

**THE WEST COAST REGIONAL COUNCIL**  
**MINUTES OF THE ANNUAL MEETING OF THE**  
**KONGAHU RATING DISTRICT**  
**HELD AT THE LITTLE WANGANUI HOTEL**  
**ON 17 SEPTEMBER 2010, COMMENCING AT 11.02 AM**

**RATEPAYERS PRESENT**

B. Jones, I. Hedgman, B. Meek, L. Kees, K. Kees, F. Bjerring, R. Anderson, J. Hyndman, C. Hellyar

**NON-RATEPAYERS PRESENT**

M. Watt, G. Johnstone

**IN ATTENDANCE**

West Coast Regional Council  
T. Archer (Councillor)  
C. Ingle, (CEO), T. Jellyman (Staff)

**APOLOGIES**

Cr R. Scarlett, W. Moen, K. Gavigan, R. Hedgman

*R. Anderson / K. Kees - Carried*

**BUSINESS**

T. Archer opened the meeting and welcomed those present. He advised that the Council Engineer Wayne Moen was sick and unable to attend.

He introduced himself and the Council staff. T. Archer advised the meeting that this is a public meeting; anyone can attend but not necessarily speak or comment. T. Archer asked for confirmation that all present are actual ratepayers to the Kongahu Rating District. T. Archer advised that G. Johnstone and M. Watt can speak in either the public forum or general business, they cannot vote, move or second motions.

**PUBLIC FORUM**

**MINUTES OF PREVIOUS ANNUAL GENERAL MEETING**

**Moved:**        ***"That the minutes of the previous Annual Meeting held on 16 October 2009, be adopted as a true and correct record of that meeting subject to the amendments below."***

*L. Kees / B. Meek - Carried*

**MATTERS ARISING**

C. Hellyar drew attention to page 5 of last year's minutes which read that Gavigan's had wanted their creek cleaned out along their boundary. C. Hellyar declared that they did not make this request. He advised they were not at last year's meeting. Cr Archer advised that G. Volckman read out a letter from the Gavigan's stating that they did want the drains cleared out. It was agreed that the line stating that Gavigan's wanted their creek cleaned out along their boundary would be struck out of the minutes.

L. Kees advised that he was not happy with the process of getting the drains cleared and stated that there was a lot of mucking around to get this done. L. Kees stated that B. Jones took photos of the area that was to be cleared out and sent the photos to G. Volckman and W. Moen but somehow the photos disappeared and W. Moen did not receive them. L. Kees advised that he

phoned C. Ingle to get the matter sorted and feels that had he not rang C. Ingle then the job would not have been done. L. Kees feels that it is poor that someone else has to be dragged into it to get it sorted. L. Kees stated that farmers were asked via a mail out as to what drains they wanted cleared then it should be done. L. Kees stated that G. Volckman did not want the spoil on his land. B. Jones stated that it has always been that each drain is slightly on one side of the boundary and all the spoil went onto the other side of the boundary. It was noted that the scheme was designed to have the spoil on one particular side of every drain. L. Kees clarified that it is known to everyone present that the original scheme was drawn up with the spoil goes on one side, the drains are dug on one person's property and the spoil goes on the next property. Discussion took place as to who makes the decisions on what areas are sprayed by helicopter. C. Hellyer stated that he has asked for an area not to be sprayed and it was sprayed.

Cr Archer went through the action points from last year's meeting.

M. Watts advised that he has not yet calculated any quantities on Granite Creek as yet. He advised that the survey has been done and drawn up. C. Ingle advised that the resource consent has been applied for. M. Watts stated that W. Moen might have done the quantities himself.

### **FINANCIAL REPORT 2009 / 2010**

Cr Archer spoke to this report in W. Moen's absence. He advised that the closing balance as at 30 June 2010 is \$46,137.70.

**Moved:**        ***"That the financial report for the 2009 / 2010 year be adopted".***

*L. Kees / B. Jones - Carried*

### **MATTERS ARISING**

There were no matters arising.

### **WORKS REPORT**

Cr Archer stated that he and staff would do their best to answer any queries regarding the works carried out from 1 July 2009 to 30 June 2010. Cr Archer drew attention to the projected works for the period 1 July 2010 – June 2011. C. Ingle advised that W. Moen and G. Volckman carried out an inspection on the 20<sup>th</sup> of July and no works were identified. It was agreed that letters should be sent out each year to all ratepayers seeking drain clearing requirements if any.

Cr Archer read out the comments provided to him by W. Moen via a phone call last night. W. Moen advised that the resource consent for Granite Creek has been lodged for 1500 metres into the estuary and for 800 metres up the creek plus 1 km into farmland above the contour channel. It is estimated that the work will cost \$80,000. It is hoped that the intention is to raise the road with the removed gravel subject to the excavations being of a satisfactory quality. B. Jones stated that this gravel would not be any good for the road but if it was mixed with shingle it might be okay.

Cr Archer stated that W. Moen has advised him with the closing balance being \$46,000, and \$80,000 expenditure and a suggested rate strike of \$7,0000, should the proposed works come to fruition and equate to the estimated cost this would leave a debit balance of \$26,000.

### **RECOMMENDATION**

- 1. That the Works Report covering the 2009 / 2010 financial year be adopted.***

*B. Jones / L. Kees – Carried*

The question was asked as to who is going to pay for the proposed works, C. Ingle advised that this is the big decision that needs to be made. Cr Archer advised that this matter needs to be discussed in Karamea as well. C. Ingle advised that Buller District Council has indicated that they are prepared to look at this. B. Jones stated that the issue for the Karamea rating district is that the Karamea scheme is maintenance only and not capital works. Discussion took place on whether or not this work would be capital or maintenance, Cr Archer stated that excavating an existing drain to its previous bed level is a maintenance item and is not capital. Cr Archer stated that the fact is Granite Creek is in the Karamea rating district. C. Ingle acknowledged that everyone present is in the Karamea rating district and all pay rates. Cr Archer advised that should those present wish to air their views on Granite Creek then they should consider attending this afternoon's meeting of the Karamea rating district. C. Ingle advised that Kongahu scheme has a direct interest in Granite Creek being cleared and they need to see themselves as one of the major funding parties, but not the only one. C. Ingle advised that Buller District Council are prepared to help out but he feels that the wider Karamea rating district should be approached to contribute as there is a community benefit in keeping Granite Creek Road open but also the main road bridge into Karamea. C. Ingle advised that there are the Karamea rating district ratepayers on the other side of Granite Creek who are not contributing to the Kongahu scheme. C. Ingle advised that there are three or four ways of making up the \$80,000 for this. C. Ingle stated that now that the consent has been applied for he is hopeful that DoC will not stand in the way of this. C. Ingle advised that work can also be done at the top of the slip and a sock could be put in to reduce the amount of material that is coming down from the top end. He is hopeful that the longterm maintenance of Granite Creek is not the big issue that as it was thought a year or so ago as once the sock is in place it will stop or reduce what is coming down at the source. Cr Archer asked the meeting if they felt that the work required in Granite Creek is not exclusively the responsibility of the Kongahu rating district but is also a Karamea rating district matter and this is a joint responsibility and that Kongahu rating district is prepared to contribute but not as the only contributor. Those present agreed with this.

**Moved:           *"That the Kongahu Rating District Committee supports the clearing of Granite Creek and would be prepared to contribute"*.**

*B. Meek / I. Hedgman - Carried*

Extensive discussion took place on how to deal with the problems in Granite Creek, the history of Granite Creek and those affected by this creek discussed flooding concerns affecting their properties. G. Johnston stated that the main problem is that Granite Creek is competing with the Karamea River; he advised that if Granite Creek had its own mouth, which needs to be a lot lower than where it is going out, there wouldn't be the problem that there is now. Cr Archer asked G. Johnston if the current consent which is only talking about extending 1500 metres into the estuary isn't sufficient and should go right out to the mouth. G. Johnston stated that the mouth has to be opened up. B. Jones spoke of a high spot in Granite Creek approximately 100 metres down from the bridge. He feels that this is the biggest problem with Granite Creek and is where it is backing up. R. Anderson explained what has happened in Granite Creek with gravel build up over the years, he stated that the Granite Creek issue is primarily a problem for those on the Granite Creek floodplain. C. Ingle advised that the coastal mouth has been looked into and it was felt it wouldn't make any difference if the mouth were opened. C. Ingle advised that the slip at the top of Granite Creek that needs to be dealt with first, so that this will stop new gravel coming down. C. Ingle advised that it may be only \$5,000 to \$10,000 to get the fabric sock put in place but it is the digging and trucking of gravel that will be the expensive part of the job. Discussion took place on who would fund the fabric sock. L. Kees asked what are the chances of DoC funding this work. Cr Archer responded that DoC would say that it is nature taking its course and they would not fund this. B. Jones stated that financial contributors should be Buller District Council, Kongahu rating district and Granite Creek ratepayers. B. Meek is concerned that the Kongahu rating district could be setting a precedent by saying they will pay for the work and if it doesn't work then there could be problems. C. Ingle advised a separate rating district could be set up just for Granite Creek, he explained how the Mokihinui rating district works and suggested a similar system could be set up

for Granite Creek. R. Anderson stated that the Kongahu rating district is to do with swamp areas and the Karamea rating district is to do with the rivers in the Karamea area and includes the Karamea River, Oparara River, Little Wanganui River and Granite Creek. C. Ingle clarified that the Karamea rating district also included the floodwalls around the Karamea township. Cr Archer advised that the ministry would not contribute to the Granite Creek work unless there was a major flood event and it would be after the event.

B Jones advised that the \$8,500 allowed for unforeseen work might not be enough. Discussion took place on the Contour Channel and it was noted that the sides of this channel need to be cut back. Cr Archer confirmed that he spoke to W. Moen last night and no further proposed works were identified. L. Kees stated that he does not want to see Granite Creek become a priority over the Kongahu Swamp. He acknowledged that something does need to be done about Granite Creek.

## **RECOMMENDATION**

### ***2. That the 2010 / 2011 works proposals be approved.***

*B. Jones / K. Kees – Carried*

## **2011 / 2012 RATE STRIKE**

Cr Archer advised that the recommended rate strike for the 2011 / 2012 year is \$7,600, which is the same as last year's rate strike.

## **RECOMMENDATION**

***"That the rate strike for the 2011 / 2012 financial Year is \$7,600 (GST Excl)."***

*B. Jones / B. Meek – Carried*

## **ELECTION OF COMMITTEE AND SPOKESPERSON**

Cr Archer noted that all ratepayers in the rating district are members of the committee. L. Kees nominated B. Jones as spokesperson for the rating district committee.

**Moved: *"That B. Jones elected as the spokesperson and that the committee comprise of all ratepayers for the 2010 / 2011 financial year."***

*L. Kees / B. Meek – Carried*

C. Hellyar advised that W. Moen had sent him a copy of the constitution which states that this committee is a subcommittee of council. Cr Archer advised that the constitution is now outdated but many things are still relevant. Cr Archer confirmed that this committee follows it exactly the same standing orders as council. R. Anderson stated that W. Moen sees G. Volckman as the spokesperson when G. Volckman is the contact person for the rating district. Cr Archer advised that a spokesperson is elected to each rating district and is the liaison person between the council and the rating district but he has no influence on decisions. Cr Archer feels there needs to be consistency across all 23 rating districts when it comes to the correct term and he is happy with the term spokesperson as it indicates that someone is speaking on behalf of the ratepayers and the spokesperson liaises with council on behalf of the rating district. He clarified that this does not imply that the spokesperson / liaison person has anymore voting power than anyone else. It was agreed that all ratepayers would be the members of the committee.

L. Kees expressed his concern that landowners who spend the most money should have more influence on what is spent than those who do own very much land. Cr Archer stated that this is very hard to manage. L. Kees asked if this could be worked out by the Council and could they find a way around this. C. Ingle noted that this is an issue in other rating districts and stated that

there is one landowner in South Westland who pays 50% of the rates within his rating district and yet he is outnumbered by smaller landholdings and only gets one vote. C. Ingle feels that this committee functions well and that matters get sorted out during the meeting. R. Anderson agreed but stated that whoever pays the most should have the most say. Cr Archer stated that he feels this rating district works in a very fair and open manner.

## **GENERAL BUSINESS**

T. Archer invited the meeting to discuss the following items of general business.

### **Kongahu Swamp – Contour Drain**

C. Hellyar spoke of a letter he sent to W. Moen in August expressing his concern that the banks of the Contour Drain are slumping, undercutting and going into the drain. C. Hellyar had asked that this letter be circulated to the rating district prior to the annual meeting. They had asked that this area not be sprayed via helicopter as he and K. Gavigan are planting on the edge of the drain to try to hold the bank in place. C. Hellyar asked the meeting if they are happy for the planting to continue as he feels that the drain on their property does not need to be cleared. B. Jones stated that this area is part of the drainage infrastructure and is not owned by any individuals. C. Hellyar stated that they are planting flaxes and native grasses. R. Anderson stated that it is important that the flow of Blackwater Creek is not interrupted by these plantings. L. Kees asked C. Hellyar that should these plantings cause problems in five years time, would he be asking the rating district to clear them at the rating district's expense. L. Kees stated that in his experience planting on the side of the bank will result in the plants ending up in the drain sooner or later and cause flooding. C. Hellyar stated that he is looking for a solution to the slumping. C. Ingle advised that the principle is if the part of the drain that is going through Gavigan / Hellyar's land starts to actually slow up water from draining away then it does need to be cleared. B. Jones stated that the planting is fine at the moment but should it become to a problem in the future then the committee would have to reserve the right to clear the drain. Cr Archer apologised to C. Hellyar regarding his letter not being sent out to the rating district prior to today's meeting.

### **Little Wanganui Road**

Cr Archer advised that W. Moen had asked him to bring up the matter of the Little Wanganui road survey and to let the meeting know that this survey has been undertaken. Cr Archer read out information supplied by W. Moen and advised that there is a proposal to raise the part of this road by one metre to avoid flooding of the Kees property. This could result in additional flooding on other land. Cr Archer advised there are no cost estimates for this work. There is also a proposal by Mr Kees to hump and hollow part of his land, a resource consent has not yet been applied for but is required. Mr Volckman is against both proposals. Cr Archer advised that this meeting is not to determine the outcome of any resource consent but could be used as an opportunity to consider if the effects of these activities will have any affect on the rating district infrastructure. R. Anderson feels an independent person needs to look at this matter. B. Jones stated that one option would be to reduce the amount of water that is going through the swamp or regulate the amount of water that is going through. B. Jones advised that G. Volckman wants the status quo to remain. R. Anderson stated that G. Volckman built this area up and W. Moen advised that this couldn't be changed. R. Anderson provided a photograph from 1968 of The Little Wanganui Bridge showing the underneath of the bridge and noting how clear it was at this time. This area now is full of matter that G. Volckman has put there. R. Anderson stated that it has been difficult to make progress with this matter. C. Ingle stated that if material is being placed in a riverbed then that is an RMA compliance matter. Cr Archer advised that the community is council's eyes and ears and any concerns they have regarding this type of thing they should contact the council office. C. Hellyar stated that he has been disappointed in the response from the regional council regarding non-compliance issues in the past. Cr Archer encouraged the meeting to contact either the Chief Executive or councillors should they have concerns in the future as processes are to be upheld. It was agreed that C. Ingle would check this area this afternoon. C. Ingle asked the meeting if they wanted the underneath area of the bridge cleared out. It was agreed that this

would help. R. Anderson asked who would pay for this. C. Ingle stated that usually the affected landowners would clear this, but if it was thought to be contributing to flood waters entering the drainage scheme then the rating district could fund it.

L. Kees advised that it hardly ever used to flood in this area but now the Little Wanganui River Bridge is blocked by willows falling into the river which are causing problems with flooding above Blue Duck Creek and coming over the Wangapeka Road and down through the Kongahu swamp.

Cr Archer asked the meeting if they wanted to do something about this and are they prepared to pay. It was noted that landowners have contributed to this problem by doing things they shouldn't have done and it was felt that others should not have to pay for this.

It was agreed that the West Coast Regional Council would liaise with Buller District Council to suggest clearing underneath the Little Wanganui Bridge. C. Ingle advised that if anyone is seen dumping rubbish under this bridge to let him know as soon as possible so that a compliance officer can investigate.

**Moved: "That the Kongahu rating district supports L. Kees's resource consent application to alleviate surface flooding".**

*B. Meek / R. Anderson – Carried*

Further discussion took place on the insertion of a sock at the top of the slip to try to alleviate gravel coming down and building up in Granite Creek. B. Jones stated that he does not see the Kongahu rating district as the sole body to bear the costs for the problems associated with Granite Creek. C. Ingle offered to get back to B. Jones next week with a price for the fabric sock.

**Moved: "That the Kongahu rating district investigates the insertion of a fabric sock above the slip at the top of the Granite Creek catchment and that the Kongahu Rating District would be prepared to contribute to the cost of this."**

*B. Jones / C. Hellyar – Carried*

G. Johnstone stated that Granite Creek is worsening the state of the swamp itself because the Otumahana is much higher than it ever has been before and is rising all of the time. G. Johnstone was asked if he would be prepared to pay. G. Johnstone feels the mouth needs to be opened as it is far lower where it is going out into the Karamea River. He feels that Granite Creek is competing with the Karamea River when they are both in flood. G. Johnstone feels that sock at the top of the catchment will help. B. Jones stated that the mouth is not currently blocked. C. Ingle advised that consultants have advised that opening the mouth is not going to help. B. Jones stated that the purpose of the sock is to limit the amount of gravel that is coming down into Granite Creek. Various speakers spoke of the history of Granite Creek and it was agreed that the sock option is the preferred option for Granite Creek.

T. Archer thanked the meeting for their attendance.

There being no further business, the meeting closed at 1.16 p.m.

### **Action Points for follow up**

<b>Contact</b>	<b>Task</b>	<b>Completed</b>
C. Ingle	Get consultant to investigate what the best options are for the Little Wanganui River drainage and bridge underpass.	
C. Ingle	Investigate price of fabric sock for slip in Granite Creek catchment.	