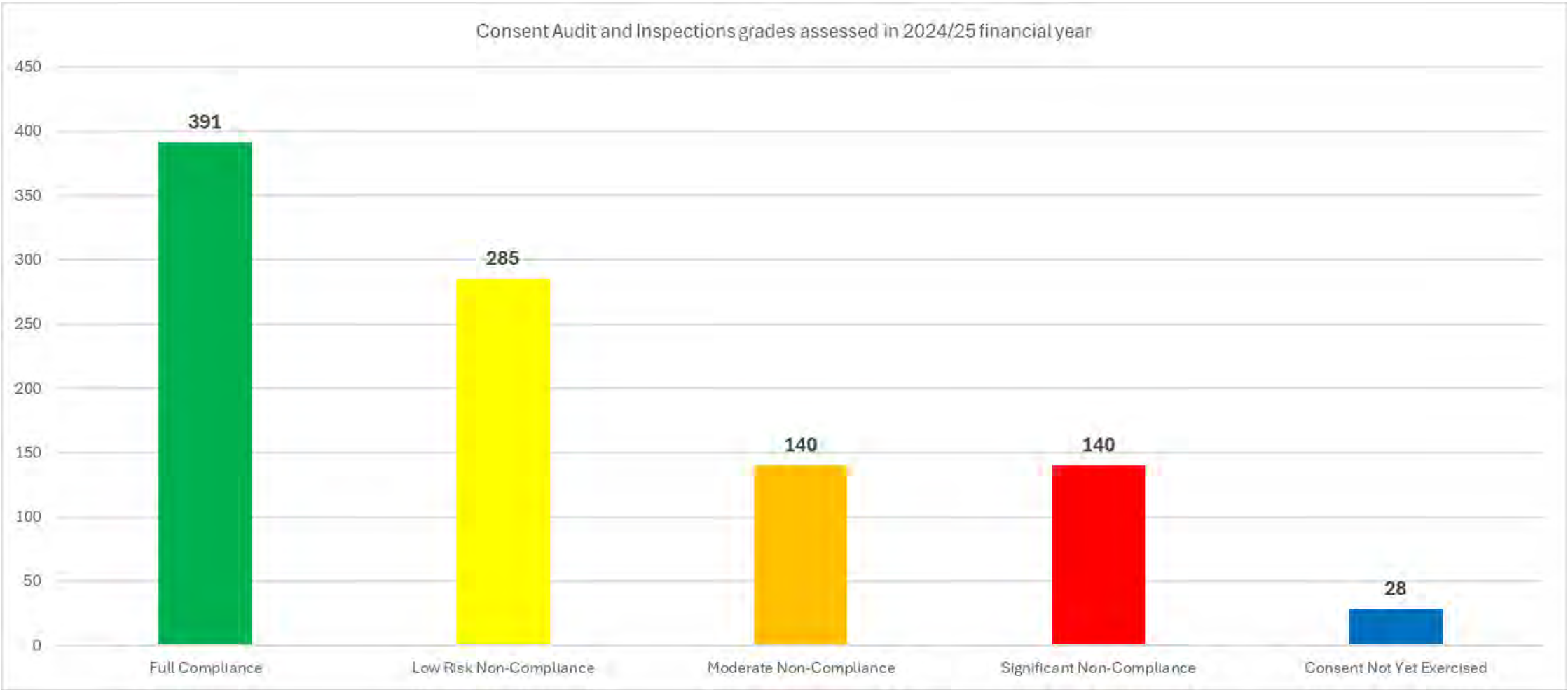


Figure 12: Compliance grades assessed from consented site audits and inspections during the 2024/25 financial year.

### Activity summary: Earthworks monitoring

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

Earthworks developments in the Dunedin City area are typically smaller scale and lower density than those in the Queenstown Lakes and Central Otago Districts. Focus had continued to be placed on residential earthworks monitoring by the Central Compliance Team. Numerous large-scale developments within Queenstown Lakes and Central Otago Districts often required routine follow-up site audits and inspections, often during rainfall events to monitor the effects of sediment discharge to adjacent natural waterbodies.

During the 2024/25 financial year, the Coastal and Central Compliance Teams continued to prioritise the monitoring of earthworks activities. As of 18 July 2025, a **total of 372 earthworks consents** were granted across the Otago region and required monitoring. **132 earthworks site audits and inspections were completed** during the 2024/25 financial year, an increase from the 97 earthworks site audits and inspections completed during the 2023/24 financial year.

Compliance results for the 2024/25 financial year showed that **81.1% of the earthworks site audits and inspections were either in Full Compliance or Low Risk Non-Compliant. 9.8% of the earthworks site audits and inspections were assessed as being Significantly Non-Compliant.** All Significantly Non-Compliant site audits and inspections were followed up by staff and appropriate action was taken in line with either the *ORC Compliance and Enforcement Policy 2021* or *ORC Formal Warning Policy 2022*, or investigations are still currently ongoing.

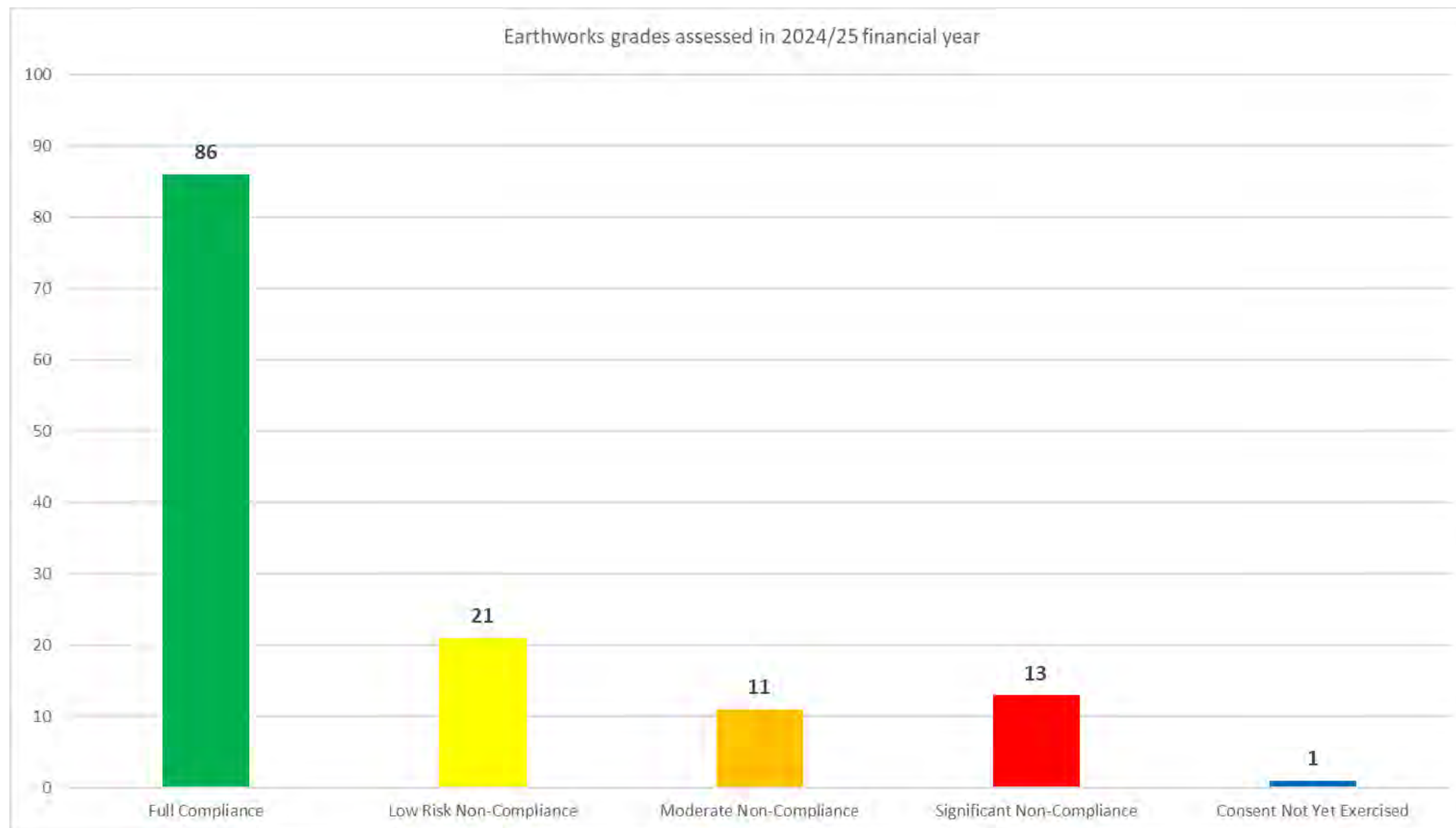


Figure 13: Compliance grading results from earthworks audits during the 2024/25 financial year.



### Activity summary: Contaminated land monitoring

Contaminated land monitoring continued to be a vital function of the Compliance Teams during the 2024/25 financial year. **170 sites registered in the Hazardous Activities and Industries List (HAIL) have been added to the 2024/25 financial year. A total of 2781 sites have now been identified on the HAIL register, reflecting a 6.5% increase in the number of sites recorded at the end of 2024/25 financial year.** A significant majority, **122 out of 170, of the newly added HAIL sites are in Dunedin.**

Also relevant to the subject of contaminated land, a **total of 45 audits were completed on landfills and closed landfills across the Dunedin, Waitaki, and Clutha Districts** during the 2024/25 financial year, an increase from the 29 landfills and closed landfills audits and inspections completed during the 2023/24 financial year.

Compliance results for the 2024/25 financial year showed that **86.7% of the landfill-related site audits and inspections were either in Full Compliance or were Low Risk Non-Compliant. 2.2% of the earthworks site audits and inspections were assessed as being Significantly Non-Compliant.** All Significantly Non-Compliant site audits and inspections were followed up by staff and appropriate action was taken in line with either the *ORC Compliance and Enforcement Policy 2021* or *ORC Formal Warning Policy 2022*, or investigations are still currently ongoing.

The 2024/25 financial year saw continued work on the management and remediation of contaminated sites that are impacted by coastal erosion. Three legacy coastal landfills, which include the former Hampden landfill and two Beach Road landfills near Oamaru, were remediated. The remediation goal for these sites was the complete removal of the landfills and the relocation of the waste to the Palmerston Landfill. Additionally, three projects approved for funding under the MfE's Contaminated Sites and Vulnerable Landfills Remediation Fund are currently ongoing. Two of the projects relate to the remediation planning phase of the respective former gasworks sites in Dunedin and Oamaru. Additionally, the MfE approved funding for the remediation planning phase of the former Kettle Park Landfill in Dunedin. The KiwiRail redevelopment project on Hillside Road in Dunedin was completed in the 2024/25 financial year, and environmental monitoring and reporting is ongoing.

### Compliance results from permitted activity dairy auditing

The Coastal Compliance and Central Compliance Teams **completed 244 on-site permitted activity dairy site audits** during the 2024/25 financial year. All high-risk dairy farms were inspected, as well as all dairy farms that had not been inspected during the two previous financial years. Follow-up audits were undertaken where required, based on previous non-compliance or poor on farm infrastructure. Along with the monitoring of dairy effluent storage and discharge, the permitted activity dairy programme had a particular focus on the storage of effluent solids and silage leachate. The team also recorded the locations of various activities, and discussed the rules of permitted activities that occur on farm such as farm land fills, offal pits and permitted activity water supply. There was continued focus on providing awareness to farmers of their requirements to transition their dairy farms from exercising permitted activity rules to operating under consent, Stock Exclusion Regulations, NES-F and Intensive Winter Grazing rules.

Most of the permitted activity dairy audits were assessed as Fully Compliant or Low Risk Non-Compliant during the 2024/25 financial following an expected distribution. Compliance results for the 2024/25 financial year showed that **87.7% of the permitted activity dairy audits were either in Full Compliance or Low Risk Non-Compliant. 3.7% of the permitted activity dairy audits were assessed as being Significantly Non-Compliant.** All Significantly Non-Compliant site audits and inspections were followed up by staff and appropriate action was taken in line with either the *ORC Compliance and Enforcement Policy 2021* or *ORC Formal Warning Policy 2022*, or investigations are still currently ongoing. **Of the 244 permitted activity site dairy audits completed during the 2024/25 financial year, 30.3% were given a risk rating of Low, 54.1% Medium and 15.6% High.**

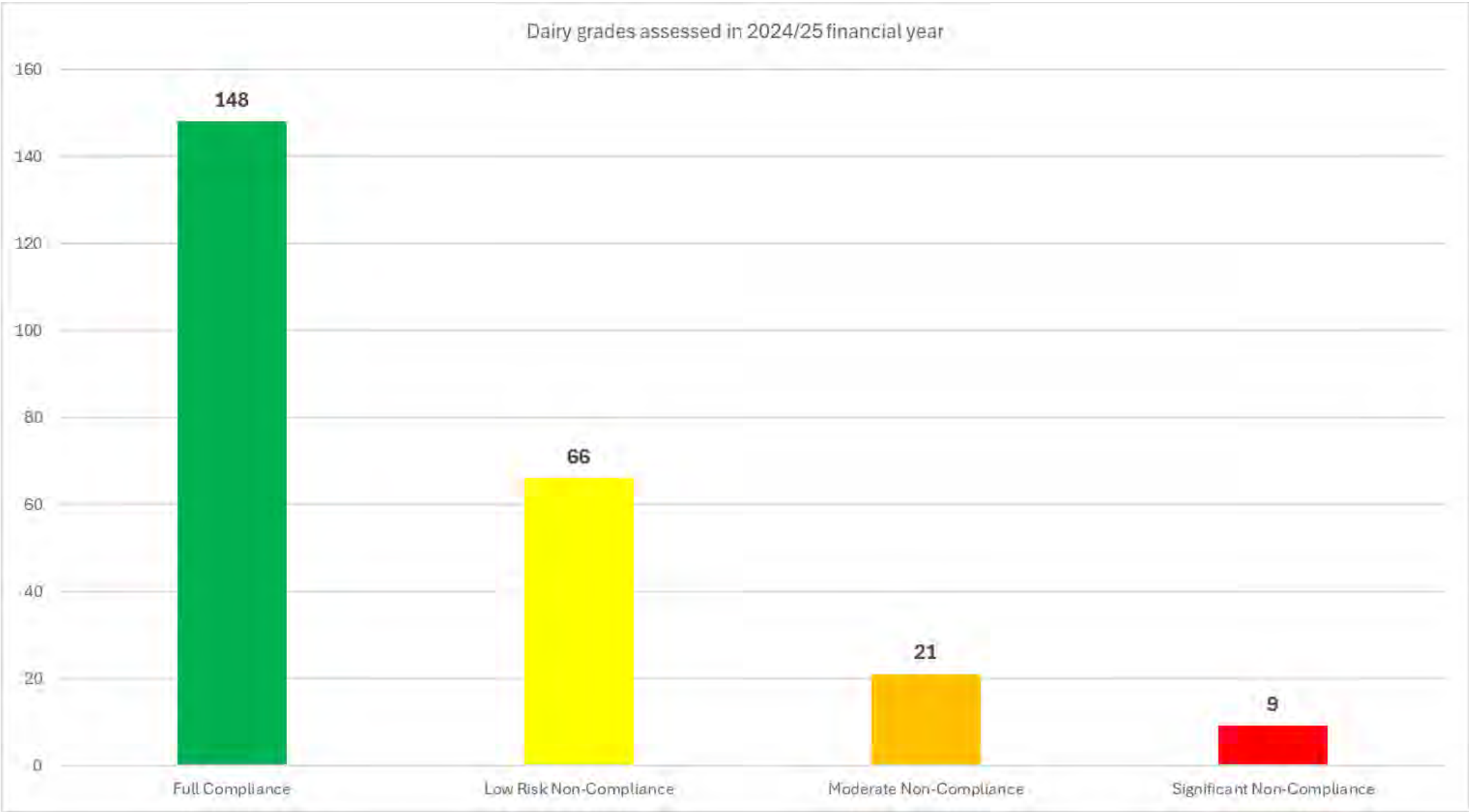


Figure 14: Compliance grading results from permitted activity dairy audits during the 2024/25 financial year.



Compliance results from permitted activity forestry auditing

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

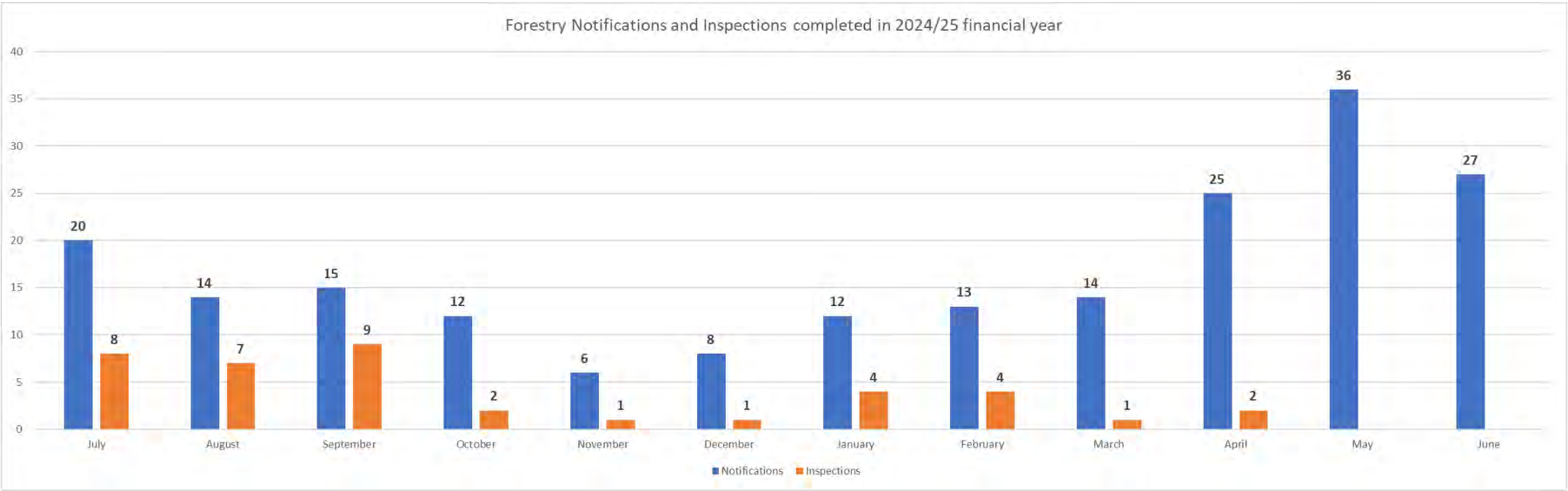


Figure 15: Forestry activity notifications received and forestry inspections completed during the 2024/25 financial year.

The Compliance Team **received 202 NES-CF notifications** for forestry activities during the 2024/25 financial year, compared to the 194 NES-CF notifications received during the 2023/24 financial year. Please note that each NES-CF notification may have included a range of subpart activities exercised within each notice.

The Coastal Compliance Team **completed 39 permitted activity forestry site audits** for NES-CF notifications during the 2024/25 financial year, a decrease from the 53 permitted activity forestry site audits completed during the 2023/24 financial year.

Most permitted activity NES-CF forestry site audits were assessed as Fully Compliant or Low Risk Non-Compliant. Compliance results for the 2024/25 financial year showed that **74.4% of the permitted activity forestry site audits were either in Full Compliance or were Low Risk Non-Compliant. 5.1% of the permitted activity forestry site audits were assessed as being Significantly Non-Compliant.** All Significantly Non-Compliant site audits and inspections were followed up by staff and appropriate action was taken in line with either the *ORC Compliance and Enforcement Policy 2021* or *ORC Formal Warning Policy 2022*, or investigations are still currently ongoing.

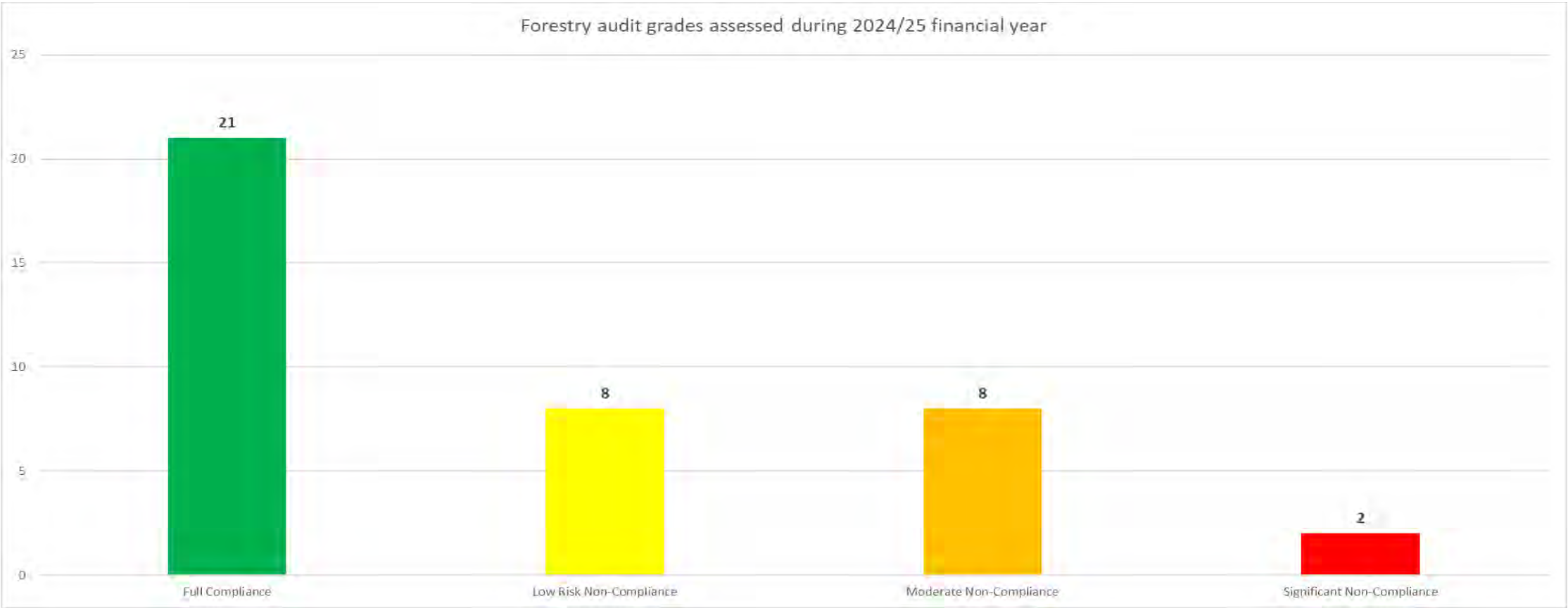


Figure 16: Forestry audits of NES-CF notifications and subpart activities during the 2024/25 financial year.



### **Regional dams and dam safety**

The ORC is required to perform a number of dam safety functions under the Building Act 2004 (BA) in relation to dams and dam safety. A regional dam register is required to be held and maintained, serving as an inventory of all large dams operated in the region as a minimum. Dam owners who operate large dams, defined in the BA as being over both a 4-metre dam height and 20,000 cubic metre volume, are required to meet the Building (Dam Safety) Regulations 2022 (BA Regulations). The BA Regulations require that large dam owners supply audited Dam Classification Certificates as a minimum, and Dam Safety Assurance Programmes and Annual Dam Compliance Certificates in instances where the unlikely failure of their dam is assessed as either having a high or medium potential impact.

As of 11 August 2025, 405 dams were on the regional dam register. 125 dams were regarded on the regional dam register as being large dams under the BA. Of the 125 large dams, 76 Dam Classification Certificates have been approved by the Compliance Team under the Building (Dam Safety) Regulations 2022. Of these 76 certified large dams, 17 dams are recognised as having a high potential impact if they were to fail, while 17 are recognised as having a medium potential impact and 42 a low potential impact.

## Pollution response

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

The Investigation Team plays a pivotal role in protecting Otago's environment by responding to environmental incidents and managing enforcement actions under the RMA and the Building Act. Throughout the 2024/25 financial year, the team experienced a particularly high volume of activity, reflecting both the complexity and urgency of the incidents encountered.

The team responded to a wide range of high-risk environmental events across the region. These included oil spills, sewage discharges, burning of prohibited materials, sediment runoff, odour issues, industrial discharges, and the removal of vehicles from water bodies. As required, the team worked closely with emergency services to mitigate environmental harm. A joint oil spill response exercise was conducted during the year, designed to test and enhance the region's preparedness for marine pollution events. This exercise strengthened inter-agency collaboration and confirmed the effectiveness of existing response protocols.

The team continued to manage the region's 24/7 pollution hotline service, providing a vital first point of contact for the public to report environmental incidents. This service enabled timely responses and supported the early identification of potential environmental effects. The *ORC Pollution Incident Response Procedure Manual 2021* provides the procedure for all Incident Responders on how to respond to initial incidents received through the 24/7 pollution hotline service. It also includes the Triage Plan that gives the Investigations Team the ability to consistently conduct risk assessment and prioritise the level of response to each incident.

The 2024/25 financial year was marked by a sustained demand for the team's expertise and responsiveness, underscoring their essential role in upholding environmental standards across Otago. High demand from our communities for the pollution hotline service continued throughout the 2024/25 financial year. **1,407 complaints were submitted to the pollution hotline service over the 2024/25 financial year** through either the 0800 freephone, pollution email address or online pollution notification form. After adjusting for multiple complaints that were associated with one reported incident, **1,042 individual incidents were associated with the 1,407 complaints reported through to the pollution hotline over the 2024/25 financial year.** The number of complaints and associated

incidents received throughout the 2024/25 financial year were consistent with the number received within the previous 2023/24 financial year, in which 1,361 complaints were received and associated with 1,095 incidents.

The most common complaints received within the 2024/25 financial year related to:

- Water pollution 331
- Outdoor burning 230
- Odour 160
- Domestic chimney 92

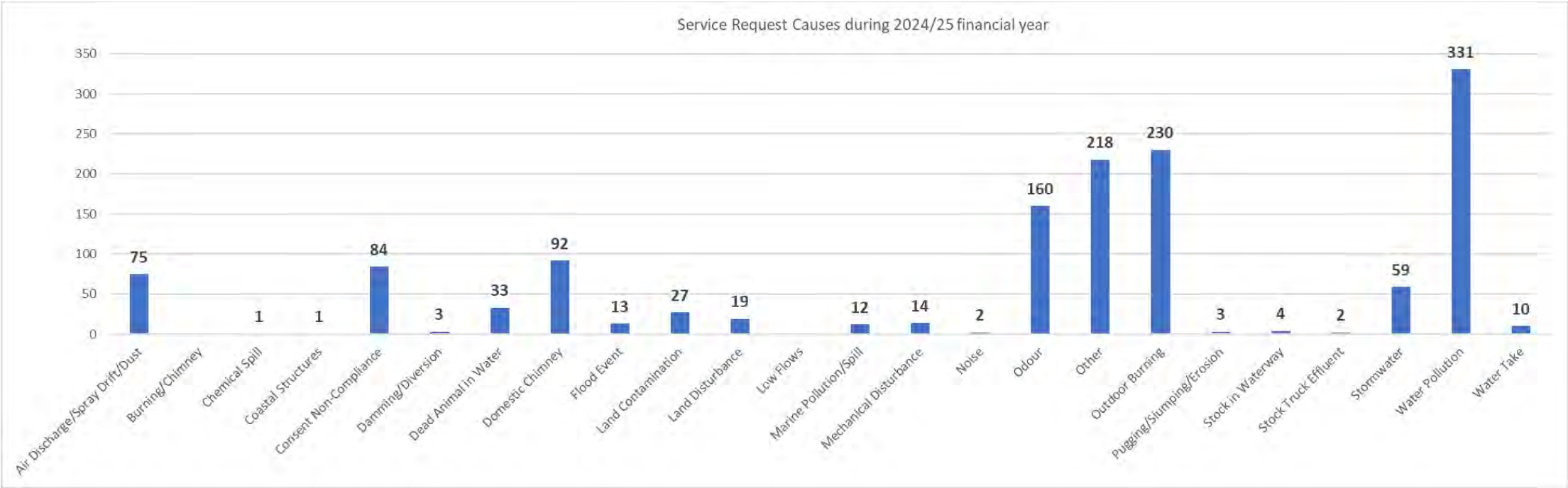


Figure 17: Complaints received during the 2024/25 financial year by complaint cause.



Of the 1,042 incidents received by the 24/7 pollution hotline service during the 2024/25 financial year, **incident inspections were conducted for a total of 693 incidents after risk-assessment and triage, reflecting that a total of 66.5% of the incidents received during the 2024/25 financial year had been inspected.** This is an increase from the 56% of incidents received during the 2023/24 financial year that had been inspected.

## Formal enforcement action taken

The Investigations, Coastal Compliance and Central Compliance Teams respond to instances of gross permitted activity breaches and Significant Non-Compliant breaches of consent conditions. During the 2024/25 financial year, **the Investigation and Compliance Teams issued 125 formal enforcement actions**, an increase from 100 formal enforcement actions taken in the 2024/25 year. All enforcement actions were undertaken in line with the *ORC RMA Compliance and Enforcement Policy 2021* and *ORC Formal Warning Policy 2022*.

Formal enforcement actions during the 2024/25 financial year included **5 formal warnings, 62 infringement notices and 56 abatement notices. 1 enforcement order** was applied through the court while **1 prosecution was initiated. 2 prosecutions were concluded during the 2024/25 financial year, while 2 prosecutions were still in progress.** Of the 2 prosecutions that were concluded during the 2024/25 financial year, one individual was convicted for outdoor burning under section 15 of the RMA, while the other prosecution concluded with the offending company and individual being convicted in relation to tyre storage under section 9 of the RMA. The 1 enforcement order was sought and granted in relation to a Territorial Local Authority wastewater treatment plant.

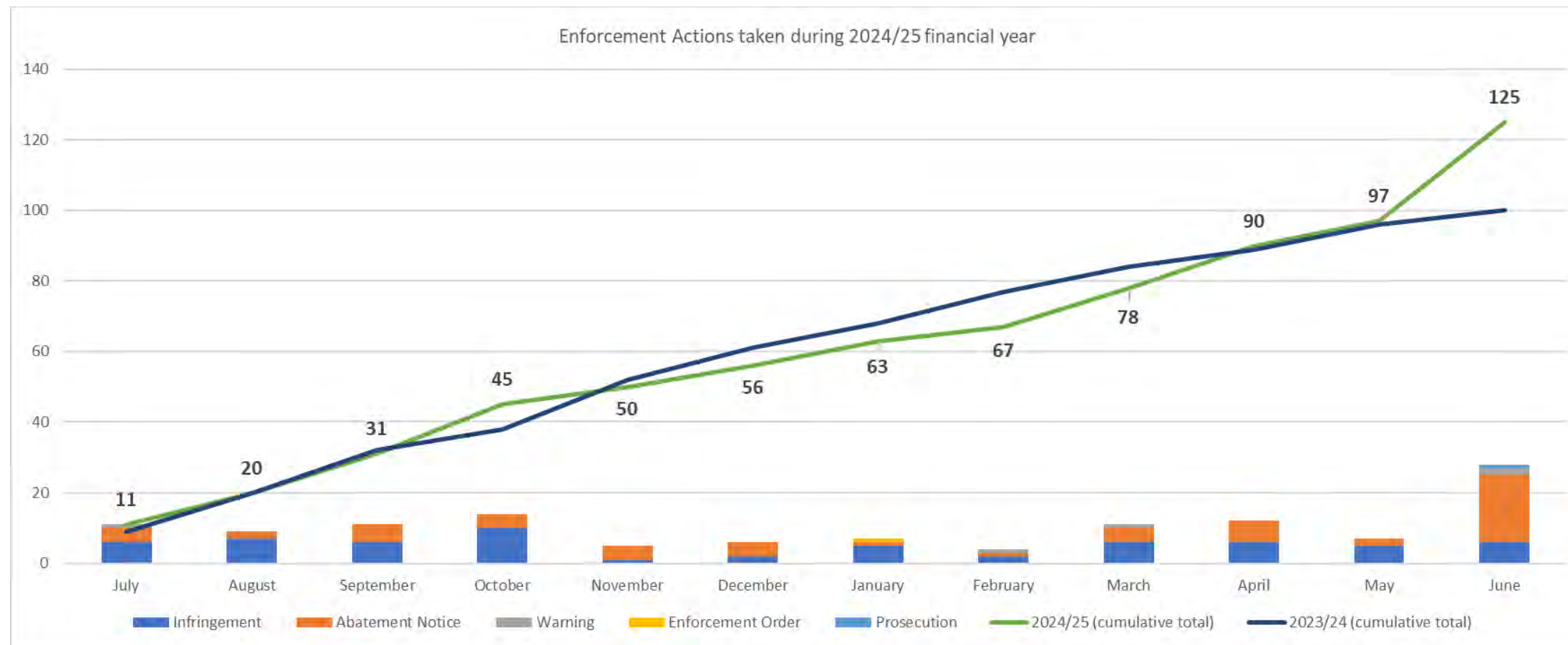


Figure 18: Enforcement actions issued monthly throughout the 2024/25 financial year by enforcement action type.

When considering the cause for enforcement action undertaken throughout the 2024/25 financial year:

- **42.4% related to the non-compliance of consent conditions**
- **12% related to permitted activity water pollution breaches**
- **4.8% related to permitted activity land disturbance breaches**
- **15.2% related to permitted activity outdoor burning breaches**
- **2.4% related to permitted activity land contamination breaches**



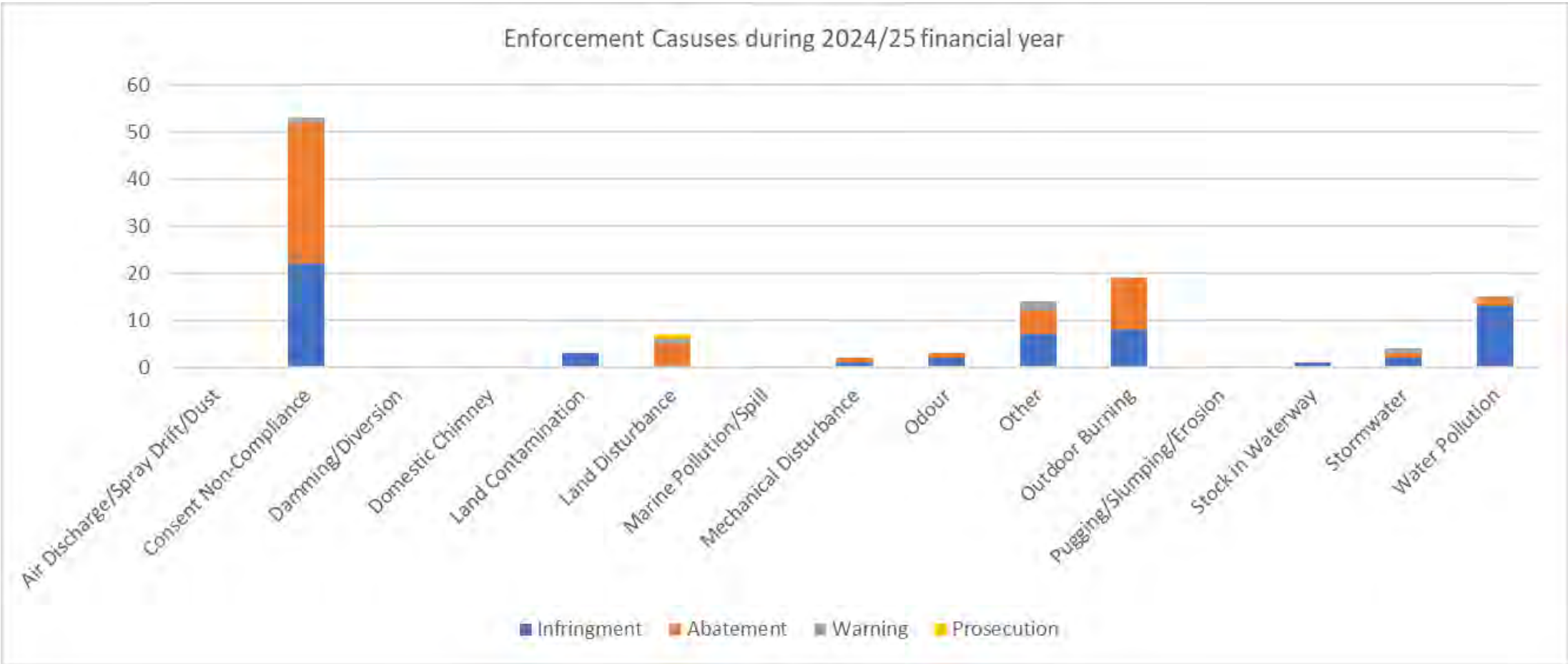


Figure 18: Enforcement actions issued during the 2024/25 financial year by enforcement cause.

## Conclusion

During the 2024/25 financial year, 8,794 performance monitoring data and documentation requirements were received and assessed for compliance. After having planned to complete 6,000 performance monitoring assessments for the 2024/25 financial year, the 8,794 completed by the Compliance Support, Environmental Data, Coastal Compliance and Central Compliance Teams represents a 146.6% over-delivery of the 6,000 planned performance monitoring assessments for the 2024/25 financial year.

1,000 site audits and inspections were planned within the *Operational Compliance Audit and Performance Monitoring Schedule 2024-25FY*. During the 2024/25 financial year, 1,267 total site audits and inspections were completed across both consented and permitted activities. 984 on-site consent audits and inspections were completed, an increase compared to the 950 completed in the 2023/24 financial year. After having planned to complete 1,000 site audits and inspections, the 1,267 site audits and inspections completed by the Coastal and Central Compliance Teams represents a 126.7% over-delivery of the 1,000 planned site audits and inspections that were planned for the 2024/25 financial year.

The effectiveness of work planning, training and the implementation of efficiency gains across the CME teams led to 3553 individual consents being monitored during the 2024/25 financial year, over-delivering by 142% of the planned 2,500 consents planned for monitoring.

1,407 complaints were submitted to the pollution hotline service over the 2024/25 financial year. After adjusting for multiple complaints that were associated with one reported incident, 1,042 individual incidents were associated with the 1,407 complaints reported through to the pollution hotline over the 2024/25 financial year. Of the 1,042 incidents received by the 24/7 pollution hotline service, incident inspections were conducted for a total of 693 incidents after risk-assessment and triage, reflecting that a total of 66.5% of the incidents received during the 2024/25 financial year had been inspected.

During the 2024/25 financial year, the Investigation and Compliance Teams issued 125 formal enforcement actions, an increase from 100 formal enforcement actions taken in the 2024/25 year. Formal enforcement actions during the 2024/25 financial year included 5 formal warnings, 62 infringement notices and 56 abatement notices. 1 enforcement order was applied through the court. 2 prosecutions were concluded during the 2024/25 financial year, while 2 prosecutions were still in progress.

The CME teams continued to meet and exceed the targets set by *Operational Compliance Audit and Performance Monitoring Schedule 2024-25FY for the 2024/25 financial year*.

For a thorough summary of data outlining the CME team's performance by Priority for the 2024/25 financial year, please refer to the completed *Operational Compliance Audit and Performance Monitoring Schedule 2024-25FY* included as an attachment.



### Operational Compliance Audit and Performance Monitoring Schedule 2024-25FY (Completed Figures Included In Red Font)

	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>Planned performance monitoring assessed*</b>	500 <b>1,003</b>	500 <b>843</b>	500 <b>747</b>	500 <b>818</b>	500 <b>719</b>	500 <b>518</b>	500 <b>626</b>	500 <b>553</b>	500 <b>619</b>	500 <b>646</b>	500 <b>636</b>	500 <b>1,066</b>	<b>6,000</b> <b><u>8,794</u></b>
<b>Audits/inspections*</b>	78 <b>54</b>	77 <b>61</b>	88 <b>115</b>	87 <b>166</b>	85 <b>137</b>	85 <b>96</b>	85 <b>106</b>	85 <b>155</b>	88 <b>118</b>	87 <b>70</b>	78 <b>73</b>	77 <b>113</b>	<b>1,000</b> <b><u>1,264</u></b>
<b>Type of audits/inspections by priority as identified in the Compliance Plan 2023 --2026</b>													
<b>Priority 1:</b> Permitted activity dairy programme, farming, intensive winter grazing, forestry, in-stream works and earthworks	20 <b>19</b>	20 <b>11</b>	35 <b>29</b>	35 <b>18</b>	35 <b>46</b>	35 <b>51</b>	35 <b>70</b>	35 <b>79</b>	35 <b>57</b>	35 <b>29</b>	20 <b>18</b>	20 <b>45</b>	<b>360</b> <b><u>472</u></b>
<b>Priority 2:</b> District council consents (including landfills but excluding in-stream works), large-scale activities, industrial activities, communal drinking water supplies, septic tank discharges, contaminated land, power generation and quarrying	40 <b>28</b>	40 <b>32</b>	40 <b>38</b>	40 <b>97</b>	40 <b>41</b>	40 <b>27</b>	40 <b>14</b>	40 <b>35</b>	40 <b>48</b>	40 <b>32</b>	40 <b>27</b>	40 <b>46</b>	<b>480</b> <b><u>465</u></b>
<b>Priority 3:</b> Water takes, water schemes and bores	10 <b>4</b>	10 <b>15</b>	10 <b>41</b>	10 <b>47</b>	10 <b>42</b>	10 <b>17</b>	10 <b>21</b>	10 <b>36</b>	10 <b>11</b>	10 <b>8</b>	10 <b>23</b>	10 <b>20</b>	<b>120</b> <b><u>285</u></b>

<b>Priority 4:</b> Structures within waterways, water and dam discharges, water diversion, wetlands and gravel extraction	3 3	2 3	3 2	2 3	0 6	0 1	0 1	0 5	3 1	2 1	3 3	2 2	20 <u>31</u>
<b>Priority 5:</b> Industrial air discharges, domestic burning and herbicide and pesticide application	5	5	0 1	0 1	0 2	0	0	0	0	0	5 2	5	20 <u>6</u>
<b>Priority 6:</b> Coastal activities and structures	0	0	0 4	0	0	0	0	0	0 1	0	0	0	0 <u>5</u>

\*Total consents planned for monitoring (including grading of information, audits and inspections) in 2024/25 is 2,500. **The Regulatory Group monitored and assessed a total of 3,553 consents during the 2024/25 financial year.**

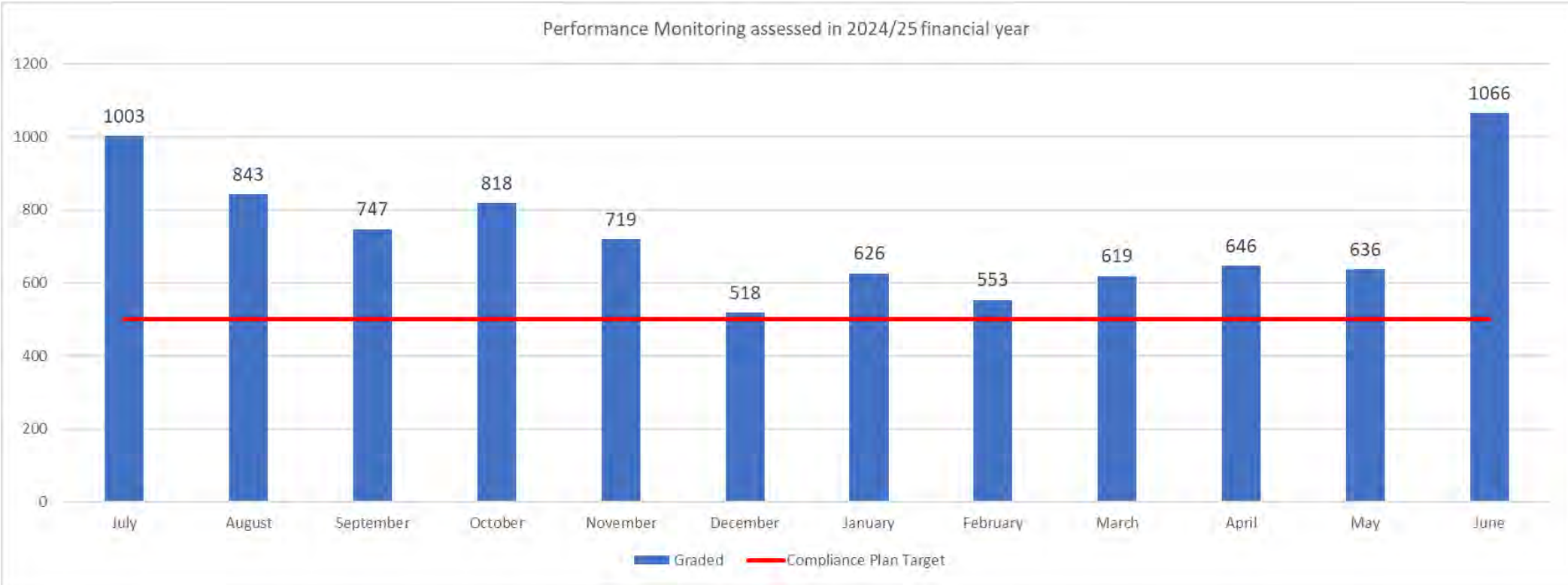


Figure 1: Planned Performance Monitoring assessments completed by the Environmental Services Group each month during the 2024/25 financial year. **The Regulatory Group assessed a total of 8,794 consented Performance Monitoring requirements during the 2024/25 financial year.**



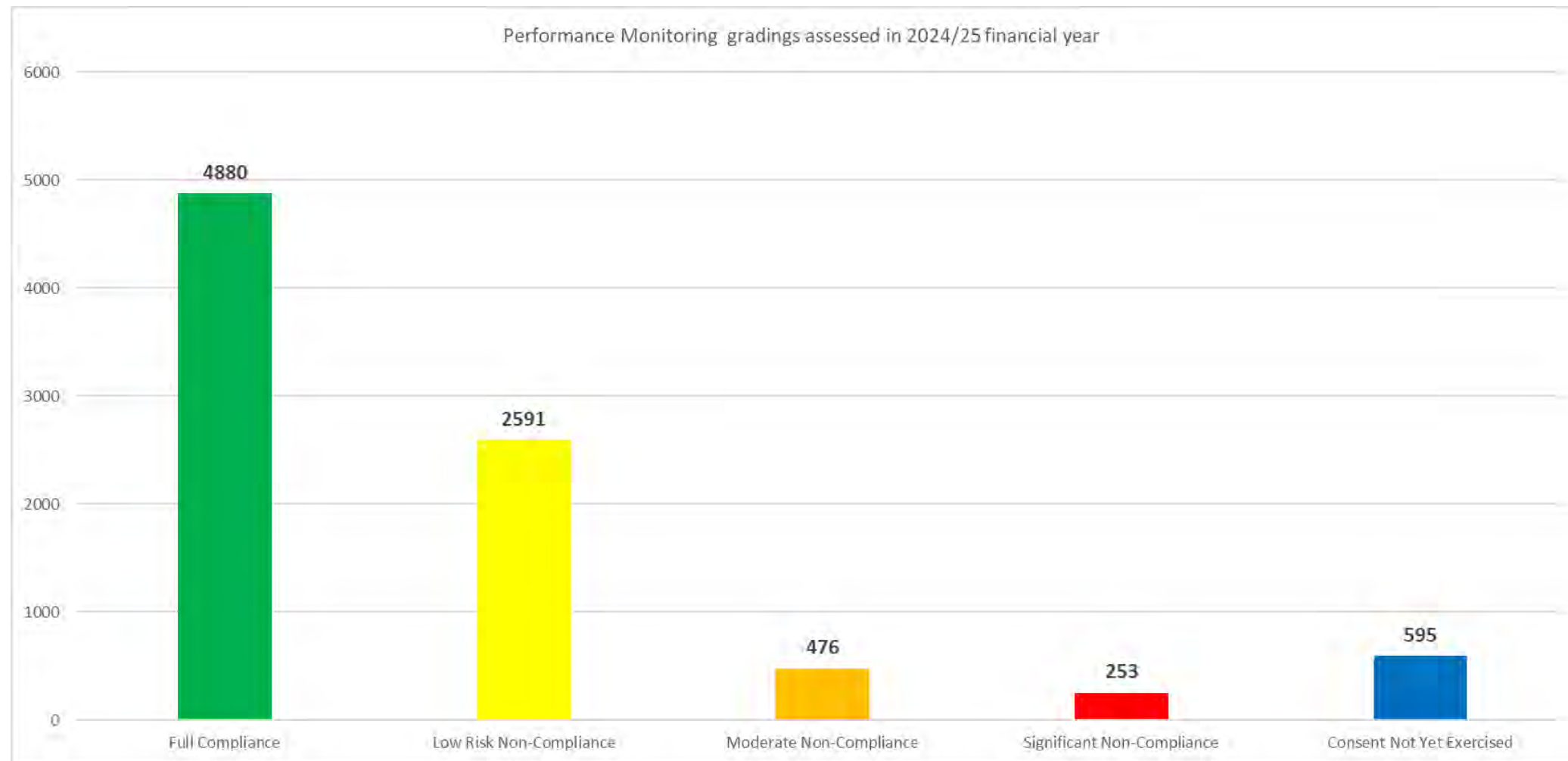


Figure 2: Performance Monitoring compliance grades assessed and assigned by the Environmental Services Group during the 2024/25 financial year.

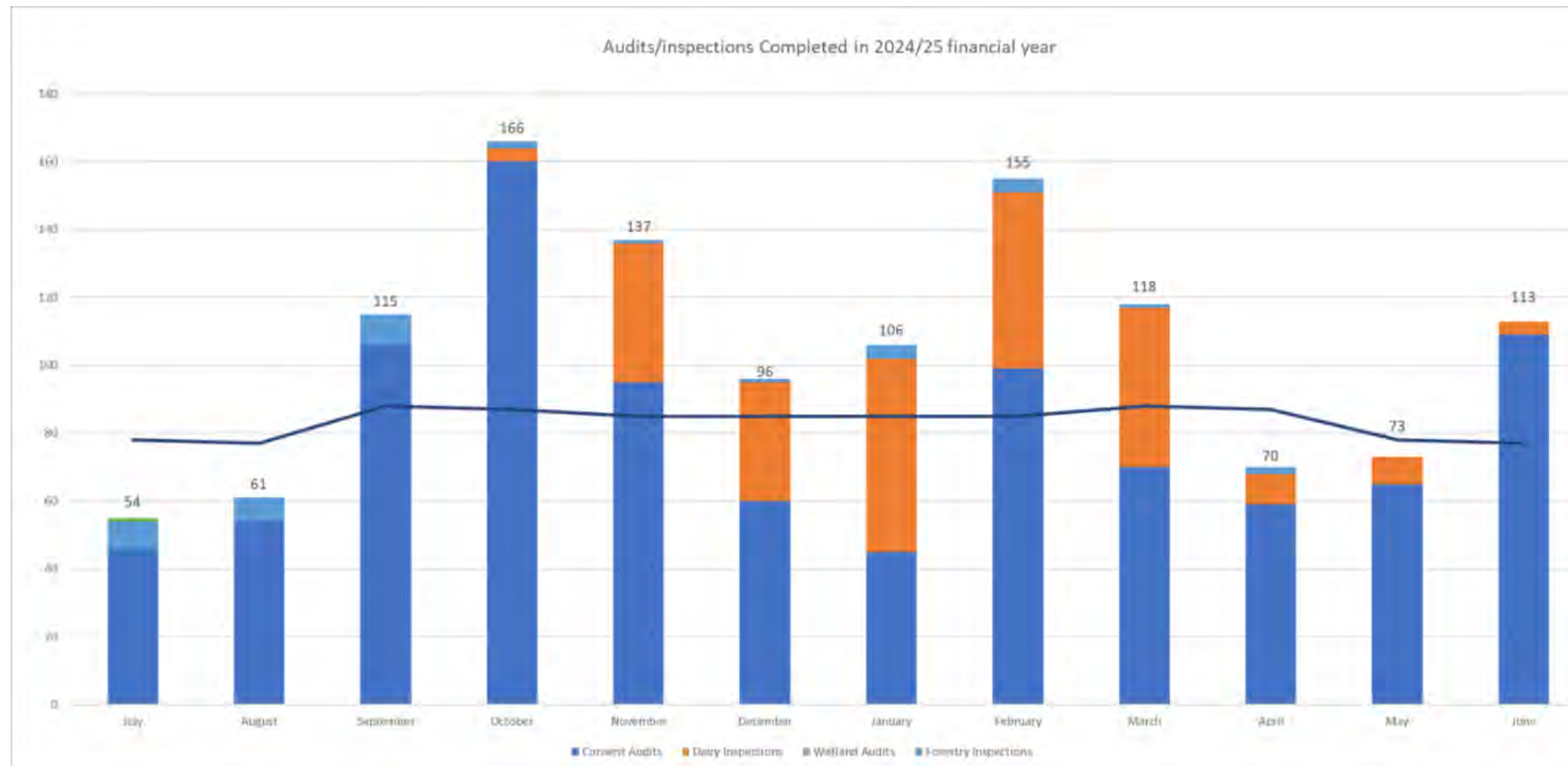


Figure 3: Consented site audits/inspections completed by both the Coastal and Central Compliance Teams each month during the 2024/25 financial year. **The Compliance Team completed a total of 1,264 audits/inspections during the 2024/25 financial year.**

### Compliance Audit Schedule 2024/25 Financial Year (Compliance Gradings Across Priority)

	Full Compliance	Low Risk Non-Compliance	Moderate Non-Compliance	Significant Non-Compliance	Consent Not Yet Exercised	Total
<b>Priority 1:</b> Permitted activity dairy programme, farming, intensive winter grazing, forestry, in-stream works and earthworks	279	115	47	26	5	<u>472</u>
<b>Priority 2:</b> District council consents (including landfills but excluding in-stream works), large-scale activities, industrial activities, communal drinking water supplies, septic tank discharges, contaminated land, power generation and quarrying	153	144	47	103	18	<u>465</u>
<b>Priority 3:</b> Water takes, water schemes and bores	100	89	70	21	5	<u>285</u>
<b>Priority 4:</b> Structures within waterways, water and dam discharges, water diversion, wetlands and gravel extraction	22	6	2	1		<u>31</u>
<b>Priority 5:</b> Industrial air discharges, domestic burning and herbicide and pesticide application	2	2	2			<u>6</u>
<b>Priority 6:</b> Coastal activities and structures	1	3	1			<u>5</u>
<b>Total Compliance Grades Assigned Across Priorities</b>	<u>557</u>	<u>359</u>	<u>169</u>	<u>151</u>	<u>28</u>	<u>1264</u>



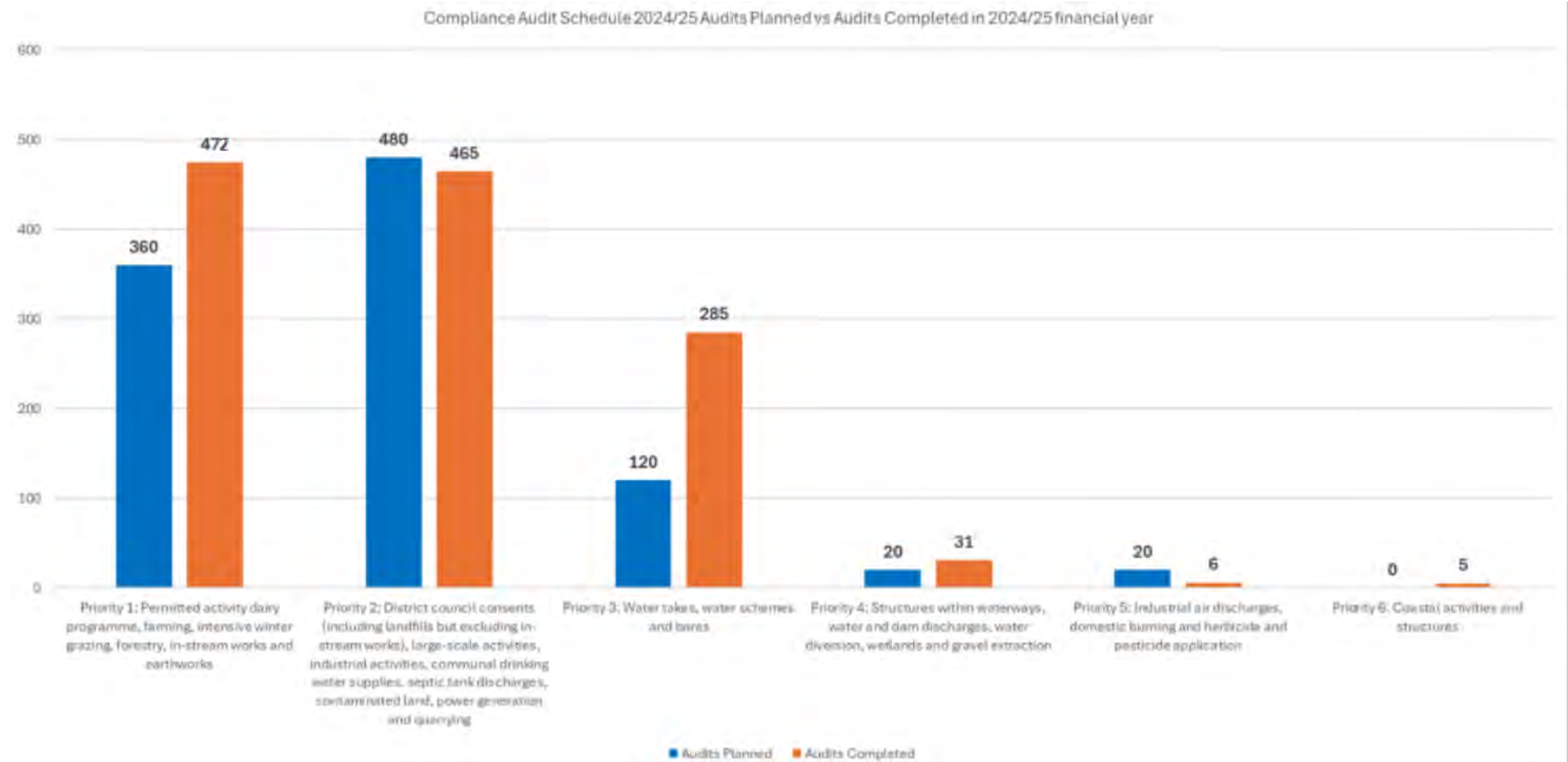
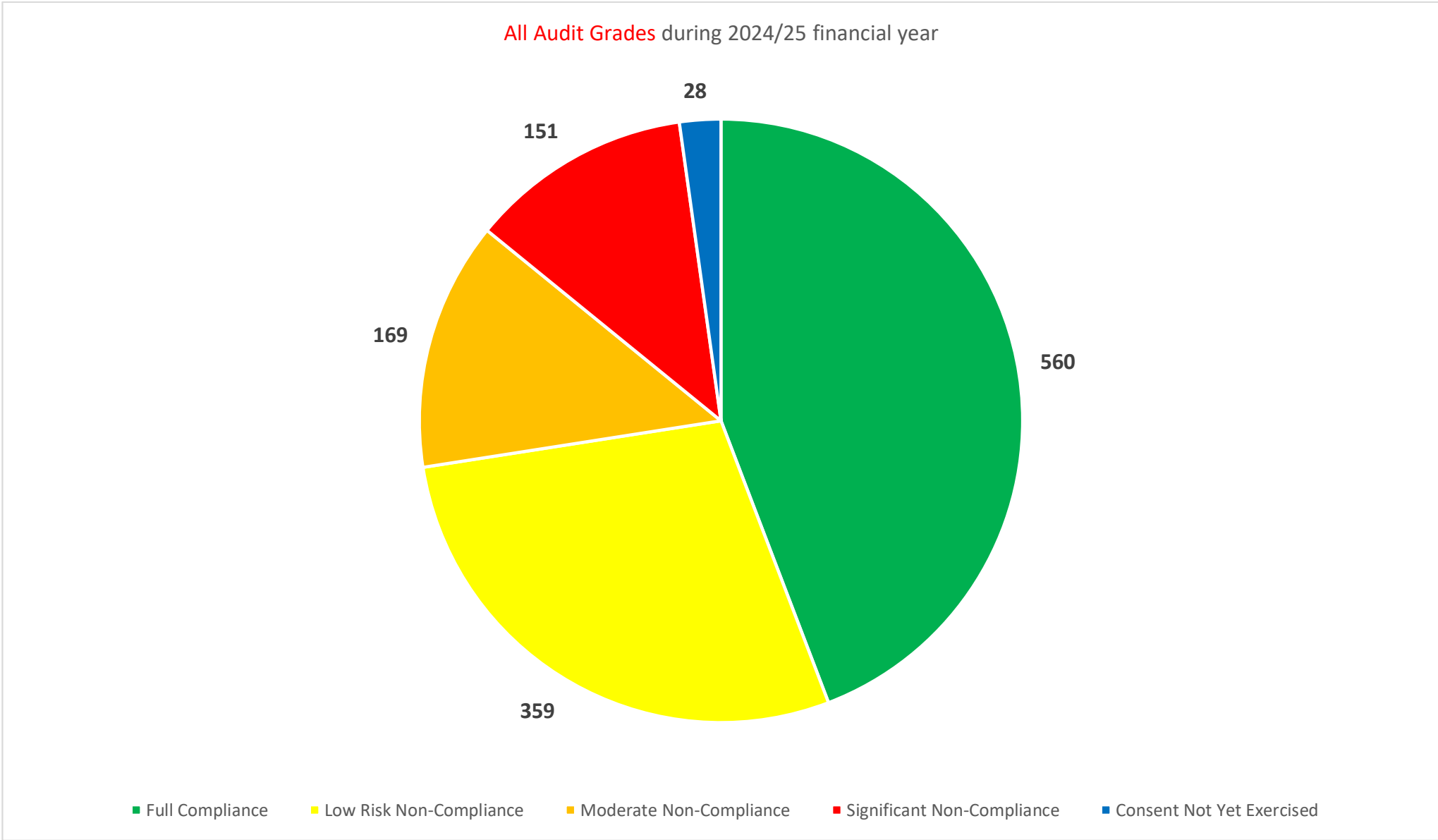
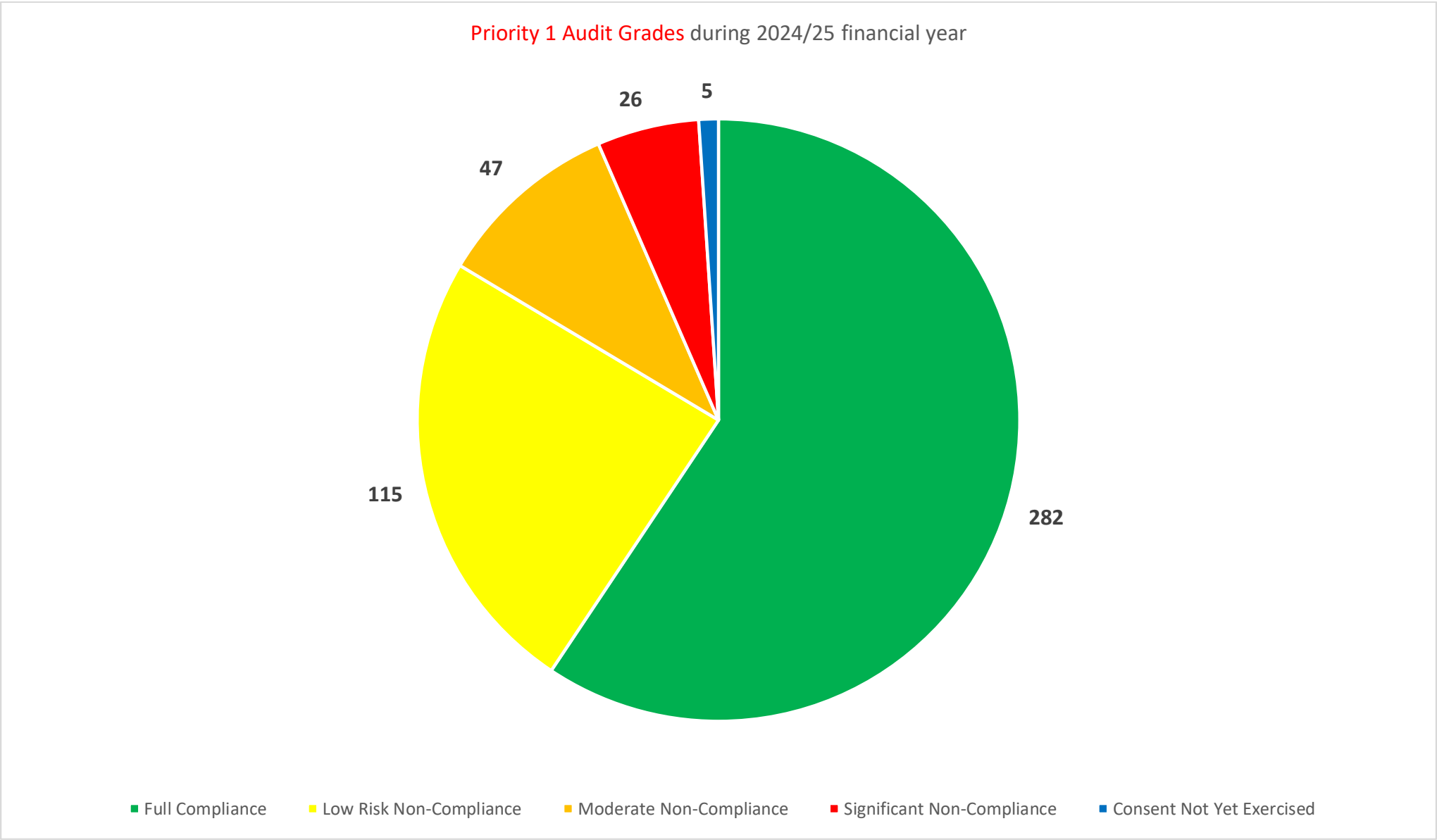
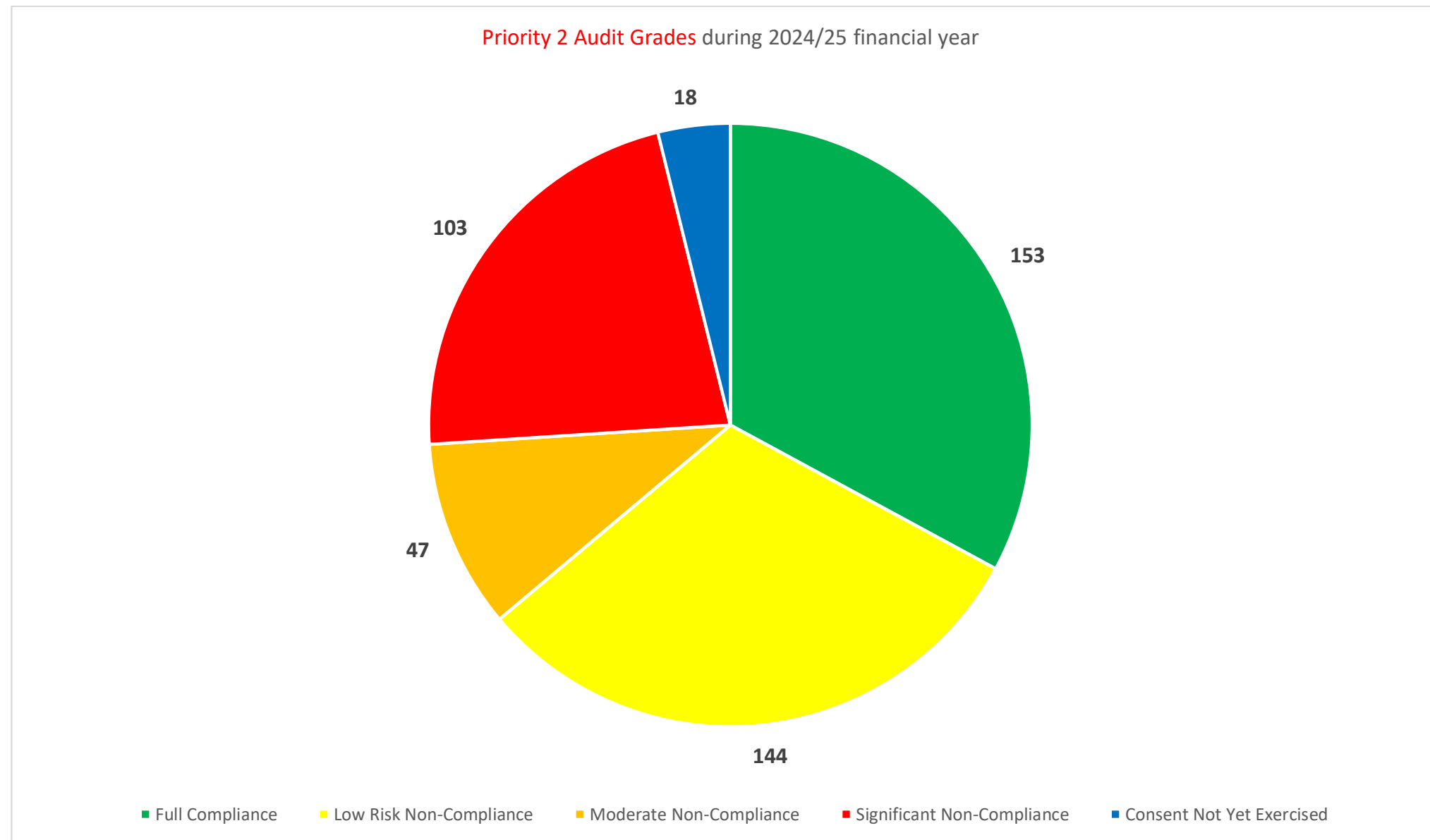


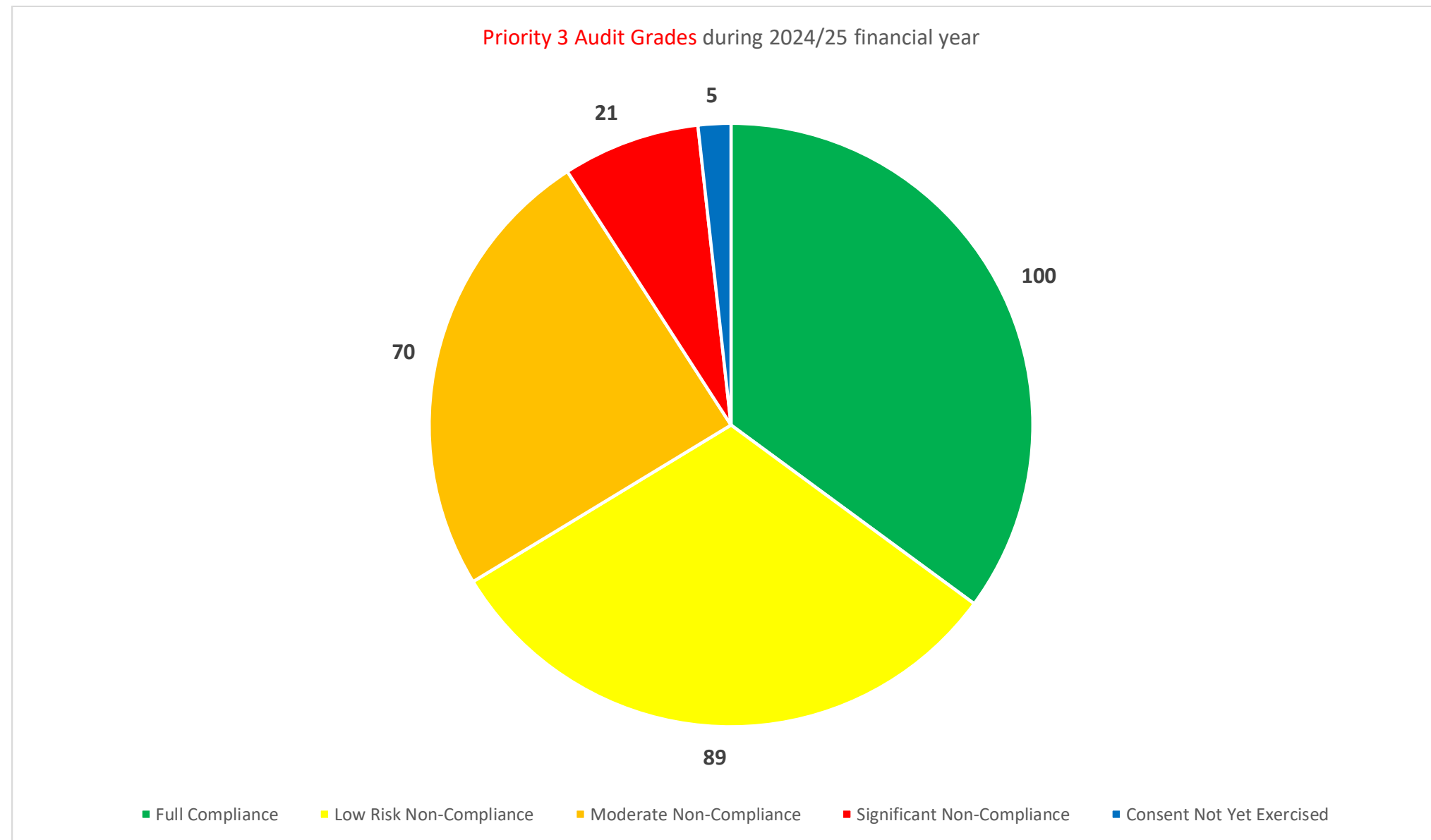
Figure 4: Comparison between the quantity of audits planned for the 2024/25 financial year and the quantity of audits completed across each priority.

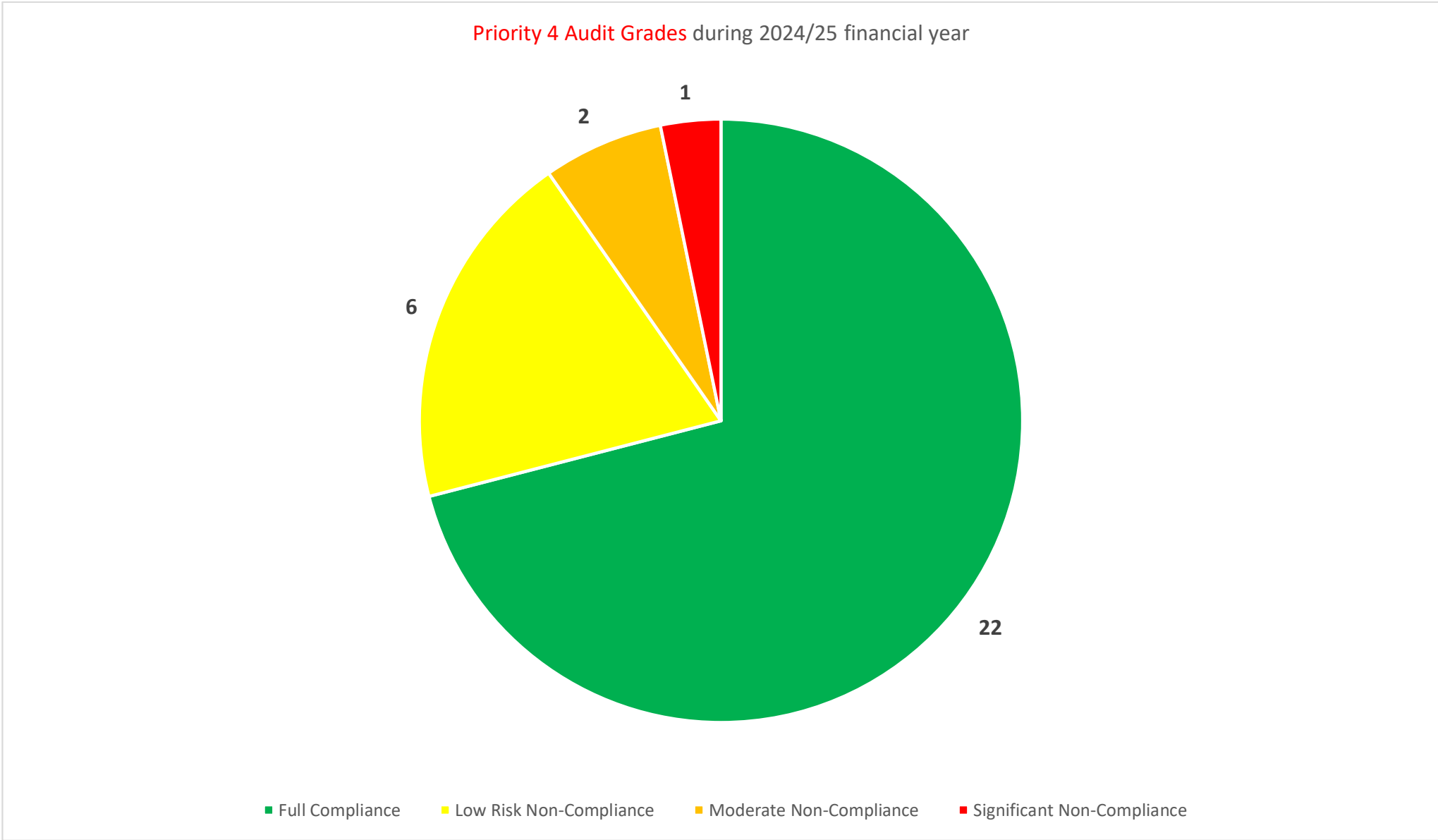


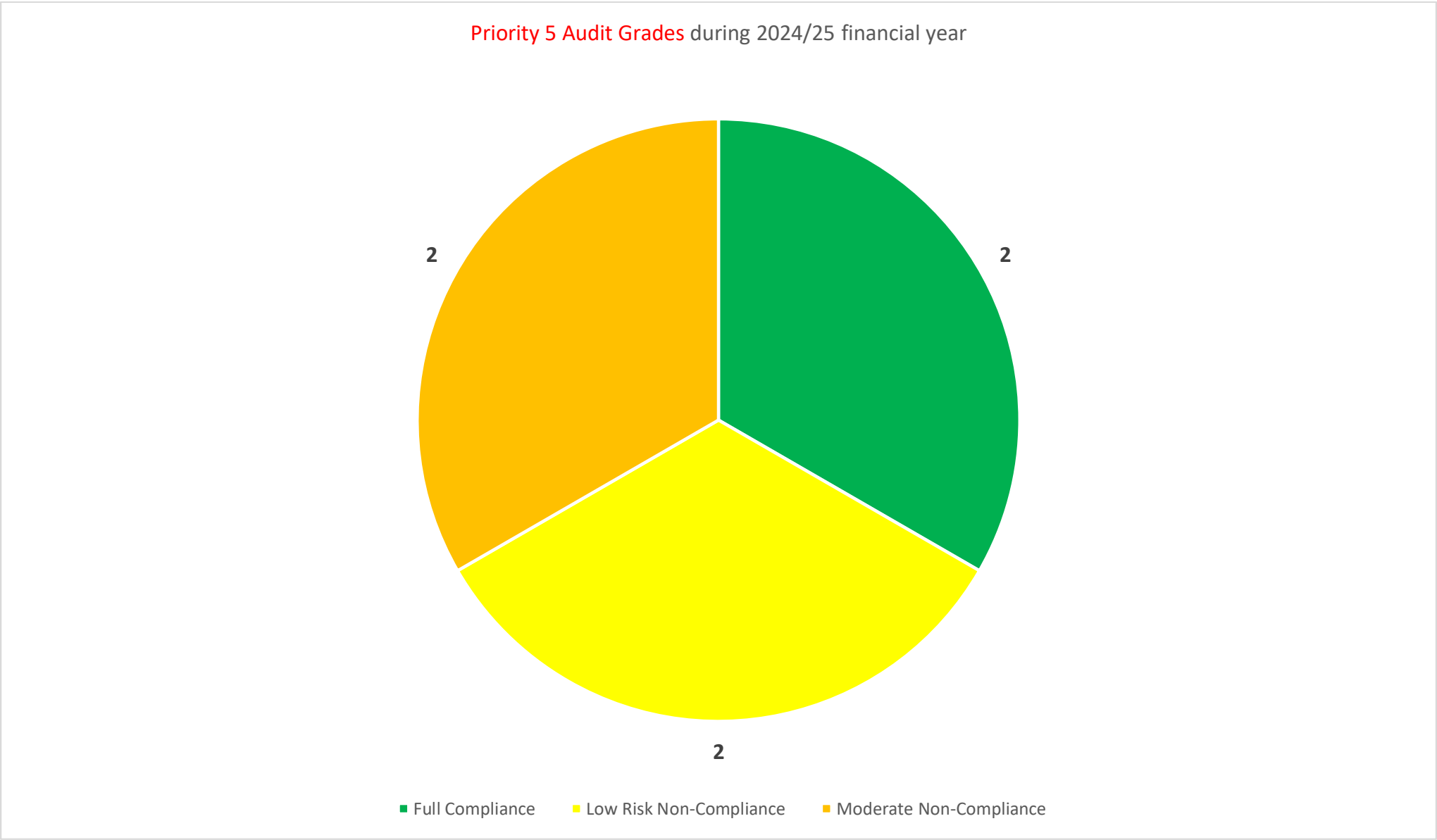




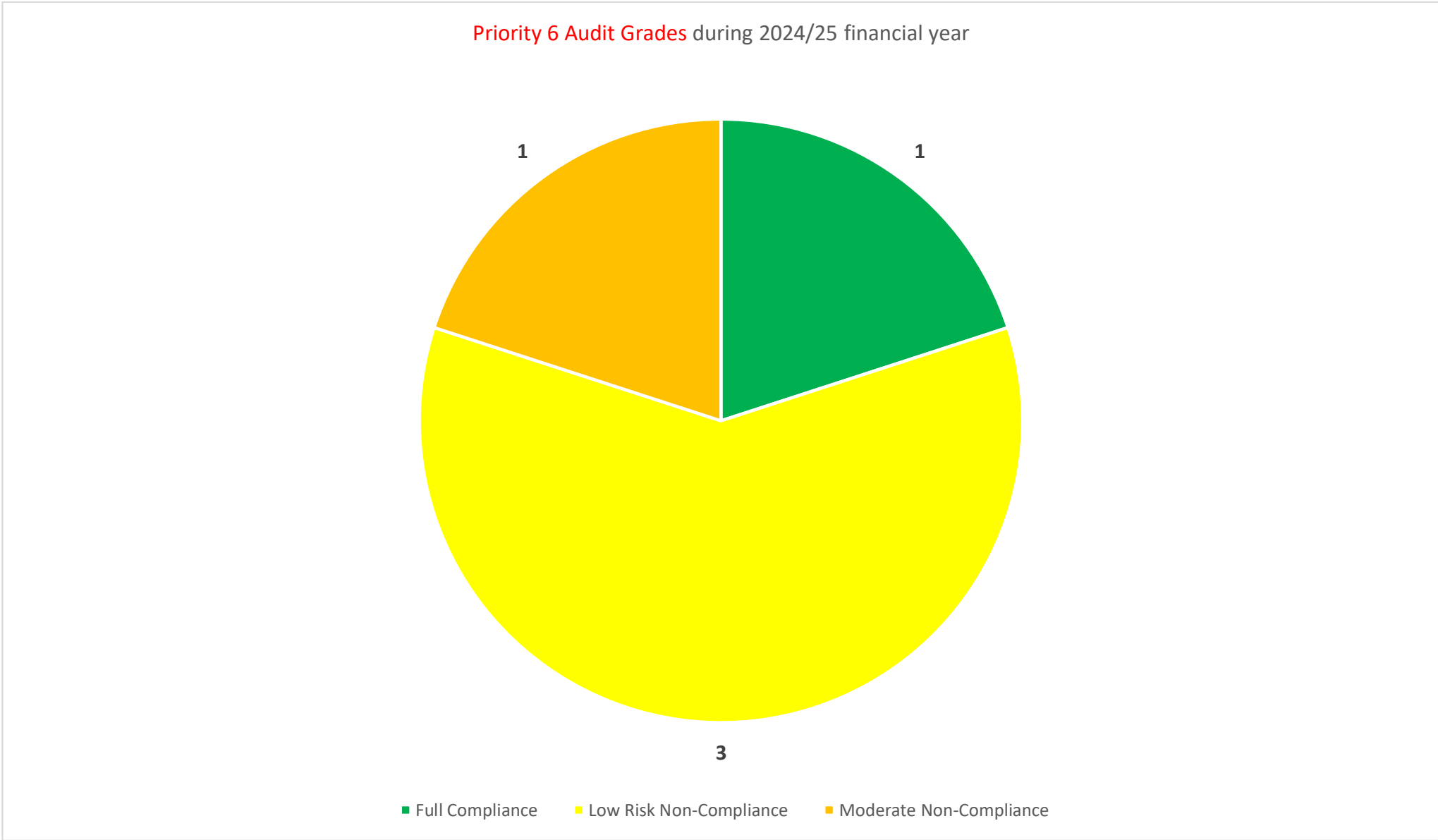
















# Otago Regional Council Compliance Plan 2023 - 2026



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## COMPLIANCE PLAN 2023-2026

Otago Regional Council (**ORC**) is responsible for regulating activities affecting water, air, land and the coast to promote the sustainable management of our environment. The ORC Compliance Teams help our community meet our rules and regulations through compliance monitoring, education, advice, investigations and enforcement.

The Compliance Plan is ORC's roadmap of compliance priorities for the next 3 years. The Compliance Plan informs ORC'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.

The Compliance Plan will be used to inform our work programme. By monitoring progress against our priorities, ORC is agile in responding to those issues which are the most important for Otago's environment.





## COMPLIANCE PLAN OBJECTIVES

The Compliance Plan sets out ORC's compliance priorities to 30 June 2026. The key objectives of the Compliance Plan are:

- To improve environmental outcomes associated with the activities ORC regulates – such as discharges to land, water and air, the take and use of water, and activities which impact on our rivers, lakes, wetlands and coastal environment.
- To identify and prioritise the activities that we will focus our resources on over the next 18 months.
- To inform communities and consent holders in Otago about the compliance activities ORC undertakes to protect our environment, encourage compliance and good practice, and improve environmental performance and raise environmental awareness.

The Compliance Plan informs the direction of the ORC compliance teams and how the teams will work together to deliver good compliance and environmental outcomes. The Compliance Plan does not provide an exhaustive list of all compliance activities that will be undertaken during this period. ORC has ongoing proactive compliance programmes in place to monitor all activities we regulate. We must also reactively respond to new issues as they arise and be agile to respond to national changes which introduce new rules and regulations.

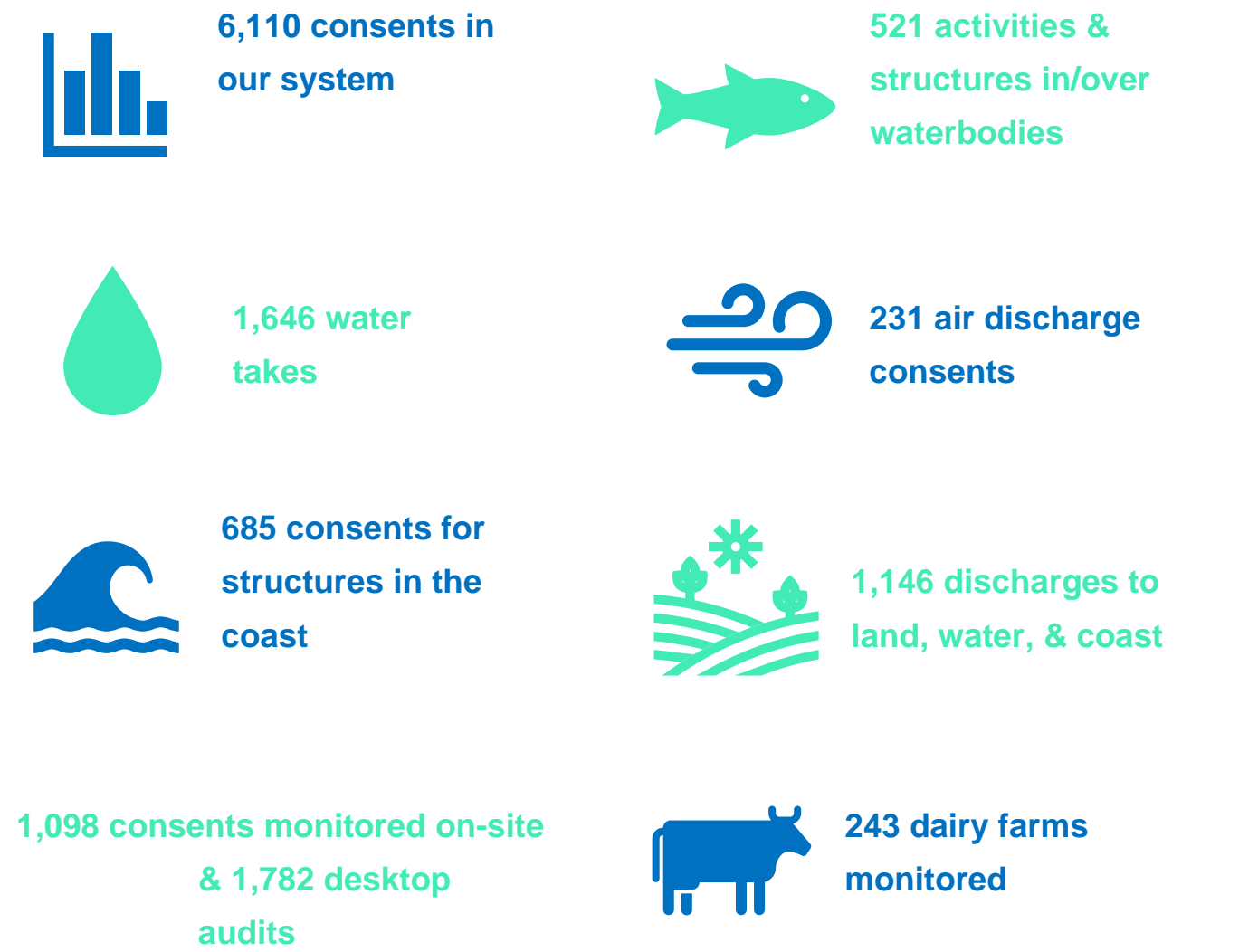


# WHAT OUR COMPLIANCE TEAMS DO

## Monitoring consented and permitted activities

ORC is responsible for monitoring compliance with resource consent conditions and permitted activities like dairy and forestry with our plans and national regulations. Our Compliance Monitoring and Regulatory Data and Systems teams receive and analyse monitoring data, conduct aerial monitoring, and undertake site visits.

Of the 2,421 consents monitored in 2021-22, most consents were compliant or had only minor or technical non-compliance recorded. Of these consents monitored, 13% required compliance team follow up to improve compliance performance. For permitted activities, 87% were compliant with the rules and 13% required compliance follow up.



## Investigating incidents which impact our environment

Our Investigations Team has a key role in responding to incidents where unlawful activities impact our environment. We responded to 1,206 incidents in 2021-22 and took appropriate action where it was needed.

## COMPLIANCE APPROACH

ORC applies a proactive, responsive and risk-based approach to our regulatory functions. Our philosophy is **Education First**, and we will work proactively with groups, resource users and consent holders on good environmental practice. We are guided by the Regional Sector Strategic Compliance Framework 2019-24 operating principles:

### Transparency

Providing clear information about compliance requirements, providing good information on environmental performance, and our actions to address non-compliance.

### Collaborative

ORC collaborates and shares information with other regulators and stakeholders. We will engage with consent holders and communities to achieve good environmental outcomes.

### Responsive

We will respond in an effective and timely manner in accordance with legislative and organisational obligations.

### Evidence-based

ORC's decisions will be informed by a range of sources, including science, other regulators, the community, industry and interest groups.

### Consistency

Actions are consistent with legislation and within our powers. We will strive for consistency of compliance and enforcement outcomes.

### Lawful, accountable

Conducting ourselves lawfully and impartially in accordance with relevant policies and guidance. We will measure and report on our performance.

### Targeted

Focusing on the most important issues to achieve the best outcomes, targeting regulatory intervention at activities that pose the greatest risk to the environment.

### Fair and reasonable

Our decisions are appropriate to the circumstances and our actions will be proportionate to the risks to the environment, people, and the seriousness of the incident.



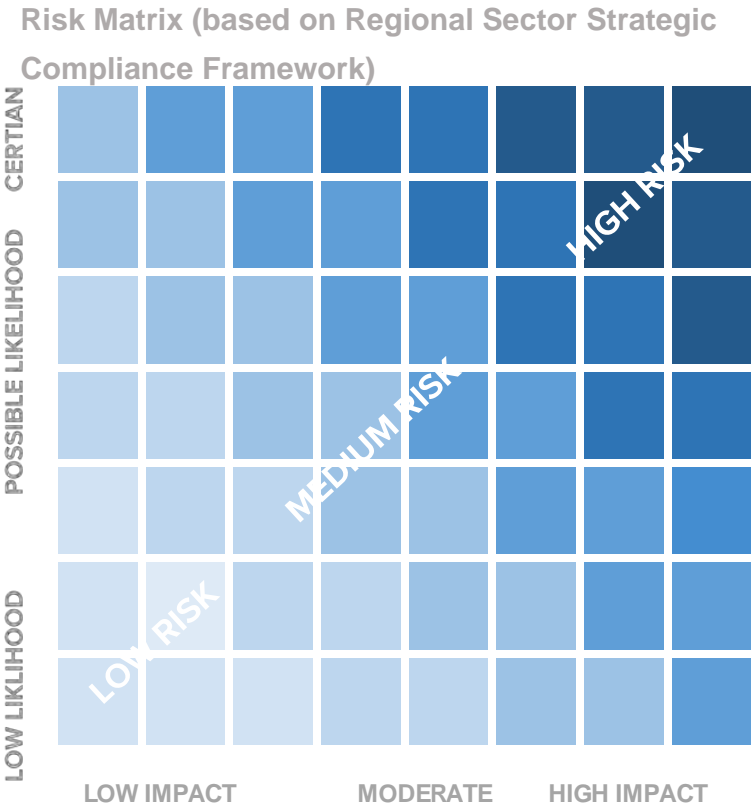
How we prioritise our compliance activities

The Compliance Plan has been prepared using a risk-based approach in accordance with the Regional Sector Strategic Compliance Framework to determine our priorities for 2023-26.

When assessing risk, the level of impact to people and the environment (environmental, social, economic and cultural effects) and the relative likelihood of the impact is considered. This informs how to prioritise compliance monitoring activities generally as well as how we respond to incidents where non-compliance is identified.

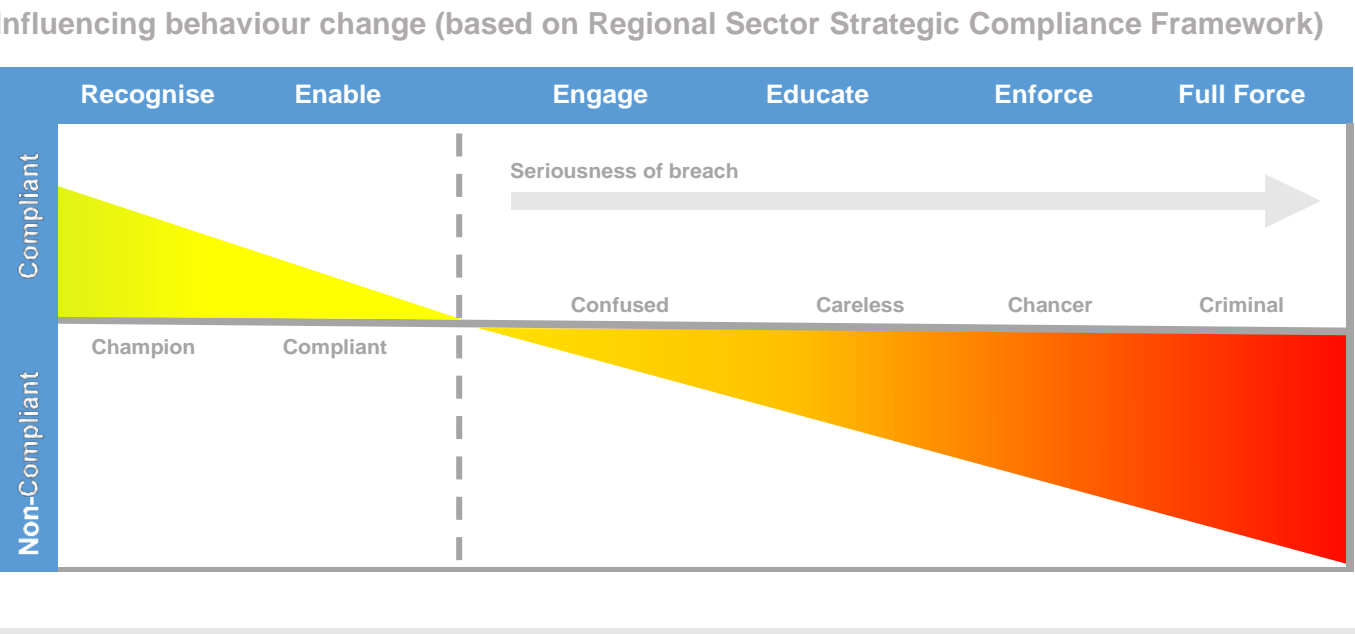
Monitoring frequency

An assessment of perceived and actual risk is used to determine the auditing frequency of resource consents and permitted activities. The history of non-compliance, the significance of potential effects, previous monitoring records, the sensitivity of the receiving environment is considered when we determine how frequently we monitor. We also consider data available from state of environment reporting to inform our compliance monitoring programme. This means we can adapt our monitoring frequency over time, as risks to the environment change, and focus our resource to achieve the best environmental outcomes.



How we respond to non-compliance

There is no ‘one size fits all’ approach to addressing non-compliance. ORC’s approach and use of regulatory tools depends on the issue, context and seriousness of the breach as illustrated below:





### Incident response

Our Investigations Team respond to reports of environmental non-compliance and pollution incidents that are received through our 24-hour pollution hotline, website and email messages, or from field reports from staff.

Environmental incidents are triaged according to the level of risk and immediacy of effects. For incidents that are a high priority due to significant potential effects on the environment or people, our team responds immediately where possible, and always within 24 hours of the incident being reported. For incidents that are a lower priority, the timing of the response is dependent on the level of risk. All incidents are responded to and reported.



**High priority incidents response within 24 hours**



**All incidents are responded to and are reported on**

### Compliance tools

We use a range of compliance and enforcement tools to respond to non-compliant resource consents and incidents which breach our plans or national regulations:

Letters	Used where a minor breach has been reported and/or to educate on the relevant consent conditions, rules and regulations that apply.
Formal Warnings	Used when the risk to the environment or people from a breach is low and to work proactively to improve compliance to avoid repeat incidents.
Infringement Notice	Used when non-compliance with a consent condition or with rules requires a more formal approach and where a fee is required to be paid.
Abatement Notices	Used when non-compliance with a consent condition or rules requires works to cease and/or where remediation is required.
Enforcement Orders	Used for higher level offending, made by the Environment Court, and requires activities to cease, actions to be taken and/or costs to be paid.
Prosecution	For higher level offending, establishes the guilt or innocence of an accused party, and can include fines and/or imprisonment.

## PROGRAMMES TO SUPPORT COMPLIANCE

To support our compliance priorities, we work proactively with landowners and consent holders to **Engage** with them on compliance matters, support them to **Enable** compliance wherever possible, and **Educate** on good practices. We will do this by:

### ORC website

Keeping our website up to date with best practice information, including good farming and land use practice, and good practice for water takes, water use and recording of data. We will work towards changes to our website to make it easier for communities and consent holders to report data to us in the future.

### Proactive compliance

Monitoring of permitted activities to ensure compliance and working closely with consent holder to address compliance issues before they arise (such as dairy farm monitoring, working with the forestry industry on harvesting plans, and the low flow task force).

### On-site advice

Providing advice when on-farm or on-site about good practice to achieve compliance with the ORC's regional plans and national regulations.

### Partnerships

Continuing to form strong partnerships with industry groups such as Dairy NZ, Sheep and Beef NZ, Horticulture NZ, Federated Farmers, the Forestry Association, the Deer Association and others.

### Fact sheets

Printable fact sheets on good practice supports ORC's online content and are taken on-site when monitoring is undertaken. These will provide advice about what is required in plans, and new national regulations to apply these practically for rural communities and understand consenting obligations.

### Compliance correspondence

Keeping consent holders up-to-date following monitoring of their consents, keeping dairy farm and forestry operations up to date on permitted monitoring, and providing tips on good practice to improve compliance.

### Farm days

Partnering with other ORC teams to host farm days for farmers to educate and discuss environmental management and explore different methods to achieve compliance.

### Workshops with industry

Partnering with other ORC teams to workshop with industry groups on good practice principles and as a forum to discuss how to interpret and apply plan rules and regulations.

## COMPLIANCE MONITORING PRIORITIES IN OTAGO

Identifying the priorities for compliance monitoring enables ORC to focus on those issues with the highest environmental impacts. For 2020-22, the compliance teams will focus on:

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

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

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

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

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

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

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

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

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

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

### Priority 6: Monitor coastal structures and oil spill preparedness

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

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

Action	Compliance team outputs	Outcome
<b>Sedimentation of freshwater from earthworks and in-river works</b> <b>Issue:</b> Poorly managed earthworks, and in-river works can discharge sediment and affect water quality.		
Educate and advocate good sediment practices and monitor sediment discharges.	<ul style="list-style-type: none"> <li>• Work closely with district councils and industry to promote effective sediment controls.</li> <li>• Educate and promote good practice for in-river works.</li> <li>• Monitor resource consents for earthworks and in-river works.</li> <li>• Appropriate action where breaches of consent conditions, NES or plan rules are identified.</li> </ul>	<ul style="list-style-type: none"> <li>• Compliance with new earthworks rules.</li> <li>• Sedimentation of freshwater and estuaries is reduced.</li> </ul>
<b>Plantation forestry</b> <b>Issue:</b> Poorly managed forestry activities discharge sediment, disturb river habitats and affect water quality.		
Educate and advocate good forestry practices to reduce sediment discharges and monitor forestry activities.	<ul style="list-style-type: none"> <li>• Educate and promote good practice for afforestation, harvesting and earthworks.</li> <li>• Monitor consents and permitted activity plantation forestry.</li> <li>• For higher risk activities, undertake pre-harvest inspections, monitoring during harvesting and post-harvest inspections where appropriate.</li> <li>• Appropriate action where breaches of consent conditions or NES are identified.</li> </ul>	<ul style="list-style-type: none"> <li>• Compliance with NES rules.</li> <li>• Impacts of plantation forestry activities on freshwater are reduced.</li> </ul>
<b>Stock exclusion</b> <b>Issue:</b> Stock access to freshwater degrades water quality of rivers, lakes and wetlands.		
Educate farmers on stock exclusion requirements, and monitor stock access.	<ul style="list-style-type: none"> <li>• Apply a proactive education first approach to enabling compliance with regional and national rules and regulations for stock access before the new rules apply.</li> <li>• Monitor where stock access rules apply now for new pastoral and intensive farming systems.</li> <li>• Appropriate action where breaches of consent conditions, NES or plan rules are identified.</li> </ul>	<ul style="list-style-type: none"> <li>• Farmers understand current and upcoming requirements.</li> <li>• Where required, stock is excluded from freshwater bodies.</li> <li>• Impacts on water quality are reduced.</li> </ul>



<b>Farm effluent management</b>		
<b>Issue:</b> The effects of non-compliant farm effluent discharges is a contributor to water quality degradation.		
Monitor farm effluent discharges utilising a proactive education first approach.	<ul style="list-style-type: none"><li>• Apply a proactive education first approach to enabling compliance with regional rules for farm effluent discharges.</li><li>• On-site monitoring of dairy farm discharges and infrastructure based on risk with high risk farms inspected annually.</li><li>• Appropriate action where breaches of consent conditions, NES or plan rules are identified.</li></ul>	<ul style="list-style-type: none"><li>• Farmers understand current and upcoming requirements.</li><li>• Improved compliance with rules and consents conditions.</li><li>• Impacts on water quality are reduced.</li></ul>
<b>Intensive farming</b>		
<b>Issue:</b> Poorly managed intensive farming can cause water quality degradation, and new rules and regulations now apply.		
Monitor intensive farming practices and educate farmers on the new requirements.	<ul style="list-style-type: none"><li>• Apply a proactive education first approach to enabling compliance with regional and national rules and regulations for intensive farming – dairy farms, intensive grazing, feedlots and stockholding, agricultural intensification, synthetic nitrogen use.</li><li>• Undertake desktop, and aerial monitoring annually of known at risk catchments.</li><li>• Site inspections where risks have been observed during flyovers.</li><li>• Appropriate action where breaches of consent conditions, NES or plan rules are identified.</li></ul>	<ul style="list-style-type: none"><li>• Farmers understand current and upcoming requirements.</li><li>• Farmers comply with the new rules or have obtained consent. Impacts on water quality are reduced.</li></ul>



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

Action	Compliance team outputs	Outcome
<b>District council consents</b> <b>Issue:</b> District councils hold several large-scale wastewater water supply and stormwater consents and compliance with these consents is not always achieved, which can impact the receiving environment.		
Monitor all large-scale district council consents and work with councils to improve compliance.	<ul style="list-style-type: none"><li>• Work proactively with district councils to reduce incidents of non-compliance.</li><li>• Monitor large-scale consents at least annually and based on environmental and health risk and previous records of non-compliance.</li><li>• Appropriate action where breaches of consent conditions, NES or plan rules are identified.</li></ul>	<ul style="list-style-type: none"><li>• Improved compliance with consent conditions.</li><li>• Improved collaboration with district councils.</li></ul>
<b>Contaminated Land and landfills</b> <b>Issue:</b> Monitoring of contaminated land activities, and active and closed landfills is needed to address risk associated with leachate and odour, and potential discharges to water.		
Monitor contaminated land activities and all landfills in Otago.	<ul style="list-style-type: none"><li>• Monitor active landfills at least annually.</li><li>• Monitor closed landfills at least every 3 years, and prioritise monitoring based on level of risk to water, the coastal marine area, land, and community concern.</li><li>• Monitor disturbance of contaminated land consents based on level of risk</li><li>• Appropriate action where breaches of consent conditions, NES or plan rules are identified.</li></ul>	<ul style="list-style-type: none"><li>• Active landfills are compliant with conditions.</li><li>• Impacts from closed landfills are identified and effects are addressed.</li></ul>
<b>Other large-scale activities</b> <b>Issue:</b> The scale and nature of larger-scale activities in Otago requires the compliance team to take an integrated approach to monitoring consent conditions.		
Monitor large-scale activities in Otago.	<ul style="list-style-type: none"><li>• Monitor compliance with conditions based on the history of compliance, environmental risk and performance monitoring data for consents for large-scale activities, including mining and quarrying activities, larger private wastewater schemes, large-scale industrial and processing activities, meat works and rendering plants, and large power generation schemes.</li><li>• Where non-compliance with consent conditions is identified, work proactively with consent holders to improve compliance and performance over time.</li></ul>	<ul style="list-style-type: none"><li>• Consent holders are compliant with conditions.</li><li>• Risks to the receiving environment from non-compliance are reduced.</li></ul>

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

Action	Compliance team outputs	Outcome
<b>Water takes</b> <b>Issue:</b> Taking more water than is consented is unlawful and can adversely affect mauri, freshwater habitats and other water users.		
Monitor water takes in Otago.	<ul style="list-style-type: none"><li>• Undertake desktop, aerial or on-site monitoring of water permits based on catchment risk, and policy development requirements under the NPSFM.</li><li>• Focus on Upper Taieri, Manuherikia, Cardrona, Pisa, Gibbston and Central Otago catchments. Work proactively with water users to reduce incidents of non-compliance.</li><li>• Appropriate action where breaches of consent conditions, plan rules or water measuring regulations are identified.</li></ul>	<ul style="list-style-type: none"><li>• Improved compliance with rules and consents conditions.</li><li>• Impacts on freshwater and habitats are reduced.</li><li>• Improve the reliability of data records provided by consent holders.</li></ul>
<b>Water flows and levels during dry periods</b> <b>Issue:</b> During dry weather, water takes during low flows have greater impacts on freshwater.		
Ensure minimum flows are maintained during dry weather periods.	<ul style="list-style-type: none"><li>• Establish dry weather task force prior to dry weather conditions affecting flows.</li><li>• Monitor low flow conditions and work proactively with permit holders to ensure minimum flows are maintained during low flow periods.</li><li>• Issue water shortage directions where required.</li><li>• Monitor residual flows on permits and prioritise this based on the level of risk.</li><li>• Appropriate action where breaches of consent conditions or plan rules are identified.</li></ul>	<ul style="list-style-type: none"><li>• Compliance with minimum and residual flows is improved.</li><li>• During low flows impacts from water takes on freshwater and habitats are reduced.</li></ul>

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

Action	Compliance team outputs	Outcome
<b>Fish passage</b> <b>Issue:</b> Structures in rivers can obstruct fish passage and impact habitat, particularly for migratory species.		
Educate and advocate for structures which provide fish passage, and monitor permitted, and consented structures.	<ul style="list-style-type: none"> <li>Educate and promote good practice for fish passage for structures in rivers.</li> <li>Establish a new monitoring programme for permitted and consented structures.</li> <li>Appropriate action where breaches of consent conditions, plan rules or NES are identified.</li> </ul>	<ul style="list-style-type: none"> <li>People understand current and upcoming requirements.</li> <li>People comply with the new regulations.</li> <li>Fish passage in Otago is improved.</li> </ul>
<b>Impacts on wetlands</b> <b>Issue:</b> Non-compliant land use, discharges and water takes can impact on the hydrology, functioning and ecological values of Otago's natural wetlands.		
Educate landowners on new wetland regulations, monitor permitted, and consented activities, estuaries and Regionally Significant Wetlands	<ul style="list-style-type: none"> <li>Educate landowners on new regulations for activities in and near natural wetlands.</li> <li>Establish a new monitoring programme for permitted and consented activities.</li> <li>Desktop monitor Regionally Significant Wetlands every 3 years including site inspections where wetland risks are identified.</li> <li>Appropriate action where breaches of consent conditions, plan rules or the NES are identified.</li> </ul>	<ul style="list-style-type: none"> <li>People comply with the new regulations.</li> <li>Regionally significant wetlands retain the characteristics and qualities that have determined their significance.</li> <li>Impacts on natural wetlands and their values are reduced.</li> </ul>
<b>Dams and other structures</b> <b>Issue:</b> Monitoring of dams and structures is needed to reduce the impacts of non-compliance on freshwater and habitats		
Monitor dams and other structures in Otago.	<ul style="list-style-type: none"> <li>Prioritise the frequency and extent of monitoring of dams and structures in accordance with new NES information requirements.</li> <li>Appropriate action where breaches of consent conditions, NES or plan rules are identified.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with rules and NES.</li> <li>Dam failure risk is reduced and dam impacts on freshwater are reduced.</li> </ul>



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

Action	Compliance team outputs	Outcome
<b>Domestic burning</b> <b>Issue:</b> Discharges from inefficient domestic burning during the winter months can impact health.		
Educate on efficient domestic burning and monitor domestic air discharges.	<ul style="list-style-type: none"> <li>• Apply a proactive education first approach regarding correct burning practices – particularly in Air Zone 1 Airsheds.</li> <li>• Appropriate action where breaches of plan rules and NES are identified. Letters are sent, and inspections are undertaken for any on-going non-compliance.</li> </ul>	<ul style="list-style-type: none"> <li>• Improved compliance with rules and good burning practice.</li> <li>• Particulate matter levels in airsheds are reduced.</li> </ul>
<b>Industrial air discharges</b> <b>Issue:</b> Localised effects from non-compliant industrial discharges can impact on health and amenity.		
Monitor industrial air discharge consents in Otago.	<ul style="list-style-type: none"> <li>• Undertake monitoring of higher risk air discharges at least annually, and lower risk discharges less frequently.</li> <li>• Work proactively with consent holders to improve discharge quality over time.</li> <li>• Appropriate action where breaches of consent conditions, NES or plan rules are identified.</li> </ul>	<ul style="list-style-type: none"> <li>• Improved compliance with conditions and rules.</li> <li>• Reduced localised impacts from non-compliant discharges.</li> </ul>
<b>Rural air discharges</b> <b>Issue:</b> Discharges from rural activities such as outdoor burning can impact on health and amenity.		
Educate on appropriate outdoor burning.	<ul style="list-style-type: none"> <li>• Prepare educational material regarding rural discharges and work proactively with farmers to improve outdoor burning practice.</li> <li>• Appropriate action where breaches of consent conditions, NES or plan rules are identified.</li> </ul>	<ul style="list-style-type: none"> <li>• Improve compliance with rules.</li> <li>• Reduce localised impacts from discharges.</li> </ul>

Priority 6: Monitor coastal structures and oil spill preparedness

Action	Compliance team outputs	Outcome
<b>Coastal activities and structures</b> <b>Issue:</b> Non-compliant structures and activities in the coastal environment can affect habitats and coastal amenity.		
Undertake monitoring of consented coastal structures.	<ul style="list-style-type: none"><li>• Monitor according to the level of risk and at least every 5 years.</li><li>• Appropriate action where breaches of consent conditions or plan rules are identified.</li></ul>	<ul style="list-style-type: none"><li>• Impacts on the coastal environment are reduced.</li></ul>
<b>Oil spill response</b> <b>Issue:</b> ORC must be prepared to respond in the event of oils spills under the Maritime Transport Act.		
Appropriately trained and resourced oil spill response.	<ul style="list-style-type: none"><li>• Undertake oil spill response training and exercises twice a year.</li><li>• Always maintain spill response gear.</li></ul>	<ul style="list-style-type: none"><li>• Effects from oil spills are reduced as a result of effective oil spill response.</li></ul>









# Otago Regional Council

## RMA Compliance and Enforcement Policy



**March 2021**



Date approved	15 September 2022
Review date	September 2027
Policy owner	Manager Compliance
Version	2.0

## 1 Introduction

The Otago Regional Council (ORC) is responsible for regulating activities affecting water, air, land and coastal environments to promote the sustainable management of our environment. Compliance monitoring and enforcement is a significant tool in achieving the overarching sustainable management purpose of the Resource Management Act 1991 (RMA)<sup>1</sup>.

This policy sets out the approach and principles by which the ORC promotes and enforces compliance with the RMA and provides an outline of how RMA compliance and enforcement is managed. This policy is intended to ensure a consistent and integrated approach to compliance and enforcement by ORC.

## 2 Approach to non-compliance

The ORC has a ‘spectrum’ approach to encouraging positive behaviour change and ensuring the highest levels of compliance possible.

The ORC’s approach to ensuring compliance with the RMA is based on ‘4Es model’<sup>2</sup> of Engage, Educate, Enable and Enforce:

- **Engage** – consult with regulated parties, stakeholders and community on matters that may affect them. This will require maintaining relationships and communication until final outcomes have been reached. This will facilitate greater understanding of challenges and constraints, engender support and identify opportunities to work with others.
- **Educate** – alert regulated parties to what is required to be compliant and where the onus lies to be compliant. Education should also be utilised to inform community and stakeholders about what regulations are in place around them, so that they will better understand what is compliant and what is not.
- **Enable** – provide opportunities for regulated parties to be exposed to industry best practice and regulatory requirements. Link regulated parties with appropriate industry advisors. Promote examples of best practice.

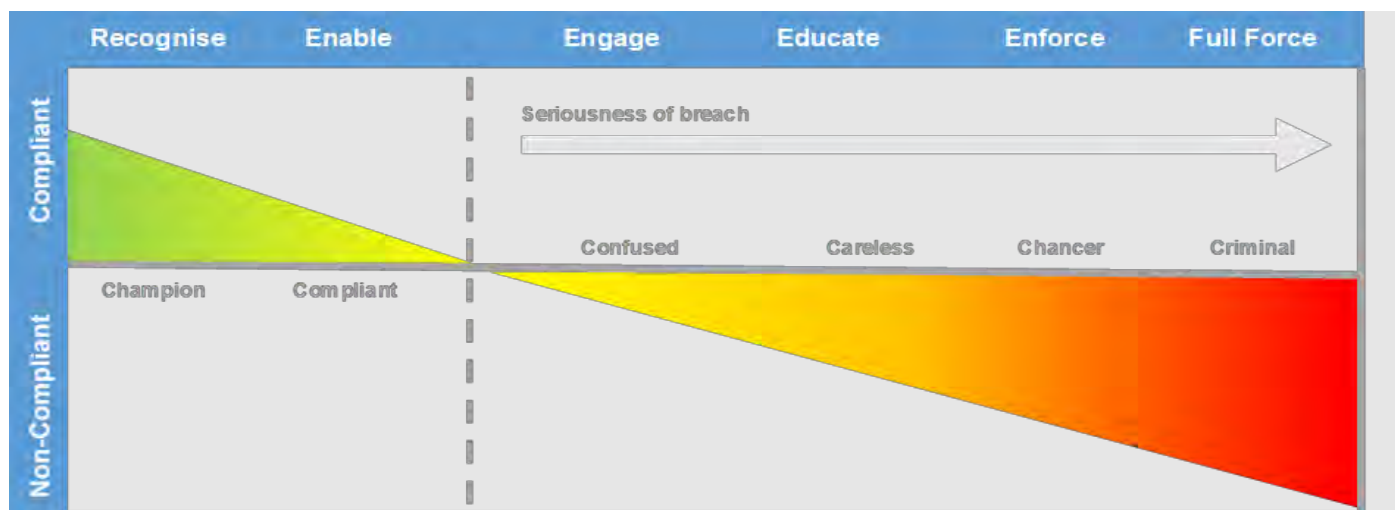
<sup>1</sup> Section 5 of the Resource Management Act 1991

<sup>2</sup> The 4Es model is drawn from the CESIG Regional Sector Strategic Compliance Framework 2019-2024

- **Enforce** – when breaches of regulation, or non-compliance, are identified then an array of enforcement tools and actions are available to bring about positive behaviour change. Enforcement outcomes should be proportional to individual circumstances of the breach and culpability of the party.

Non-compliance with the RMA is taken seriously by the ORC. Except in exceptional circumstances some form of action will be taken in response to non-compliance.

ORC’s approach and use of enforcement tools and actions depends on the issue, context and seriousness of the breach as illustrated below<sup>3</sup>:



### 3 Principles of enforcement

Underlying the ORC’s approach to compliance and enforcement action are the following principles<sup>4</sup>.

**Transparency** - We will provide clear information and explanations to the community, and those being regulated, about the standards and requirements for compliance. We will ensure that the community has access to information about the change to environmental impacts of industry as well as actions taken by us to address environmental issues and non-compliance.

**Consistency of process**– Our actions will be consistent with the legislation and within our powers. Compliance and enforcement outcomes will be consistent and predictable for similar circumstances. We will ensure that our staff have the necessary skills and are appropriately trained, and that there are effective systems and policies in place to support them.

**Fair, reasonable and proportional approach** – We will apply regulatory interventions and actions appropriate for the situation. We will use our discretion justifiably and ensure our decisions are appropriate to the circumstances, and that our interventions

<sup>3</sup> Influencing behaviour change is based on the CESIG Regional Sector Strategic Compliance Framework

<sup>4</sup> These principles are drawn from the CESIG Regional Sector Strategic Compliance Framework 2019-2024

and actions will be proportionate to the seriousness of the non-compliance and the risks posed to people and the environment.

**Evidence-based and informed** – We will use an evidence-based approach to our decision making. Our decisions will be informed by a range of sources, including sound science, the regulated parties, information received from other regulators, members of the community, industry and interest groups.

**Collaborative** – We will work with and, where possible, share information with other regulators and stakeholders to ensure the best compliance outcomes for our region. We will engage with the community, those we regulate and government to explain and promote environmental requirements and achieve better community and environmental outcomes.

**Lawful, ethical and accountable** – We will conduct ourselves lawfully and impartially and in accordance with these principles and relevant policies and guidance. We will document and take responsibility for our regulatory decisions and actions. We will measure and report on our regulatory performance.

**Targeted** – We will focus on the most important issues and problems to achieve the best environmental outcomes. We will target our regulatory intervention at poor performers and illegal activities that pose the greatest risk to the environment. We will apply the right tool for the right problem at the right time.

**Responsive and effective** – We will consider all alleged non-compliances to determine the necessary interventions and action to minimise impacts on the environment and the community and maximise deterrence. We will respond in an effective and timely manner in accordance with legislative and organisational obligations.

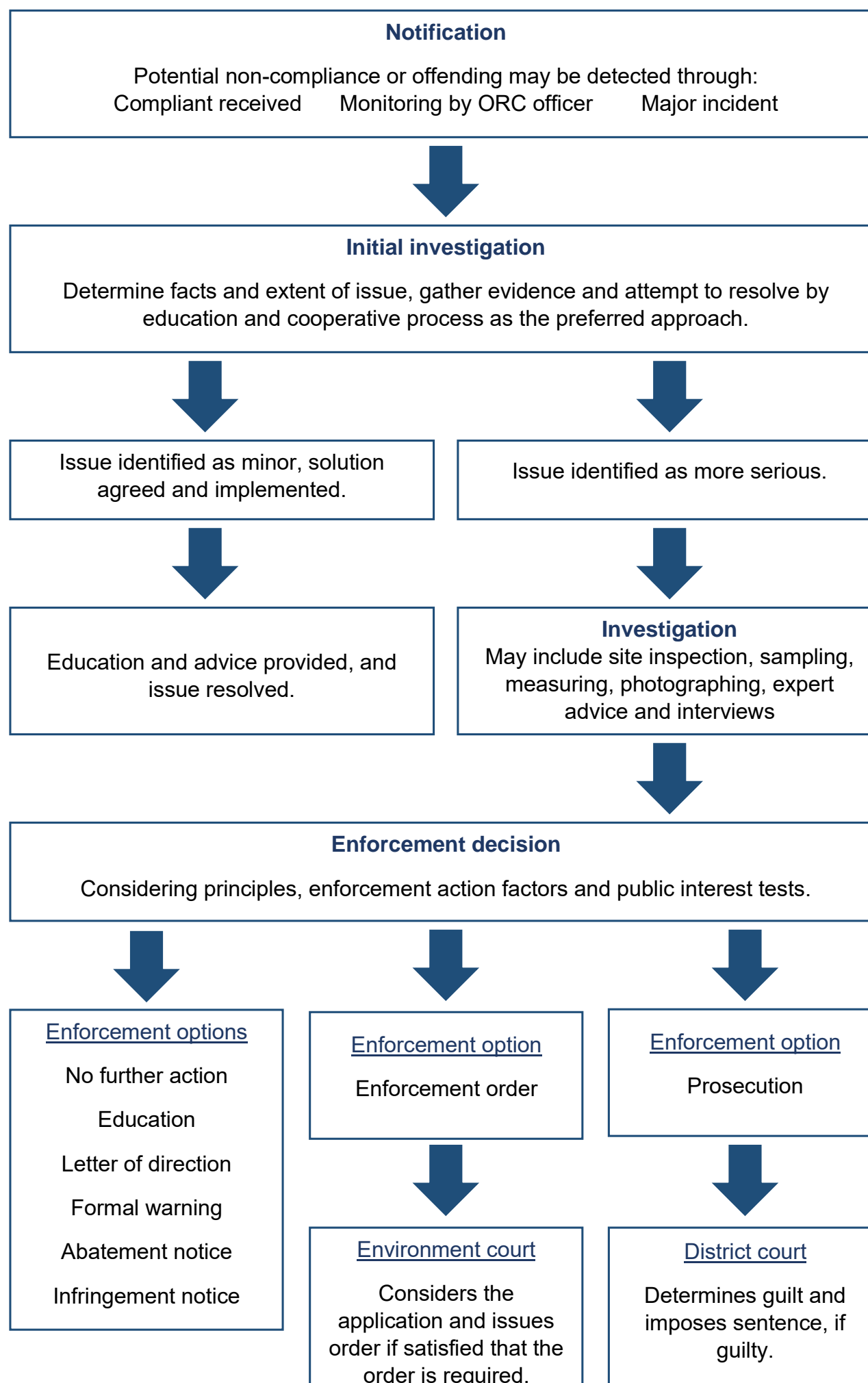
## 4 Conflict of interest

From time to time, ORC may be in a position where an actual or perceived conflict of interest associated with compliance activity exists. In these situations, it may be appropriate to request the support of an independent party which may include providing advice; undertaking any investigation; making recommendations on potential enforcement action; or reviewing an investigation. This ensures any action is consistent with the principles of enforcement set out in section 3 of the Policy. In particular, that compliance and enforcement action is lawful, ethical and accountable.

The decision to request independent support for an investigation is made by the General Manager Regulatory and Communications following a recommendation from the Manager Compliance.

Where ORC may be involved in potential significant non-compliance, independent support will be sought.

## 5 The investigation and enforcement process at a glance





## 6 Gathering information

If a breach, or potential breach, of the RMA occurs then information must be gathered about how and why the breach occurred. The purpose of an investigation is to establish the truth of what has occurred and enable informed decisions to be made. The depth and scope of the investigation will be dependent on the seriousness of the incident.

### Investigation activities may include:

- Visiting private property to collect information or potential evidence such as samples, photographs, measurements, or ecological assessments.
- Talking to people about what they know about the incident. People interviewed may be witnesses to an incident or potentially liable parties. These conversations will be recorded in writing or by electronic means.
- For serious matters interviews of potentially liable parties are conducted under caution to ensure their rights are understood.

When visiting private property it is vital to respect the rights of the lawful owner or occupier. ORC staff must ensure that all entry to private property is done so lawfully.

The Chief Executive Officer of the ORC has the authority to issue staff with warrants of authority. A warranted enforcement officer has the ability to enter private property (excluding dwelling houses) for the purpose of assessing compliance with environmental regulation. This can be completed without providing prior notice to the occupier or landowner.

However, there are times when access to property has to be conducted with informed consent or search warrant. Staff must attend specific training<sup>5</sup> and be familiar with all of their statutory obligations before carrying out any enforcement functions.

## 7 Enforcement decision

The ORC takes a rational and principled approach to regulation. In general, the ORC advocates a policy of education-first and co-operation towards compliance. However, the Council recognises that there are times when the use of punitive measures is necessary.

Enforcement of the RMA can be complex. The Sentencing Act 2002 and the courts have provided helpful guidelines<sup>6</sup> as to what factors are appropriate to consider in RMA cases to determine the seriousness of a breach. It is widely accepted across the regional sector that these are the appropriate factors to consider in enforcement decision making.

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<sup>5</sup> Warranted ORC staff gather information in keeping with best practice detailed in *Basic Investigative Skills for Local Government*

<sup>6</sup> *Machinery Movers Limited v Auckland* [1994] 1 NZLR 492 & *Selwyn Mews Ltd v Auckland City Council* HC Auckland CRI-2003-404-159

**Factors to consider when considering enforcement action:**

- What were, or are, the actual adverse effects on the environment?
- What were, or are, the potential adverse effects on the environment?
- What is the value or sensitivity of the receiving environment or area affected?
- What is the toxicity of discharge?
- Was the breach as a result of deliberate, negligent or careless action?
- What degree of due care was taken and how foreseeable was the incident?
- What efforts have been made to remedy or mitigate the adverse effects?
- What has been the effectiveness of those efforts?
- Was there any profit or benefit gained by alleged offender(s)?
- Is this a repeat non-compliance or has there been previous enforcement action taken against the alleged offender(s)?
- Was there a failure to act on prior instructions, advice or notice?
- Is there a degree of specific deterrence required in relation to the alleged offender(s)?
- Is there a need for a wider general deterrence required in respect of this activity or industry?

Not every factor will be relevant every time. On occasion one single factor may be sufficiently aggravating, or mitigating, that it may influence the ultimate decision. It is inappropriate to take a matrix or numerical approach to weighing and balancing these factors. Each case is unique and the individual circumstances need to be considered on each occasion to achieve a fair and reasonable outcome.

The discretion to take enforcement action, or not, sits solely with those delegated to make decisions in the regulatory agency<sup>7</sup>, including:

- The appropriate defendant to pursue;
- The appropriate enforcement tools to use in the circumstances; and
- Withdrawal of an enforcement action that has been commenced.

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<sup>7</sup> New Zealand Law Commission 'Prosecution decisions and the discretion to prosecute'  
[http://www.nzlii.org/nz/other/nzlc/report/R66/R66-5\\_.html](http://www.nzlii.org/nz/other/nzlc/report/R66/R66-5_.html)

### The prosecution test:

The Solicitor-General's Prosecution Guidelines provides direction on what factors should be considered before a decision to prosecute is made. There are two parts of the test to be met. The first part of the test is the **evidential test** and requires a legal assessment of whether:

- A specific person being responsible for the offending (whether natural or legal).
- The evidence is credible.
- The ORC can produce the evidence before the court, and it is likely it will be admitted by the court.
- The evidence can reasonably be expected to satisfy a court beyond a reasonable doubt, that the person has committed a criminal offence.
- Whether the defendant can successfully make out a statutory defence based on the information available to the ORC, which will include any information supplied by the likely defendant as well as other persons.
- There is any other evidence the ORC should seek out which may support or detract from the case.

Once it has been established that there is sufficient evidence to provide a reasonable prospect of conviction, the test for prosecution requires a consideration of whether the **public interest**. The Solicitor-General's Prosecution Guidelines states that broadly the presumption is that the public interest requires prosecution where there has been a contravention of the criminal law. A case-by-case assessment is necessary to displace that presumption.

## 8 Enforcement options

Part XII of the RMA includes "formal" enforcement tools that are available to deal with breaches of the RMA. Informal enforcement tools are also used by the ORC as part of its enforcement options. It is important to ensure these tools (both formal and informal) are applied consistently across the myriad of activities and resource use across the region.

Enforcement tools can be categorised into three general areas.

- **Informal actions** are focused on providing education and incentive-based responses to allow the person to become better informed and develop their own means to improved compliance.
- **Directive actions** are about looking forward and giving direction and righting the wrong.
- **Punitive actions** are about looking back and holding people accountable for what they have done.

	Description of action	Potential impacts for the liable party	When this action may be appropriate
Informal actions	<b>Education and engagement</b>  To prevent further breaches, or to remedy or mitigate the effects of non-compliance, ORC can provide information or guidance around rules and regulations to enable parties to achieve compliance.	This is a non-formal process and as such has no legal implication.	Education and other incentive-based interactions are reserved for low level offending and when dealing with cooperative parties, who are motivated to do the right thing but lack the knowledge or skills necessary to achieve and maintain compliance.
	<b>Letter of direction</b>  To prevent further breaches, or to remedy or mitigate the effects of non-compliance, ORC can give a written direction for a party to take or cease a particular action.	Such a direction is not legally enforceable.	Letters of direction should be reserved for dealing with cooperative parties, who are motivated to follow the direction, and where the breach is of a minor nature, consistent with a breach that would perhaps also receive a formal warning.
Directive actions	<b>Abatement notice</b>  An abatement notice is a formal, written directive. It is drafted and served by ORC instructing an individual or company to cease an activity, prohibit them from commencing an activity or requiring them to do something. The form, content and scope of an abatement notice are prescribed in statute.	A direction given through an abatement notice is legally enforceable. To breach an abatement notice is to commit an offence against the RMA and make liable parties open to punitive actions.	An abatement notice may be appropriate any time that there is a risk of further breaches of environmental regulation or when remediation of mitigation is required as a result of non-compliance.  Other considerations are where no action has been taken to rectify a situation when less formal processes have been used, and/or where non-compliance is ongoing.



	Description of action	Potential impacts for the liable party	When this action may be appropriate
Directive actions	<b>Enforcement order</b>  Like an abatement notice, an enforcement order can direct a party to take particular action. However, an application for an enforcement order must be made to the Environment Court but can also be made during the course of an RMA prosecution or sentencing.	A direction given through an enforcement order is legally enforceable.  To breach an enforcement order is to commit an offence against the RMA and make liable parties open to punitive actions.	An application for an enforcement order may be appropriate any time there is a risk of continuing breaches of environmental regulation, or remediation or mitigation is required due to non-compliance.  Other considerations are for a repeat offence where effects are significant and where no progress has been made when using other enforcement tools.
Punitive actions	<b>Formal warning</b>  A formal warning is documented by way of a letter to a culpable party informing them that an offence against the RMA has been committed, and that they are liable.	No further action will be taken in respect of that breach.  However, the warning forms part of a history of non-compliance and will be considered if there are future incidents of non-compliance.	A formal warning may be given when an administrative, minor or technical breach has occurred and is issued in lieu of an infringement; and the environmental effect or potential effect, is minor or trivial in nature; and the subject does not have a history of non-compliance; and the matter is one which can be quickly and simply put right; and a written warning would be appropriate in the circumstances.

	Description of action	Potential impacts for the liable party	When this action may be appropriate
Punitive actions	<b>Infringement notice</b>  An infringement notice is a written notice which requires the payment of a fee. The amount of the fee is set in law. Depending on the breach the fine will be between \$300 and \$1000.	No further action will be taken in respect of that breach. However, the infringement notice forms part of the history of non-compliance and will be considered if there are future incidents of non-compliance.	An infringement notice may be issued when:  There is prima facie (on the face of it) evidence of a legislative breach; and a one-off or isolated legislative breach has occurred which is of minor impact, and which can be remedied easily; and where an infringement notice is considered to be a sufficient deterrent.
	<b>Prosecution</b>  A prosecution is a process taken through the criminal courts to establish guilt or innocence and, if appropriate, the court will impose sanctions.  RMA matters are heard by a District Court Judge with an Environment Court warrant.  All criminal evidential rules and standards must be met in a RMA prosecution.	A successful prosecution will generally result in a conviction, a penalty imposed and consideration to costs of the Investigation.  A prosecution forms part of the history of non-compliance and will be considered if there are future incidents of non-compliance.	A prosecution may be considered appropriate when the factors listed in section 6 indicate that the matter is sufficiently serious to warrant the intervention of the criminal law.

## 9.7. 2025 Infringement Regulations Update

**Prepared for:** Environmental Delivery Committee  
**Report No.** ENV2508  
**Activity:** Governance Report  
**Author:** Peter Kelliher, Team Leader Investigations  
**Endorsed by:** Joanna Gilroy, General Manager Environmental Delivery  
**Date:** 4 September 2025

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### PURPOSE

- [1] To note the increase in infringement fees for offences under the Resource Management Act 1991, as set out in the Resource Management (Infringement Offences) Amendment Regulations 2025.

### EXECUTIVE SUMMARY

- [2] On 4 September 2025, the Resource Management (Infringement Offences) Amendment Regulations 2025 will come into force. These Regulations amend the Resource Management (Infringement Offences) Regulations 1999 by increasing the prescribed infringement fees and introducing differentiated fee structures for individuals and companies. Council must operate in line with these regulations.
- [3] The amendments aim to enhance deterrence and promote compliance with the Resource Management Act 1991.

### RECOMMENDATION

*That the Committee:*

- 1) **Notes** this report.

### BACKGROUND

- [4] The Resource Management Act 1991 (RMA) provides Councils with the ability to issue infringement notices for minor environmental offences. This system allows for fixed financial penalties to be imposed without the cost and time associated with court prosecutions. The specific offences and associated fees are set out in the Resource Management (Infringement Offences) Regulations 1999. Council must operate in line with these regulations.
- [5] Currently, there are 14 prescribed infringement offences, with fees previously ranging from \$300 to \$1,000. However, these fees have remained unchanged since the regulations were first introduced in 1999.

- [6] Concerns had been raised by local government and its representative organisations<sup>1</sup> that the existing fees were too low to serve as an effective deterrent. In some cases, the cost of paying an infringement notice is less than the cost of complying with the rules or obtaining the necessary authorisation. This undermines the incentive for compliance.
- [7] In response, the Ministry for the Environment reviewed the 1999 Regulations and consulted on options to increase the infringement fees. Council submitted on these options, which went through the Council's Submission Working Group. The Ministry's preferred option, which was supported by the majority of submissions, involved increasing fees for certain offences more than others to reflect their seriousness and improve consistency across similar offences.
- [8] The 2025 Regulations amend the 1999 Regulations and commence on 4 September 2025. A copy of the 2025 Regulations is attached.

## DISCUSSION

- [9] The key changes to the 1999 Regulations include:
- There are now distinct penalties for individuals, with greater penalties for companies;
  - Under the 1999 Regulations, fees were capped at \$1,000, the maximum now is \$4,000, in some instances.
  - Appeals to an infringement notice, opens up the person(s) to higher penalties and costs.
- [10] A comparison of the 1999 and 2025 infringement fees are set out in the table below:

*Table 1: Comparison of new and existing infringements*

Resource Management Offences		Existing Infringement fee (\$)	New Infringement fee as at 4 September 2025 (\$)	
Section	Offence	Individual & Company	Individual	Company
9(1) & (2)	Restrictions on Land Use	\$300.00	\$1,500.00	\$3,000.00
12	Restrictions on use of Coastal marine area	\$500.00	\$1,000.00	\$2,000.00
13	Restriction on certain uses of lakes and rivers	\$500.00	\$1,000.00	\$2,000.00
14	Restrictions relating to water	\$500.00	\$1,000.00	\$2,000.00
15(1)(a) & (b)	Discharges of contaminants or water into water or onto or into land where contaminant is likely to enter water	\$750.00	\$1,500.00	\$3,000.00
15(1)(c) &	Discharge of	\$1,000.00	\$2,000.00	\$4,000.00

<sup>1</sup> Local Government New Zealand and Taituara



(d)	contaminants into environment from Industrial or Trade premises			
15(2) or (2A)	Discharge of contaminant into air or onto or into land	\$300.00	\$600.00	\$1,200.00
322(1)(c)	Contravention of an Abatement notice	\$750.00	\$2,000.00	\$4,000.00
15A(1)(a)	Dumping of waste or other matter from ship, aircraft or offshore installation	\$500.00	\$1,500.00	\$3,000.00
15B(1) & (2)	Discharge in the coastal marine area of harmful substances, contaminants, or water from a ship or offshore installation	\$500.00	\$1,500.00	\$3,000.00
329	Contravention of a water shortage direction	\$500.00	\$2,000.00	\$4,000.00
22	Failure to provide certain information to an enforcement officer	\$300.00	\$1,000.00	\$2,000.00

- [11] By way of an example, the infringement fee for non-compliant outdoor burning, which previously incurred a \$300 fine, will now be \$600 for an individual or \$1,200 for a company.
- [12] The 2025 Regulations also clarifies that those who seek a hearing to contest an infringement notice may be liable for a higher penalty (and costs) than the listed infringement fee. This is because the court has jurisdiction to impose a fine if the person contesting the infringement notice is still found to be liable.
- [13] The legislative change will result in an update of Council's templates, policies, education material and training documents which refer to the 1999 infringement fees and forms.
- [14] Any RMA breaches that occur prior to 4 September 2025 will continue to be dealt with under the 1999 regime. Any RMA breaches from 4 September 2025 (that are going to be dealt with by way of infringement) must be dealt with under the 2025 Regulations.

## CONSIDERATIONS

### Strategic Framework and Policy Considerations

- [15] The previous infringement fees were no longer fit for purpose, having become outdated and insufficient to serve as an effective deterrent against non-compliance. The 2025 Regulations have been made to rectify this issue.

### Financial Considerations

- [16] There are administrative costs in updating Council's templates, policies, education material and training documents

- [17] Under section 343D of the RMA, Council is entitled to retain all infringement fees received from notices issued by Council enforcement officers.

### **Significance and Engagement**

- [18] As this is a paper for noting and the changes introduced by the Government the policy is not triggered.

### **Legislative and Risk Considerations**

- [19] The Council is required to administer the RMA, and Regulations under that Act. As above, under section 343D of the RMA, Council is entitled to retain all infringement fees received from notices issued by Council enforcement officers.

### **Climate Change Considerations**

- [20] There are no climate change considerations regarding the Regulations.

### **Communications Considerations**

- [21] Communication of the changes to the regulations sits with the Government, but education material and Council's website will be updated to reflect the new infringement fees.

## **ATTACHMENTS**

1. Resource Management Infringement Offences Amendment Regulations 2025 [9.7.1 - 5 pages]

2025/162



**Resource Management (Infringement Offences)  
Amendment Regulations 2025**

Rt Hon Dame Helen Winkelmann, Administrator of the Government

**Order in Council**

At Wellington this 4th day of August 2025

Present:

Her Excellency the Administrator of the Government in Council

These regulations are made under section 360(1)(ba) and (bb) of the Resource Management Act 1991 on the advice and with the consent of the Executive Council.

**Contents**

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1 Title	1
2 Commencement	2
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<b>Schedule</b>	<b>3</b>
<b>Schedule 1 replaced</b>	

**Regulations**

- 1

**Title**

These regulations are the Resource Management (Infringement Offences) Amendment Regulations 2025.

r 2	<div>Resource Management (Infringement Offences) Amendment Regulations 2025</div>	2025/162
2	<div><b>Commencement</b> These regulations come into force on 4 September 2025.</div>	
3	<div><b>Principal regulations</b> These regulations amend the Resource Management (Infringement Offences) Regulations 1999.</div>	
4	<div><b>Schedule 1 replaced</b> Replace Schedule 1 with the Schedule 1 set out in the Schedule of these regulations.</div>	
5	<div><b>Schedule 2 amended</b> (1) In Schedule 2, paragraph 3, replace the note with: <b>Note:</b> If the court finds you guilty of the offence, the court may impose a penalty that is higher than the infringement fee and costs will be imposed in addition to any penalty. (2) In Schedule 2, paragraph 4, replace the note with: <b>Note:</b> The court may impose a penalty that is higher than the infringement fee and costs will be imposed in addition to any penalty.</div>	
6	<div><b>Schedule 3 amended</b> In Schedule 3, after paragraph 2(c), insert: <b>Note:</b> If you request a hearing and the court finds you guilty of the offence, the court may impose a penalty that is higher than the infringement fee and costs will be imposed in addition to any penalty.</div>	



Schedule

Schedule 1 replaced

r 4

Schedule 1			
Infringement offences and fees			
Offence specified as infringement offence	Description of offence	Infringement fee for offence (individual) (\$)	rr 2(1), 3
			Infringement fee for offence (company) (\$)
Section 338(1)(a)	Contravention of section 9(1) and 9(2) (restrictions on use of land in a manner that contravenes a national environmental standard or regional rule)	1,500	3,000
	Contravention of section 9(3) and 9(4) (restrictions on use of land in a manner that contravenes a district rule, designation, or heritage order)	600	1,200
	Contravention of section 12 (restrictions on use of coastal marine area)	1,000	2,000
	Contravention of section 13 (restriction on certain uses of beds of lakes and rivers)	1,000	2,000
	Contravention of section 14 (restrictions relating to water)	1,000	2,000
	Contravention of section 15(1)(a) and (b) (discharge of contaminants or water into water or discharge of contaminants onto or into land where contaminant is likely to enter water)	1,500	3,000
	Contravention of section 15(1)(c) and (d) (discharge of contaminants into environment from industrial or trade premises)	2,000	4,000
	Contravention of section 15(2) or (2A) (discharge of contaminant into air or onto or into land)	600	1,200
	Contravention of an abatement notice (other than a notice under section 322(1)(c))	2,000	4,000

Resource Management (Infringement Offences) Amendment Regulations 2025			
Explanatory note		2025/162	
Offence specified as infringement offence	Description of offence	Infringement fee for offence (individual) (\$)	Infringement fee for offence (company) (\$)
Section 338(1)(d)	Contravention of a water shortage direction under section 329	2,000	4,000
Section 338(1A)	Contravention of section 15A (dumping or incineration of waste or other matter in the coastal marine area)	1,500	3,000
Section 338(1B)	Contravention of section 15B(1) and (2) (discharge in the coastal marine area of harmful substances, contaminants, or water from a ship or an offshore installation)	1,500	3,000
Section 338(2)(a)	Contravention of section 22 (failure to give certain information to an enforcement officer)	1,000	2,000
Section 338(2)(c)	Contravention of an excessive noise direction under section 327	1,000	2,000
Section 338(2)(d)	Contravention of an abatement notice for unreasonable noise under section 322(1)(c)	1,500	3,000

Rachel Hayward,  
Clerk of the Executive Council.

Explanatory note

*This note is not part of the regulations but is intended to indicate their general effect.*

These regulations, which come into force on 4 September 2025, amend the Resource Management (Infringement Offences) Regulations 1999 (the **principal regulations**) as follows:

- increasing the infringement fees in Schedule 1 of the principal regulations. This is as a result of the Resource Management Amendment Act 2020, which increased the maximum infringement fees available under the Resource Management Act 1991 (the **principal Act**). The previous infringement fees were outdated and too low to provide an effective deterrent to non-compliance:
- separating out the infringement fees to distinguish between individuals and companies:
- separating out the infringement fees in relation to contraventions of section 9 of the principal Act:

- extending the description of the offence under section 338(1A) of the principal Act to include contraventions of all of section 15A of the principal Act (previously it only extended to contraventions of section 15A(1)(a));
- clarifying in Schedules 2 and 3 that those who seek a hearing to contest an infringement notice may be liable for a higher penalty than the listed infringement fee. This is because the court has jurisdiction to impose a fine if the person contesting the infringement notice is still found to be liable.

Regulatory impact statement

The Ministry for the Environment produced a regulatory impact statement on 16 August 2023 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <https://environment.govt.nz/what-government-is-doing/cabinet-papers-and-regulatory-impact-statements/rm-infringement-offences-reg/>
- <https://www.regulation.govt.nz/our-work/regulatory-impact-statements/>

Issued under the authority of the Legislation Act 2019.  
Date of notification in *Gazette*: 7 August 2025.  
These regulations are administered by the Ministry for the Environment.

## 9.8. Dam Safety Building Act Enforcement Policy

**Prepared for:** Environmental Delivery Committee  
**Report No.** ENV2509  
**Activity:** Governance Report  
**Author:** Peter Kelliher, Team Leader Investigations  
**Endorsed by:** Joanna Gilroy, General Manager Environmental Delivery  
**Date:** 4 September 2025

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### PURPOSE

- [1] To consider Otago Regional Council's Dam Safety (Building Act) Enforcement Policy.

### EXECUTIVE SUMMARY

- [2] The Otago Regional Council is responsible for monitoring and administering the Building (Dam Safety) Regulations 2022 and various dam safety functions under the Building Act 2004.
- [3] The proposed Dam Safety (Building Act) Enforcement Policy is intended to ensure a consistent and integrated approach to enforcement is taken by Council and details the process followed when enforcement tools under the Building Act are being contemplated. This policy is consistent with Council's existing Compliance and Enforcement Policy.

### RECOMMENDATION

*That the Committee:*

- 1) **Notes** this report and the proposed Otago Regional Council Dam Safety (Building Act) Enforcement Policy.
- 2) **Notes** that the content of the proposed Policy may be updated post feedback from the Environmental Delivery Committee and to correct any minor grammatical errors.
- 3) **Recommends to Council that it approves** the Otago Regional Council's Dam Safety (Building Act) Enforcement Policy, subject to the changes offered above in b) being made.

### BACKGROUND

- [4] The Building Act (Dam Safety) Regulations 2022 ("the Regulations") commenced on 13 May 2024. The Regulations are designed to reduce the impact on people, property, or the environment from incidents that could cause these structures to fail. Not all dams are subject to the Regulations, only dams that are four metres or higher and store 20,000 or more cubic metres of stored liquid are impacted by the Regulations.
- [5] The Regulations specify various actions that a dam owner must take at specified intervals based on the Potential Impact Classification of the dam. It is an offence under the Building Act to not take those actions.
-



## DISCUSSION

- [6] Council is part of the Nationwide Dam Safety Forum, which is a group that provides guidance on the implementation of the Regulations, including ensuring national wide consistency. Membership of the group is made up of several Regional and Unitary Authorities, Ministry of Business, Innovation and Employment (“MBIE”) and New Zealand Society of Large Dams.
- [7] Resources have been developed by staff to support the implementation of the regulations and these include templates for Dangerous Dams, Earthquake-prone Dams, and Flood-prone Dams. As part of engagement with the Dam Safety Forum and sector wide collaboration these templates have been picked up by other Councils.
- [8] More recently, staff have drafted a Dam Safety (Building Act) Enforcement Policy. This policy has been shared with the Dam Safety Forum as a reference document. It is available for Councils to adopt in its current form or to use as a foundation for developing their own enforcement policies. This initiative underscores the ongoing commitment to inter-council collaboration and engagement in advancing dam safety practices.
- [9] The draft Policy sets out Council’s approach to enforcement, the enforcement process and the enforcement options available to it under the Building Act 2004. Council already has enforcement policies in place under the Resource Management Act 1991 and the Biosecurity Act 1993.
- [10] To ensure a consistent and coordinated approach to dam safety enforcement, it is essential that the Council follows a defined process. Establishing a formal policy provides a clear framework for the appropriate use of enforcement tools under the Building Act.
- [11] The draft policy outlines the core principles guiding Council’s approach to enforcement action. These principles include:
- a. Transparency;
  - b. Consistency of process;
  - c. Fair, reasonable and proportional approach;
  - d. Evidence based decision making;
  - e. Collaboration;
  - f. Lawfulness, ethics and accountable;
  - g. Targeted enforcement; and
  - h. Responsive and effective.
- [12] A copy of the draft Policy is provided in Attachment 1.
- [13] One of the enforcement mechanisms available is the issuance of infringement notices under the Building (Infringement Offences, Fees, and Forms) Regulations 2007. These regulations prescribe specific offences and associated fees, including those set out in the table below:

Table 1: Dam Safety Infringement Offences

Provision of the Building Act 2004	Offence	Fee
s134C	Dam owner failing to classify a dam	\$500
s138	Dam owner failing to comply with a direction from a regional authority to have a classification re-audited and submitted	\$250
s140	Dam owner failing to prepare, or to arrange the preparation of, a dam safety assurance programme and submit it for audit	\$500
s145	Dam owner failing to comply with a direction from a regional authority to have a dam safety assurance programme re-audited and submitted	\$250
150(4)(a)	Dam owner knowingly failing to display a dam compliance certificate required to be displayed	\$250
150(4)(b)	Dam owner displaying a false or misleading dam compliance certificate	\$1,000
150(4)(c)	Dam owner displaying a dam compliance certificate otherwise than in accordance with section 150	\$1,000
s154	Dam owner failing to comply with a notice, within the time stated in the notice, requiring work to be carried out on a dangerous dam	\$2,000

[14] Since the introduction of the Regulations, Council has proactively engaged with dam owners to support their understanding and compliance with obligations under the Regulations and the Building Act 2004. This has been achieved through targeted communications, including mailouts, emails, media releases, and dedicated website content. MBIE have also engaged with dam owners through their own media communications.

[15] Once approved, any decision on potential compliance enforcement action will be made in line with the policy and under existing delegations.

### OPTIONS

[16] **Option one** - Recommend to Council that it approves the Policy. This is the option recommended by staff as it will provide a consistent and transparent framework to guide compliance decision making. There are no disadvantages of this option.

[17] **Option two** - Do not approve the Policy. It is not a requirement for Council to have a Dam Safety (Building Act) Enforcement Policy. However, such policies are encouraged to ensure consistency and effectiveness.

### CONSIDERATIONS

#### Strategic Framework and Policy Considerations

[18] This paper puts in place the framework from which dam safety enforcement decisions will be made.

**Financial Considerations**

- [19] There are administrative costs in carrying out enforcement action.
- [20] In some instances, depending on the enforcement action taken (i.e. default works), the Council may recover costs from the dam owner.

**Significance and Engagement Considerations**

- [21] Consultation has taken place with the Nationwide Dam Safety Forum.
- [22] Unlike the Council's policy on dangerous dams, earthquake-prone dams, and flood-prone dams – which required community consultation under legislation, there is no statutory obligation to consult with the community on the proposed Dam Safety (Building Act) Enforcement Policy.

**Legislative and Risk Considerations**

- [23] The Council is required to administer the Building Act, and Regulations under that Act.
- [24] Council's current delegation manual provides for dam safety enforcement and this policy will support the effective exercise of these delegations and make it clear to the community about when and how compliance action may be taken reducing risk.

**Climate Change Considerations**

- [25] There are no climate change considerations regarding the draft Policy.

**Communications Considerations**

- [26] If approved, a copy of the Policy will be uploaded to Council's website and communicated externally.

**ATTACHMENTS**

1. Building Act Enforcement Policy [9.8.1 - 10 pages]



# Otago Regional Council

## Dam Safety (Building Act) Enforcement Policy



**June 2025**



Date approved	XXXXXXX
Review date	June 2026
Policy owner	XXXXXXX
Version	1.0

1 Introduction

The Otago Regional Council (ORC) is responsible for monitoring and administering the Building (Dam Safety) Regulations 2022 and various dam safety functions under the Building Act 2004.

This policy is intended to ensure a consistent and integrated approach to enforcement by ORC and details the process followed when enforcement tools under the Building Act are being contemplated.

This policy is in addition to, and compliments the ORC’s RMA Compliance and Enforcement policy, ORC’s Dam Compliance Strategy and ORC’s Prosecution policy with respect to dam safety and the Solicitor-Generals prosecution guidelines.

2 Principles of Decision Making

Underlying the ORC’s approach to enforcement action are the following principles<sup>4</sup>.

**Transparency** - We will provide clear information and explanations to the community, and those being regulated, about the standards and requirements for compliance.

**Consistency of process**— Our actions will be consistent with the legislation and within our powers. Compliance and enforcement outcomes will be consistent and predictable for similar circumstances. We will ensure that our staff have the necessary skills and are appropriately trained, and that there are effective systems and policies in place to support them.

**Fair, reasonable and proportional approach** – We will apply regulatory interventions and actions appropriate for the situation. We will use our discretion justifiably and in light of the circumstances, and that our interventions

<sup>3</sup> Influencing behaviour change is based on the CESIG Regional Sector Strategic Compliance Framework

<sup>4</sup> These principles are drawn from the CESIG Regional Sector Strategic Compliance Framework 2019-2024

and actions will be proportionate to the seriousness of the non-compliance and the risks posed to people, property and the environment.

**Evidence-based and informed** – We will use an evidence-based approach to our decision making. Our decisions will be informed by a range of sources, including sound science/engineering, the regulated parties, information received from other regulators, members of the community, industry and interest groups.

**Collaborative** – We will work with and, where possible, share information with other regulators and stakeholders to ensure the best compliance outcomes for our region. We will engage with the community and those we regulate to promote better outcomes.

**Lawful, ethical and accountable** – We will conduct ourselves lawfully and impartially and in accordance with these principles and relevant policies and guidance. We will document and take responsibility for our regulatory decisions and actions. We will measure and report on our regulatory performance.

**Targeted** – We will focus on the most important issues and problems to achieve the best environmental outcomes. We will target our regulatory intervention at poor performers and illegal activities that pose the greatest risk. We will apply the right tool for the right problem at the right time.

**Responsive and effective** – We will consider all alleged non-compliances to determine the necessary interventions and action to minimise impacts on the environment and the community and maximise deterrence. We will respond in an effective and timely manner in accordance with legislative and organisational obligations.

### 3 Encouraging Compliance

The ORC has a 'spectrum' approach to encouraging positive behaviour change and ensuring the highest levels of compliance possible.

Unless the situation requires otherwise, the ORC's approach to ensuring compliance with the Building Act is based on '4Es model'<sup>2</sup> of Engage, Educate, Enable and Enforce:

- **Engage** – consult with regulated parties, stakeholders and community on matters that may affect them. This will require maintaining relationships and communication until final outcomes have been reached. This will facilitate greater understanding of challenges and constraints, engender support and identify opportunities to work with others.
- **Educate** – alert regulated parties to what is required to be compliant and where the onus lies to be compliant. Education should also be utilised to inform community and stakeholders about what regulations are in place around them, so that they will better understand what is compliant and what is not.

- **Enable** – provide opportunities for regulated parties to be exposed to industry best practice and regulatory requirements. Link regulated parties with appropriate industry advisors. Promote examples of best practice.
- **Enforce** – when breaches of regulation, or non-compliance, are identified then an array of enforcement tools and actions are available to bring about positive behaviour change. Enforcement outcomes should be proportional to individual circumstances of the breach and culpability of the party.

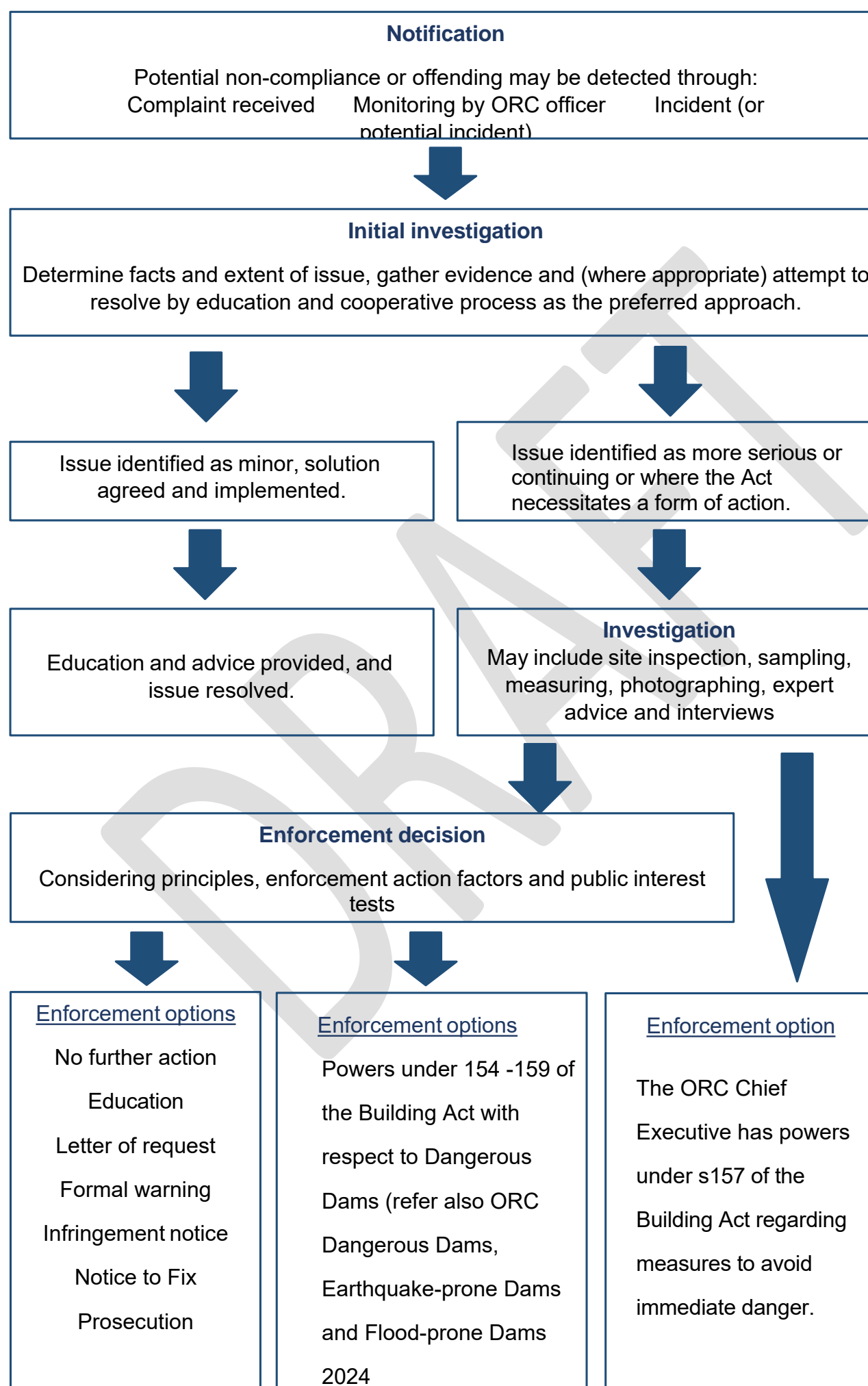
Non-compliance with the Building Act is taken seriously by the ORC. Except in exceptional circumstances some form of action will be taken in response to non-compliance.

ORC's approach and use of enforcement tools and actions depends on the issue, context and seriousness of the breach.

#### **4 Enforcement decision**

Any formal enforcement decision must be in accordance with the delegation/authorisation either provided for in the ORC's delegation manual or in the Building Act.

## 5 The investigation and enforcement process at a glance





## 6 Enforcement Options

The Building Act provides a number of statutory (formal) tools to address non-compliance. This enables ORC to select the appropriate tool for the appropriate solution. Informal enforcement tools are also used by the ORC as part of its enforcement options. It is important to ensure these tools (both formal and informal) are applied consistently across the myriad of activities and situations across the region.

Enforcement tools can be categorised into three general areas.

- **Informal actions** are focused on providing education and incentive-based responses to allow the person to become better informed and develop their own means to improved compliance.
- **Directive actions** are about looking forward and giving direction and righting the wrong.
- **Punitive actions** are about looking back and holding people accountable for what they have done.

Any enforcement decisions under the Building Act 2004 must be in accordance with ORC's delegation manual, which is available on the Council's website.

Any level of enforcement action forms part of the compliance history and may be considered if there are future incidents of non-compliance.

Infringement notices must be in the form as specified in the Building (Infringement Offences, Fees, and Forms) Regulations 2007.

	Description of action	Potential impacts for the liable party	When this action may be appropriate
Informal actions	<b>Education and engagement</b>  To prevent further breaches, or to remedy or mitigate the effects of non-compliance, ORC can provide information or guidance around rules and regulations to enable parties to achieve compliance.	This is a non-formal process and as such has no legal implication.	Education and other incentive-based interactions are reserved for low level offending and when dealing with cooperative parties, who are motivated to do the right thing but lack the knowledge or skills necessary to achieve and maintain compliance.
	<b>Letter of request</b>  To prevent further breaches, or to remedy non-compliance, ORC can give a written direction for a party to take a particular action.	Such a direction is not legally enforceable.	Letters of direction should be reserved for dealing with cooperative parties, who are motivated to follow the direction, and where the breach is of a minor nature, consistent with a breach that would perhaps also receive a formal warning.
Directive actions	<b>Notice to Fix</b>  A Notice to Fix is a statutory notice requiring a person to remedy a breach of the Building Act or regulations under that Act. A Notice to Fix can be issued for all breaches of the Act and Regulations, not just for building work.	A Notice to Fix is legally enforceable. To fail to comply with a Notice to Fix is an offence under the Building Act. A person who fails to comply with a Notice to Fix is liable on conviction to a fine.	A Notice to Fix must be issued when a person is contravening or failing to comply with the Building Act or regulations made under that Act.

	Description of action	Potential impacts for the liable party	When this action may be appropriate
Directive actions	<p><b>Requiring work to be carried out on a dangerous dam</b></p> <p>Written notice may be given requiring the dam owner to carry out specific work on a dangerous dam, within a time specified, to reduce or remove the danger.</p>	<p>ORC may carry out certain actions to keep people safe from a dangerous dam. ORC may give written notice requiring work to be undertaken within a specified time to reduce or remove the danger.</p> <p>Failing to comply with the notice is an offence under the Building Act. It may also lead to the ORC carrying out that work and recovering the costs from the person liable.</p>	<p>A dangerous dam is defined in the Building Act as a dam that:</p> <p>(a) is a high potential impact dam or a medium potential impact dam; and</p> <p>(b) is likely to fail—</p> <p>(i) in the ordinary course of events; or</p> <p>(ii) in a moderate earthquake (as defined in the regulations); or</p> <p>(iii) in a moderate flood (as defined in the regulations)</p> <p>The level of danger of each dam would need to be considered before taking such action.</p>
	<p><b>Measures to avoid immediate danger</b></p> <p>If because of the state of a dam, immediate danger to the safety of persons, property, or the environment is likely.</p> <p>The Chief Executive of the ORC may, by warrant, cause any action to be taken that is necessary to remove that danger.</p> <p>The warrant may need to be confirmed by the District Court.</p>	<p>If action is to be taken:</p> <p>(a) the dam owner is liable for the costs of the action.</p> <p>(b) ORC may recover costs from the owner</p> <p>(c) The amount recoverable becomes a charge on the land.</p>	<p>This action arises when the condition of a dam is such, that there is immediate danger to the safety of the persons, property or the environment is likely.</p> <p>The ORC has discretion on whether to issue the warrant.</p>

Punitive actions	<p><b>Formal warning</b></p> <p>A formal warning is documented by way of a letter to a culpable party informing them that an offence against the RMA has been committed, and that they are liable.</p>	<p>No further action will be taken in respect of that breach.</p>	<p>Warnings may be issued for a range of behaviour, from conduct that might only attract a fine through to more serious conduct. Whether a warning is appropriate will depend on the circumstances of the case.</p>
	<p><b>Infringement notice</b></p> <p>An infringement notice is a written notice which requires the payment of a fee. The amount of the fee is set in law. Depending on the breach the fine will be between \$250 and \$2000.</p>	<p>No further action will be taken in respect of that breach.</p>	<p>An infringement notice may be issued when:</p> <p>There is prima facie (on the face of it) evidence of a legislative breach; and a one-off or isolated legislative breach has occurred which is of minor impact and which can be remedied easily; and where an infringement notice is considered to be a sufficient deterrent.</p>



	Description of action	Potential impacts for the liable party	When this action may be appropriate
Punitive actions	<p><b>Prosecution</b></p> <p>A prosecution is a process taken through the criminal courts to establish guilt or innocence and, if appropriate, the court will impose sanctions.</p>	<p>A successful prosecution will generally result in a conviction, a penalty imposed and consideration to costs of the Investigation.</p>	<p>A prosecution may be considered appropriate when the matter is sufficiently serious to warrant the intervention of the criminal law.</p>