



*caring about you & your environment*

**Report 02.681**

1 November 2002

File: Y/12/1/2

Report to the Rural Services and Wairarapa Committee  
from Stephen Yeats, Senior Resource Advisor

## **Annual Incident Response Report**

### **1. Purpose**

To inform the Committee of activity by Wairarapa staff in pollution and incident response for the 2001/02 financial year.

### **2. Background**

- 2.1 Consents and Compliance staff are responsible for investigating and following up public reports of pollution or other non-complying incidents. Apart from the various forms of pollution dealt with, the term *non-complying incidents* refers to reported incidents such as illegal water and gravel takes, diversions, damming of water, and other unconsented works.
- 2.2 The work involves investigation of the original report, persuading the party involved to fix the problem, sometimes fixing the problem ourselves (e.g. cleaning up pollution when the person responsible cannot be found), and taking formal enforcement action where appropriate.
- 2.3 Administration involves keeping a database with details of every incident, reporting back to the original complainant, taking formal enforcement action, billing some offenders for staff time and other costs, and summarising the work each year.
- 2.4 Summaries of incidents are reported in each Committee agenda as part of the Divisional Manager's report.

### 3. The 2001/2002 Year

#### 3.1 Incidents

This year, 116 incidents were responded to. This is a decrease of 28% over the previous year, and is the first time ever that the numbers of reports has decreased over previous years. Staff have not analysed why this has occurred. It is hoped that it results from a cleaner environment.

An analysis of incidents is given in the following table:

*Table 1 – Type of Incident by District*

District	Air	Land	Coastal	Ground-water	Rivers and streams	Total
<b>Masterton</b>	21	18	8	0	17	<b>64</b>
<b>Carterton</b>	6	2	5	5	10	<b>28</b>
<b>South Wairarapa</b>	8	7	1	1	7	<b>24</b>
<b>Total</b>	<b>35</b>	<b>27</b>	<b>14</b>	<b>6</b>	<b>34</b>	<b>116</b>

#### 3.2 Abatement Notices

Ten Abatement Notices were issued in response to incidents. None of these were appealed.

Abatement notices require specified actions to be undertaken to comply with laws and regulations or to prevent adverse effects on the environment. They can be appealed to the Environment Court.

*Table 2 Abatement Notices Issued*

Name of Recipient	Reason for the Notice	Date Served
Carterton dairy farmer	Discharge of effluent to water	9 Oct 2001
Masterton resident	Illegal deposition on river bed	8 Oct 2001
Carterton dairy farmer	Discharge of effluent to water	15 Nov 2001
S. Wairarapa dairy farmer	Illegal Discharge of effluent to land	12 Mar 2002
Carterton timber industry	Unconsented discharge to air	25 Mar 2002
Carterton dairy farmer	Discharge of effluent to water	8 May 2002
Carterton dairy farmer	Discharge of effluent to water	8 May 2002
S. Wairarapa dairy farmer	Discharge of effluent to water	17 May 2002
S. Wairarapa dairy farmer	Discharge of effluent to water	24 Aug 2001
S. Wairarapa dairy farmer	Unconsented irrigation of water	30 Aug 2001

### 3.3 Infringement Notices

Six Infringement Notices were issued in relation to incidents.

Infringement Notices are issued for relatively minor offences, instead of seeking a prosecution. They can be used to impose fines for infringement of rules or resource consent conditions, or non-compliance with Abatement Notices. Fines range from \$300 to \$1,000 for an alleged offence. Notices can be appealed.

**Table 3 Infringement Notices Issued**

Name of Recipient	Reason for the Notice	Infringement Fee (Incl. GST)	Date Served
Masterton resident	Illegal dumping in riverbed	\$500	6 Jul 2001
Carterton Timber plant	Illegal dumping of chemicals	\$750	12 Sep 2001
Carterton dairy farmer	Illegal discharge of effluent to water	\$750	9 Oct 2001
Masterton resident	Illegal dumping in riverbed	\$500	8 Oct 2001
Carterton dairy farmer	Illegal discharge of effluent to water	\$750	18 Dec 2001
Carterton dairy farmer	Illegal discharge of effluent to water	\$750	18 Dec 2001

## 4. Discussion

There has been a marked decrease in incidents reported over the past year.

- 4.1 It is not clear whether this decrease in incident numbers is a result of fewer genuine environmental problems in the community, or whether it is a result of some other factor.

A possible influencing factor was the wet summer which meant there was less swimming and other outdoor activity. Irrigation was also very light under the good growing conditions throughout the summer.

- 4.2 For the first time ever, air complaints have outnumbered river and stream complaints. The number of air complaints has grown substantially over recent years. There are two industrial sites in Masterton which have caused multiple complaints. One of these has installed pollution control equipment, and the other site has purchased equipment and is currently in the process of installation.
- 4.3 A broad range of activities gives rise to public complaint. No single class of activity stands out as particularly significant.

4.4 The majority of work was in the rural areas.

## **5. Enforcement**

5.1 Six infringement notices were issued, for a variety of offences. The Council withdrew one notice on the condition that the farmer spend the money emptying the effluent pond. Two infringement notices were sent to the courts for collection of the fees. This eventually succeeded.

5.2 Ten abatement notices were issued as a result of complaints to the Council. None of the abatement notices was appealed.

5.3 Two prosecutions were successfully taken against South Wairarapa dairy farmers for illegal discharge of effluent to water

5.4 It was a busy year for enforcement. This reflects the Wairarapa staff's commitment to a firm but fair approach to contraventions of the Act.

## **6. Communications**

No additional communication is proposed.

## **7. Recommendation**

*That the Committee receives the report and notes its contents.*

Report prepared by:

Approved for submission by:

Stephen Yeats  
Senior Resource Advisor

Steve Blakemore  
Manager, Planning and Resources