



Wi Pere Trust

Submission on Resource Consent Application

Submitter: Wi Pere Trust
PO Box 169
Gisborne

Contact Details: Tim Rhodes
[REDACTED]

Applicant: Gisborne District Council - Community Lifelines

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

Consents sought: Land-Use - Extract Sand/Shingle; Land-Use - Vegetation Clearance; Land-Use - Works and structures in a River/Lakebed; Take Surface Nature of Water; Land Use – Earthworks

Proposed activity: Te Karaka Stopbank Upgrade Project including the construction and upgrading of approximately 4.2 kilometres of stopbanks, associated earthworks, road raising, drainage and stormwater infrastructure, works within and adjacent to the Waipaoa River, temporary water take and discharge activities during construction, vegetation clearance, temporary access works, service relocations, and landscape planting and site reinstatement.

Submitter position: Wi Pere Trust supports the concept of improving flood protection for Te Karaka Township and its residents but opposes the applications in their current form as they would exacerbate flood risk to Wi Pere land and the preferred option would require permanent alienation of Wi Pere land to enable a new floodbank to be constructed. No mitigation is proffered for the adverse effects on the Trust. It seeks that the applications are declined if these matters are not appropriately addressed.

Wi Pere Trust requests to be heard at the hearing of the applications.



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Wi Pere Trust would consider presenting a joint case with others who have made a similar submission.

Background:

Wi Pere Trust is a statutory trust operating under the Māori Purposes (Wi Pere Trust) Act 1991. The Trust owns land identified as TK 18 of Figure 6 of the applicant's AEE (GS 2B/1216 and GS 2B/1225) and utilises it for agricultural production. The Trust was constituted in 1899 and administers land for the benefit of the descendants of Wi Pere.

There are now some 600 beneficiaries of the Trust. The TK18 blocks were part of the original corpus of the Trust when it was constituted and have never been in pakeha ownership. The existing stopbanks cross part of the land. The area within the existing stopbanks was not flooded during Cyclone Gabrielle and while it would presumably be flooded in the design event the applicant has based its proposal on, it cannot be described as flood prone at present.

Reasons:

The proposal involves removal of the existing floodbanks protecting Wi Pere Trust's land. If the applicant's preferred option is adopted, new floodbanks would be constructed across the two Wi Pere Trust blocks, removing the stopbank footprint from productive use and leaving a much greater proportion of Wi Pere Trust's land open to flooding, at much lower river levels than at present. The alternative floodbank alignment would skirt Wi Pere Trust's land and leave both blocks open to flooding.

The applicant's AEE does not recognise that Wi Pere Trust's land is ancestral Māori land for the purposes of section 6(e) of the RMA and does not specifically assess the effect of its proposal on Wi Pere Trust's land. It proposes no mitigation for the adverse effects it would have.

It is suggested that these are matters for further discussion and/or resolution under the Public Works Act. The Trust is adamantly opposed to compulsory acquisition of its land.



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While Wi Pere Trust supports greater flood protection for the residents of Te Karaka, the Trust has little confidence in the result of further discussions with Council given the constraints on Council funding.

The Trust also owns land at Tangihanga, south of Te Karaka within the Waipaoa river floodplain. Flood risk to that land was exacerbated by construction of the Waipaoa River Flood Protection Scheme.

In effect, Wi Pere Trust's land was treated as expendable in order that land to the east, including the township of Ormond and Gisborne City might be protected. Wi Pere Trust has spent much of the last 10 years seeking greater protection for its Tangihanga land, but other Council funding priorities have precluded any significant mitigation options being implemented. Now, once again, Wi Pere Trust is expected to swallow adverse effects on its land in order to protect the community, with no assurance that its interests will be safeguarded now or in the future.

The applicant's approach is entirely unsatisfactory and its application premature.

The applicant appears to have discarded the option of strengthening and raising the existing floodbanks with no consideration for the fact that this would not have these effects on Wi Pere Trust while still achieving Council's flood protection objectives. A proper assessment of flood protection options would have given greater weight to that option because of that. Wi Pere Trust seeks that that option be adopted.

The application that has been made is incomplete. No application has been made to divert flood waters.

The application is advanced on the basis that it is a Discretionary activity. An integral component of the application is identified (in section 12 of the AEE) as a Non-Complying Activity under the National Environmental Standards for Freshwater.



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The applicant's reasons for not bundling the applications as non-complying are flawed. They should be treated as non-complying.

Clearly the effects of the applications on Wi Pere Trust are more than minor given the absence of any mitigation of the effects on it. The Trust would contend that they are also contrary to relevant objectives and policies. Among other things, the affected land is identified as LUC2 and is therefore Highly Productive Land for the purposes of the National Policy Statement for Highly Productive Land.

The applications cannot therefore be granted under section 104D of the RMA. If, contrary to the Trust's view, they are properly considered as Discretionary Activities, they should not be granted in their current form.

A handwritten signature in blue ink, appearing to read 'Alan Haronga'.

Alan Haronga
Chair
Wi Pere Trust
7 August 2026