

Date:	7 July 2026	Application Number:	LR-2026-113441-00, LV-2026-113442-00, LL-2026-113443-00, WS-2026-113444-00
Reporting Planner:	Jo Michalakis	Site Visit on:	15 June 2026
Related Applications:	Nil		
Applicant:	Gisborne District Council (Rivers and Land Drainage)		
Property Addresses:	23, 25, 27 Cliff Road, Te Karaka; 90 Kanakanaia Road, Te Karaka; 1, 7, 59 Kipling Road, Te Karaka; 2 Library Road, Te Karaka; 2424, 2431 Matawai Road, Te Karaka; 29 Morris Road, Te Karaka; 35 Paulson Road, Te Karaka; 9, 11 Rangatira Road, Te Karaka; Unnamed Sites		
Legal Descriptions:	Lot 2 DP 570263, Lot 3 DP 3062, Part Lot 2 DP 3062, Lot 4 DP 4355, Lot 3 DP 4355, Lot 2 DP 4355, Lot 1 DP 4355, Lot 1 DP 3062, Lot 1 DP 3109, Part Lot 25 DP 1287, Lot 1 DP 3768, Section 3 SO 494650, Section 9 Block IV Waikohu SD, Section 1 SO 494650, Lot 15 DP 1145, Part Lot 16 DP 1145, Lot 21 DP 1145, Lot 1 DP 2909, Karaka 16B Block, Karaka 16C Block, Te Karaka 16F Block, Te Karaka 16D Block, Te Karaka 16E Block, Part Karaka 17 Block, Part Karaka 15 Block, Karaka Roadway Block, Karaka 11A2 Block, Te Karaka 11B2 Block, Lot 9 DP 1326, Lot 8 DP 1326, Part Lot 7 DP 1326, Part Karaka 7 Block, Karaka 8 Block, Section 3 Block IV Waikohu SD, Lot 5 DP 3085, Lot 3 DP 2332, Lot 1 DP 2332, Lot 7 DP 2332, Lot 4 DP 2332, Lot 8 DP 2332, Lot 5 DP 2332, Lot 2 DP 2332, Lot 6 DP 2332 contained in Records of Title 1029993, GS2A/820, GS2A/508, GS112/44, GS2A/507, GS2A/506, GS2A/505, GS2C/758, GS2C/799, 738243, GS5D/883, GS99/113, GS3C/723, 738242, GS3B/1033, GS5B/493, GS3B/1026, GS2D/162, GS2B/954, GS3C/1413, 486858, 488582, 489025, GS2B/1216, GS2B/1225, 502562, GS131/4, 486631, GS110/195, GS4C/398, GS3B/1054, GS3C/526, GS2C/491, GS3A/504		
Description of Activity:	The construction and operation of stopbanks and various ancillary activities The construction and operation of a culvert with flap gate		

	Disturbance of a piece of land (HAIL)
Zoning:	Road Rural General Zone Rural Residential Zone General Residential Zone
Overlay(s):	Land Overlay 1 - full extent of works area Heritage Alert Overlay - majority of works area Scheduled Rivers and Stream G15B - full extent of works area <u>Flood Hazard Overlays:</u> River and Floodway (F1) - Surrounding three sides of the project extent High Hazard Areas (F2) - Area between existing stopbanks and the river Flood Ponding Areas (F3) - Southeastern corner of the project extent, between the State Highway and the river Areas Liable to Flooding (F4) - the remainder of the Te Karaka township between the State Highway and the stopbanks
Relevant Plan / Legislation and Rules	Te Papa Tipu Taunaki o Te Tairāwhiti – Tairāwhiti Resource Management Plan • C6.1.2(6) • C6.2.3(13) • C6.2.12(7) • C6.3.2(18) • C6.3.2(19) • C6.3.2(20) • C6.3.13(4) • C6.4.5(16) • C6.4.5(20) • C7.1.6(9) • C8.2.3(2) • C8.2.3(4) • C8.2.3(5) • C8.2.3(7) • C8.2.3(16) • C8.2.3(19) • C8.2.3(20) • C8.2.3(27) • DD4.6.1A(13) • DD4.6.1A(15) • DD1.6.1(23) National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health • Regulation 9

	National Environmental Standards for Freshwater • Clause 45(3) • Clause 45(4) • Clause 71(1) • Clause 74(1)
RMA Consent Type	Land use (s9) Water (s14) Lake and River beds (s13)
Activity Status:	Non Complying and Discretionary (The application comprises bundled Discretionary and Controlled activities. A separate but concurrent application for a flood gate is a Non-Complying Activity under the National Environmental Standards for Freshwater).

DECISION REPORT - PUBLICLY NOTIFIED CONSENT

1.0 Introduction

1.1. Proposal

1.1.1. Proposal Overview

Summary

Gisborne District Council (Rivers and Land Drainage) (hereafter referred to as the 'applicant') proposes to undertake flood resilience works within the Te Karaka part of the Waipaoa River to reduce the potential for flooding affecting the community. The scheme is Crown funded and is being carried out in partnership with Te Aitanga ā Māhaki. The proposal involves the construction of a new stopbank alignment together with upgrades to sections of the existing stopbank and associated flood protection infrastructure, to reduce flooding during extreme weather events and achieve the 1% AEP (Annual Exceedance Probability) design level of flood protection.

The applicant has requested that the application be publicly notified pursuant to section 95A(3)(a) of the Resource Management Act (RMA) 1991. The applicant has requested public notification due to the scale of the proposal, the potential for consequential flood effects, the number of properties potentially affected, and the anticipated level of public interest in the proposal.

A detailed description of the proposal is provided in Section 4 of the AEE of the application and is summarised in the sections below.

The proposed works are to increase the size of the floodplain and build a new stopbank south of the existing stopbank. The purpose is to increase the carrying capacity of the flood scheme to protect the community of Te Karaka from future flooding of the Waipaoa River.

Two high points in the topography will be incorporated into the new stopbank. The western terminus of the new stopbank will connect to the Rangatira Road bridge. Refer to Figure 17 of the AEE for the proposed flood scheme. The proposed works will improve the mitigation of flood effects and reduce the potential flood damage in the future.

The proposed works will include:

- Earthworks associated with the use of the current stopbanks as fill for new stopbanks, borrow pit excavation, road raising activities and ancillary activities;
- Exotic vegetation removal including mature exotic trees (poplar and willow);
- Deposition of solid material for the construction of stopbanks and road raising;
- Construction of new or extended culverts at State Highway 2 and along stopbanks;
- Excavation of overland flow paths and construction of new stormwater swale drains including a new stormwater swale drain that flows into the Waipaoa River;
- Road raising of existing roads and highways;
- Relocation of services including power poles and lines;
- Construction of new temporary construction and haulage access tracks to and from the stopbanks and borrow sites and Waipaoa River for water take (and use of existing tracks where possible);
- Temporary vehicle crossing at Kanakanaia Road for construction vehicles;
- Stormwater discharges during and post construction;
- Water take from the Waipaoa River for construction purposes (mainly dust suppression);
- Dewatering and discharge for construction purposes;
- Works in or near rivers and adjacent to potential wetlands;
- Traffic management and temporary traffic control for lane closures;
- Road layout change to Morris Road;
- Ongoing use of existing farming activities within the scheme (where applicable) including sheep grazing and horticulture;
- Reinstatement of stopbank, including grass seeding.

Some earthworks will occur within a piece of land determined to be a HAIL site.

Technical drawings and reports

The technical drawings and reports provided include:

Report Name	Author	Reference	Date	Rev
Resource Consent Application for Te Karaka Flood Scheme Upgrade	Stradegy	25255 AP1	21 April 2026	-
Stopbank drawings, cross-sections, construction details and cut and fill volume sheets	GDC/CPS		Feb-April 2026	1
Road Raising Concept Design Report & Drawings	WSP	2-S5743.00	16 October 2025	First Issue
Stopbank Alignment Options Assessment	Tonkin & Taylor	1092556.0 020	September 2025	v2
Stopbank Alignment Options Assessment - New Appendices Figures 12.1-12.5, 13.1-13.5, 14.1-14.5, 15.1-15.5, 16.1-16.5, 17.1-17.5, 18.1-18.5, 19.1-19.5, 20.1-20.5, 21.1-21.5 and 22.1-22.5	Tonkin & Taylor		05 June 2026	First Version
Ecological Impact Assessment	SLR	880.01677 4.00001	14 April 2026	1.5
Consequential Flood Risk Assessment	Tonkin & Taylor	1092556.0 200	2 April 2026	v1
Archaeological Advice	In Situ	-	16 March 2026	
Stopbank Construction Methodology	Alta	-	15 April 2026	2
Acoustics & Vibration Assessment Report	Styles Group	-	16 April 2026	1

Contaminated Land Reports - PSI	LDE	30019	17 March 2026	
Contaminated Land Reports - DSI	LDE	30019	17 March 2026	
Contaminated Land Reports - SMP	LDE	30019	May 29 2026	C
Landscape and Visual Assessment Report	WSP	2-S\$5743.00	30 March 2026	B
Te Karaka Stopbank Upgrade Geotechnical Interpretive Report	GHD	12685374	31 March 2026	Rev 1
Te Karaka Flood Mitigation Economic Appraisal	Christensen Consulting Ltd	-	24 February 2026	-
SH2 Culvert Concept Design	WSP	5-S\$5743.00	18 February 2026	A
Geotechnical Factual Report	GHD Limited		4 February 2026	R0
Geomorphic Assessment	Tonkin & Taylor	1092556.0020	3 June 2026	v2
Letter Report - Berm Assessment	Tonkin & Taylor	-	16 December 2025	-
Te Karaka Flood Resilience Hydraulic Modelling	DHI	44802081	13 April 2026	Final
Hydrographs	DHI	-	-	-
Section 92 Response Appendix 7 Drawings and Volume Reports	CPS	-	-	-

Section 92 response letter and clarification emails:

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

Various Locations, Te Karaka

Report Name	Author	Date
Section 92 Response 1	Stradegy (Sven Exeter)	10 June 2026
Section 92 Response 2 email chain re River Hydrology effects	Stradegy	30 June 2026 3.44pm
Section 92 Response 3 email chain re RC Science and Landscape and Visual effects	Stradegy	1 July 2026 11.14am

A more detailed description of the key activities is as follows:

1.1.2. Proposed Stopbank Alignment Options - Location and Key Design Details

4.2.1 Preferred option

The proposed stopbank preferred alignment (see Figure 17 and Appendix 4 engineering drawings in the AEE for details) will be approximately 4.2 km long. The stopbank varies between 1.0m and 4.8 m in height, with a crest level of between 46.35 m RL and 40.39 m RL in New Zealand Vertical Datum 2016 (NZVD 2016). The proposed stopbank is to be constructed with a 2:1 side slope and a crest width of 4 m. The design profile increases from the original '6ft (1.8m) top width', to a '4 metre top width' over the stopbank crest. The reasons for the choice of design are outlined fully in Section 4.1 of the AEE.

4.2.1.1 Design Event, Freeboard and Climate Change

The design has been based on the same level of service used to upgrade the Waipaoa River Flood Control Scheme (WRFCs) which is nearing completion in 2026. This was based on a 1% AEP (100-year ARI) analysis undertaken in 2017 including climate change assumptions. The design event was the equivalent of Cyclone Bola + 25% which is 5,625 cumecs. The same design flow was used to the Waipaoa scheme both for equity, and so that the Te Karaka scheme did not adversely impact the WRFCs.

For the upgraded design, a freeboard amount of 600mm has been applied consistently across the Scheme. Again, this gives consistency with the WRFCs which protects Gisborne City. The application of freeboard is not meant or designed to convey the design flow.

Freeboard is to account for factors such as; modelling inaccuracies, survey errors, aggradation / gravel movement, super-elevation uncertainties, velocity head, channel roughness variation, localised debris build-up, future differential settlement of the constructed stopbank and/or of the underlying ground, and future poor land management practices which could damage or erode the stopbank.

The design flow was chosen based on the 100-year return period design event plus an increase of 25% to account for an increase in rainfall intensity due to the effects of climate change. (i.e. $4500 \times 1.25 = 5625$). This is based on the 2017 analysis undertaken for the WRFCs upgrade. A warmer atmosphere can hold more moisture (about 8% more for every 1°C increase in temperature). Increased rainfall intensity has obvious implications for increased flooding. A temperature increase of 2.1 degrees has been assumed (i.e. $2.1 \times 8\% = 16.8\%$ increase in rainfall) based on the Ministry for Environment Guidelines (2008).

4.2.1.2 Over Design Event

The proposed Scheme upgrade provides a theoretical equal level of protection up to the 2090 1% AEP event. Should an event larger than this event occur, overtopping of the stopbanks or stopbank failure is likely to occur.

4.2.1.3 Road layout changes

The proposed stopbank will traverse Morris Road. The land on the 'river side' of this road will be purchased and the road will end where the stopbank crosses at this point. The proposed Morris Road partial 'road stopping' is governed under the Local Government Act and would be aligned with the Public Works Act processes to occur concurrently. At the end of Kipling Road, the stopbank would traverse the paper road and would also require a road layout amendment. The applicant will work with the GDC roading team to confirm the new road layout and requirements during detailed design. Any road changes would be subsequently confirmed with Land Information New Zealand (LINZ). The changes to the road layouts will run in parallel to the resource consent process or both processes could potentially be heard together.

Further details on this parallel process or combined process will be worked through in due course.

4.2.2 Alternative option

An alternative stop bank alignment is also proposed to be consented for flexibility should the Wi Pere Trust property need to be avoided as shown in Figure 19 of the AEE. The alternative stopbank alignment would be designed to the same design parameters and cross section as outlined above for the preferred alignment. Proposed consent conditions have been provided with the application which require the confirmation of the preferred alignment to be provided to Council prior to construction.

4.3 Localised stormwater

At some stopbank locations (see Figure 20 of the AEE) new and upgraded stormwater drainage channels / swales will be excavated and constructed, set back 2m from the toe of the stopbank. The swales will be up to 4m in width and 1.5 m in depth. At the northern extent of the project an existing stormwater drain that flows into the Waipaoa River will be deepened and widened. The new drains will rely on gravity.

4.4 Consequential Flood Risk, Mitigation Options and Compensation Approach

Potential mitigation options for properties with an increased flood hazard risk profile as a result of the stopbank form part of the scope of the proposal. Options include:

- Raising floor levels,
- Relocation and compensation,
- No mitigation (if preferred by landowners and residents) and compensation.

Mitigation of increased flood risk to local roads and bridges has been developed in the form of updates to the local Te Karaka flood evacuation plan as proposed consent conditions.

4.5 Proposed Road Raising

Existing roads are required to be raised by up to 3m to provide adequate grade and sight lines in accordance with GDC and NZTA standards. Roads are proposed to be raised at up to four locations (see Figure 21) depending on whether the alternative stopbank alignment is required:

- SH2 (2424 Matawai Road),
- SH2 just south of Cliff Road,
- Rangatira Road – adjacent to the bridge, and
- Kanakanaia Road – alternative stopbank alignment location.

Roading pavement type will be reinstated on a like for like basis and to GDC and NZTA standards.

4.6 Earthworks, Borrow Pits, Land Disturbance & Laydown Areas

Earthworks/land disturbance will be required to excavate suitable material ("borrow site"), shape the embankment, and compact the fill to create the stopbank structure. The proposal will involve approximately 350,000m³ of earthworks over an area of approximately 80 hectares. Cut/fill plans are included in the application.

The proposal includes the excavation of an approximately 7 ha borrow area adjacent to the Waipaoa River to obtain fill material for construction of the upgraded stopbank. The borrow area will be excavated to a depth of up to 2.5 m below existing ground level, remaining above groundwater levels. Topsoil will be stripped and stockpiled for reinstatement, and material from sections of the existing stopbank will also be excavated and reused as fill. Following construction, the borrow area will be reformed with battered side slopes (maximum 1V:3H), reinstated with stockpiled topsoil, and returned to pasture.

Construction activities will involve the temporary deposition and storage of excavated material, including stockpiling adjacent to the river, within the floodplain, and on land outside the floodplain.

The proposal also includes several temporary construction laydown and site office areas located at Morris Road, SH2 Western Section, Rangatira Road, Paulson Road, and SH2 Eastern Section. These areas (up to approximately 0.5 ha each) will be used for the storage of construction materials, plant, machinery, site offices and contractor facilities. Where required, bulk fuel and hazardous substances will be stored in accordance with appropriate containment and security measures.

All temporary construction, laydown and site office areas will be reinstated on a like-for-like basis following completion of the works, with landowner approvals obtained prior to their use.

4.7 Vegetation Removal and Reinstatement

The proposed works described above will result in removal of vegetation along the project extent area in the location of the proposed stopbank. Vegetation clearance will involve the removal of low growing vegetation such as grass, weeds and shrubs as well as the occasional tree or group of trees (willows and macrocarpa). Any removal of mature trees will be undertaken outside of the native bat roosting season (April to October) unless native bat surveys and investigative work is undertaken in accordance with Department of Conservation and Wildlife Act 1953 requirements.

Replanting of vegetation and trees removed will be subject to detailed design, landowner agreements and requirements from GDC Roding team. The majority of exotic trees removed are not proposed to be replaced but some will be replaced where practicable on a like for like basis and as agreed with landowners through a parallel civil agreement and PWA process.

A mitigation planting plan will be prepared for the new roading embankment at Rangatira Road to soften and screen past earthworks and operational bulk form. All plant species shall be natives / indigenous and be selected in accordance with Gisborne District Council roading guidelines and code of practices.

4.8 Waipaoa River Water Take & Dewatering

The proposal includes the temporary abstraction of water from the Waipaoa River for construction purposes, using mobile intake pumps fitted with 1.5 mm mesh screens. Up to 241m³ of water per day may be taken at a maximum rate of 30 litres per second for activities such as dust suppression, concrete production, wheel washing, and vegetation reinstatement. Water use will be monitored through a metered and logged system, with records provided to Gisborne District Council.

Although groundwater conditions indicate that dewatering is unlikely to be required, consent is also sought to allow dewatering if necessary during construction. Any dewatering would be undertaken using mobile pumps to remove shallow groundwater or surface water from

excavations, typically at a rate of 20L/s. Discharge water would be directed through appropriate treatment measures, such as sediment control devices or vegetated areas, to ensure compliance with relevant water quality standards before discharge. A management plan approach is proposed to address any dewatering activities should they be required during construction.

The applicant applied to take water from the Waipaoa A Block. However, upon being advised of its overallocation status and the applicants on the waitlist via a s92(1) request, the applicant indicated in their response that they are agreeable to looking at alternatives.

The applicant may need to consider alternatives such as:

- Use of B Block allocation,
- Use of the Gisborne public water supply which utilises water captured by the Mangapoike River dams (Williams, Clapcott and Sang) and the Te Arai Bush Catchment,
- Temporary transfer of water from a nearby consented well or surface water take, and
- Use of nearby private farm dam water or similar.

The need for alternatives will be worked out via this consenting process.

4.9 Culverts

- Multiple small-scale culverts along the stopbank will be constructed in overland flow path areas which are not considered rivers or streams as defined by the RMA and do not require consent.
- An existing twin culvert along SH2 will be extended by approximately 20 metres on the downstream side which requires resource consent. The concept design key features are:
 - have either an automatic or passive flood gate, or
 - be designed with a length, height and width to support flood flows based on the existing level of service and the SH2 road corridor requirements.
- The perched nature of the culvert and fish passage will be improved through the introduction of a ramp at the downstream end of the culvert. The ramp design will be developed through the next design phase and provided for review and certification.

4.10 Construction Management, Methodology & Timing

A detailed construction methodology will be provided to the GDC Regulatory Team prior to the commencement of works via a Construction Environmental Management Plan (CEMP).

A Constructability Assessment report prepared by Alta confirms the feasibility of construction and sequence of works is provided for the stopbanks work; the SH2 road raising and the SH2 culvert extension.

As part of a request for further information, the applicant has confirmed that:

- The existing stopbank will stay in place until the new one is constructed.
- A borrow pit will act as a primary sediment treatment device and the grass berm as a filtration margin.

4.11 Property & Compensation Approach

Agreements to acquire or access the relevant land are currently being worked through with the relevant landowners via the PWA process where landowners will be compensated fairly for full or partial acquisition where relevant. The PWA provides a clear framework for land acquisition, either by agreement or compulsorily, with the objective of placing affected owners in a “no better and no worse” position as a result of the Project.

Land requirements plans (LRP) are currently in draft form. Amendments will be required, particularly in relation to temporary occupation areas. In most cases, a stopbank results in exclusive occupation of land and therefore fee simple acquisition is generally more appropriate than an easement. However, where the stopbank is traversable and can support ongoing access that is sufficient for the affected land use, an easement may be appropriate to address severance issues.

Where soil is excavated from private land for borrow sites, a PWA lease covering the duration of works and reinstatement may be used. The applicant has identified properties not directly affected by the Project footprint that may be injuriously affected by changes to flood hazard levels. If flood hazard changes result in a negative impact on market value, owners may be entitled to compensation.

4.12 Consent duration

In accordance with the relevant provisions of the TRMP and section 123 of the Resource Management Act (RMA), a five-year consent term is sought for the construction phase of the proposed works, including the water take from the Waipaoa River. Construction is anticipated to take approximately two to three years; however, a five-year consent duration is requested to provide flexibility should unforeseen delays occur.

The land use consents associated with the permanent components of the proposal, including the stopbanks, roads, and culverts, are sought on an ongoing basis and will not be subject to an expiry date.

1.2. Description of the Site and Receiving Environment

The applicant has provided a detailed description of the Site and Receiving Environment in Section 3 of the AEE. The following summarises that content.

Te Karaka Township

The Te Karaka township is located 31 kilometres north-west of Gisborne City Centre. The township had a population of 576 in the 2023 Census. The Te Karaka township plays an important role in the local area, providing support to surrounding farming, horticultural and forestry operations.

River Environment and water allocation

The proposed area of works is rural lowland bordered by the Waipaoa River to the north, a hard-bottomed watercourse that originates from the eastern slopes of the Raukūmara Range. The Waipaoa River travels 80 km before flowing out to sea at Poverty Bay just south of Gisborne. The subject section of the river is too far inland to be considered part of the coastal environment. Te Karaka and the surrounding area comprises primarily productive land, and is utilised for highly productive horticulture, cropping and sheep and cattle grazing land. The surrounding area exhibits a low-lying and primarily flat topography and is therefore highly susceptible to flooding during heavy rainfall when the Waipaoa River overtops its banks.

The Waipaoa Catchment Plan (now incorporated into the Tairāwhiti Resource Management Plan (TRMP)) contains both instantaneous allocation caps (L/s) and a target for total annual allocation (m³/year) for the Waipaoa A Block. However, for the B block there is no annual allocation limit specified. Only an instantaneous allocation cap is specified.

The TRMP sets an instantaneous allocation cap of 2,000 L/s for the Waipaoa A Block and requires the total annual allocation to be reduced to 6,267,500 m³/year by 2020. The annual allocation was due to be revised in 2025, however, this revision was interrupted by the Plan Stop legislation introduced by the Ministry for the Environment.

For the B Block, an instantaneous allocation cap of 2,000 L/s is set under the TRMP

Currently, the Council considers the A Block to be overallocated, as shown in Table 1 below.

TRMP DF1.4.3.2 Water Quantity Limits for Poverty Bay Flats - Waipaoa River at Kanakanaia	Rate of take (L/S)	Annual Volume (M³)
Total Allocated A Block	1,887.94	21,556,568.50
Allocation A Block	2,000	6,267,500
A Block Allocation Status	112.06 available	15,289,068.50 over-allocated

Table 1: Waipaoa River Allocation Status as at 15 April 2026 - Source GDC Freshwater Team.

There are also 39 applicants on the waitlist waiting on allocation to become available from A Block.

The Waipaoa B-Block Allocation has allocation available as of 1 July 2026. Under the TRMP, 931.98 litres per second had been allocated, meaning 1,068 litres per second is available. There is currently one active application seeking to take a new take from the B block at a rate of 268.8 L/s. This application has not yet been decided. However, even if this sought rate of take is granted, there is still water available to be taken from the B block. The GDC public water supply takes (consents WG108877, WG108878 & WG109634) from the Waipaoa River are required to implement water conservation measures and restrictions such as notifying all users that the reticulated supply is only to be used for essential domestic use (excluding garden watering) and sanitation purposes when flows are at or below 1,300 L/s at Kanakanaia Bridge gauging site.

Existing stopbanks

The township is currently defended by 4.2km of stopbanks setback approximately 100m – 300m from the edge of the Waipaoa River. This existing flood scheme includes approximately 39 ha of floodplain to the north of Te Karaka. However, during cyclone Gabrielle, the river breached the stopbank causing widespread inundation of the township.

Utilities

Key infrastructure and network utilities that are adjacent to, span the project area or are part of the consequential flood risk assessment include:

- GDC wastewater treatment plant (WWTP) – SH2, Te Karaka.
- GDC water treatment plant (WTP) - 2 Kipling Road, Te Karaka.
- First Gas mains pipeline – runs along SH2, Te Karaka.
- Firstlight Network electricity network – throughout Te Karaka township.
- Puha Substation – Corner Whatatutu Road and Bridge Road, Puha.
- Chorus – broadband network throughout the township.

Stormwater drainage runs through most of the township road network. A potable water supply is reticulated throughout the township as well as the sewer network and associated pump stations.

Roading

The local road network is owned and managed by GDC and is subject to speed restrictions (30km to 60km) in part and the township is bordered to the south by the NZTA State Highway 2

(100km zone). Two bridges (Kanakanaia Road Bridge and Rangatira Road Bridge) provide access over the Waipaoa River to the east and west of the township. Local road network traffic volumes in the local network are very low. Along SH2 around the Te Karaka area (between NZTA monitoring sites 406 and 429, see Figure 13), vehicle movements per day range from approximately 1,300 to 3,000 annual average daily traffic (AADT).

Other Infrastructure

Other resilience efforts were noted during a visit to Te Karaka, including a new solar farm, upgraded telemetry infrastructure, a Civil Defence centre located on higher ground, and plans to relocate two marae. For some residents, floor levels have already been raised to reduce future flood risk.

Ecological Context

The ecological assessment prepared by SLR provides the ecological context for the proposal:

- Most of the flood scheme expansion area has been maintained as grazed pasture or crops since at least the 1940s and is therefore largely comprised of exotic pasture grasses and horticultural crops. It does not provide important habitat for indigenous flora or fauna and has been assessed as having 'negligible' ecological value.
- The riparian vegetation is primarily grey willow (*Salix cinerea*) planted for bank stabilisation dotted with occasional poplar. There is likely crack willow (*Salix fragilis*) also present.
- A small area of standing water in the willow shrubland area can be seen on the Tairāwhiti Services map but was not detected during the field visit. It remains unclear if it is a wetland or an area that ponds during heavy rain as part of an overland flow path. Given the nature of the surrounding area, it is likely that any wetland species present would be exotic. Therefore, the potential wetland area (see Figure 16) has been assessed as having 'low' value.
- eDNA sampling confirmed the presence of several fish species classified as At Risk – Declining. On this basis, the ecological value of the freshwater habitat within the Waipaoa River at Te Karaka is assessed as 'moderate'. The ecological value of fish was determined to be 'high'.
- Two At-Risk bird species were recorded in the Te Karaka area over the past five years. Birds may be using the site of the proposed works for foraging, but the habitat is of low/negligible value. The ecological value assigned for bird species was therefore 'low'.
- Bats are not known to be using the site of the proposed works but have been identified 12 km away. However, due to the unknown presence or absence of bats in the proposed works area, and that it is possible for bats to utilise the tree habitat on site, monitoring and management is proposed.

Landscape Context

The landscape and visual assessment prepared by WSP provides the landscape context for the proposal:

- Te Karaka is a well-defined rural valley landscape, characterised by flat alluvial landforms, productive farmland, horticulture, and a compact rural settlement pattern that creates a strong sense of place.
- An existing stopbank already forms part of the landscape character, providing a subtle linear feature along the Waipaoa River and reflecting the area's long-standing approach to flood management.
- The landscape is strongly influenced by agricultural land use, with paddocks, shelterbelts, hedges, and boundary planting creating an ordered and visually cohesive pattern across the valley floor.
- Engineered flood protection structures are an established and accepted landscape element, consistent with the modified character of the river corridor and surrounding productive land uses.
- The Waipaoa River corridor and surrounding hill country are key defining features, reinforcing Te Karaka's identity as a rural, agriculturally focused township within a distinctive and contained valley setting.

HAIL sites

A portion of the proposed works area is located on land recorded on the Hazardous Activities and Industries List (HAIL). The HAIL-identified areas are associated with historic activities including pre-1949 residential and farm buildings at 59 Kipling Road and 11 Rangatira Road (with potential for asbestos-containing materials and lead-based paint residues), historic storage areas at 29 Morris Road, and former orchard land crossing parts of the proposed alignment along Morris Road, Kipling Road, Paulson Road and Matawai Road. The orchard areas are recorded as HAIL sites due to their potential association with historical agrichemical use. The sites are shown in Figures 5 and 10-13 of the DSI.

The applicant has undertaken contaminated land investigations, including a Preliminary Site Investigation (PSI), Detailed Site Investigation (DSI) and Site Management Plan (SMP). The investigations concluded that contamination risks can be appropriately managed through implementation of the SMP and associated unexpected discovery procedures during construction works. The proposal therefore includes soil disturbance on HAIL land and consent is sought under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health. Based on the information provided, the HAIL areas are localised and do not represent a constraint to the overall flood resilience project, subject to appropriate management during construction.

Other

- There are no statutory acknowledgement areas within the consent application area.
- Archaeological assessment has confirmed that there are no known archaeological sites within the footprint of the proposal.
- The GDC hazard maps (GDC, 2026) indicate that the proposed stopbank alignment is located within an area mapped as having a moderate liquefaction risk.
- The project area comprises fertile river-deposited silt loam soils which are considered highly productive soils.
- Groundwater was not encountered within the investigations.
- The soil description presented on the logs were consistent with fine-grained alluvial soils typical of the Te Karaka area.

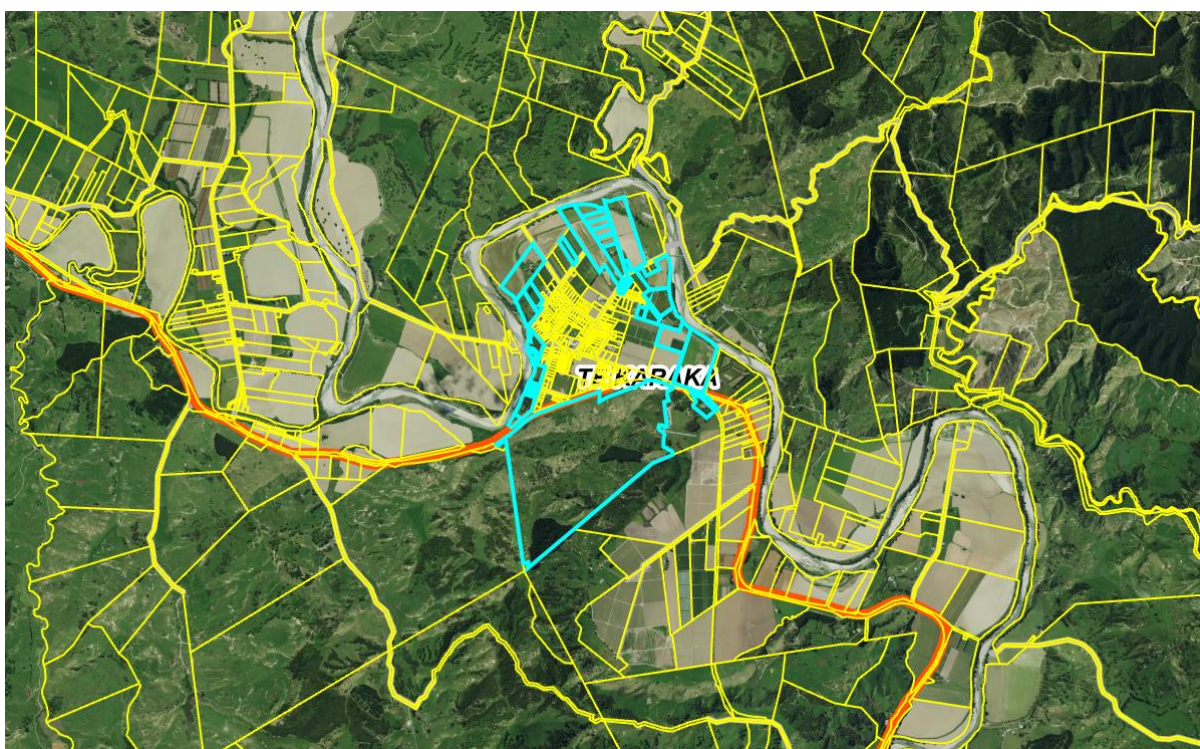


Image 1 - Aerial photograph of site and surrounds. Source: Toitū Te Whenua (LINZ).

The subject site comprises the following private properties:

Applicant ID	Address	Legal Description
TK1	1 Matawai Road	Lot 2 Deposited Plan 570263
TK2	Cliff Road, Te Karaka	Lot 3 & PT Lot 2 DP 3062, Lots 1 - 4 DP 4355
TK3	25 Cliff Road, Te Karaka	Lot 1 DP 3062
TK4	27 Cliff Road, Te Karaka	Lot 1 DP 3109
TK5	Rangatira Road, Te Karaka	Part Lot 25 DP 1287 and Section 3 SO Plan 494650
TK6	9 Rangatira Road, Te Karaka	Part Lot 25 DP 1287
TK7	11 Rangatira Road, Te Karaka	Lot 1 DP 3768
TK8	Rangatira Road, Te Karaka	Section 9 Block IV Waikohu SD
TK9	Kipling Road, Te Karaka	Sec 1 2 SO 494650
TK10	1 Kipling Road, Te Karaka	Lot 15 DP 1145
TK11	7 Kipling Road, Te Karaka	Part Lot 16 DP 1145
TK12	29 Morris Road, Te Karaka	Lot 21 DP 1145
TK13	59 Kipling Road, Te Karaka	Lot 1-2 DP 2661, part Lot 18 DP 1145, Lot 1 & 2 DP 3322, Lot 1 DP 2909, Lot 1 DP 8784 & Part Section 44 Block IV Waikohu SD
TK14	Kanakanaia Road (16B & C Block)	Karaka 16B Block
TK15	Kanakanaia Road (16F Block)	Te Karaka 16F Block
TK16	Kanakanaia Road (16D Block)	Te Karaka 16D Block
TK17	Kanakanaia Road (16E Block)	Te Karaka 16E Block
TK18	End of Kipling Road	Part Karaka 15& 17 Block
TK19	Kanakanaia Road	Te Karaka 16 Road Line Block
TK20	90 Kanakanaia Road, Te Karaka	Karaka 11A2 Block

TK21	35 Paulson Road	Te Karaka 11B2 Block
TK22	Paulson Road	Lot 8-9 and Part Lot 7 Deposited Plan 1326,
TK23	Paulson Road	Part Karaka 7 Block
TK24	2424 Matawai Road, Te Karaka	Karaka 8 Block
TK25	Matawai Road	Section 3 Block IV Waikohu Survey District
TK26	2431 Matawai Road, Te Karaka	Lot 5 Deposited Plan 3085
TK34	82 Kanakanaia Road, Te Karaka	Lot 1-8 Deposited Plan 2332

Subject properties – roads and rivers (as these do not have records of title, they are depicted in Image 2)

1	Matawai Road	N/A
2	Waipaoa River	N/A
3	Doc marginal strip	N/A
4	Rangatira Road	N/A
5	Kipling Road	New Zealand Gazette 2016 In 2192 Balance Road Parcel
6	Kipling Road	N/A
7	Morris Road	N/A
8	Kipling Road	N/A

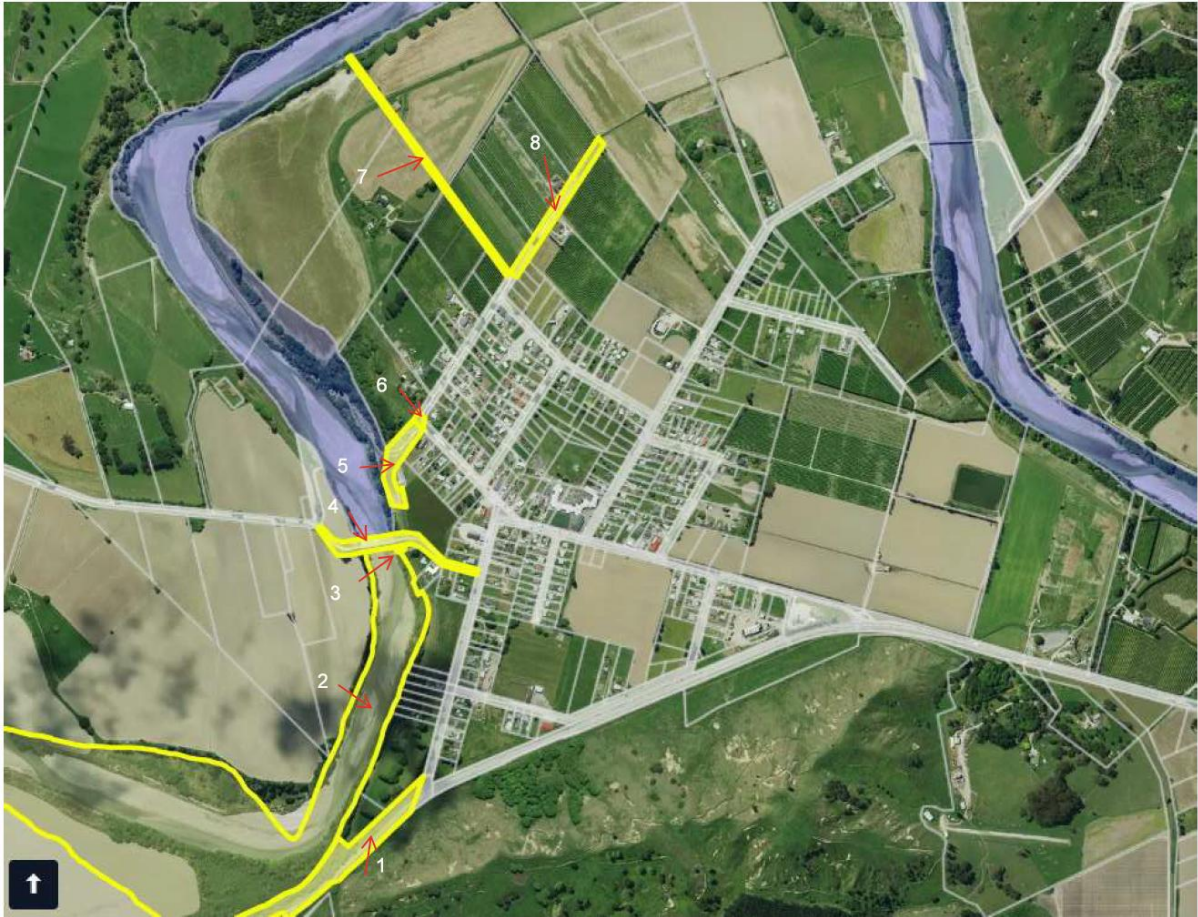


Image 2 – Road and river parcels comprising subject site. Source: AEE.

1.3. Legal Interests in the Property

The applicant has provided a full list of Legal Instruments in Table 3 of the AEE.

The following **relevant** interests are registered on the Records of Title:

Applicant's Reference	Address	Record of Title	Instrument/ Interests	Māori Land	Comment
TK13	59 Kipling Road, Te Karaka	GS2A/860/56 7/ 568/1364/136 5 and GS2D/162	741 Order in Council imposing Building Line Restriction [BLR]; Consent Notice s221 RMA; Land	No	Instruments / interests to be considered as part of landowner discussions.

			Act / Coal Mines Act subject to Section 8.		
TK14	Kanakanaia Road (16B & C Block)	GS2B/954, GS3C/1413	92936 Status Declaration 103188 Status Declaration Māori Land Court	No	Instruments / interests to be considered as part of landowner discussions.
TK15	Kanakanaia Road (16F Block)	486858	Section 124(1) Te Ture Whenua Māori Act 1993 & Status Declaration 8235252.4 Māori Land Court	Yes	Instruments / interests to be considered as part of landowner discussions.
TK16	Kanakanaia Road (16D Block)	488582	Section 124(1) Te Ture Whenua Māori Act 1993, Section 167(5) Land Transfer Act 1952, Māori Freehold Land.	No	Instruments / interests to be considered as part of landowner discussions.
TK17	Kanakanaia Road (16E Block)	489025	MFPO 8235260.1, Section 124(1) Te Ture Whenua	Yes	Instruments / interests to be considered as part of

			Māori Act 1993, Māori Freehold Land		landowner discussions.
TK18	End of Kipling Road	GS2B/1216 & GS2B/1225	Māori Freehold Land – s32(1) Māori Purposes (Wi Pere Trust) Act 1991	Yes	Instruments / interests to be considered as part of landowner discussions.
TK19	Kanakanaia Road, Te Karaka	502562	MFCO 8327057.1; Section 124(1) Te Ture Whenua Māori Act 1993, 8327057.2 Māori Freehold Land	Yes	Instruments / interests to be considered as part of landowner discussions.
TK20	90 Kanakanaia Road	GS131/4	88776 Status order pursuant to Part I of the Māori Affairs Amendment Act 1967 declaring that the status of the within land shall cease to be	No	Instruments / interests to be considered as part of landowner discussions.

			Māori Freehold Land		
TK21	35 Paulson Road	486631	MFPO 8238858.1; Certificate under Section 461 Māori Affairs Act 1953 See PR GS28/40 8238858.3 Māori Freehold Land	Yes	Instruments / interests to be considered as part of landowner discussions.
TK22	Paulson Road	GS110/195	N/A	No	Instruments / interests to be considered as part of landowner discussions.
TK23	Paulson Road	GS4C/398	Transfer 154158.1; Land Covenant; Gazette Notice SH2; Transit NZ Notice	No	Instruments / interests to be considered as part of landowner discussions and noting NZTA.
TK24	2424 Matawai Road, Te Karaka	GS3B/1054	6184387.1 Gazette Notice (2004 p.1452) declaring State Highway	No	Instruments / interests to be considered as part of

			No.2 to be a limited access road		landowner discussions and noting NZTA.
TK25	Matawai Road	GS3C/526	Subject to Section 59 Land Act 1948; Transfer 176364.1 pipeline and natural gas rights - 12.10.1989 at 9.10 am; 6184387.1 Gazette Notice (2004 p.1452) declaring State Highway No.2 to be a limited access road	No	Instruments / interests to be considered as part of landowner discussions, noting FirstGas and NZTA.
TK34	82 Kanakanaia Road, Te Karaka	GS3A/504	Set apart as a Māori Reservation for the purpose of a Marae. Māori Freehold Land.	Yes	Instruments / interests to be considered as part of landowner discussions.

Comment

The interests have been reviewed and there are none that are considered to preclude the installation of stopbanks in the intended location. In particular, the transport related restrictions (BLR, limited access roads) can be met.

1.4. History

1.4.1. Existing Stopbank

In the summer of 1987/88 construction began on a new stopbank designed to protect Te Karaka from a flood of 4,000 cubic metres per second (m³/s). When Cyclone Bola struck in March 1988 the work was almost complete except for one section near the end of Morris Road. Flood waters swept into Te Karaka through the uncompleted section and flooded part of the township. Following the flood, the uncompleted sections of stopbank were completed, and adjacent banks raised up to Cyclone Bola flood levels.

Due to rapid aggradation of the Waipaoa River post Bola, a review of the level of flood protection to Te Karaka was completed in 1997. By 2002, an upgrade of the scheme was completed which raised the stopbank between 300 mm and 1000 mm to a design capacity of 4,500m³/s.

This existing stopbank will, in part, be raised. The proposal will involve replacement of the existing stopbank with a similar engineered structure, approximately 2m higher, and of comparable form, materials, and alignment.

1.4.2. Waipaoa River Water Takes

1.4.3. Other consents

The Waipaoa River Flood Scheme was granted resource consents LU-2017-107781-00 et al. These provided for similar stop banks in other locations but for the same river.

Existing resource consents in the area are shown in Figure 14 below. No current resource consents appear to be affected by the project. Figure 15 shows the existing wells in the area.

Bore GPO053 / GPO005 (GDC Te Karaka water supply bore) appears to be located where the existing and proposed stopbank is located. However, after liaising with the GDC Asset Management Team, the GDC online GIS records are incorrect. The GDC water supply well is located further to the east and not within the stopbank footprint.

2424 Matawai Road, Te Karaka, was granted resource consent LU107252 to establish and operate an equestrian centre in the Rural General zone. Any matters regarding the equestrian operation at this property are being discussed as part of the parallel property consultation process

A number of unrelated consents sit upon the various titles, such as bores (water takes) and other general consents in the town. There are no other consents considered relevant to assessing this proposal.

1.5. Process Matters

Site visit

I visited the site with the applicant (Rivers and Land Drainage team members) and representatives of Te Aitanga ā Māhaki on Monday 15 June 2026. I visited the culvert site, existing stopbank, Rangatira Road and Kanakanaia Road bridges, proposed stopbank location, Te Puha substation, Te Karaka Wastewater Treatment Plan, the township and surrounds; and properties with consequential flooding effects. All sites were viewed from public viewpoints.

Section 92 request

Council issued a comprehensive s92 RMA Request for Further Information (RFI) dated 26 May 2026 covering planning, flood risk, engineering, ecology, consultation, construction effects, water take, geotechnical matters, noise, contaminated land and environmental management. Interim requests were sent before the final formal request. The applicant provided additional technical information, updated assessments and amended draft consent conditions in a response dated 11 June 2026.

Key Matters Raised and Responses include:

Natural hazard risk / s106A RMA assessment

- Council sought stronger justification that the proposal met the s106A tests.
- The applicant provided a detailed supplementary assessment, concluding that while some properties outside the scheme may experience increased flood risk, the project delivers an overall reduction in flood hazard to Te Karaka and any residual effects can be managed through mitigation, consent conditions and the parallel Public Works Act (PWA) process.

Flood gate application

- Council queried whether the flood gate should be bundled with the main application.
- The applicant confirmed the flood gate is intended to be assessed separately because it has a different activity status under the NES-FW and is not integral to the wider stopbank project.

District Plan rule interpretation

- Council sought clarification on yard infringement provisions.
- The applicant confirmed these relate only to temporary construction buildings (portacombs) and not permanent structures.

Conditions and documentation updates

- Council requested updated conditions, drawings and report corrections.
- Updated conditions, revised drawings, hydraulic information and supplementary technical reports were provided.

Road raising and transport safety

- Council raised concerns regarding stopping sight distances, traffic safety and road geometry.
- The applicant advised a Safe System Audit had been completed and committed to further audits and detailed design refinements to ensure compliance with GDC standards.

Cultural Impact Assessment (CIA)

- Council requested the CIA and any consequential condition changes.
- The applicant advised the CIA was still being prepared, noted support from Te Aitanga ā Māhaki representatives, and requested processing continue with the CIA to be submitted when available.

Landowner consultation

- Council sought an update on affected landowner engagement and approvals.
- The applicant confirmed consultation is ongoing, valuations are underway through the PWA process, and written approvals had not yet been obtained.

Construction effects and sediment control

- Council requested details of sediment retention measures.
- The applicant explained that borrow pits would function as temporary sediment basins, supplemented by grassed berms and site-specific erosion and sediment controls.

Geotechnical and seismic matters

- Council requested further justification regarding ULS seismic performance and liquefaction.
- The applicant maintained that the risk of a major earthquake coinciding with a design flood is extremely low and that post-event inspection and repairs are an appropriate mitigation response.

Water take and allocation

- Council questioned the temporary construction water demand and allocation issues.
- The applicant provided updated water demand calculations, discussed alternative supply options and confirmed no change in the Waipaoa River allocation status since application lodgement.

Ecology and fish passage

- Council requested additional information on fish passage and flood gate designs.
- The applicant committed to incorporating fish passage improvements through detailed culvert design and advised the approach had been discussed with Council's science advisor.

Flood risk and geomorphology

- Council sought more information on consequential flooding, erosion, scour, sediment transport, bridge effects, hydraulic modelling and residual risk.
- The applicant supplied additional geomorphic, hydraulic and flood risk information, including previously omitted technical reports and model outputs, concluding that effects are generally localised and acceptable when weighed against the flood protection benefits.

Construction flood protection

- Council requested contingency measures during construction.
- The applicant confirmed existing stopbanks would remain in place until replacement sections are constructed to equivalent or greater protection levels.

Noise

- Council sought justification for proposed construction noise provision breaches.
- The applicant sought to retain its proposed approach but agreed to clarify provisions and introduced a definition and limits for "low noise and vibration activities".

Contaminated land

- Council raised potential historic contamination issues not covered in the application documents.

- The applicant reviewed additional information, concluded no further investigation was required, but updated the Site Management Plan to provide additional vigilance and unexpected discovery procedures.

Environmental management and construction methodology

- Council sought clarification on hydroseeding, SQEP definitions, certification timeframes and construction seasons.
- The applicant provided further explanation and accepted some requested amendments.

Material Changes Arising from the s92 Process

The section 92 response primarily provided additional justification, technical assessments and condition changes. However, several notable amendments to the proposal and proposed conditions resulted:

Hydroseeding removed from the proposal.

- Hydroseeding is no longer proposed. The applicant amended the proposal to use a harrow-and-spread seeding method and removed references to hydroseeding from the proposed conditions. This is a substantive change to the construction methodology.

Indigenous planting commitment added.

- The applicant confirmed indigenous species will be used for the Rangatira Road planting and updated the planting conditions accordingly.

Noise condition amendments.

- Conditions were amended to define "low noise and vibration activities" and introduce associated noise limits for works outside standard construction hours.

Site Management Plan updated.

- The SMP was amended to specifically address potential HAIL site risks and require heightened vigilance and implementation of unexpected discovery procedures in identified locations.

Consent condition updates generally.

- A revised set of consent conditions was provided, including updates relating to planting, environmental management, certification processes and construction

management. The applicant also indicated further condition amendments may follow completion of the PWA process and CIA.

Acceptance of longer certification periods.

- The applicant accepted Council's request to increase plan certification timeframes from 10 to 20 working days.

New consent triggers

The applicant confirmed that they wish to apply for consent for the culvert with flood gate in the south-east stream under the following rules:

- TRMP: C6.3.2(18), C6.3.2(19) C6.3.2(20), and
- NES-FW: regulation / clauses 71(1) and 74(1).

Overall Process Summary

The section 92 process largely focused on obtaining greater technical certainty regarding natural hazard effects, consequential flood risks, hydraulic modelling assumptions, geotechnical performance, ecological outcomes and construction management. The response did not fundamentally alter the stopbank proposal or project footprint but resulted in additional supporting technical information, revised conditions, removal of hydroseeding, a commitment to indigenous planting, updates to management plans and clarification of several operational and environmental management matters.

1.6. Application Distribution

The application was circulated to the following sections within Council:

- Consultant River and Land Drainage Engineer (Stantec).
- Environmental Science.
- Resource Consent Science Advisor.
- Development Engineer.
- Environmental Risk.
- Integrated Catchment Management.
- Geotechnical Engineer.
- Landscape Architect (Isthmus Group).

The application was also circulated to the following external parties:

- Te Aitanga ā Māhaki.

Comments received have been incorporated into this decision .

1.7. Draft Conditions

The applicant has provided a set of draft conditions in order to mitigate adverse effects of the proposal. Conditions were revised as part of the request for further information. These are included as Attachment A. It is also expected that conditions may be revised through the submission and hearing processes. They do not include the conditions recommended by Council's technical specialists and reviewers. The requirement for any conditions recommended by specialists are noted in the report.

Proposed resource consent conditions have been developed based on a similar stopbank upgrade project where GDC was the applicant, namely the Waipaoa River Flood Scheme, which was granted resource consents LU-2017-107781-00 et al via a publicly notified process.

The proposed resource consent conditions have also been developed based on the Ministry for the Environment National works in waterways guideline: Best practice guide for civil infrastructure works and maintenance (2023) and the Severe Weather Emergency Recovery (Hawkes Bay Flood Protection Works) Order 2024.

Some consent conditions that may be required (relating to properties that may require mitigation e.g. floor level raising) where consultation and negotiations are still being considered via the PWA process. These will be developed in due course.

2.0 Reason for the Application

2.1. The Resource Management Act 1991

Section 9(1)-(3) of the RMA state:

(1) No person may use land in a manner that contravenes a national environmental standard unless the use—

(a) is expressly allowed by a resource consent; or

*(b) is allowed by **section 10**; or*

*(c) is an activity allowed by **section 10A**; or*

*(d) is an activity allowed by **section 20A**; or*

(e) is an activity expressly allowed by a wastewater environmental performance standard, a stormwater environmental performance standard, or an infrastructure design solution.

(2) No person may use land in a manner that contravenes a regional rule unless the use—

(a) is expressly allowed by a resource consent; or

*(b) is an activity allowed by **section 20A**; or*

(c) is an activity expressly allowed by a wastewater environmental performance standard, a stormwater environmental performance standard, or an infrastructure design solution.

(3) No person may use land in a manner that contravenes a district rule unless the use—

(a) is expressly allowed by a resource consent; or

*(b) is allowed by **section 10**; or*

*(c) is an activity allowed by **section 10A**; or*

(d) is an activity expressly allowed by a wastewater environmental performance standard, a stormwater environmental performance standard, or an infrastructure design solution

It is proposed to carry out land disturbance on a piece of land (HAIL) under 9(1) of the RMA. Various other activities are proposed that contravene district and regional plan rules under s9(2) and s9(3) of the RMA.

Section 13(2) and 13(2A) of the RMA state:

No person may do an activity described in subsection (2A) in a manner that contravenes a national environmental standard, a wastewater environmental performance standard, a stormwater environmental performance standard, an infrastructure design solution, or a regional rule unless the activity—

(a) is expressly allowed by a resource consent; or

*(b) is an activity allowed by **section 20A**.*

(2A) The activities are—

(a) to enter onto or pass across the bed of a lake or river:

(b) to damage, destroy, disturb, or remove a plant or a part of a plant, whether exotic or indigenous, in, on, or under the bed of a lake or river:

(c) to damage, destroy, disturb, or remove the habitats of plants or parts of plants, whether exotic or indigenous, in, on, or under the bed of a lake or river:

(d) to damage, destroy, disturb, or remove the habitats of animals in, on, or under the bed of a lake or river.

It is proposed to carry out works in the bed of a river under s13(1) of the RMA.

Section 14(1) of the RMA states:

No person may take, use, dam, or divert any open coastal water, or take or use any heat or energy from any open coastal water, in a manner that contravenes a national environmental standard, a wastewater environmental performance standard, a stormwater environmental performance standard, an infrastructure design solution, or a regional rule unless the activity—

(a) is expressly allowed by a resource consent; or

(b) is an activity allowed by section 20A

A water take, dewatering and diversion of floodwater requires consent pursuant to s14(1) of the RMA.

2.2. Bundling

Where a proposal requires more than one type of resource consent or requires more than one resource consent and the activities for which consents are being sought overlap to such an extent that they cannot be realistically or properly separated it is appropriate to bundle the consents and consider them together in a holistic manner with the most restrictive activity classification applying.

The Applicant has requested that the flood gate component not be bundled with the substantive application for the culvert and wider stopbank works. The approach taken in the application is a deliberate one, reflecting the differing activity status and planning considerations that apply to the respective components, as follows:

- *The culvert (without a flood gate) is assessed as a discretionary activity under the relevant provisions of the TRMP.*
- *The installation of a flood gate is understood to trigger a more restrictive activity status (non-complying) under the NES-FW framework.*

They have structured the application so that the flood gate component can be considered on its own merits, rather than determining the overall activity status of the broader proposal.

They have stated that the rationale for this approach is:

- *Avoiding unnecessary bundling effects: Bundling the flood gate with the wider proposal would elevate the activity status of the entire application to non-complying, despite the flood gate representing a minor and discrete element that is not integral to the overall stopbank function.*

- *Maintaining decision-making flexibility: Decoupling enables the consent authority to assess the flood gate independently. This ensures that, if the flood gate is not supported, this does not preclude granting consent for the culvert (without a flood gate) or the wider flood protection works.*
- *Proportionate effects-based assessment: The approach aligns the level of scrutiny with the scale and effects of each component, recognising that the culvert itself can operate independently of the flood gate and does not rely on it to achieve the primary flood protection outcomes of the project.*

In this instance I consider that it is appropriate to consider the flood gate separately, namely because the gate is not integral to the operation of the stopbank. The flood gate will still receive an appropriate level of scrutiny as a non-complying activity under the National Environmental Standards for Freshwater; and it will still be considered alongside the wider application.

Otherwise, it is considered appropriate to bundle all other consents. The land disturbance, vegetation clearance and to a degree, the water take are precursor activities and are integral to the main activity stopbanks works.

2.3. Reasons for the Application

National Environmental Standards for Freshwater (amended 2025)	
Part 3 Standards for other activities that relate to freshwater	
Subpart 1 - Natural inland wetlands	
Construction of specified infrastructure	
45 Discretionary activities	
(3) Earthworks or land disturbance outside a 10 m, but within a 100 m, setback from a natural inland wetland is a discretionary activity if it— (a) is for the purpose of constructing specified infrastructure; and (b) results, or is likely to result, in the complete or partial drainage of all or part of the natural inland wetland.	Discretionary
	The project involves vegetation clearance, earthworks and the diversion of water adjacent to natural inland wetlands for the purpose of specified infrastructure.
(4) The taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland is a discretionary activity if—	Discretionary
	The project involves vegetation clearance,

(a) the activity is for the purpose of constructing or upgrading specified infrastructure; and (b) there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and (c) the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland.	earthworks and the diversion of water adjacent to natural inland wetlands for the purpose of specified infrastructure.
Subpart 3 - Passage of fish affected by structures	
Culverts	
71 Discretionary activities	
(1) The placement, use, alteration, extension, or reconstruction of a culvert in, on, over, or under the bed of a river is a discretionary activity if it does not comply with any of the conditions in regulation 70(2).	Discretionary The project involves the damming and diversion of an unnamed tributary of the Waipaoa River through the installation of a new culvert.
Passive flap gates	
74 Non-complying activities	
(1) The placement, use, alteration, extension, or reconstruction of a passive flap gate in, on, over, or under the bed of any river or connected area is a non-complying activity.	Non-complying The project involves the installation of a flood flap gate on a culvert.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011	
9 Controlled activities	
	Controlled

(1) Removing or replacing fuel storage system, sampling soil, or disturbing soil	It is proposed to sample and disturb soil on HAIL land.
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C6 Freshwater	
C6.1 Water Quantity and Allocation	
C6.1.2 Rules for Water Quantity and Allocation	
Rule Table C6.1.2	
Restricted Discretionary Activities	
6.1.2(6) The take and use of surface water or groundwater not lawfully established before the date of notification of this Plan.	Restricted Discretionary Up to 1,000 m ³ /day of water at a maximum rate of take of 30 litres per second is proposed to be taken for general construction purposes from the Waipaoa River Dewatering for construction purposes.
C6.2 Water Quality and Discharges to Land and Water	
C6.2.3 Rules for Point Source Discharges	
Rule Table C6.2.3	
Restricted Discretionary Activities	
6.2.3(13) The point source discharge of all liquids to land or waterbodies and their margins where the discharge is: a) Not provided for in another rule in this plan; b) Not to Outstanding Waterbodies and Regionally Significant Wetlands identified in Schedules G17 and G18; c) Not a direct discharge to a waterbody or to land in a way that directly enters water above a community drinking water supply intake point; d) Will not result in a water quality objective not being met or a limit/target being exceeded; and	Discretionary Dewatering discharge to land or water New drainage swales (if considered not permitted under Rules C6.2.3(2) or C6.2.3(7)).

e) The discharge is not to a degraded waterbody where the discharge is a new discharge of contaminants which contribute to the degradation.	
C6.2.12 Rules for Solid Discharges	
Rule Table C6.2.12	
Discretionary Activities	
6.2.12(7) Activities that do not comply with the permitted activity standards or any other solid or fertiliser discharges not provided for in another rule in this plan.	Discretionary
	Stopbanks, borrow pit excavation and road raising.
C6.3 Activities in the Beds of Rivers and Lakes	
C6.3.2 Rules for Structures in the Beds of Rivers and Lakes	
Rule Table C6.3.2	
Discretionary activities	
C6.3.2(18) Use, erection, reconstruction, placement, alteration, removal or demolition of any structure or part of any structure in the bed of a lake, river or stream which is not already provided for by a rule in the Plan or the river crossing regulations in the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 where the structure is a river crossing associated with a plantation forest. Those regulations prevail over this rule where there is conflict.	Discretionary
	Erection of the SH2 culvert in the unnamed tributary of the Waipaoa River and the south-east stream culvert.
6.3.2(19) Excavation, drilling, tunneling or otherwise disturbance of the bed of a lake, river or stream which is not already provided for by another rule in the Plan.	Discretionary
	Erection of the SH2 culvert in the unnamed tributary of the Waipaoa River and the south-east stream culvert.

6.3.2(20) Deposition of any substance in, on or under the bed of a lake, river or stream which is not already provided for by a rule in the Plan.	Discretionary Erection of the SH2 culvert in the unnamed tributary of the Waipaoa River and the south-east stream culvert.
C6.3.13 Rules for Damming, Diversion and Drainage of Streams, Rivers and Lakes	
Rule Table C6.3.13	
Discretionary activities	
6.3.13(4) Damming, diversion and drainage of water in the bed of a river or stream which does not comply with permitted activity standards, except for Outstanding Waterbodies in Schedule G18 – Outstanding Waterbodies.	Discretionary Stopbanks, road raising and culvert with floodgate.
C6.4 Riparian Margins, Wetlands	
C6.4.5 Rules for Riparian Management Areas	
Rule Table C6.4.5	
Restricted Discretionary Activities	
6.4.5(16) Vegetation clearance not provided for in another Rule within the Riparian Management Area of an Aquatic Ecosystem Waterbody identified in Schedule G15.	Restricted Discretionary Stopbanks, borrow pit excavation and road raising.
6.4.5(20) Land disturbance that exposes or disturbs more than 10m ² of earth per contiguous 100m of Riparian Management Area and/or exposes or disturbs more than 10m ² of earth over any 24 month period. Provided that: a) It is not a result of cable haul logging across a surface water body	Restricted Discretionary Stopbanks, borrow pit excavation and road raising.

C7 Land Management	
C7.1.6 Rules for Land Disturbance and Vegetation Clearance	
Rule Table C7.1.6	
Land Overlay 1	
7.1.6(9) Land disturbance and vegetation clearance activities which do not comply with the General Standards and are not provided for as Controlled or Restricted Discretionary Activities	Discretionary Stopbanks, borrow pit excavation and road raising.
C8 Natural Hazards	
C8.2 Flood Hazard	
C8.2.3 Regional Rules for Flood Hazards	
Rule Table C8.2.3	
Flood Hazard Overlay F1 (River and Floodway)	
8.2.3(2) Any activity in the road reserve that may result in the diversion or ponding of floodwaters, including any new road, road alteration or shape correction	Restricted Discretionary Stopbanks, borrow pit excavation and road raising.
8.2.3(4) Construction of soil conservation and river control works	Restricted Discretionary Stopbanks and road raising.
8.2.3(5) Earthworks which alter the level of the land	Restricted Discretionary Stopbanks and road raising.
8.2.3(7) Construction or installation of new structures associated with network utility activities	Restricted Discretionary Powerline and services relocation for stopbanks and road raising.
Flood Hazard Overlay F2 (High Hazard Areas) and Flood Hazard Overlay F2A (Moderate / High Hazard Areas)	
	Restricted Discretionary

8.2.3(16) Earthworks which alter the existing ground level	Stopbanks, borrow pit excavation and road raising.
8.2.3(19) Any activity within the road reserve that may result in the diversion or ponding of floodwater, including any new road, road alteration or shape correction	Restricted Discretionary Stopbanks, borrow pit excavation and road raising.
8.2.3(20) Construction of soil conservation and river control works	Restricted Discretionary Stopbanks, borrow pit excavation and road raising.
Flood Hazard Overlay F3 (Flood Ponding Areas), Flood Hazard Overlay 4 (Liable to Flooding) and Flood Hazard Overlay F5 (Flood Fringe Areas)	
8.2.3(27) Any earthworks that alter the ground level in the FH3 & FH4 areas, including filling of ponding areas	Restricted Discretionary Stopbanks, borrow pit excavation and road raising.
DD1 Residential Zones	
DD1.1 Residential Zones	
DD1.6 Rules	
DD1.6.1 Rules for Residential zones	
Rule Table DD1.6.1	
Restricted Discretionary Activities	
1.6.1(23) Temporary activities which do not comply with the rules for Permitted activities in respect of: a) Noise b) Duration of the activity c) Frequency of the activity d) Hours of operation	Restricted Discretionary All site compounds and lay down areas that may not meet setback and yard standards and noise and vibration standards; and all construction works at all locations works that may infringe noise and vibration standards C11.2.15.2.A.1 and C11.2.15.4.A.1.

DD4 Rural Zones	
DD4.6 Rules	
DD4.6.1 Rules for Rural zones	
Rule Table DD4.6.1A – All Rural Zones	
Restricted Discretionary Activities	
4.6.1A(13) Activities listed as Permitted and Controlled which do not comply with the General Standards with respect to: a) Noise and vibration b) Lighting and Glare c) Recession plane d) Yards e) Infrastructure, works and services f) Duration, frequency and hours of operation of the activity g) Floor area of buildings	Restricted Discretionary All site compounds and lay down areas that may not meet setback and yard standards and noise and vibration standards; and all construction works at all locations works that may infringe noise and vibration standards C11.2.15.2.A.1 and C11.2.15.4.A.1.
4.6.1A(15) Temporary activities which do not comply with the General Standards for Permitted activities in respect of: a) Noise b) Duration of the activity c) Frequency of the activity d) Hours of operation	Restricted Discretionary All site compounds and lay down areas that may not meet setback and yard standards and noise and vibration standards; and all construction works at all locations works that may infringe noise and vibration standards C11.2.15.2.A.1 and C11.2.15.4.A.1.

2.4. Overall Status

Overall, the activity comprises the following consents

- The construction and operation of stopbanks and various ancillary activities as a bundled **Discretionary Activity** under various rules of the Tairāwhiti Resource Management Plan;
- A **Controlled Activity** under Regulation 5(9) of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.

- The construction and operation of a culvert as a **Discretionary Activity** under Regulation 71 of the National Environmental Standards for Freshwater.
- The construction of specified infrastructure within 100m of a potential wetland under Regulation 45(3) & 45(4) of the National Environmental Standard for Freshwater as a **Discretionary Activity**;

These consents are to be bundled together.

The construction and operation of a flap gate as a **Non-Complying activity** under Regulation 74 of the National Environmental Standards for Freshwater is to be processed as a separate but concurrent activity.

3.0 Section 95A Assessment for the Purpose of Public Notification

Section 95A(1) of the Resource Management Act 1991 (RMA) states that the consent authority must follow the steps set out in that section, in the order given, to determine whether to publicly notify an application for resource consent.

Those steps are set out below, in the order provided in the RMA.

3.1. Step 1. Mandatory public notification in certain circumstances s95A(2-3)

Has the applicant requested that the application be publicly notified?	Yes
• If No, Go to step 2... • If Yes, Publicly notify S.95A (2)(a) - Go to Public Notification Decision	
Was further information requested and not provided before the deadline or has the applicant refused to provide the information?	No
• If No, Go to step 2. • If Yes, Publicly notify S.95A (2)(a) - Go to Public Notification Decision	

Comment: The applicant has requested public notification of the application for the following reasons:

- Adverse consequential flood effects are likely to be more than minor at some locations.
- Public notification provides an opportunity for affected parties and members of the public to submit and participate in the resource consent process.
- Public notification provides an opportunity for the applicant to undertake further consultation and engagement and resolve any outstanding issues where possible.

The application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977?	No
• If No, Go to step 2. • If Yes, Publicly notify S.95A (2)(a) - Go to Public Notification Decision	

3.2. Public Notification Decision

Having undertaken the s95A public notification tests, I recommend that this application be processed with public notification.

4.0 Section 95 Notification Recommendation and Decision

Pursuant to section 95A, applications LR-2026-113411-00, LV-2026-113442-00 LL-2026-113443-00 and WS-2026-113444-00 shall proceed on a **publicly notified** basis with specific affected persons being notified as follows:

Landowners forming part of the subject site where stopbanks or works are occurring:

Applicant ID	Address	Legal Description
TK1	1 Matawai Road	Lot 2 Deposited Plan 570263
TK2	Cliff Road, Te Karaka	Lot 3 & PT Lot 2 DP 3062, Lots 1 - 4 DP 4355
TK3	25 Cliff Road, Te Karaka	Lot 1 DP 3062
TK4	27 Cliff Road, Te Karaka	Lot 1 DP 3109
TK5	Rangatira Road, Te Karaka	Part Lot 25 DP 1287 and Section 3 SO Plan 494650
TK6	9 Rangatira Road, Te Karaka	Part Lot 25 DP 1287
TK7	11 Rangatira Road, Te Karaka	Lot 1 DP 3768
TK8	Rangatira Road, Te Karaka	Section 9 Block IV Waikohu SD
TK9	Kipling Road, Te Karaka	Sec 1 2 SO 494650
TK10	1 Kipling Road, Te Karaka	Lot 15 DP 1145
TK11	7 Kipling Road, Te Karaka	Part Lot 16 DP 1145

TK12	29 Morris Road, Te Karaka	Lot 21 DP 1145
TK13	59 Kipling Road, Te Karaka	Lot 1-2 DP 2661, part Lot 18 DP 1145, Lot 1 & 2 DP 3322, Lot 1 DP 2909, Lot 1 DP 8784 & Part Section 44 Block IV Waikohu SD
TK14	Kanakanaia Road (16B & C Block)	Karaka 16B Block
TK15	Kanakanaia Road (16F Block)	Te Karaka 16F Block
TK16	Kanakanaia Road (16D Block)	Te Karaka 16D Block
TK17	Kanakanaia Road (16E Block)	Te Karaka 16E Block
TK18	End of Kipling Road	Part Karaka 15& 17 Block
TK19	Kanakanaia Road	Te Karaka 16 Road Line Block
TK20	90 Kanakanaia Road, Te Karaka	Karaka 11A2 Block
TK21	35 Paulson Road	Te Karaka 11B2 Block
TK22	Paulson Road	Lot 8-9 and Part Lot 7 Deposited Plan 1326,
TK23	Paulson Road	Part Karaka 7 Block
TK24	2424 Matawai Road, Te Karaka	Karaka 8 Block
TK25	Matawai Road	Section 3 Block IV Waikohu Survey District
TK26	2431 Matawai Road, Te Karaka	Lot 5 Deposited Plan 3085
TK34	82 Kanakanaia Road, Te Karaka	Lot 1-8 Deposited Plan 2332

Landowners having Consequential Flooding Effects:

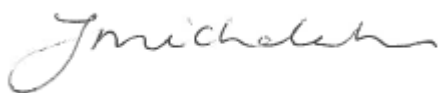
Applicant ID	Address	Legal Description
TK27	103 Kanakanaia Road, Te Karaka	Karaka 14 Block
TK28	46 Bridge Road, Te Karaka	Lot 2 Deposited Plan 447441

TK29	108 Kanakanaia Road, Te Karaka	Karaka 11A1 Block
TK30	23 Mangaoae Road, Te Karaka	Tangutuhanui 1B2A Block
TK31	2416 Matawai Road, Te Karaka	Lot 2 Deposited Plan 3735, Lot 1 Deposited Plan 3735
TK32	81A Kanakanaia Road, Te Karaka	Karaka 16A Block
TK33	96 Kanakanaia Road, Te Karaka	Karaka 12 Block
None provided	45 Bridge Road, Te Karaka	Lot 3 DP 7800

The following other parties should also be notified:

- Te Atianga ā Māhaki iwi
- Takipū Marae
- Rangatira Marae
- First Gas (Clarus)
- First Light Network
- Te Karaka Area School
- Department of Conservation (DOC) e.g. for any works on DOC land, refer to the DOC marginal strip
- Chorus
- New Zealand Transport Agency
- GDC Roding Division
- GDC Wastewater Division

Reporting Planner:



Jo Michalakakis

Peer Reviewer and Approval



Cam Twigley

Consultant Planner
Date: 7 July 2026

Independent Hearings Commissioner
Date: 8 July 2026

