



PUBLIC EXCLUDED

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Committee Rural Services and Wairarapa
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Upper Ruamahanga River Management Scheme Classification Review

1. Purpose

To obtain Committee consideration of a review of the classification of the following listed properties along with that of adjacent affected properties within the Upper Ruamahanga River Management Scheme. - Ian C Jolly and Others; Garry E Daniell and Others; Baird and Henderson Contracts Co (Robert Baird) and Others.

2. Public Excluded

Grounds for exclusion of the public under Section 48(1) of the Local Government Official Information Act 1987 are that public conduct of the whole or relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reasons for disclosure exist – that is the right to a fair trial.

3. Background

Following the series of General Ratepayer Meetings held to confirm the setting up of the three sectional schemes adopted for the Upper Ruamahanga River Management Scheme a number of informal verbal and formal written submissions were received by Regional Council staff and/or the classifier regarding aspects of the classifications as they were publicised at the Ratepayer Meetings.

Following investigations by the classifier and engineering staff it is considered that the proposed amendments to the initial classification as covered herein are warranted and should be adopted as from inception of the schemes' rating introduction.

In each case, due to the points raised by the ratepayer having effect beyond their own property's boundary, other classifications are also affected.

Rating under the subject three-sectional Upper Ruamahanga River Management Schemes was introduced as from 1 July 2002 following adoption of the classification on 16 April 2002.

4. Classification Reviews

4.1 Ian Jolly considers that not all of his property originally classified at Rating Valuation No. 17920/82000 was prone to potential river damage as classified. Classifier, David Bulman, and Engineer, Ian Heslop, met with Mr Jolly and reinspected the subject area which involves the properties accessed from Willow Park Drive and partly protected by the Rathkeale College stopbank.

Although flooding up to the 1980's is known to have inundated wider areas across to the Waipipi Stream, engineering staff considered that the flooding may have been as a result of river constrictions brought about by private river control works. Such a flooding or river damage scenario is now not likely to reoccur. Mr Jolly clarified the extent and paths of flooding over his and nearby lands as well as potential damage hazards.

Since the initial classification of the scheme on Mr Jolly's subject property the Rating Valuation roll has been "subdivided" into separate assessments for each of the four lots involved in the original roll entry.

All of the properties to which this proposal of reclassification refers are scheduled at Appendix A. "Before and after" plans will be presented at the Committee meeting.

4.2 Mr Garry Daniell made a written submission following the relevant ratepayer meeting alleging that he had not been supplied with preliminary mail outs and contesting the levy imposed on their property, particularly the increase over previous rating levels.

The subject properties involving Rating Valuation Roll Nos 17920/76600, 17920/76800 and 17920/77101 (along with assessed berm areas) enjoy frontage to Te Ore Ore Rd and Gordon Street on the edge of the Masterton Urban Ward and on the downstream right bank extremity of the upper Hidden Lakes to Te Ore Ore Bridge Scheme.

In my initial classification I endeavoured to regularise the melding of Upper and Middle sections of the scheme, in this case to tie in with the classification of Henley Lake and its environs. Mr Daniell contends that it is impractical to consider the reclassification on the basis of nil maintenance to the river over a 50 year period as he believes that the protection of Te Ore Ore Road and also the metal extraction presently undertaken above Te Ore Ore Bridge are both integral ongoing

components that should be taken into consideration. Following Mr Daniell's discussion with me, I have reconsidered the berm assessments, particularly the proportional usage of the area immediately north of Percy Reserve where Masterton District Council access the water intake for Henley Lake. I now consider that the part of this area used as that access by District Council is probably more realistically assessed to them rather than to Mr Daniell, who in the past has utilised parts for very spasmodic grazing, while other parts of the berm area are still assessed to Mr Daniell for the more constant farming type uses he obtains from them.

Also, following the consultation with Mr Daniell and engineering staff we have reconsidered and reduced the area classified "E" within his fee simple owned land.

The properties to which this proposal of reclassification refer are scheduled at Appendix B. "Before and after" plans will be presented at the meeting.

- 4.3 Baird and Henderson Contracts Co as represented by Mr Robert Baird verbally requested a reconsideration of the classification of the subject property at Rating Valuation Roll No 18170/3800 and situated at Ahiaruhe Road within the Lower Ruamahanga sectional scheme. (Mr Baird is also an owner of No 18170/4500 to which he did not raise issue with the classification.)

He contended that not as much of his property either flooded or is in threat of other river damage as was depicted on the initial classification.

I met Mr Baird and his partners on the property and held a wide-ranging discussion on the river scheme before re-inspecting the contentious area brought to my attention.

Due to some of Baird Contracts' area initially classified as "F" within the scheme being a little more elevated than most Class F land in this vicinity I consider a compromise in the classification to be justifiable.

The effect of the changed boundary continues into Elva Cook's adjacent property at Rating Roll No 18170/1500. "Before and after" plans will be presented at the meeting.

5. Effect of Proposed Changes

The effect on rates already struck and levied within each sectional scheme affected is shown on the attached Appendices A-C, the overall proportional deficit in rating take within each scheme presumably being spread over all ratepayers in future rating years to balance the required total rate take for the works planned and budgeted for those years.

6. Significance of Proposed Changes

It is considered that all of the above proposed changes should be treated as resulting from only semi-formal enquiry/challenge to the initial scheme, as feedback requested by us from the ratepayer meetings and the property-owners further investigation.

Should a further formal challenge be received to any of the proposed changes we consider that such challenge be met by putting it to a judicial panel at which each party is eligible to be represented and heard.

7. Communications

The appropriate people will be contacted and advised of the Classifier's deliberations.

8. Recommendations

That the Rural Services and Wairarapa Committee resolve to recommend that for properties scheduled in Appendices A and B within the new Upper Ruamahanga Scheme and Appendix C within the new Lower Ruamahanga Scheme, the

- (1) Land reclassifications be accepted.*
- (2) Rates to June 2003 be confirmed as amended and rebated without penalty, as shown in Appendices A, B & C.*
- (3) Rates from July 2003 be adjusted to reflect the Classification amendments.*

Report prepared by:

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