

Resource Consent Application

Form 13

Under Section 96 of the Resource Consent Management Act 1991.



Reference Number:

RCS261346829

Submitted On:

06/08/2026 11:11 p.m.

Person making submission:

Surname

Moran

First Name(s)

Jenny

Address

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Email

Submission on:

Application No

LR-2026-113441-00, LV-2026-113442-00, LL-2026-113443-00, WS-2026-113444-00

Name of Applicant

Gisborne District Council - Community Lifelines

Type of resource consent applied for

Land-Use - Extract Sand/Shingle; Land-Use - Vegetation Clearance; Land-Use - Works and structures in a River/Lake Bed; Take Surface Water; Land Use - Earthworks

Brief description of proposed activity

Te karaka Stop bank upgrade.

Position on application

I oppose the application

Clearly state which parts of the application you support or oppose or wish to have amended:

I oppose all parts of the application.

The reason for making my submissions are (briefly describe the reasons for your views):

1) Human health and safety first - The proposed new stop bank is not a permanent solution to the flooding problem for Te Karaka. Council agrees with this. The stop bank upgrade will not solve the flooding problem and will only pass the problem into the future, if not this generation then future generations creating future generational debt. The supreme objective of the RMA, "Sustainable Management" is not being met. Definition of sustainable management -Sustainable management is the practice of running organizations, projects, or natural resources by balancing economic growth, social well-being, and environmental protection so that current needs are met without harming future generations. "With ongoing aggradation expected in the river, any retreated stopbank is likely to offer only a medium-term solution, likely in the order of decades, without further works being required. " "Early Isolation: Vehicle access via State Highway 2 cuts off when water levels at Kanakanaia Bridge reach about 8.5 metres—long before the stopbank crest is reached—meaning residents can be trapped well before a physical breach occurs. (This is even after the Hakanui has been built)." The Levee effect needs to be factored into health and safety as well as economic impacts. See below for more detailed information.

2) Risk to Rangatira and Kanakania bridges. Council's assessment of effects on the Rangatira Road and Kanakanaia Road bridges indicated that the proposed stopbank

upgrade would result in increased hydraulic loads and scour depths under the design flood event, with predicted increases in scour depth of approximately 0.7 - 0.8 metres. Modelling for Rangatira Bridge indicates up to a 101% increase in bending moment loads on the superstructure, up to a 44% increase in lateral loads, up to a 40% increase in vertical uplift loads, and up to a 50% increase in pier bending moment loads.

Rangatira bridge constructed in 1959, designed for cyclone 1948 flood equivalent (3,500 cumecs).

Kanakania bridge, constructed 1976, design flow unknown.

This is assessed as “unlikely” to have more than a minor adverse effect on bridge failure risk, but that is not a reasonable assessment – the fact that these bridges are already vulnerable to flooding has been used as a reason to minimise the additional flood risk caused by the stopbank, rather than identifying it as a cumulative effect.

3) Our property is impacted because it becomes newly flooded. It becomes newly flooded in the over-design event, and changes from Maximum Hazard rating from H1 (negligible/low) to H3 (moderate/medium) in the modelled over - design event. Access to our property is being put at risk with increased risk to the Rangatira bridge. We have not been included as impacted property owners. We are worse off.

Council’s position is that it is only covering compensation and engagement costs of directly affected (stopbank footprint) properties and properties affected in the design event. What is the rationale for this approach, is the council saying there is no “damage” from an over-design event?

Engineered Increase to Flood Depth and Risk (Backwater Effect):

The specialist hydraulic modeling confirms that the retreated stopbank alignment narrows the active floodplain corridor. This creates an intentional backwater effect that raises simulated flood depths on upstream rural properties during severe weather events. I oppose any public infrastructure upgrade that deliberately engineering-in higher water levels, silt accumulation, and prolonged inundation risks.

The RFI asked for clarification of any parties that could be potentially affected by the estimated increase in water level – the response just refers back to the Consequential Flood Risk Assessment plus Appendices 8E and 8F of the application (detailed spreadsheets). This is not an adequate response and a more detailed assessment of the impact on our property is needed.

4) Information is missing from council assessments - see list below.

5) The principles of Te Tiriti o Waitangi (the Treaty of Waitangi) function under Section 8 of the Resource Management Act 1991 specifically in the context of long-term environmental sustainability.

Part 2 Alignment: Works alongside Section 6 (matters of national importance) and Section 7 (other matters, including kaitiakitanga) to guide sustainable management.

Kaitiakitanga as Intergenerational Sustainability: Explains how the operational guardian model under Section 7(a) serves the constitutional mandate of Section 8. It treats resource stewardship as an unbroken lineage obligation (Whakapapa and Taonga Tuku Iho) rather than short-term utilitarian exploitation. The proposed new stop bank fails to meet the principles of Te Tiriti o Waitangi.

Definition of environmental sustainability - Environmental sustainability is the responsible management and conservation of natural resources to meet current human needs without harming the ability of future generations to meet theirs. It focuses on maintaining ecological balance, protecting wildlife habitats, and preventing the permanent depletion of essential Earth systems like clean air, water, and soil.

Definition of Intergenerational sustainability is the practice of using resources today so that current actions do not harm or limit the survival, health, and economic options of future generations. It ensures that people born later inherit a clean environment and stable resources.

Short-term utilitarian exploitation means using people, nature, or resources for fast, maximum gain with little regard for future harm, fairness, or long-term survival. It treats a target purely as an instrument to satisfy immediate needs or profits.

6) Lack of engagement from community and exploration of alternate options -Lack of community engagement to keep informed. - Many affected people have not engaged with this process. They have not attended meetings or kept informed. - notification was not sent to everyone at the beginning, at the steering committee stage, so people were excluded (unintentionally) from participating. Nadine Thatcher Swann email

.17 July 2024 "In terms of next steps my team was wanting to work with yourself or delegated person - and a group of residents that span the upper river, township and lower reaches in some modeling discussions. Preferably those who have a knowledge of how the river behaved in their respective areas during Gabrielle. The outputs from this group would then go on to form the information/preferred options for community, iwi and council to make decisions on."

I believe local knowledge was not tapped to its full potential in this case. Representations from domiciliary residents of Rangatira road were not present as they were unaware of this happening.

- only 30 submissions were made at the optioneering stage. It would be good to know how many affected property owners there are in the village and what percentage the 30 submissions represent. Was this an adequate basis for making decisions?

- the community has been effectively divided into three groups - 1) Those getting protection, 2) Those not being protected but being compensated and 3) Those not getting protection and not being compensated. At both council hui and Mahaki hui in the school hall for everyone, we were spoken to as one group - we had different lenses as we were being treated differently. The three groups were not differentiated for consultation and active engagement. As a community we were divided.

- community members have unintentionally been omitted from adequate notification of public meetings.

- lack of notice to the public for meetings with both council and Mahaki. Sometimes there was less than 48 hours notice given for meetings.

I wish the Gisborne District Council to make the following decision (give details, including nature of any conditions sought):

1. Health and safety - for this to be truly effective, I wish that the council implements a sustainably managed solution to the Te Karaka flooding needs so that this generation and those to

come will benefit. By sustainable managed solution, I mean a solution that solves the problem as opposed to deferring it to future generations.

This is covered in councils three year plan: "This 3YP is about finding a balance – aiming to address the immediate needs of the community with what Council can afford to do now, to maintain and restore our assets without overburdening future generations.'

The RMA - I wish the council to adhere to the RMA by using sustainable management to meet the needs of future generations.

Part 2 of the Resource Management Act 1991 (Sections 5 to 8)

Section 5: The Purpose (Sustainable Management)

Section 5 is the supreme objective of the RMA. All other sections in the Act exist to achieve this purpose.

Core Definition: It defines the purpose as promoting the sustainable management of natural and physical resources.

The Balancing Act: This requires managing the use, development, and protection of resources in a way, or at a rate, that enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety.

The Environmental Bottom Lines: This enablement is strictly conditional upon three bottom lines outlined in Section 5(2):

(a) Sustaining the potential of resources to meet the reasonably foreseeable needs of future generations.

(b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems.

(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

I wish the council to take into consideration the following safety issues and explain how these would be avoided:

The Levee effect - The levee effect is a paradox where building flood-protection walls creates a false sense of safety, encourages more people to build homes and businesses in flood zones, and ultimately leads to much higher overall damage when a massive flood finally breaches the barrier. People have already built new houses on their papakaingā and a new commercial business has erected a large shed, thinking they are safe from flooding.

False Safety: People think a new levee means they are 100% safe from floods.

More Building: Towns grow quickly near the water because land looks safe and cheap to use.

Higher Loss: When a huge storm beats the wall, more property and people are in harm's way, making the final damage much worse.

Real world example -

New Orleans, USA (Hurricane Katrina)

The most famous modern example occurred during Hurricane Katrina.

The Setup: Decades of building complex levee networks made the low-lying city feel highly secure.

The Paradox: This confidence drove rapid urban expansion, packing neighborhoods with houses right up against the floodwalls.

The Disaster: When the structural protections failed in 2005, water rushed into heavily populated areas, trapping residents and causing catastrophic damage.

Value choice - relying on the right time to call for an evacuation. Niwa Advice on and preparation of evacuation risk and survivability guidelines for New Zealand flood waters pg 27 and 28 relate to the timing to evacuate and 'value choice', meaning it is dependent on when civil defence raises the alarm. Evacuation time is given as 4 hours pre stop bank upgrade. My understanding is that the time to evacuate will be less after the stop bank upgrade.

Evacuation Warning Fatigue - When people stop responding to emergency calls because they happen too often or turn out to be false alarms, this is a real danger. I have already heard many people say they will not evacuate in the future, they feel safe in their homes.

The new civil defence centre is located on a high point that will become an island once the banks are breached. How will people access emergency services from this island, air support would not be available until the weather cleared?.

In cyclone Gabrelle, the river rose about 1 metre and hour and it also receded at about this rate. I wish the council could tell me how fast the river will recede once it has become entrapped within the new flood banks, once the flood gate is opened and it is drained? My concern is that it will take a lot longer to drain out, more silt will be accumulated inside the village and cause more damage.

I wish that council could explain what happens to properties once the stop bank is breached and the properties are flooded? If the National Adaptation Proposal is adopted my understanding is there will be no financial assistance. I have had no definite answers regarding access to insurance. Can the council explain what they think will happen to the properties?

2. The bridges - I wish that the consent should be declined if the increased risk to the bridges cannot be avoided. I oppose spending \$26 mill for the stopbank upgrade to potentially jeopardize \$30 mill of existing bridge infrastructure..

3. Impact to our property - If the proposed stop bank does go ahead then I wish that the design of the stop bank needs to be changed to avoid any increase in flood risk to any part of our property, otherwise I request that the application be declined, impacts include;

- a) Our house, shed and workshop, a rental cottage on our property and the electricity supply to the existing farm water supply pump.
- b) Our proposed house site development and the overhead power supply to those sites.
- c) Risks from increased water velocity to power poles and fence lines.
- d) Increased river levels in floods going forward due to ongoing aggradation.
- e) Increased flood risk to Rangatira bridge which we rely on for property access.
- f) Increased insurance costs because of our “newly flooded status” , which underwriters are now considering.

I request a report be undertaken and shared with us that does take upstream aggradation into account so we know what the change in flood risk would be if aggradation were factored in.

I wish that a report be undertaken and shared with us that shows flood levels on Rangatira Road and Kanakania Road if the river were not defended at all and was let to run its natural course. I request this so that I can ascertain the impacts upstream from the stop banks.

Council’s position is that it is only covering compensation and engagement costs of directly affected (stopbank footprint) properties and properties affected in the design event. I wish this to include those affected by increased flooding and new flooding. I wish the council to reimburse our legal costs as affected property owners.

Water usage - during construction of the stop bank - I wish the council to guarantee we will still have enough water to supply ourselves and our farm?

PWA - my understanding is compensation at present only applies to those properties with the footprint of the new stop bank on them, or those substantially injurious affected parties which means your house or a significant building is adversely affected by flooding. My understanding is that we could put in a claim under the PWA for our property being devalued due to increased and new flooding but the outcome of that would be at the discretion of the CE of GDC. GDC being the applicant in this instance. I would like to know the rationale behind this and how it is then an independent situation for us seeking compensation.

The inexplicable focus on dwellings only, rather than the properties generally, has resulted in an incomplete assessment of the actual or potential adverse effects of the proposal. My view is that the consequential effects assessment is incomplete and that it does not adequately inform an RMA assessment process.

To fully understand what a future compensation claim under the PWA for this project would look like (we understand there is a 7 year time frame window, application process left open) under the PWA. If a large flooding event occurred in the next 40 years, which has been the pattern, then the time for compensation would have lapsed. In the past pushing water onto another

person's property was deemed unacceptable, yet this is what is happening for us. I wish this was not happening.

I request that the council align its flood protection budget with its transport budget. If they are raising the stopbanks, they must simultaneously fund structural protection or upgrades for the vulnerable bridge, as the Rangatira will become, via its Long-Term Plan (LTP). That council/ commissioners relay details of how this is to be achieved and keeps us informed before and after any resource consent is granted for the flood bank project. I wish for full compensation for those whose farms that are affected by this proposal on Rangatira Road this includes compensation for any legal costs incurred.

4. Missing information/ assessments -

The consent authority should request that information should be made under s 92. I wish that this information be obtained and be made available to affected people so a more informed decision can be made.

Missing information and/or assessment that should be included in the application include;

Factoring in upstream aggradation and report on this so we know what the change in flood risk would be.

A full analysis of bridge failure for both bridges. (deemed by council not justifiable)

Information regarding damage and or replacement costs of bridges, this needs to be factored into the economic report. (estimation of bridge x2 replacement \$40m)

Potential future loss of life from flooding was not factored in, this should be factored in.

Levee effect has not been factored into future health and safety and the economic cost. Residents continue to build new houses and commercial properties.

A full investigation researching alternative safe, sustainable options for affected parties and sharing this with them.

Lack of information to affected parties regarding what happens once the new stop bank is breached.

A lack of upper river representation as requested by Nedine Thatcher Swann in 2024, when critical decisions were being discussed. No representation from domiciliary Rangatira road residents.

Report showing engagement data from affected community members, was it an acceptable response e.g - only 30 submissions were made at the optioneering stage. If 200 properties are being protected with many more additional properties affected, what is the data analysis of this level of engagement from the community? Does it reach the 20% - 30% which is seen as an acceptable response level or are a few people deciding on behalf of others? Were those who submitted on the optioneering stage property owners or affected residents or were they unaffected people having an opinion?.

No certainty or information from council regarding the impact of the Proposed Adaptation Framework regarding financial support or lack of, in the event of future flooding.

No report/information outlining potential insurance changes for people living in a high risk flood environment.

Flood modelling showing the effects to our property if the river

was let to run it's natural course without stopbank interference. When the banks of the new stop bank are eventually breached, the civil defence evacuation centre will become an island with no exit except by air or boat. In the event of a medical emergency, what will happen?

Ecology:

A survey for bats needs to be undertaken.

A lack of site survey data of plant species was not undertaken. I believe a Kauri tree growing in the affected area could be impacted. It is a threatened species.

Two at risk bird species were identified in the area and could be using this for foraging - this has not been fully assessed.

No formal fish surveys were undertaken, eDNA showed two at risk species are present in the awa.

Cost analysis comparing the cost of different scenarios i.e the current stop bank proposal cost plus the future cost if managed retreat is required as mentioned by council in the application, plus potential cost to bridges vs managed retreat without the proposed stop bank.

The consequential flood risk assessment did not explicitly cover the potential effects on productive soils. A report would be helpful to establish the full effect and inform affected people.

Non - complying activity - One of the activities for which resource consent is sought relates to the installation of a flood control flap on a culvert affected by the stopbank construction. The culvert enables the discharge of a tributary to the Waipaoa River. This aspect is for a non-complying activity which requires more stringent assessment processes. Before supporting or opposing this application, I believe the full effects of this non-complying aspect need to be made clear to all affected property owners.

Apparently consents bundling can be applied in two ways: a) Procedurally (where related applications are heard together, as required by s 103 RMA); and, b) Substantively (assessing the status of the overall proposal based on the most stringent class of activity present). The substantive approach provides that if one component of a proposal is non-complying, then the entire application may be treated as non-complying. I would like clarity on this and the proposed non-complying flood control flap.

5. The principles of Te Tiriti o Waitangi - I wish the council to implement a sustainable solution to the flooding problems that recognises and protects the health and safety of generations to come. This includes protecting both the people and their property from harm, enabling intergenerational sustainability.

6) Informed decision making - I would like all affected people to be fully informed, to be sent written information they can understand outlining the positives and negatives for the proposed stop bank upgrade. This includes all information about insurance, hazard zones, the National Proposed Adaptation Framework, how future values could be impacted on properties, alternatives to the stop bank, how managed retreat works, how it has worked in other countries, possible new sites for Te Karaka, potential land use for the current Te Karaka site.

Then I would like interactive meetings with the council for affected people. This might be an all day work shop, covering these points.

Safety and wellbeing of the people and their property is the common aim. We all want that including the council. As a community I would like to see us come together to find a solution to address that for now and future generations.

Additional requests.

I request pursuant to 100a of the act that GDC delegates its functions ,powers,and duties to hear and decide the application to 1 or more commissioners who are not members of the local authority or have any affiliations to the region or project .

I request if independent commissioners are established, that their Jurisdiction in deciding this matter extends to all aspects of councils present roll and can address more complex compensation questions under the public works act or mitigation works to unacknowledged but still affected properties .

I request that the proposed design is altered so that the newly implemented natural hazard zones ,being imposed on to our property be returned to their pre upgrade status, which was geological safe from flooding on an upper river terrace but is now placed in the whole Waipoa river valley bottom. This will cause an increase in development costs to our rural general land to 1000m2 parcels going forward and potentially increasing insurance costs and establishment of tree crops on our front lower terrace . If this can not be done, then I request the proposal be declined.

I wish for the council to accept our request for equivalent flood protection to our property as will be afforded to Te karaka village .

I wish to speak at the hearing in support of my submission

Yes

Would you consider presenting a joint case with others who have made a similar submission?

Yes

[J Moran Submission on Publicly Notifiable Resource Consent \(1\) \(1\).pdf](#) (243 kb)

Confirmation

Are you submitting this form on behalf of another person?

No

I confirm that all the above details are correct.

Yes