



Report 09.378
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Committee Catchment Management Committee
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Drainage from Tawaha Floodway, LWVDS

1. Purpose

To advise the Committee of some residual drainage issues following construction of the Tawaha floodway, Lower Wairarapa Valley Development Scheme (LWVDS) in 1983, and to recommend that the options for dealing with the drainage from this floodway are re-investigated and the appropriate decisions made.

2. Significance of the decision

The matters for decision in this report do not trigger the significance policy of the Council or otherwise trigger section 76(3)(b) of the Local Government Act 2002.

3. Background

The Tawaha floodway, constructed in 1982/83, was one of the last parts of the Lower Wairarapa Valley Development Scheme (LWVDS) to be built. The floodway channels and controls floodwaters that spill onto the floodplain at the natural spillway at Tawaha, cross State Highway 53 (Featherston to Martinborough) at Jenkins Dip before entering the floodway proper and then spilling back into the Ruamahanga River. The floodway confines floodwaters within a defined corridor, up to the design level and reduces flood damage to surrounding land.

The floodway completed in 1983 has worked well and has provided significant flood protection benefits to adjacent and downstream landowners. However, in constructing the floodway it appears the then Wairarapa Catchment Board did not fully consider the drainage associated with the floodway construction. Subsequent investigations and works undertaken since have not satisfactorily resolved the matter. This has caused considerable angst amongst downstream landowners.

The Tawaha floodway sits on a lower terrace of the Ruamahanga floodplain and has a separate drainage catchment to the adjacent Whakawiriwiri (Whaka) Stream which runs along the foot of the hills adjacent to Georges Road (see **Attachment 1**). Construction of the Tawaha floodway resulted in the low flow drainage water from the Tawaha catchment being diverted into the Whaka Stream.

4. Consequences of Tawaha Drainage Diversion

The drainage water diverted from the Tawaha Catchment comprises two parts:

- Normal low flow drainage from the Tawaha Catchment.
- Residual flood waters from the floodway that are released following the operation of the floodway.

Estimates have been made of the wet ground condition (winter and spring) flows that would typically result from both catchments at their junction point just downstream from the driveway entrance to the house on the property owned by Mr John Barton.

Design estimates completed by Council staff, and consulting engineers, indicates that the Tawaha water increases the Whaka Stream base winter flow by about 40%, and then the base flow is doubled or trebled when the residual floodwaters from the floodway are released after a flood event.

The additional Tawaha water compounds existing drainage issues:

- For landowners immediately upstream of the junction during prolonged wet winter conditions when the level of the Barton lagoon remains high. The outlet control to the upper Barton lagoon was set by the Catchment Board when the floodway was reconstructed in 1982/83.
- In low lying parts of the property owned by Mr John Barton. Poor drainage is a big limitation on the dairy operation run on this property.
- On isolated small sections of land close to the stream through the properties the stream runs through between Hikinui Road and Pahautea Road. The impacts of the additional water from Pahautea Road downstream to Lake Wairarapa has not been determined but is understood to be minor.

5. The 1995 and 1999 reports

In the early 1990's, Council officers began investigating options for dealing with the additional water diverted into the Whaka Stream, including engineering analysis and landowner discussions. Early on in the process Council officers decided that the best way to deal with this matter was to upgrade the capacity of the Whakawirirwiri Stream so it could cope with the additional water rather than re-diverting the Tawaha drainage back into the Ruamahanga River upstream of its entry into the Whaka Stream. The proposed Whaka upgrade involved channel enlargement, deepening of the invert particularly near Hikinui Road, and construction of an additional lowered culvert under Hikinui Road.

The Whaka upgrade proposal was, however, not acceptable to several landowners immediately downstream of Mr Barton. Access for the work to be undertaken was refused, and so it did not proceed.

In 1999, Council officers proposed an amended scheme that involved only undertaking some channel improvements in the Barton property. The Rural

Services and Wairarapa Committee agreed with the Alternative Proposal and approved officers to proceed as recommended.

The improvement works in the Barton property were undertaken in 2000. Mr Barton gave his approval for the upgrade works to proceed.

6. Recent investigations

Mr Barton approached the writer sometime in 2007, in my former capacity as Divisional Manager, Catchment Management, to cast a fresh eye over the issue of the Whaka drain. Investigations got underway in a significant way with several visits to the property during the winter of 2008. A thorough file search from construction of the Tawaha floodway to the present day has been undertaken.

The writer's investigations have concluded:

- The diverted Tawaha drainage water has exacerbated an area of existing poor drainage in the Barton property, and to a much lesser extent neighbouring properties.
- The works completed in 2000 have provided only a marginal benefit, and do not fully mitigate the effects of the additional Tawaha water. These benefits have also been compromised by inadequate maintenance of the improved drain.
- The Tawaha drainage water was not adequately addressed during the final design of the Tawaha floodway in 1982.

7. Proposed new review

The Council at this point has two options:

Option 1 – advise Mr Barton and adjacent landowners that the matter was fully and finally addressed with completion of the works in 2000.

Option 2 – agree to look at the matter again and implement the outcomes of that review. This will initially involve a technical review/investigation of the available options, followed by consultation with affected landowners and the LWVDS Committee. An investigations report with a recommendation on a preferred option would then be prepared for approval by the LWVDS Committee and Council. The technical investigations and the associated consultation/consent/legal costs would be funded by Council out of existing investigation budgets, but any works would be a Scheme cost.

The adoption of Option 2 poses some significant hurdles for Council to achieve a better position than what was achieved in 2000. The matter has caused concern for over 25 years and recent discussions with landowners indicate many of the difficulties faced by Council in the 1990's remain. However, the writer believes that the matter does need to be resolved once and for all.

8. Discussion

This matter has previously been considered a dispute about drainage along the Whakawiriwiri Stream and previous reports have been titled that way. However, the key issue is the unresolved drainage following construction of the Tawaha floodway in 1983. It appears from a search of the records that the diversion of the Tawaha drainage was done without a water right under the 1967 Water and Soil Conservation Act, and all the normal processes of consultation, and mitigation that were appropriate for such a diversion. The diversion has impacted a number of properties in a minor way, and the Barton property in a more significant manner.

In discussing this matter with Masterton based staff there is some concern that there are other elements of the LWVDS construction where landowners had to accept that scheme construction did not lead to equal benefits, and that some landowners had to accept some disbenefits eg land within a floodway. These factors are taken into account, as far as possible, through the rating classification. Agreeing to look at the Tawaha Drainage again could raise similar issues elsewhere within the scheme.

Council made a commitment in 1995 to achieve a solution to the matter. The upgrade of the Whaka drain through the Barton property in 2000 provided some benefits. Rating classifications were amended accordingly. However, the writer considers it would be appropriate for Council to look at the matter again with a view to finding a durable and equitable solution to all affected landowners.

9. Communication

The outcomes of the Committee's consideration of this matter need to be communicated to affected landowners, and to the LWVDS Committee.

Should the Committee decided to fully review this matter again then all landowners who will be involved in the review will be advised of the investigation and the next steps in the process.

10. Recommendations

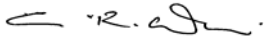
That the Committee:

1. **Receives** the report.
2. **Notes** the contents of the report.
3. **Agrees** that the residual drainage matters resulting from construction of the Tawaha floodway in 1982/83 requires final resolution, and requests officers to investigate the matter and report back when the technical investigations are complete.
4. **Request** officers to fully consult with the LWVDS Advisory Committee.
5. **Requests** officers to write to Mr Barton and immediate neighbours advising of the Committee's decision on this matter.

Report prepared by:

Report approved by:

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Attachment 1: Plan of the Tawaha Floodway and Whakawiriwiri Stream