

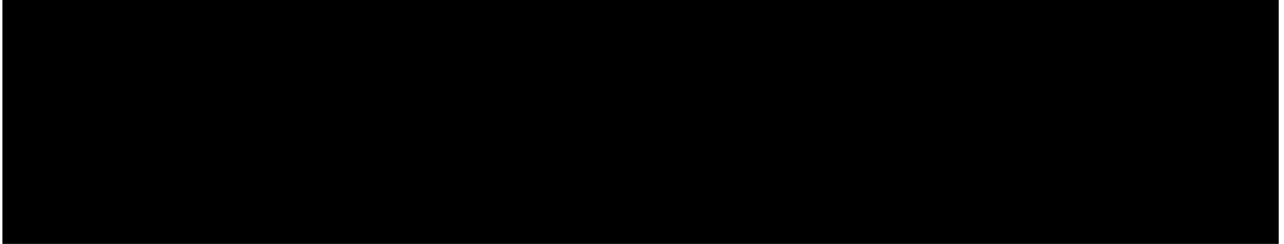
SUBMISSION ON A RESOURCE CONSENT APPLICATION

Form 13, Resource Management Act 1991 (or as prescribed by Gisborne District Council)

Te Karaka Flood Scheme Upgrade — Application LR-2026-113441-00

Submitter details

1. This submission is made by JRD and PA Coates Family Trust and the members of the Coates family.



4. We are not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.
5. We are directly affected by an effect of the proposal that adversely affects the environment, as detailed in our submission.

The Application

6. This submission relates to the application by Gisborne District Council Community Lifelines (the Applicant) for resource consents for the Te Karaka Flood Scheme Upgrade (the Scheme), application reference LR-2026-113441-00, comprising upgraded and set-back stopbanks, road raising, culvert works, borrow pits and associated activities (the Application) .

Summary of submission

7. We support the purpose of the Application. We support the protection of the Te Karaka township and its community; our family does not oppose the *purpose* of the scheme.
8. However, we oppose the granting of consent in its current form and on the proposed conditions, primarily due to adverse flooding effects and their assessment, including the following reasons:
 - (a) The Application is deficient in several material areas:
 - (i) The flood modelling is incorrect, and underestimates the level of flooding we will experience. This raises issues in terms of both the flooding expected on our property, as well as the ability of the Scheme to function as expected.
 - (ii) Cumulative flooding effects are not considered at all, and an incorrect flooding baseline is applied to consideration of effects.
 - (iii) Our buildings and structures are incorrectly assessed – and in the case of the sole occupied dwelling on the Farm, omitted from assessment entirely.

- (iv) Flood warning updates proposed are insufficient, to cater for the existing situation let alone the proposed increase in flood levels.
 - (b) The scheme increases flood risk on our Farm — measurably, permanently, and for the second time — without any mitigation proposed, agreed, or secured through the resource consent. The Application deficiencies mean that any mitigation proposed on the basis of the technical information will similarly be deficient.
- 9. As the Application contains material inaccuracies and deficiencies, and the adverse effects are not properly known or proposed to be mitigated, the Application in its current form cannot be said to avoid, remedy or mitigate adverse effects on the environment, and must be declined.

Background to submission

Our property and what is at stake

- 10. Our farm is a single working enterprise of approximately 100 hectares occupying the fork of land immediately above the confluence of the Waikohu and Waipaoa Rivers. It comprises:
 - (a) **48 Whatatutu Road** — the contractors' workshop that is the operating base of John Coates Earthmoving, our family's earthmoving business and primary livelihood;
 - (b) **76 Whatatutu Road** — a farm cottage occupied by our tenant, the only person now resident on the farm;
 - (c) **62/62a Whatatutu Road** — the sites of two former family homes, purchased by the Crown and demolished under the Future of Severely Affected Land (FOSAL) Category 3 framework following Cyclone Gabrielle, now subject to a restrictive covenant. A two-bay pole shed and two tanks remaining at 62a; and
 - (d) **The farmland itself** - together with the Whatatutu Road bridge over the Waikohu River at our southern boundary. This is the key infrastructure link south to Te Karaka and State Highway 2 for the business, the farm, and emergency response into and out of the surrounding area.

History: this land has already carried the scheme's cost once

- 11. The following is a timeline of the relevant recorded history of flooding, the Scheme, and the Farm:
 - (a) **1987** - The 1987 Waikohu County District Scheme Review recorded an increased flood risk "due to the steady aggradation of the Waipaoa River", and anticipated that the stopbanks would be raised to keep pace with it.¹
 - (b) **2001** - consent is granted for original Te Karaka Flood Control Scheme upgrade. While some flood effects on land opposite the township were considered, the effect of larger floods on our land, was never assessed. No mitigation was required through the resource consent process and no compensation was paid to us. The Officer's report

¹ GDC Exhibit 13, cited in Council's inquest evidence.

acknowledged riverbed aggradation of approximately 3 centimeters per year and estimated that the additional capacity gained from the Scheme would be consumed within approximately 30 years.²

- (c) **2018** - Council granted building consent³ for a new dwelling at 62a Whatatutu Road. The building consent process did not involve a flood hazard assessment, with the minimum freeboard set at the standard 225 mm ground clearance. This was despite the planning maps identifying the land as flood-prone since at least 1987.
- (d) **February 2023** - Cyclone Gabrielle. The existing stopbank system overtopped. We note this failure was foreshadowed in the 2001 resource consent process, on approximately the timeline identified. The homes at 62 Whatatutu Road were inundated. The Whatatutu Road bridge was blocked by debris.⁴
- (e) **2023 – 2024** - Both dwellings at 62 Whatatutu Road were categorised as FOSAL Category 3 (i.e., in a location that poses a risk to life that cannot be mitigated), purchased by the Crown, and demolished. Our family permanently lost two homes.
- (f) **April 2026** - A coronial inquest arising from the Cyclone Gabrielle flooding was heard in Gisborne and remains ongoing.

Stated effects of the Application on our property

12. The Application, through the Consequential Flood Risk Assessment (“CFA”),⁵ calculates the flooding effect on the Farm as follows:
- (a) **62 Whatatutu Road:** mean flood level increases of +310 mm in the design event, escalating the hazard classification from H4 to H5 (risk of damage or failure to all buildings), and +390 mm in the overdesign event (H6), at both former dwelling sites.⁶
 - (b) **48 Whatatutu Road (workshop):** mean flood level increases of +310 mm in the design event and +390 mm in the overdesign event,⁷ placing the design flood 1.63 meters above the surveyed workshop floor.
 - (c) **76 Whatatutu Road:** omitted from the CFA entirely, despite being the only occupied dwelling on the farm. The directly opposite property at 73 Whatatutu Road — whose floor sits higher than 76’s — is assessed at hazard class H5 with overdesign flood increases of +0.37–0.38 m.⁸
 - (d) **Whatatutu Road Bridge (Waikohu River):** post-upgrade peak flood levels at the structure rise +0.29 m in the design event and +0.38 m in the overdesign event.⁹

Deficiencies in the Application and assessments

² At paragraphs 6.2.1–6.2.2.

³ BCS18897, approved 24 September 2018.

⁴ Memorandum of Jamie Botes, GDC investigating officer, Exhibit 18.

⁵ Te Karaka Consequential Flood Risk Assessment, Prepared by T & T, dated April 2026.

⁶ CFA Tables 5.8–5.9.

⁷ CFA Table 5.15.

⁸ CFA Table 4.4.

⁹ CFA Table 4.8.

13. We have identified the following deficiencies and errors in the Application:

- (a) **Aggradation is excluded** - The Application's geomorphic assessment projects that the lower Waipaoa River could continue to aggrade by as much as 0.31 m in the 2030s and 0.85 m in the 2080s.¹⁰ The CFA modelling does not include aggradation, with the report noting this limitation, and that "integrating the results of aggradation analyses by T+T" was required to fully understand risk.¹¹

If the bed aggrades 0.31 to 0.85 m higher, the CFA modelled +310 mm at our property is a material understatement of the permanent effect — as is any compensation fixed to this modelling.

We are concerned that the exclusion of aggradation from the assessment of effects is significantly underestimating the adverse effects proposed to transfer onto our land.

- (b) **Debris blockage not modelled** - The debris blockage of the Whatatutu Road bridge during Cyclone Gabrielle is known,¹² yet the CFA does not model a blocked-bridge scenario. Given this is known to be a risk, realistic modelling would include a blocked bridge scenario.

- (c) **Assessment of 76 Whatatutu Road omitted** - The CFA omits to assess 76 Whatatutu Road — the occupied dwelling — altogether.

The omission of the one house on our farm in which a person actually lives is not a minor gap. Hazard-class conclusions and mitigation decisions are being made without complete and correct information for our Farm.

- (d) **Cumulative effects are not assessed, and an incorrect baseline is applied** – The Application provides no assessment of cumulative effects at all. This is a significant deficiency.

The Application utilises a pre-upgrade baseline of flood levels as created by the 2001 scheme. Using the 2001 flood levels ignores that the baseline for the Farm was never assessed through the 2001 consent process, and arguably these levels were not consented at this time.

The true cumulative adverse effect of this proposal on the Farm is the *total* transfer of engineered flood risk since the scheme began — of which the present application is the second layer.

- (e) **Compensation is relied upon as mitigation but nowhere secured** - The Applicant proposes to mitigate the adverse effects of increased flooding through Public Works Act compensation and mitigation, and notes that this is not compensation per se under the RMA.¹³

No condition to require mitigation has been included in the draft condition set at this stage. The Applicant proposes an example consent condition may look as follows:

¹⁰ High Level Geomorphic Assessment – Te Karaka Flood Management Optioneering, T & T, dated September 2025, at 2.5.

¹¹ CFA at 7.3.

¹² GDC Exhibit 18

¹³ AEE at page 68.

At least 20 working days prior to construction commencing, the consent holder shall provide the details of the proposed mitigation for the following properties to the Gisborne District Council (Manager Compliance):

[Insert property details and mitigation]

This condition proposes that the consent can be granted before mitigation is known – despite the Application relying on the mitigation to mitigate the adverse flood effects.

Given no mitigation has been proposed, considered, or agreed, whether the adverse flooding effect can be mitigated at all is unknown. As it stands, we are being asked to accept unmitigated adverse flooding effects

- (f) **Flood warning updates proposed are insufficient** – proposed conditions of consent require the Te Karaka Flood Evacuation Contingency Plan (the Plan) be updated to reflect the increased risk at Kanakanaia Road bridge and Mangaone Road. The Plan update is not required until after completion of works to install the Scheme.

The Plan is already out of date in terms of the level of flooding required to trigger a response, with the Plan's current trigger stages reached at the gauge after flooding at the Farm has already occurred. The Application proposes to add +310 mm to the flood levels.

The Plan needs to be updated to reflect the real existing and proposed scenarios, including at Whatatutu Road and Puha, and not on the limited update basis proposed at present.

- (g) **The economic assessment is deficient** - The Application considers damages avoided within the protected area but omits assessment of the negative impact on out-of-scheme land – such as the Farm.

Every benefit identified in the economic assessment applies with equal force, in reverse, to the people on whom the scheme increases the hazard — including a family that has already lost a life.

We do not raise this to oppose the scheme's positive economics for the protected area. We raise it because the uncounted disbenefits are our losses which should also be considered.

Why proper assessment is critical

14. It is clear that the potential adverse effects of flooding upstream arising from the Scheme have been underestimated before. The consequences of underestimation included floodwater through both family homes, grave risk to the lives of the young family occupying a dwelling consented as safe in 2018 — among them a pregnant mother and her infant daughter, the loss of a life, the demolition of two homes, and a coronial inquest that remains ongoing.

15. Today's assessment are again deficient, including excluding the processes (aggradation, debris blockage) most likely to make the effects worse. Further flawed assessment of effects cannot be accepted.
16. We also do not see how the adverse flooding effects we are being asked to accept can be mitigated through compensation, if the basis of the calculation for compensation (i.e. the actual flooding levels) is underestimated.

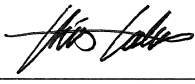
Decision sought

17. The information in the Application in its current form is not sufficient to demonstrate that the adverse effects of the Scheme will be suitably avoided, remedied and mitigated.
18. Until flood levels are correctly calculated, and mitigation of adverse effect through compensation agreement is achieved, the consent cannot be granted.
19. The following application deficiencies require further information to confirm the level of effects of the Application and enable the Application's proper assessment:
 - (a) **Mitigation and agreements** - The Applicant must demonstrate *as part of the Application and prior to a decision* that the adverse flood effects on each property identified in the CFA as being subject to increased flood hazard have been avoided, remedied or mitigated — whether by physical works, acquisition, easement, or executed written agreement with the affected landowner.
 - (b) **Modelling under realistic and future looking scenarios** - The flood effects should be reassessed, incorporating:
 - (i) Aggradation issues, including projected riverbed aggradation as outlined in the Geomorphic Assessment (0.31 to 0.85 m), a forecast of the scheme's level of service over its design life considering aggradation and accretion projections, and identification of when freeboard and design capacity are forecast to be reached. Regular surveying of bed levels (3 yearly and after events) should also be required.
 - (ii) A debris-blockage scenario at the Whatatutu Road bridge consistent with the documented Cyclone Gabrielle blockage.
 - (c) **Proper assessment of affected buildings to determine appropriate mitigation** - Reassess all affected buildings, structures and farm infrastructure on the Farm, including the occupied dwelling at 76 Whatatutu Road, including with ground truthing. The assets requiring assessment include, but are not limited to, the contractors' workshop, 4-bay pole shed and water tanks at 48 Whatatutu Road, the 2-bay pole shed and tanks at the former 62a dwelling site, the water well and farm pump near the former 62 dwelling site, the three-bedroom cottage at 76 Whatatutu Road, the woolshed and refurbished sheep and cattle yards, and fencing, races, culverts and stock water systems throughout the farm.
 - (d) **Evacuation plan update** - The Te Karaka Flood Evacuation Contingency Plan must be updated and must address Whatatutu Road and the Puha area, including northward evacuation toward Whatatutu, Whatatutu Road bridge closure and debris-

management protocols, and warning triggers that account for the lead times documented in the GDC Flood Warning Manual.

Hearing

20. We wish to be heard in support of our submission. If others make a similar submission, we would consider presenting a joint case with them at the hearing.

Signature:  _____

Name: Chris Coates, for and on behalf of JRD and PA Coates Family Trust Date: 07 August 2026

