

**SUBMISSION ON APPLICATION CONCERNING RESOURCE CONSENT THAT IS SUBJECT TO
PUBLIC NOTIFICATION BY CONSENT AUTHORITY**

Section 95A, Resource Management Act 1991

To: Gisborne District Council
Email: NotifiedRC@gdc.govt.nz

Submitter: Jacqueline Hema

Property Address:

Address for Service:

INTRODUCTION

1. This is a submission on a publicly notified application by Gisborne District Council (Rivers and Land Drainage) (**Applicant**) for the Te Karaka Stopbank Upgrade Project (**Proposed Activities**) at Te Karaka township (**Application Site**) (Application Nos LR-2026-113441-00, LV-2026-113442-00, LL-2026-113443-00, WS-2026-113444-00) (**Application**), by way of land use and take surface water resource consents.
2. Jacqueline Hema (the **Submitter**) is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (**RMA**).
3. This submission relates to the Eastern Alignment of the Application. The Submitter's Property is identified in the Application as TK26.
4. The Submitter's reasons for its submission are provided below.

SUBMISSION

Background

5. The Submitter owns a 2.3-hectare property located at [REDACTED] (the **Property**), which is located within the Application Site. The Property lies within the Gisborne District Plan's (**District Plan**) Rural General Zone.
6. The Submitter leases part of their Property to Riverview Treks & Pinehollow Riding School (the **Riding School**), which operates from 2424 Matawai Road, directly across the road. The Riding School's usual treks run to the Waipaoa River; where that route is not feasible — including in periods of high river flow — the Riding School instead uses the Property and the hill country at the rear for its treks. The Property is therefore not a fallback of last resort but a functioning part of the Riding School's operating model.
7. This lease and trekking arrangement has been in place approximately 4-5 years now and forms part of the Submitter's income from the Property.
8. The current horse trek route is shown in **Figure 1** below.



Figure 1: Horse trek path (red arrows)

9. The Application's proposed new stopbank alignment will directly affect this route, as shown in **Figures 2A and 2B** below.

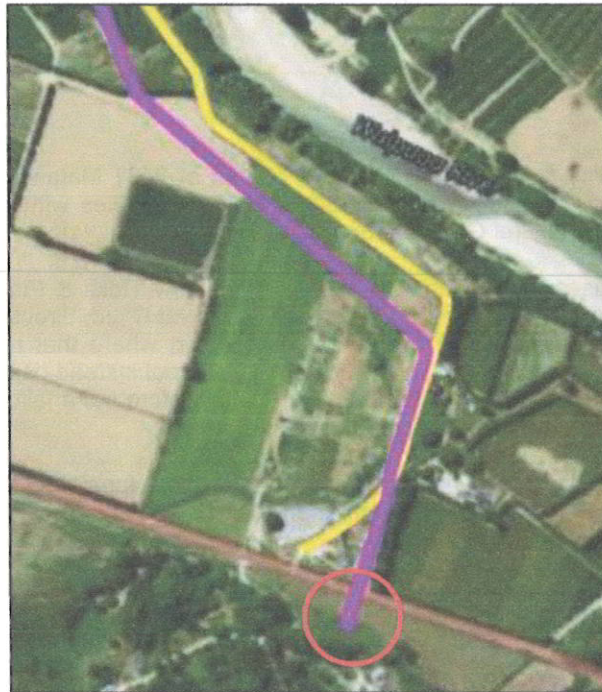


Figure 2A: Existing stopbank (yellow); Proposed new alignment of stopbank (purple)

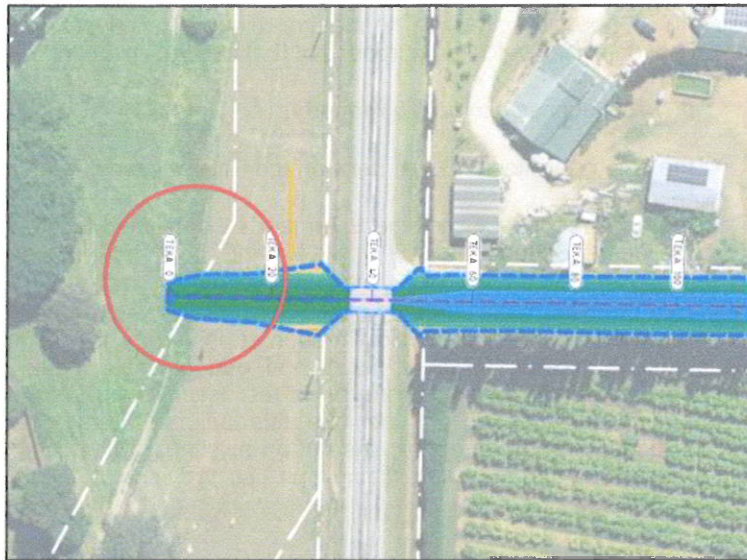


Figure 2B: Proposed new alignment of stopbank affecting horse trek path (circled red)

10. The configuration of the proposed stopbank, when combined with the Property's natural contour, will impede both access to, and the safe passage of, the horse treks.
11. **Figure 3** below shows the contour lines of the Property and approximate location and end point of the new stopbank.



Figure 3: Property (highlighted yellow); Proposed new alignment of stopbank (red arrow); contour lines (orange)

12. The Submitter understands the new stopbank will be fenced. Fencing along the proposed alignment will compound the access problem by creating a physical barrier across the trek route, rather than merely constraining it.

Reasons for Submission

13. Overall, the Submitter opposes the Application for the following reasons.

Statutory framework

- 13.1. Section 104(1)(a) of the RMA requires the consent authority, in considering the Application, to have regard to the actual and potential effects on the environment of

allowing the Proposed Activities. The matters raised in this submission are actual and potential adverse effects for the purposes of that section, including effects on:

- (a) physical access across the Property;
- (b) the safe operation of horse treks on the Property; and
- (c) the continued viability of the Submitter's established lease arrangement with the Riding School.

13.2. Section 5 of the RMA states that the purpose of the Act is to promote the sustainable management of natural and physical resources in a way that enables people and communities to provide for their social and economic wellbeing, while avoiding, remedying, or mitigating adverse effects on the environment. As currently designed, the Proposed Activities do not achieve this balance: they would secure flood protection benefits at the direct expense of an existing, lawfully established land use and the economic and social wellbeing that use provides to the Submitter and the Riding School.

13.3. Section 104(1)(b) requires the consent authority to have regard to the relevant provisions of the District Plan. The Submitter's use of the Property for equestrian access is a legitimate activity within the Rural General zone, and the Application should not be granted in a form that unreasonably curtails it without adequate consideration of alternatives or mitigation.

Health and Safety

13.4. The construction, location, and proposed fencing of the new stopbank will create significant health and safety risks for riders and horses using the Property. A fenced embankment across or immediately adjacent to the trek route introduces a fixed obstacle at exactly the point where riders currently pass, with limited room to safely reroute given the surrounding contours.

13.5. The Submitter is concerned that the Eastern Alignment, insofar as it affects the Property, does not appear to have adequately considered a stopbank design or route that avoids or minimises severance of the trek route. A better-designed junction between the stopbank and the Property — whether through realignment, a dedicated stock/trekking crossing, or gated access through the fencing — would allow flood protection objectives to be met without eliminating safe equestrian access.

Decision Sought

- 14. The Submitter seeks that the Application be declined.
- 15. In the event that the Application is not declined, the Submitter seeks that the design and construction of the stopbank in the vicinity of the Property (TK26) be amended so as to avoid, remedy, or mitigate the matters raised in this submission, including by:
 - 15.1. realigning or reconfiguring the stopbank at the junction with the Property to preserve a safe and practicable route for horse treks between the Property and the hill country at the rear;
 - 15.2. providing a suitable gated or otherwise rider-safe crossing point through any fencing along the new alignment, sized and positioned to accommodate horses and riders; and
 - 15.3. imposing any other conditions of consent reasonably necessary to avoid, remedy, or mitigate the adverse effects identified in this submission.
- 16. The Submitter would be pleased to meet with the Council to discuss this submission.

Wish to be Heard

17. The Submitter wishes to be heard in support of this submission.
18. If others are making a similar submission, the Submitter would consider presenting a joint case with them at the hearing.
19. The Submitter requests, pursuant to section 100A of the RMA, that the Council delegate its functions, powers, and duties to hear and decide the Application to one or more hearings commissioners who are not members of the Council.



Jacqueline Hema

Date: 07 August 2026