

ENVIRONMENT RIVER PATROL[™]
 AOTEAROA - NEW ZEALAND
Kaitiaki mo nga awa



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1st July 2016

To –

Northland Regional Council
 Far North District Council
 Cc Whangarei District Council
 Hapu katoa o Te Tai Tokerau
 & all interested stakeholders

Report #297 – Survey of detrimental effects to the Kawakawa River Catchment, Northland

The 657 page “*Northland Rural Rivers: Environmental Management, Pollution, and Kaitiakitanga since 1991*” has been released in draft form and the final is due now for release. This substantial and thoroughly researched document has in my opinion has a large focus on the performance of the Northland Regional Council in regards to environmental issues to our Northern waterways.

It was commissioned by the Justice Department from the many recent treaty claims in Te Tai Tokerau that have concerns about the pollution of our rivers and streams. Traditional places for the gathering of mahina kai and recreational bathing are no longer safe today and the future is not assured for our mokopuna, both Maori and Pakeha. You can no longer safely take a drink of water from most of our rivers and streams in the North and our spring water / aquifer sources are also experiencing contamination from intense agricultural farming.

This ERP-A report on the Kawakawa River Catchment and has been in progress since July 2012 to 25 July 2016. It should be accepted by NRC as a “survey report” being done over a period that shows continual detrimental and cumulative effects to the catchment. A Hotline Report was sent to NRC on the 25th July The Hotline Report with 3x gps photos and a photo location map was sent to NRC on the same day showing the cattle were seen on the riparian of the Waiomio Stream.

NRC have advised today that their server cannot cope with four photos so the email has been re-sent in two parts today.

Of particular concern is the Waiharakeke Stream. This stream receives large consented discharges from Moerewa AFFCO Plant. It is the subject of intense scrutiny in the Rural Rivers Report. On our visit in 2014 (2x photos provided) you can see the obvious pollution content in this stream. It is hardly visible from any public access other than to walk up its banks that are very hard to penetrate. It is a typical situation where only an eeler would go, but now that it is so putrid, no one bothers as locals now do take tuna from these contaminated waters.

The photos show evidence that when it rains these there is a huge load of sediment continually in the water flows and this goes on down to smother the Tamarere Inlet and all of the habitat of the harbour.

This report #297 is made up from fifteen visits to the catchment. ERP-A has had many contacts from hapu and residents of Kawakawa to concerns of cattle fouling the waterways and authorities were taking no action despite the obvious fouling up alongside State Highway 1 and State Highway 11.

The NRC has not put in mitigation practice into its new 2016 policy in regards to unfenced cattle on riparian of waterways. In fact it has almost zero policy in this regard. ERP-A reports of detrimental environmental effects by cattle often are not responded to by NRC with practical follow up onsite. Fonterra responds to ERP-A reports on dairy cattle on riparian but is reluctant where the dairy farmer has beef cattle unfenced. They are all in breach of the RMA where detrimental effects occur.

RMA extracts state - Meaning of effect

In this Act, unless the context otherwise requires, the term **effect** includes—

- (d) any cumulative **effect** which arises over time or in combination with other **effects**— regardless of the scale, intensity, duration, or frequency of the **effect**, and also includes—
- (e) any potential **effect** of high probability; and
- (f) any potential **effect** of low probability which has a high potential impact.

Section 3: amended, on 7 July 1993, by [section 3](#) of the Resource Management Amendment Act 1993 (1993 No 65).

Adverse effects

17Duty to avoid, remedy, or mitigate adverse effects

(1) Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with—

(b) Require a person to do something that, in the opinion of the Environment Court or an enforcement officer, is necessary in order to avoid, remedy, or mitigate any actual or likely adverse effect on the environment caused by, or on behalf of, that person.

The NRC demonstrates it is reluctant to issue abatements to cease cattle fouling up-to and into waterways when unfenced. I am not aware if NRC has ever issued a fine for beef cattle in our waterways, certainly there have been none generated from ERP-A reports. The NRC has the option to implement existing RMA to deal with cattle issues and to also add bylaws to deal with these issues. Most other regional councils respond to unfenced cattle reports and use the existing RMA to deal with it. Most recently Dame Elias and Hugh Fletcher's beef cattle standing in Lake Taylor down the South Island were served an abatement notice from the Regional Council.

The Far North District Council has 11 pages on Traffic and Parking bylaws and the Whangarei District Council has 28 pages of Parking and Traffic by laws. ERP-A has received two parking tickets recently at \$40 a pop in Whangarei for a few minutes of unmetered parking. It seems a contrast that we put so much effort in environmental education and research, but you can park 400 head of beef cattle for a year on our Northern waterways and the Northland Regional Council deems it as a "permitted practice" when in fact it is not, according to the RMA.

To NRC – please accept this report as a "Four Year Survey". The attached Picasa Web Album shows 132x photo report as evidence of the state of the Kawakawa Catchment. All the photos will individually show a Google map location when viewed on a desk top computer.

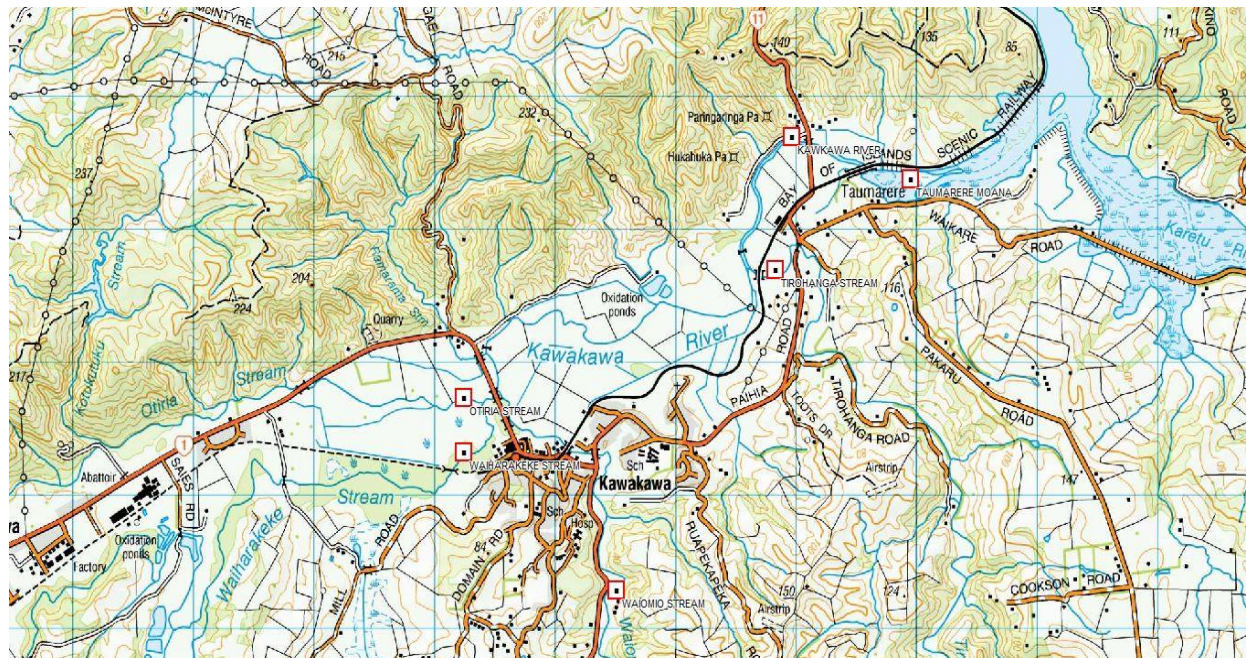
ERP-A and the many people / hapu claimants of Te Tai Tokerau ask that we please have a reply to this report on the outcomes that NRC have taken, or consider to take on Hotline Report #295 and this Report #297.

Millan Ruka

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*Attached below are the dates of patrols through the Kawakawa Catchment as per the Picasa photo album provided.

Kawakawa River Catchment – flows into Taumarere moana.



ERP-A Report #297 - Survey of the Kawakawa Catchment

2012 to 2016

- 25.06.2016 - Waiomio Stream – 8x gps photos
- 28.09.2015 - Waiomio Stream – 1x gps photo
- 12.06.2015 - Waiomio Stream – 6x gps photos
- 09.03.2015 - Waiomio Stream – 15x gps photos
- 21.03.2014 - Waiomio Stream – 11x photos
- 10.05.2014 - Waiomio Stream – 2x photos
- 18.04.2014 - Waiomio Stream – 3x photos
- 09.12.2013 - Waiomio Stream – 12x gps photos
- 27.01.2012 – Waiomio Stream – 4x gs photos
- 02.01.2012 – Waiomio Stream – 6x photos
- 21.07.2012 – Waiomio Stream – 1x gps photo
- 25.06.2016 – Tirohanga Stream – 1x gps photo
- 10.05.2014 – Tirohanga Stream – 19x gps photos
- 06.02.2014 – Tirohanga Stream – 3x gps photos
- 02.02.2014 – Otiria Stream – 11x gps photos
- 01.02.2014 – Waiharakeke Stream 17x gps photos
- 02.02.2014 – Kawakawa River 5x gps photos
- 25.06.2016 – Kawakawa River 2xgps photos
