How farmers' social licence to operate is being negotiated in statutory planning processes in the Waikato Region.

By Quinn Langdon – Submitted to Waikato University as part of course ENVPL490-23A.

Quinn's course work was guided by the following four assumptions: regulatory requirements provide a baseline for assessing the social licence to farm; social licence to farm is lost when farmers do not meet their minimum regulatory requirements; however, meeting the minimum regulatory requirements does not indicate farming operations have a social licence; and finally, exceeding minimum regulatory requirements can indicate a farming operation holds a social licence to farm.

His work tests these assumptions through a case study of Waikato dairy farmers compliance with dairy effluent discharge consents as a key element of a dairy operation. While other factors like methane emissions may also affect dairy farming's social licence, Quinn proposed that the regulatory requirements of dairy effluent discharges may be a proxy indicator of the presence or absence of social licence.

In his literature review, Quinn noted there is no one definitive definition of social licence, and instead argued that the definition remains contested. He noted similarities with other terms including corporate social responsibility, organisational legitimacy, and stakeholder management. Quinn also noted that multiple social licences often need to be obtained from different communities, pinpointing that the development of trust is a critical component of social licence.

To test his four assumptions, Quinn compared data collected from the Waikato Regional Council which noted compliance with dairy effluent discharge consents over the last five years. There are over 4000 operational dairy farms within the jurisdiction of the Waikato Regional Council. Quinn noted that water quality is a major public concern regarding dairy farming, and so the choice to focus on dairy effluent discharges was a recognition that these discharges have some impact on that freshwater quality.

The secondary data splits farmer compliance with dairy effluent discharge rules into five categories: full compliance, high-level compliance, provisional compliance, partial compliance, and significant non-compliance. To simplify the analysis, these were grouped into a 'compliant' category and the last two into a 'non-compliant' category. Using these categories, Quinn showed that effluent discharge compliance rates remained stable across 2016/17 and 2017/18 but fell during 2018/19 and 2019/20. By 2020/21 however, compliance rates had rebounded and were at their highest recorded rate of 71%, and non-compliance was at its lowest recorded rate of 29%.

Quinn's discussion was framed around three insights. The first insight was that farmers face difficulties in meeting their minimum regulatory requirement, and that, in Quinn's opinion, the farmers who do not comply will struggle to gain social licence. Quinn's second insight was that it is easier to identify when activities lack social licence, than when they have social licence. Quinn's third insight was that, using his methodology and proxy data, statutory processes like compliance rates do not easily enable the identification of social licence. The report concludes with recommendations for regional councils, such as engaging in workshops which bring farmers, the public, and the council together; identifying farming operations that positively exceed minimum regulatory requirements; and compiling information on farms that exceed these minimum requirements.