

Issue	Substance	Status
LWVDS rate payments	For a number of years Mr Barton has considered that his land has been over-rated. A sub-committee comprising the late Tony Draper (LWVDS Advisory Committee Chairperson at the time), Councillors Buchanan and Long, and Colin Wright (previously Divisional Manager, Wairarapa Division), held a number of meetings with Mr Barton.	In 2003 Mr Barton paid off his rates totalling \$17,624.74. Currently there is an outstanding penalty balance of \$14,393.90 including GST most of which is outside the time period so cannot be collected. Penalty balance should therefore be written off.
Rule 49A	With the demise of the Transitional Regional Plan a rule was necessary to protect stopbanks. Mr Barton appealed the rule to the Environment Court. The Environment Court agreed he could have free vehicular access along his stopbanks. GW appealed to the High Court and it was determined that conditions needed to be agreed.	Rule 49A in place and recently adopted by the Policy, Finance & Strategy Committee.
Tanker Access	Mr Barton applied to use part of the LWVDS stopbank at Scaddens as an access way for the collection of his milk. On receipt of the Resource Advisor's report Barton stopped his application. Subsequently there was a second application which resulted in an appeal by Mr Barton regarding costs. Mr Barton convinced the Court on some cost issues, but the Court determined that as the land in question was designated for river control and soil conservation purposes, a decision was required on the designation prior to the issuing of any resource consents. Barton reapplied to use the designation. He was unsuccessful. He appealed to the Environment Court	The Environment Court eventually struck out his appeals.
Scadden Stopbank Upgrade	Following flood events in 2004 and 2005 the LWVDS moved the stopbank inland 20-30 metres over a 300 metre length using the emergency powers of the RMA. This requires the consideration of retrospective resource consent. This was heard and granted by a Hearing Commissioner. Barton appealed to the Environment Court. He lost the appeal and	Barton has appealed to the High Court. GW has applied for costs totalling \$10,000.

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	GW was asked to apply for costs.	
Whakawiriwiri Drain Upgrade	<p>Mr Barton has always maintained that the Whakawiriwiri Drain should be maintained by the LWVDS. The drain is utilised following large floods to drain a ponding area nearer Georges Road. Cleaning the drain has been an issue for both Barton and Jim Hedley.</p> <p>Two resource consents were required to achieve some cleaning and placing of culverts around 2000. Staff developed an option to upgrade the drain during the LWVDS review. Of the 12 or so landowners involved only 3 or 4 supported the proposal.</p>	The upgrade proposal lies on the table. The LWVDS Advisory Committee only wishes to proceed if there is widespread support. Ian Gunn has had to convince the committee of the merits of the upgrade.
Capital Works	A section of stopbank is planned to be moved back onto Barton's property as part of the LWVDS upgrade.	Achievement of this work is likely to require protracted negotiations, especially as the preferred option is to set back the stopbank.
Designations	Parts of the LWVDS stopbank system have been designated since the creation of the scheme. A decision was made with the creation of the Combined Wairarapa District Plan to update all the designations.	Barton has appealed the designation on his property.