

WAIROA DISTRICT COUNCIL

SPECIAL MEETING OF COUNCIL

(Hearing of Submissions Mahia Beach Stormwater Management Plan)

Minutes of a Special Meeting of Council to hear Submissions on the Mahia Beach Stormwater Management Plan held in the Wairoa District Council Chambers, Coronation Square, Queen Street, Wairoa on Tuesday 27 February 2007 at 10:00am.

PRESENT: His Worship the Mayor, L Probert (Chair)

COUNCILLORS

S Birrell, B McKinnon, D Eaglesome, G McIntyre, B Shortt, and D Caves

IN ATTENDANCE:

T Cook

(Administration Manager)

N Cook

(Engineering Manager)

General Items

MAHIA BEACH STORMWATER MANAGEMENT PLAN - SUBMISSIONS

B.02.05.01

His Worship the Mayor welcomed those in attendance at the meeting, and called upon submitters to speak to their submissions. Verbal submissions were then heard.

SUBMITTER: Hawke's Bay Regional Council

Liz Lambert spoke to the submission, endorsing the Hawke's Bay Regional Council's support of the concept and congratulating Council on the preparation of their Mahia Beach Stormwater Management Plan. Stormwater quality was an issue for the Hawke's Bay Regional Council, which was in the stages of addressing their own plan to better manage stormwater.

Councillors questioned whether the Hawke's Bay Regional Council was in a position to assist in funding the project. Ms Lambert stated that funding was potentially available to assist in co-ordinating the enhancement of drains to improve water quality, however as no formal approach had been made to the Hawke's Bay Regional Council, the type and level of funding could not be qualified. Councillors were favourable towards an approach being made to the Hawke's Bay Regional Council to ascertain what funding may be available.

SUBMITTER: Penny Ann Fishing Co Ltd & A A Packer

Mr Packer read from his submission, as received by Council. In summarising, Mr Packer was of the belief that Council were applying the 'easy option' in that the Packer property was being proposed as the most suitable land to act as the main catchment area for all of Mahia beach, with drainage being diverted to, and passing through his property. Mr Packer questioned the accuracy of contour information obtained by Council in and offered the provision of detailed contour maps in his possession. Mr Packer had reservations that the implementation of the proposed Stormwater Management Plan, would impact on the proposed future development of his property as a Marina.

The Engineering Manager stated that various alternative drainage features, as highlighted in Mr Packer's submission, including roadside drainage and the relocation of existing piping, had already been taken into consideration when developing the plan. The Engineering Manager acknowledged that the contour lines applied, may not be truly representative of the property, and was to obtain a copy of the Contour Plan offered by Mr Packer.

His Worship the Mayor thanked Mr Packer for his submission, stating that this was the first time that such a comprehensive scheme had been put before Council, and as such it was important that Councillors heard submitters prior to making any decision on whether they would proceed with the project.

SUBMITTER: Shirley Wood

Ms Wood spoke briefly to her submission stating that she was fully supportive of the Plan in that it addressed the drainage problem facing all residents at Mahia. Ms Wood did not believe however that it was fair for ratepayers in Mahia beach to meet the full cost of the scheme, being of the opinion that developer contributions should be greater.

SUBMITTER: Anthony P Webb

Mr Webb stated that he would like to see greater protection of Mahia Beach from stormwater, and with all due respect to Mr Packer, was of the opinion that stormwater should flow through the Packer property, as it was more than obvious that that was where water wanted to go. Mr Packer's property was often under water any time there was a downpour in the district, and as such, it was evident that it was a natural catchment area. Mr Wood asked Councillors to consider a fairer means of seeking costs for the scheme by not placing the full burden on ratepayers of Mahia Beach. Mr Wood was of the opinion that the stormwater problem had intensified as a result of development taking place and as such, developer contributions should be greater.

SUBMITTER: Queenie Whaanga

On receiving approval from the Mayor to do so, Ms Whaanga made her submission from the floor, having not been aware of the Mahia Beach Stormwater Management Plan, or that it had been out for consultation. Ms Whaanga was fully supportive of the plan, stating that it was important that drainage be carried out at Mokotahi for health and safety reasons. Some of the drains in the area were very deep, and hazardous for young and old people alike. The flow in existing drains was also of concern in that water was often stagnant, potentially leading to health problems for people who lived near them. Ms Whaanga believed that the implementation of the Mahia Stormwater Management Plan would be beneficial for all people, and congratulated Council on progressing what was an important matter that needed to be resolved.

In the absence of any further speakers, His Worship the Mayor asked that the meeting be adjourned and reconvene to consider submissions and the Engineering Managers Report.

ADJOURNED: 10:45 AM

RECONVENED: 10:55 AM

MAHIA BEACH STORMWATER MANAGEMENT PLAN - SUBMISSIONS

B.02.05.01

The Engineering Manager spoke to his report, which summarised and presented for discussion the key issues raised by submissions received during consultation on the draft Mahia Beach Stormwater Management Plan. The report recommended several changes to the Plan based on submissions received, and detailed the impacts on the proposed scope of work, as a result of recommended changes.

The Engineering Manager informed Councillors that submissions had been summarised under four headings, being; hydrological and technical engineering issues, areas of benefit issues, funding issues, and affordability issues.

In discussing Hydrological and Technical Engineering Issues, the Engineering Manager stated that in reference to stormwater quality, this was not an issue that was addressed within this Plan, as it was being addressed in a number of other plans being proposed by Council, such as the Mahia Wastewater Plan. Other concerns raised by submitters were, the absence of discussion options for major physical works; and, feasibility and loss of land issues associated with central drain solutions. Submitters were in effect saying that while Council had prepared and presented a plan for consultation, they had not informed people of all options that had been considered. The Engineering Manager, while acknowledging that there were property owners who would be more affected than

others, the brief given to Council's consultant was to come up with a workable plan that Council could seek public consultation on, which is what had occurred.

Catchment boundaries in the Weld Street area had been questioned, with the Engineering Manager pointing out that Mr Packer had highlighted during his submission, the difficulty in accounting for localised topography without actually walking the land in question. Tarakahi and Weld Street drainage capacity had also been raised in submissions. The Engineering Manager stated that much of the problem was attributed to the deepening of the drain as it had been maintained over the years. The Weld Street drain was acknowledged as being a significant part of the stormwater network.

The capture of minor stormwater assets, culverts, and drains was an issue in that Council hadn't picked up on a lot of existing road side sumps and pre-existing drainage. While this was not material in the adoption of the Plan, information had been noted. Inadequacies in Taylor's Bay improvements had also been pointed out in submissions, with Council being advised of pipes already in existence, which Council had no knowledge of, and as such, hadn't been taken into account in the Plan.

A comprehensive submission had been received in respect to improvement to drainage from wetland at the rear of Pipi and Tamure Crescents. The submitter believed that the outlet to the lagoon was undersized. Council was of the opinion that there was no capacity issue, as the lagoon essentially acted as a storage dam. The key was to ensure that the pipe remained clear, and that water was able to flow freely. There has never been a known backing up issue at the Lagoon to date. The Engineering Manager acknowledged that the outflow was more a maintenance issue in that at times it gave the perception that it was not working.

An objection had been received in any stormwater discharge being diverted onto Kaiwaitau Trust Land. It was the Engineering Managers opinion that road run-off could be diverted across the road onto Council Reserve, or the berm, to allow for berm soakage.

Roading/Stormwater – Dommett/Newcastle Streets was a project that had come before Council a few years ago to improve safety, drainage, and flooding problems in the area. The need for the problem to still be addressed had been raised in a submission. It was the Engineering Managers opinion that the improvements could be included within the Mahia Beach Stormwater Management Plan.

Submitters had raised the matter of stormwater flooding in Nolan Place. The filling in of adjacent sections for development purposes had largely caused this. Council had attempted to rectify the matter by legal challenge, as the fill had not been consented. It was a matter that still needed to be resolved.

In referring to Area of Benefit Issues the Engineering Manager stated that it was generally a philosophical discussion on cost versus benefits, and what constitutes benefit. Key consideration was whether there was a wider community benefit in carrying out certain works, even while it may be accepted that one individual may benefit more than another.

Many submitters had questioned the proposed cost allocation model. The draft plan provides for all properties within the Mahia Beach and Taylor's Bay areas to be levied on an equal basis for implementation of the work programme. Properties on higher ground for instance, believe they don't have a problem, and therefore should pay nothing, or considerably less.

The Engineering Manager informed Councillors that the increase in rates was based upon a thirty-year loan repayment.

In addressing funding issues, the Engineering Manager informed Councillors that there were cost implications as a result of technical submissions received, which were grouped under Hydrological and Technical Engineering Issues. If suggested amendments were to be endorsed by Council there would be an estimated additional cost of \$200,000.

A review of stormwater rating income and expenditure in Mahia Beach revealed a surplus of \$76,000, which should be utilised on Mahia drainage. Submitters had also asked that revenue collected from recent property sales in Mahia, be used to meet overall costs. A submitter had also queried the application of funds, paid by levied rate to the Hawke's Bay Regional Council, where drainage was scheduled in their Annual Plan, yet Mahia drainage did not feature in that plan. The Engineering Manager informed Councillors that there had been no offer from the Hawke's Bay Regional Council to fund any part of the project. Neither however, had any application/approach been made to the Hawke's Bay Regional Council seeking a financial contribution. A further submission received,

suggested that Reserve Land be sold for development, with any revenue obtained used to offset the overall cost.

Submitters were strongly of the opinion that a significant portion of the costs should be borne by those responsible for recent developments in the area. As Council was still addressing the issue of Development Contributions, it was a matter of determining to what degree the problem was being exacerbated by recent, and future developments. It was ascertained, given the number of years that Council had been debating, and looking for ways to address the stormwater problem at Mahia, that the problem had been in existence, long before any development occurred at Mahia Beach. In addition, vigorous consent processes and conditions have controlled the management of stormwater flow on sites being developed, at significant cost to developers, and as such it could be argued that they have more than met their share of costs to date.

Submission relating to affordability issues merely stated the obvious, that the proposed increase in rates to implement the Plan was too much. It was proposed that the programme be 100% loan funded and implemented in stages over a three-year period. The Engineering Manager informed Councillors that options for decreasing the amount applied to rates could include; reducing the scope of work, allocating funds from reserves or other Council sources, or spreading the cost over a wider area of benefit.

ADJOURNED: 11:58 AM

RECONVENED: 12:35 PM

His Worship the Mayor informed Councillors that as there was no further information that they needed to take into account, there was now a need to determine whether Council would proceed with the Mahia Beach Stormwater Management Plan.

<u>Resolved:</u>	<i>That the report be received.</i>	<i>McIntyre/Birrell</i>
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<u>Resolved:</u>	<i>That amendments as scheduled in the Engineering Managers report be included in the Mahia Beach Stormwater Management Plan.</i>	<i>Birrell/McIntyre</i>
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<u>Resolved:</u>	<i>That Council adopt the Mahia Beach Stormwater Management Plan subject to amendments.</i>	<i>McIntyre/Caves</i>
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The Engineering Manager informed Councillors that as they had adopted the Mahia Beach Stormwater Management Plan, and amendments to the Plan, it was now a matter for Councillors to determine how the project was to be funded. The proposed funding model was 100% funding by loan, to be repaid by levied rate over a term of thirty years. This would result in an approximate \$300 annual increase in rates for Mahia Beach and Taylor's Bay residents.

Councillors debated on who were the beneficiaries of stormwater management at Mahia Beach.

Councillors were of the opinion that the Hawke's Bay Regional Council should make some contribution towards the project, and that a submission be made to their 2007/2008 Annual Plan Process seeking funding and assistance.

Councillor Eaglesome was firmly of the belief that a \$300 increase in rates would be too much for most people, particularly when there were other projects on the horizon that Council would be financing by way of levied rates. One item in particular was the proposed Mahia Wastewater Scheme. Councillor Eaglesome suggested that \$500,000 be taken out of the District Development Fund to lessen the burden, and the remainder be paid by way of loan, over a thirty-year period. Councillor Eaglesome was also of the opinion that the whole of the Mahia Community contribute to repayment of the loan, as it was the whole Mahia community that benefited from the project, not just those that lived at Mahia Beach.

Councillor Birrell preferred that the project be funded over a thirty-year period by way of loan with at best, a small contribution made from the District Development Fund at this stage. Councillor Caves supported Councillor Birrell.

Debate ensued as to whether the utilisation of the District Development Fund was appropriate and to what level funding should be provided. As there was no unanimity, His Worship the Mayor called for a resolution to be put forward.

Resolved: *That a subsidy of 20% be made available from the District Development Fund to supplement the Mahia Beach Stormwater Management Plan loan.* **Birrell/Caves**
AGAINST: Councillor's Eaglesome, Shortt, McKinnon, McIntyre
MOTION DEFEATED

Councillor McIntyre supported statements made earlier by Councillor Eaglesome, and further supported a sum of \$500,000 being made available from the District Development Fund to subsidise the loan. Councillor's McKinnon and Shortt also voiced their support of \$500,000 being made available from the District Development Fund.

Councillor's Birrell and Caves remained adamant that any subsidy be restricted to 20% as the District Development Fund was likely to be called on for funding that benefited the whole community, or more importantly areas of the community that had not received much in the way of monetary value from Council over the years, money that would no longer be available if it were to be expended on Mahia Beach Stormwater.

His Worship the Mayor supported calls for a larger sum to be made available from the District Development Fund, believing that it would lessen the impact of future projects that would require the levying of rates on particular communities such as Mahia.

Resolved: *That a contribution of \$500,000 be made from the District Development Fund, to subsidise the cost to implement the Mahia Beach Stormwater Management Plan* **McIntyre/Shortt**
AGAINST: Councillor's Birrell and Caves
MOTION CARRIED

Resolved: *That the balance of costs to implement the Mahia Beach Stormwater Management Plan be raised by loan.* **Shortt/McIntyre**

There being no further General Business, the His Worship the Mayor, declared the meeting closed:

MEETING CLOSED: **1:30 PM**