

# ENVIRONMENT RIVER PATROL™

## AOTEAROA - NEW ZEALAND

*Kaitiaki mo ngā awa*



P.O. Box 98, Whangarei 0140  
Mob: 021 67 3838  
Email: millan@wairuaenergy.co.nz

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To -  
Northland Regional Council  
NRC Waiaora Northland Water Programme  
cc Department of Conservation  
cc Fonterra - Northland  
cc Federated Farmers  
cc Whangarei District Council

**Report #033 – Mangere River Survey June & July 2013 – paddle and walk from the bottom of Mangere River (at the confluence with the Wairua) and on up to Mangere Falls and on past Knights Road Bridge. Distance of 4.8 Klm**

The Mangere River has a long history of severe agricultural pollution predominantly by dairy farm effluent run off and beef and dairy herds grazing unfenced to the catchment water-ways. Dairy NZ, Fonterra and Northland Regional Council have, to their credit, finally made a commitment to address the problem with a substantial \$500,000 programme of study and restoration to the catchment. This is a great initiative and hapuu, (including mine) are very pleased about project. However, beef farms are not included in the program and this is a critical element that needs to be addressed. Environment River Patrols (ERP) gain ample evidence of beef causing “detrimental effects” to water-ways all over the Northern Region and submit this evidence to NRC. The recent new NRC policy does not factor unfenced beef (on water-ways) to be of much consequence to the environment. The new NRC policy states that stock ratios can be lowered to mitigate the problem. This ERP report shows ample evidence that unfenced beef on the riparian of the Mangere are causing considerable detrimental effects to the water quality in the Mangere catchment, the Wairua River, the Northern Wairoa River and the Kaipara Harbour. Unfenced beef and dairy cattle are a major cause of sedimentation that smothers the life of the Kaipara Harbour. Excrement and urine foul the banks and in the water where cattle graze the riparian and drink from the water courses. Even small numbers of stock on the banks cause considerable damage. NRC has no methodology in place to monitor beef (on riparian), and there is no independent assessment or moderation of performance. The restoration initiative by the dairy industry for the Mangere catchment has to be matched by beef farmers to be effective. It is unacceptable that both beef and dairy have different rules to work by. The dairy industry is tarnished by the beef industry by not matching best practice “stock exclusion” from our waterways.

NRC should include GIS mapping assessment of “stock exclusion fencing” or the lack of it. Fonterra have a detailed GIS fencing system, but it is not made public and there is no apparent collaboration with NRC. We, the public, hapuu, iwi have no idea as to who is compliant and who is not. The new 2013 Clean Stream Accord is an accord that is meant to satisfy all who are concerned for the biodiversity of our

waterways. The previous 2003 accord (now expired) did not meet expectations or the goals that were set. The new 2013 accord outcomes are in corporate hands and we have no access to audit/moderate if the expectations, goals and criteria are being addressed. The dairy industry self-assesses themselves, and beef farmers are not assessed at all. The NRC must perform their mandated statutory role – to monitor the environment (our waterways), not leave it too self-management. Environment River Patrol-Aotearoa is the only assessor/monitor in the region of beef and dairy stock that patrols our waterways to report on “detrimental effects” by unfenced cattle on the riparian. It is time that contractors are adopted by NRC much the same as authorities already use, including – pest control, parking wardens, noise control, weed control etc. Contractors are more efficient to do this work. Set the rules of compliance and leave it to them. ERP-A has developed a “Stock Exclusion Fencing Report Code – SEFRC” for riparian assessment. NRC have no process or bylaws in place whatsoever in this regard. There is no policy – so therefore we have a very low threshold of commitment to fence off riparian.

Compliance - The new 2013 Dairy Farmers Accord (accountable partners) This accord is now in place and supersedes the previous “2003 Clean Streams Accord”. The new accord is light on detail and states – *“expectations are not, however, enforceable performance measures as they are seldom within direct control of any one Accountable Partner”* So it is apparent that this “accord” is still voluntary, rather than mandatory. The accord does not provide for independent on site audit/assessment of “stock exclusion fencing” or the lack of it. The accord still continues to allow self-assessment by the farmer to determine if a stream is greater than one metre and more than 300 mm deep. The judgment is often made on summer conditions, and yet the stream may well exceed the limit for up to 8 months of the wet season. So we are left with precious puna/springs fouled and trampled along with hundreds of klm of smaller streams that are in the Wairua / Mangakahia catchments. The 2013 accord does not provide for any “independent” assessment of performance measures, rather it nominates its own assessors. Dairy NZ and Fonterra have a commitment to clean up our water-ways, but it does not facilitate or encourage public scrutiny of its methodologies despite low commitment to the previous accord and the fact that the waterways that are polluted, affect all communities of the waterway. Beef are not included in this accord, or any other document/agreement.

Compliance – Federated Farmers ( supporting partners to the accord) It is assumed they represent most of our beef farmers. Dairy farmers are also members of Federated Farmers. They have virtually no commitment in place in regard to beef cattle to be fenced off as per the accord, although they are “supporting partners” to the accord. Federated Farmers generally only reacts to direction from Regional Council by-laws where “stock exclusion” is required by the respective Councils. Northland Regional Council has no plans in place in regard to “beef exclusion” from waterways. Rather they prefer to lower stock numbers (ratio) that have access to water-ways. This is a flawed approach, given that they (the NRC) have no commitment to monitor or require stock exclusion fencing in regards to beef cattle. NRC does not have a dedicated approach to assess and declare what should be fenced.

Compliance – Northland Regional Council The NRC has made its recommendations for the new round of National Policy September 2013.

- NRC still allow that the Dairy industry may continue to self-assess their own fencing requirements and to decide on what water-way makes the grade for stock exclusion.
- NRC have no particular policy or planning in place as to “stock exclusion fencing” for the beef industry.

- NRC is considering putting limits on stock numbers that graze river and stream banks. However the “detrimental effects” and GPS photographic evidence that ERP-A provides depicts that low stock numbers still have high detrimental effect when the cattle are left for months at a time to range these long bank paddocks where most often, water troughs are not provided. Cattle drink, urinate and defecate at, and in, the waterways – that is the evidence that ERP-A provides.
- NRC have made no mention of local by-law fines or a monitoring strategy that will respond to “detrimental effects” such as provided by ERP-A. Some of the reports that we have sent have had no, or little effective response and a lack of follow up leaves some farmers with no incentive to comply with the RMA.
- NRC has not provided for hapu to participate in the assessment decision process to decide if, and where fencing off of waterways should take place in their respective rohe of kaitiakitanga guardianship.
- NRC has implemented its new “Waiora Northland Water Programme”. NRC states –

*“NRC - Waiora Northland Water is all about working together to better manage our region’s precious freshwater resources. It brings together both existing and new Northland Regional Council work to improve the quality and management of our lakes, rivers, aquifers and wetlands”.*

This program needs to include an assessment of all of our water-ways to be efective. Every stream and river should be assessed for status of “stock exclusion fencing”. Given that dairy farms are taking over traditional beef and sheep lands and the expectation that Primary Industies are to expand 40% over the next 10 years. Cattle, both dairy milkers and dairy breeding stock will increase in numbers and intensification is the main cause of pollution run-off and sedimentation in our streams and rivers.

- Environment River Patrol – Aotearoa (ERP-A)

Tuna are our focus, to kaitiaki our tuna, we must kaitiaki their environment. Tuna are the “canary of our water-ways” (Professor Mike Joy). ERP-A has campaigned since Feb 2011 to NRC to take clear and effective response to cattle grazing our Northern waterways with access to some 90% of streams and rivers. Reports have for the most, been kept in-house and farmers are not identified. Despite having sent to NRC more than two dozen reports, hundreds of GPS photos, four submissions and dozens of emails we still see substantial detrimental effects by cattle grazing unfenced to our water-ways. There is a “reluctance” demonstrated by NRC to respond in an effective manner similar to other regional councils around the country. NRC has not identified beef cattle to be fenced from waterways. New policy prefers cattle numbers lowered to a ratio that in reality will still allow cattle to the water-ways edge and fences and troughs are not required. ERP-A has introduced a fencing 39x point “Stock Exclusion Reporting Code” (SEFRC) This code was developed due to a lack of any standards or criteria set by NRC to identify a problem and to categorise it for survey evaluation to consider if it is repetitive, wilful, negligent etc. Some 11 reports over 12 months have been sent to NRC using this code system. No acknowledgement has been given by NRC to this initiative despite nil methodology methods provided by NRC to gain some standards in reporting on cattle grazing and fouling our NZ water-ways.

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- Millan Ruka – holds NZQA Certificates
  - NZ – *Assessor 4098 Cert. 2006* – Assessment
  - NZ – *Moderator 11551 Cert. 2007* Moderate assessment processes
  - NZ – *Cert. 7095 & 7106 - 2007 Adult Education.*
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- **Assessment outcome -**
  - The farmers do not meet the recommendations stated in NRC booklet - *Clean Streams – A Guide to Riparian Management Northland ISBN 0-909006-37-7*
  - The farmers are in breach of the “Resource Management Act 1991” Act Section 15 and Act Section 17 ie “*Duty to avoid, remedy, or mitigate any adverse effect on the environment*”
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**NZ Herald August 8<sup>th</sup> 2013 - “*NZ fails environmental tests - by the numbers*”**

*Ranks 14<sup>th</sup> – NZs most recent worldwide ranking according to the Environment Performance Index. 61% Proportion of monitored NZ recreational river sites rated poor or very poor by new government data.*

Our farmers are the back-bone of our economy. Their toil, risk and hard work, gives us our prosperity that we all enjoy. But we are seriously degrading our water-ways from the top to the bottom of the country and yet we just let it happen. The latest Fonterra Baby Formula scare puts us on notice that there is now focus on our clean, green and pure image. Our economy is vulnerable, and we most definitely expose ourselves to further criticism as our rivers continue to deteriorate. ERP-A exists to put a hand brake on further degradation to our water-ways.

**Recommendation #1** – That NRC adopt Fonterra’s GIS fence mapping system and work together with Fonterra, Federated Farmers, Whangarei District Council and independent farmers to map out what is fenced, and what is not. From this point, assessment should take place to work out what should be fenced and where fencing is not required. GPS mapping of Stock Exclusion Fencing will give much greater control to prevent cattle grazing unfenced riparians, causing pollution and sedimentation of our waterways.

**Recommendation #2** – That NRC includes beef cattle to come under the same criteria set by the new Dairy/Fonterra accord.

**Recommendation #3** – That NRC adopts Environment River Patrol’s “Stock Exclusion Fencing Report Code” and to use this as a bench mark and tool for reporting and applying fines to those that continue to graze cattle on our waterways after having been served notice to cease doing so.

Attachments –

1. ERP-A - Stock Exclusion Fencing Report Code (SEFRC report).
2. MAF Fencing survey.
3. Advocate article – Kaipara “muddy waters”.
4. Advocate article – Kaipara Harbour in crisis.
5. 238 GPS mapped photos are attached in Google Picasa (2x) Web Albums (online)

*He waka eke noa  
A canoe which we are all in with no exception.  
We are all in this together*

Could the NRC please make contact in regard to this report - thank you.

***Millan Ruka***

021 67 3838

**Environment River Patrol - Aotearoa - *Kaitiaki mo nga awa***