

Executive Summary

This research was commissioned to identify perceived barriers to the adoption of any of the three mechanisms proposed in the draft plan change for the Tutaekuri, Ahuriri, Ngaruroro and Karamu catchments (known as 'TANK'). It was commissioned by the Hawke's Bay Regional Council (HBRC) for use in the implementation of their plan. This plan change require farmers, growers and foresters to agree work (with Council) that is required on their properties through one of the following mechanisms:

- An individual farm plan;
- An industry programme; or
- By working collectively within local catchment collectives.

A mixed methods approach was used in the research, with a quantitative survey and a semi-structured interview being undertaken. Nineteen people were interviewed covering a range of involvement with the TANK plan change: either directly in the TANK stakeholder group; with the Farmers Reference Group; or as an employee of Council.

Many barriers were identified, as were a number of risks to the success of the mechanisms, which are also noted as in the future they may become barriers themselves. The groupings identified for these barriers are as follows:

- the need for mechanisms to be objective-focused and simple,
- ensuring appropriate expectations (everyone is on the same page to begin),
- ensuring access to the right support,
- interpersonal risks (catchment collectives only), and
- transparency of accountability (catchment collectives only).

A total of 43 recommendations have been made across these five groupings. Each has been given a scale of importance of Low, Medium, High or Critical. More than half of the recommendations (23) applied to all mechanisms. Additionally, one barrier was identified specifically for Industry Programmes; while the remainder (19) were found to specifically apply to Catchment Collectives. A summary of these are shown is shown in Table ES1.

Table ES1. Summary of recommendations made in relation to the barriers and risks identified in this research.

Grouping of barriers	Number of recommendations			
	Critical	High	Medium	Low
RECOMMENDATIONS RELATING TO ALL MECHANISMS				
The need for mechanisms to be objective-focused and simple		4	1	
Ensuring appropriate expectations (everyone is on the same page to begin)	4	6	4	
Ensuring access to the right support	3	1		
A RECOMMENDATION SPECIFIC TO THE INDUSTRY PROGRAMME MECHANISM				
The need for mechanisms to be objective-focused and simple		1		
RECOMMENDATIONS SPECIFIC TO THE CATCHMENT COLLECTIVE MECHANISM				
The need for mechanisms to be objective-focused and simple	3	1		
Ensuring appropriate expectations (everyone is on the same page to begin)		1	1	
Ensuring access to the right support	5			
Interpersonal risks		1	2	1
Transparency of accountability	4			
TOTALS	19	15	8	1

Many of the recommendations deal with actions that will improve perceptions or relationships between parties involved. Some of them recommend action that will not be perceived as direct activity 'on the ground', yet these are considered important enablers for the success of any activity that will occur. Further, the burden for delivering on the recommendations falls predominantly with Council, rather than the primary producers. This highlights the complex inter-related nature of factors that will enable such plans to be a success, and the need for Council to ensure that the 'groundwork' is laid for successful implementation of the plan.

While this research has identified a rich volume of potential barriers and provided recommendations, it recognises that many of these are likely to have already been discussed as part of the TANK process or may already be on Council's 'radar'. The recommendations provided in this report are provided to Council in the hope that their formulation and ranking might reinforce the importance of some barriers to be dealt with. It is expected that this will contribute to the successful implementation of the plan change.

1 Introduction

Recent years have seen an increase in the development or revision of Regional Council plans relating to freshwater. While this is partly due to an increasing awareness that New Zealand's freshwater resources are coming under more pressure, it predominantly reflects the need for Regional Councils to respond to the *National Policy Statement for Freshwater Management 2014 (Amended 2017)* (Ministry for the Environment, 2014; 2017).

Since 2012 the Hawke's Bay Regional Council (HBRC) has been working with a representative stakeholder group to look at ways of better managing the waterways of the Tutaekuri, Ahuriri, Ngaruroro and Karamu catchments. This project is referred to as 'TANK', an acronym of the four catchment names. The TANK project is expecting to deliver a proposed plan change in the second half of 2018.

In April 2018, Deliberate was commissioned to undertake qualitative research focusing on identifying perceived barriers to farmers support for; involvement in; and implementation of the three main mechanisms proposed in the draft plan change to guide mitigation action. These three options are:

- To work individually through farm plans
- To work within industry programmes
- To work collectively within local catchment collectives

The TANK process has been progressing for some time and like many freshwater projects, it has been dealing with some protracted and difficult to understand issues. It is understood that because of challenges relating to uncertainties around data; difficulties with being able to establish firm contaminant limits at a property level; and the heterogeneity of issues across the catchments; a range of mechanisms for coordinating and managing improved environmental management are proposed, rather than a prescriptive list of mitigations. Also, in part because of this and in part because of the direct involvement of farmers through a Farmers Reference Group, this plan change has resulting in one of the mechanisms proposed being a 'Catchment Collective' (M-A. Baker, personal communication, April 2018). A Catchment Collective is a self-organising group through which collective environmental action can be taken, and the action agreed by the group is the means by which the members of the group are held accountable to council.

This research was commissioned and part funded by the Ministry for the Environment (MfE). It was completed within the ambitious and challenging timeframe of approximately 2.5 months. HBRC have an obvious direct interest in understanding the perceived barriers to adoption of the mechanisms and will use this research to inform the implementation stage of the plan

- Fourthly, the barriers and risks identified in these results are discussed. A range of recommendations are proposed to help minimise them and maximise adoption of the mechanisms (sections 5–9).
- Finally, these recommendations are collated and summarised and the research concluded (section 10).

This is a comprehensive report and much detail has been included due to the leading-edge nature of some of the proposals being made in the plan change, particularly the catchment collective. For this reason, the literature review is considered comprehensive for this type of report. This provides the reader with an opportunity to review a range of important concepts that would be useful to an understanding of the discussions that come later on. If, however, the reader is pressed for time, this section can be skimmed. Reading section 2.5 will provide an understanding of the research framework that has been developed and applied.

Similarly, in order to save some space, the methodology (section 3) and results (section 4) are summarised in the main body of the report, with more detail provided in appendices. A full discussion of the barriers that were identified and the recommendations made to deal with these have been left in the body of the report, for obvious reasons.

10 Summary and conclusion

This research has investigated the barriers and risks to the adoption of the three mechanisms proposed in the TANK plan change for coordinating management action, in relation to water quality. These mechanisms are Individual Farm Plans, Industry Programmes, and Catchment Collectives. A mixed methods approach has been used, with a quantitative survey and a semi-structured interview being undertaken. The sample included a range of people who have been involved with the TANK plan change, either directly in the TANK stakeholder group; with the Farmers Reference Group; or as an employee of Council.

The resulting data set was analysed by collating quantitative survey results and by thematically coding interview data to identify barriers and risk according to a range of deductive and inductive themes. The majority of the data analysis was via the qualitative coding process.

Many barriers and risks were found and a large number of these could be categorised as applying to all mechanisms. Additionally, one barrier was identified specifically for Industry Programmes specifically, while a number of additional potential barriers were found to apply specifically to Catchment Collectives.

For all mechanisms and the additional barrier specific to the Industry Programme, these barriers can be grouped as follows:

- The need for mechanisms to be objective-focused and simple
- Ensuring appropriate expectations (everyone is on the same page to begin)
- Ensuring access to the right support

For the Catchment collectives, these three groupings also applied, as well as the following additional groups:

- Interpersonal risks
- Transparency of accountability

A total of 43 recommendations have been made across these five groupings. Each has been given a scale of importance – Low, Medium, High or Critical. These recommendations are summarised in Table 2 below.

Table 2. Summary of recommendations made in relation to the barriers and risks identified in this research.

Grouping of barriers	Number of recommendations			
	Critical	High	Medium	Low
RECOMMENDATIONS RELATING TO ALL MECHANISMS				
The need for mechanisms to be objective-focused and simple		4	1	
Ensuring appropriate expectations (everyone is on the same page to begin)	4	6	4	
Ensuring access to the right support	3	1		
A RECOMMENDATION SPECIFIC TO THE INDUSTRY PROGRAMME MECHANISM				
The need for mechanisms to be objective-focused and simple		1		
RECOMMENDATIONS SPECIFIC TO THE CATCHMENT COLLECTIVE MECHANISM				
The need for mechanisms to be objective-focused and simple	3	1		
Ensuring appropriate expectations (everyone is on the same page to begin)		1	1	
Ensuring access to the right support	5			
Interpersonal risks		1	2	1
Transparency of accountability	4			
TOTALS	19	15	8	1

The 43 recommendations are also collated into three tables in order of priority at the end of this section: Critical (Table 3); High (Table 4); and Medium & Low (Table 5).

This research has identified a rich volume of potential barriers & risks and has provided recommendations to address these. It recognises that many of these are likely to have already been discussed as part of the TANK process or may already be on Council's 'radar'. They are commended to Council here in the hope that the formulation and ranking of recommendations might reinforce the importance of some barriers to be dealt with and that this may help guide implementation action in this regard.

This research has been focused on barriers and risks. While this has an obvious negative focus, it is for a positive reason. A huge amount of effort has already been collectively invested by Council and a number of supporting stakeholders to develop the TANK plan change. The success of that plan in the longer-term is heavily dependent on the successful adoption of the mechanisms proposed. The recommendations outlined here are intended to assist with the successful uptake of whatever mechanism an individual may choose. A significant amount of

goodwill, positive energy and a desire to make progress as a community was also identified in this research. Ensuring such goodwill is maintained will be key to the success of the mechanisms proposed in the plan change. If that goodwill is able to continue, supported by the recommendations in this report, the future of action taken to address the water quality issues in the TANK catchments looks positive.

Table 3. Critical recommendations across all groupings of barriers.

Recommendation	Priority
RECOMMENDATIONS RELATING TO ALL MECHANISMS	
Ensuring appropriate expectations (everyone is on the same page to begin)	
12. Council to calculate the average <u>establishment AND ongoing operational costs</u> of various types of monitoring stations and regimes. This should combine both direct capital costs and indirect costs of staff time. This can then be used in correlation with expectation setting discussions with the community around the ongoing level of monitoring that will occur.	Critical
13. Supported partly by the results of recommendations #10 & #12, Council to proactively work with the community to <u>build an understanding of what is technologically and cost-effectively possible to monitor</u> , as well as a clear understanding of how modelling will continue to play a role in the future. It should be noted that this will be linked to the formation of the Catchment Collectives, as monitoring will play an important role in determining their area.	Critical
14. Council should highlight and discuss internally the unintended consequences of requiring compliance and enforcement staff to recover the cost of their activities. This is contributing to the perception within the wider community that Council are ineffectual or weak.	Critical
15. To ensure that Council are seen to be equitably improving their own performance, whilst asking producers to improve theirs, Council should be prepared to take more public corrective and enforcement action against bad practice. It will be important to do this consistently across the region.	Critical
Ensuring access to the right support	
20. Council to undertake an assessment of what level of Council expert advice would be considered an appropriate expectation across all properties. This calculation should be made independently of the constraints of current resource, as it is intended to scope up the level of resource that may be required, regardless of whether it is currently available.	Critical
21. In-house expertise: Once #20 has been assessed, Council to assess whether this can be achieved with existing internal resource; whether that team needs to be expanded; or whether Council provision of this can be supplemented by contracted external resource.	Critical

Recommendation	Priority
<p>22. External expertise – general: Council should consider whether there is a case for providing limited financial support for producers to procure relevant expertise that is NOT in line with Council areas of expertise (e.g. farming advice), so long as that is acting equitably across the region. This could also be provided through an allowance of time available to each property (e.g. X hours) from an agreed list of experts that is paid for by Council.</p>	Critical
RECOMMENDATIONS SPECIFIC TO THE CATCHMENT COLLECTIVE MECHANISM	
The need for mechanisms to be objective-focused and simple	
<p>25. Determine the aspects of a Catchment Collective agreement where prescribed approaches MUST be used to ensure consistency. For example: the <i>process</i> for describing the objectives; the <i>format</i> for recording agreed works and practices; the <i>processes and standards</i> for monitoring and the provision of that data; and the <i>format, standards and frequency</i> of reporting about the collective.</p>	Critical
<p>26. Determine the aspects of a Catchment Collective agreement where prescribed approaches ARE OFFERED BUT NOT COMPULSORY, allowing bespoke options to be developed, as long as they respond to Council's need. For example: <i>Governance</i> structures; <i>Conflict resolution, enforcement & expulsion</i> processes and protocols.</p>	Critical
<p>28. Actively identify 1-3 trial catchments to pilot the collective approach before the plan change becomes operative. This provides a 'trial' that the wider community can observe. A range of catchments that represent the diversity of likely land-uses and issues should be considered, such as a mixture of contaminant issues; as well as homogenous versus heterogenous land use.</p>	Critical
Ensuring access to the right support	
<p>31. Establish an HBRC role(s) responsible for the proactive relationship management of the Catchment Collectives and connecting them with appropriate expertise. This role(s) would likely be actively involved in the Collectives but does not facilitate them.</p>	Critical
<p>32. Any <i>facilitation and support for internal conflict resolution</i> within a collective should be provided independent of Council. This recognises and seeks to not confuse the proactive relationship management, regulatory and enforcement role that Council has.</p>	Critical

Recommendation	Priority
<p>33. Council to explore sourcing an appropriate resource(s) for this relationship management role(s) via direct employment or contracting (e.g. appropriately skilled NGO). Several key attributes that should be considered are:</p> <p>a) Broad familiarity and experience with farming/growing, rather than experience with Council.</p> <p>b) Likely longevity in the role, given the expected long relationships with Catchment Collectives.</p>	Critical
<p>34. Council consider establishing a fund ('Collective support fund') to financially support Catchment Collectives. This could be a pool of funds that is available for all range of things (expert advice, reporting, plan writing, facilitation, conflict resolution etc).</p>	Critical
<p>35. Allocate money from this support fund in a way that is equitable across Collective groups of varying sizes. Further, allow what it is spent on to be at the discretion of the individual Collective (up to their allowed limit), as this both provides support from Council but allows collectives to be innovative and efficient with how they use those funds. Collectives can then also use their own funds if they wish.</p>	Critical
Transparency of accountability	
<p>40. Ensure actions agreed by members of a Catchment Collective are clearly recorded, transparent and allocated against relevant members/properties within the Catchment Collective agreements. This is to ensure that if corrective action is required by Council for individual collective members (while they are still part of the collective), this can be done clearly and simply.</p>	Critical
<p>41. Council should seek legal advice as to whether they are able to take corrective action of any kind against a member of a collective, where it has been requested by the collective, while that person/property is still a member of the collective AND will remain so after the enforcement action has been taken.</p>	Critical
<p>42. Clear internal conflict resolution processes should be developed for each collective and should be appropriate for that collective. These will articulate processes for conflict resolution; how corrective or enforcement action will be taken against a group member while they are a member of the group; and the process for expelling members from the collective.</p>	Critical
<p>43. Council to seek legal advice as to whether it is possible to transfer the actions agreed by one owner (as part of a collective agreement) to a subsequent owner if that property changes ownership. If this is possible, this should also be clearly stated in Collective agreements.</p>	Critical

Table 4. High priority recommendations across all groupings of barriers.

Recommendation	Priority
RECOMMENDATIONS RELATING TO ALL MECHANISMS	
The need for mechanisms to be objective-focused and simple	
1. A clear risk-assessment should be developed to identify <i>appropriate</i> action in response to relevant freshwater quality objectives at a catchment level.	High
2. Ensure the risk-assessment is applied consistently across both Individual Farm and Catchment Collective plans. This removes confusion around how action is decided.	High
3. Outline a clear framework for how to develop both an Individual Farm Plan and Catchment Collectives. These should be accessible and consistent where there are common elements, so that an easy comparison between the relative advantage/disadvantage of both can be made.	High
4. Be clear that producers can be involved in multiple mechanisms but only <u>one</u> needs to be signed off by Council. If involved in a Catchment Collective, that takes precedence as the mechanism that is required to be signed off by council.	High
Ensuring appropriate expectations (everyone is on the same page to begin)	
9. Building an understanding with producers of the scientific standards of monitoring processes, particularly the need for longevity and frequency of sampling for statistical relevance. Also build an understanding of how data is used in legal processes. Be open to innovation in this area, if any is identified through working with the community.	High
10. Council to prioritise discussing the role that 'citizen science' or 'crowdsourced data' may play in monitoring, both internally within council and externally with producers/communities. Expectations around this are unlikely to align and highly likely to pose a large risk to establishing and maintaining strong relationships moving forward.	High
11. Whatever monitoring protocols are agreed when mechanisms are agreed, these should be clearly outlined in agreements so that all parties are aware of them from the beginning.	High
16. Consider <u>inter-industry</u> 'open-gate days' or 'familiarisations' as a way of building familiarity and understanding of different practices <u>between rural industries</u> .	High

Recommendation	Priority
18. Council should ensure any action required across both rural and urban areas is perceived as being equitable and proportionate to that parties perceived contribution to the problem. This will ensure social capital in the plan is maintained and no particular party feels 'picked on'.	High
19. Council to consider some kind of reward and/or recognition for the good work that has already been undertaken by proactive farmers. For example, an awards programme; rates relief; or reduced future consenting/monitoring costs.	High
Ensuring access to the right support	
23. External expertise – leases: Council to consider providing landowners a set allowance of time for legal advice to help write appropriate lease agreements. This could be either from council legal staff or from approved providers paid for by council. This will ensure that, where required, lease agreements are appropriate and transfer any responsibility for relevant mitigations agreed in the chosen mechanism to the lessee.	High
A RECOMMENDATION SPECIFIC TO THE INDUSTRY PROGRAMME MECHANISM	
The need for mechanisms to be objective-focused and simple	
24. Investigate the development of an 'add-on' environmental assessment for Industry Programmes, arranged by HBRC with the various industry bodies, where appropriate. This would ensure that the generally product-orientated Industry Programmes achieve the desired environmental objectives. Any such 'add-on' should be aligned with the risk-assessment discussed in recommendations #1 & #2 for Individual Farm Plans and Catchment Collectives, to ensure consistency.	High
RECOMMENDATIONS SPECIFIC TO THE CATCHMENT COLLECTIVE MECHANISM	
The need for mechanisms to be objective-focused and simple	
27. Prioritise catchments based on the level of environmental risk AND the perceived level of societal acceptance/success of the Catchment Collective approach	High
Ensuring appropriate expectations (everyone is on the same page to begin)	

Recommendation	Priority
30. If properties cross catchment boundaries and the producer chooses to only be involved in one single Catchment Collective, any works or practices agreed for that property should be recorded by geographic area. That way, if they apply to a different Catchment Collective, there is a transparency of what action is occurring, even if a property is not a member of the other collective.	High
Interpersonal risks	
37. Ensure appropriate conflict resolution expertise is utilised when developing a set of prescribed processes for dealing with internal conflict for Catchment Collectives.	High

Table 5. Medium and low priority recommendations across all barriers.

Recommendation	Priority
RECOMMENDATIONS RELATING TO ALL MECHANISMS	
The need for mechanisms to be objective-focused and simple	
5. Be clear about longer term objectives and how a different contaminant may be the focus of attention in the future, once a higher priority objective has been dealt with. This will reduce the chance that a change of focus in the future will be viewed as 'moving the goalposts'.	Medium
Ensuring appropriate expectations (everyone is on the same page to begin)	
6. Explore additional, user friendly ways, of sharing Councils existing longitudinal monitoring data with the public. Consider an increased use of science communication expertise in Council operations.	Medium
7. Actively work with farmers to identify ways that are more accessible for them to access and understand longitudinal monitoring data.	Medium
8. Explore the viability of 'catchment champions' for data communication from within the catchments (i.e. in addition to Council staff). This is to help understand and communicate it, not defend it. For example, as part of environmental programmes with local schools.	Medium

Recommendation	Priority
17. To improve longer-term understanding between rural and urban communities, Council might consider supporting an educational programme that connects urban schools with rural schools or industries. For example: farm visits associated with urban and rural school studies (primary and secondary schools); or peer to peer school partner programmes between rural and urban schools.	Medium
RECOMMENDATIONS SPECIFIC TO THE CATCHMENT COLLECTIVE MECHANISM	
Ensuring appropriate expectations (everyone is on the same page to begin)	
29. Investigate pragmatic ways of accounting for natural disasters and extreme weather events in addition to narrative recording. This may provide data to supplement and perhaps estimate their impact on formal monitored results.	Medium
Interpersonal risks	
36. Consider working with farming media (e.g. industry magazines or Country Calendar) to document the journey of the pilot collectives and build familiarity with the collective approach across a wider audience. This may help build familiarity and acceptance in the longer term.	Low
38. Council to assess (if possible) where landowners may be absentee landowners within the likely Catchment Collective areas. They are less likely to have heard about the collectives in the community and can be provided more targeted and personalised information.	Medium
39. Consider a direct-marketing campaign targeted at absentee landowners designed to familiarise them with the plan, the mechanisms (particularly the Catchment Collectives) and what they seek to achieve. This would likely involve a number of foreign landowners as well as domestic absentee landowners, so may require specialist support (e.g. language advice) where appropriate. Various industry groups (e.g. Beef & Lamb, Dairy NZ) or government departments (e.g. NZTE) that have regular foreign interactions may be able to provide advice here.	Medium