

Before Gisborne District Council Under In the matter the Resource Management Act 1991 (the RMA) of applications by Gisborne District Council for resource consents to modify a stopbank at Te Karaka

Statement of evidence Daniel Moran 88 Rangatira road ,Te karaka

Subject : consenting conditions sort to titles 88 Rangatira rd Te karaka in regards stopbank upgrade

21/09 /26

1. The Core Legal Remedy Sought

1.1/ I formally request that the Commissioner exercise their powers under **Sections 108 and 108AA of the Resource Management Act (RMA)** to impose robust, specific conditions on this resource consent to avoid, remedy, or mitigate the severe adverse effects on my property.

1.2 / As noted in the legal principle (referenced via *Exeter 22.5*), **compensation under the Public Works Act 1981 (PWA) is not a substitute for environmental mitigation under the RMA**. The Applicant cannot defer known, immediate adverse effects to a parallel, downstream PWA negotiation. Mitigation must be secured *now* as a condition of granting this consent.

1.2/ Furthermore, because the Applicant and Submitters chosen legal counsel's have perhaps failed to clarify distinction above , I request that the Commissioner ensure all affected submitters are fully informed during this hearing process of their rights to seek relief via RMA consent conditions rather than the PWA which has been really the only avenue highlighted by GDC for redress of affects to wet and newly flooded outside the proposed foot print in my meeting with Dean foote and Gareth Hopkin of property group.

2. Failure to Respond to Adverse Effects

2.1 / The Applicant has failed to provide a clear response, remedy, or mitigation strategy regarding the severe downgrading of my property's status. This is despite:

- A formal legal letter sent by my solicitor on **15 May 2026**
- Subsequent Request for Further Information (RFI) lodged by myself seeking clarity.

2.2/ The upgrade project proposes raising the Te Karaka stopbank by **2.5 metres** on the adjacent village side. This effectively raises the flood level by an equivalent height directly onto my near upper terrace, reclassifying our land into a highly vulnerable "Waipaoa valley bottom" status subject to inundation.

3. Physical Verification of Defective Flood Modelling

3.1/ I contest that the application is defective in several material areas, particularly the **Consequential Flood Risk Assessment (CFRA)** modeling, which fails to align with reality and in calculations using tables 3.1, 4.4 & 5.10

3.2/ Using a builder's site level calibrated to our local **Gabriel Datum**, I physically transferred the level across the site to the steel I-beam of the **Rangatira Bridge**. My field measurements confirm that the height above the bottom of the bridge beam directly matches the stopbank height behind **No. 9 Rangatira Road** where Gabriel floodwater came over. The Applicant's digital flood models fail to accurately account for this physical baseline. I have not checked to see if the bridge is level for this purpose, so my levels could be +/- 100mm approximately over such distance

3.3/ I do not contend the over all modeling in the CFRA as it pertains to our property is incorrect (only in relation to our farm electricity supply, in relation to a potential PWA claim and there is also a discrepancy I would like to clarify in relation to RL at Rangatira marae and 88 Rangatira road for the OD event using tables 5.10 and 4.4 from the CRFA)

3.4 / my field measurements of our upper terrace are similar to CFRA modeling apart from the depth discrepancy in 3.1 so for the purpose of consent conditions we will use the CFRA and its whole valley bottom line figure 2.1 as the base line for required flood protection conditions

4. Unaddressed Cumulative and Structural Effects

4.1/ The current application completely fails to calculate or account for the following cumulative effects:

- **Riverbed Aggradation:** The ongoing buildup of sediment in the river channel will further reduce capacity and exacerbate the flood effect on our property before it ever threatens the stop bank crest, being 2.5-metre flood height increase over time onto our property.

- River bed and lower terrace aggradation 1.2 km from Rangatira bridge at 50 plus year old well head on neighbouring property indicate a .031 mm annual increase indicates a 1.550 mm increase in that time
- I agree with the Coates family submission 13 . A & B
- I question the use of 2021 data, per Gabriel in the CFRA for modeling purposes

5 /Proposed Resource Consent Condition: Structural Protection & Flood Mitigation For 88 Rangatira Road, Te Karaka

1. Objective & Scope of Protection

This condition applies specifically to the upper terrace of the property located at **88 Rangatira Road, Te Karaka subject to inundation by now being located in the Waipoa river valley bottom** ,**Legal Description: Rangatira 3J4B2 and Rangatira 3J1B** . The purpose of this condition is to mitigate, remediate, and offset the heightened risk of inundation, velocity impacts, scour, and erosion caused by the **Te Karaka Stopbank Upgrade scheme**, which places this terrace within the functional river bottom of the Waipaoa Valley and subjects it to an additional up to **2.5-metre planned flood water surcharge**.

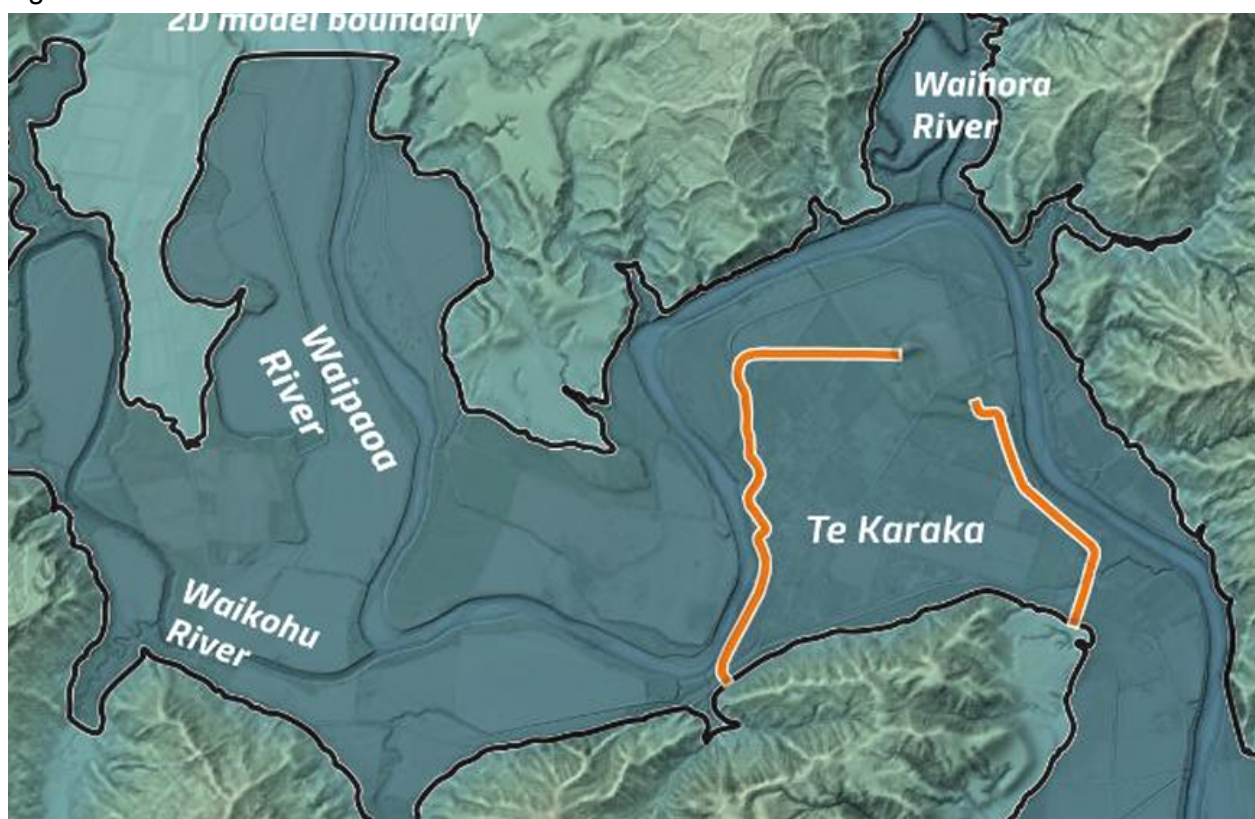
2. Physical Engineering Protection & Defences,utilities,planning changes ,valuations

Prior to the commencement of any physical stopbank construction or earthworks authorized by this consent, the Consent Holder (Gisborne District Council) shall, at its own sole expense, design and construct localized structural mitigation works to protect the assets and land on the upper terrace at 88 Rangatira Road.

- **Design Standards:** The mitigation works (which may include a localized ring-bank, structural rock armor/revetment, or velocity-deflection barriers) must be designed by a Category 1 Chartered Professional Engineer (CPEng) specializing in river hydraulics.
- **Performance Criteria:** The works must be structurally capable of preventing structural collapse, catastrophic erosion, or scour of the upper terrace under a maximum-surge design event incorporating the additional 2.5-metre water level.
- **Review:** The final designs and a hydraulic performance assessment must be submitted to an independent commissioner panel for approval, following consultation with the owners of 88 Rangatira Road.
- Outside farm utility distribution point ,electrical meter box and switch board to be relocated inside protection zone and dedicated 32 amp single phase connection along with a 15amp 3pin plug to replace it the present boards and out let set up
- Existing easements requiring survey or alteration so the use to intended recipients going forward is guaranteed
- That all ongoing property information inside the scope of the protected upper terrace be free of charge from GDC ,ie PIMS ,Lims and searches of council records for the purpose of Hail or other RC matters
- That all future valuation queries or disputes be free or the costs of independent valuers be at the councils expense for the purposes of establishing property devaluation due to the stopbank upgrade

6/ The Reason for upper terrace conditions being sort is the fact that council will use the reach/extent of any new physical flood water bench mark set as a legal right to encroach on to unfloodable land with new planning rules and hazard zone under the guise of being more /minor effect in events so the land can carry more inundation / surcharge for the project and future upgrades with out compensation or mitigation .

Fig 2.1 CFRA



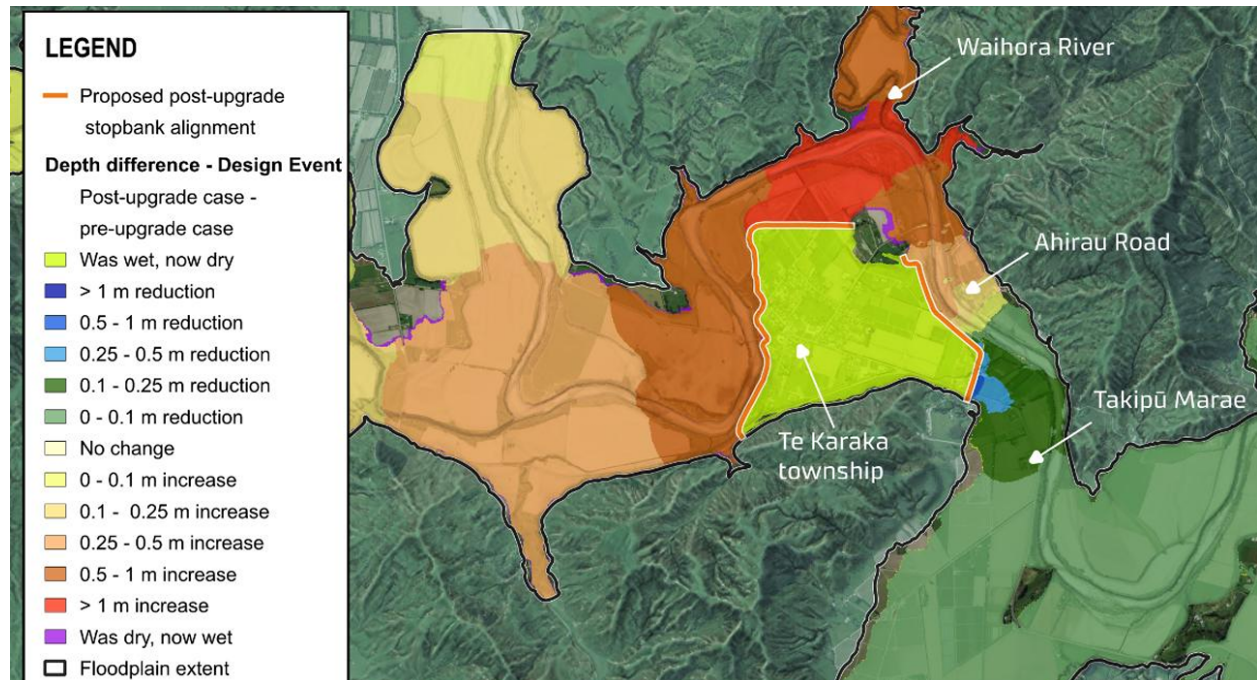
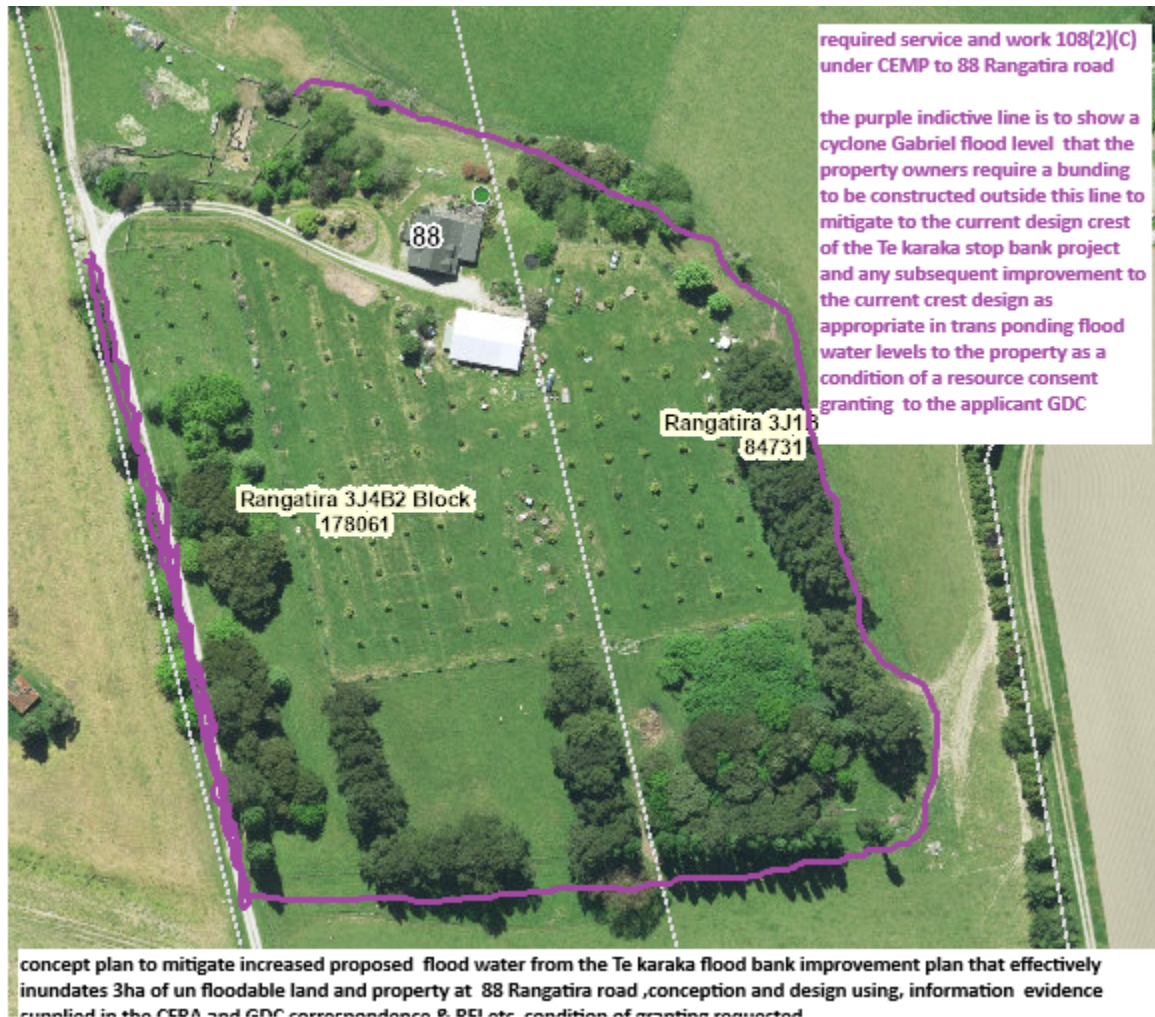


Fig 3.1 CRFA

Fig 4.1 condition boundary Moran



From: Matt Adams <MAAdams@tonkintaylor.co.nz>
Sent: Thursday, 30 April 2026 2:10 pm
To: Dean Foote <Dean.Foote@gdc.govt.nz>
Cc: Mark Hooker <mhooker@tonkintaylor.co.nz>
Subject: Re: Model PDFs TK

Hi Dean,

The floodplain extent was generated based on the maximum extent of the over-design event, with some additional smoothing/GIS operations applied to get a neat extent - it wasn't used in our analysis and wasn't intended to be a product other than to help show on the maps the whole valley bottom of the Waipaoa which could, in theory, be inundated, and to 'grey out' the area outside of this as it wasn't relevant to our assessment. It was also how we identified which buildings and properties we needed to assess.

In this case, I think that house sits on a small terrace and so is not flooded in the design event and is only on the margins of the flooding in the overdesign event.

Sorry that this has brought on more concern and attention to it!

Cheers,

Matt Adams | Water Resources Consultant

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Fig 5.1 Email Dean Foote to Daniel Moran email

10 Applicability

This report has been prepared for the exclusive use of our client Gisborne District Council, with respect to the particular brief given to us and it may not be relied upon in other contexts or for any other purpose, or by any person other than our client, without our prior written agreement.

We understand and agree that our client will submit this report as part of an application for resource consent and that Gisborne District Council as the consenting authority will use this report for the purpose of assessing that application.

Tonkin & Taylor Ltd

Report prepared by:



Matt Adams
Water Resources Consultant

Authorised for Tonkin & Taylor Ltd by:



Damian Velluppillai
Senior Water Resources Engineer

7-Apr-26

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Fig 6.1 page 46 CFRA

Fig 7 Foote statement of evidence 1.7 below “I say that statement is wrong “ and what modeling is he referring to with that statement ,if in theory the property can be inundated ref fig 2.1 of CFRA and fig 5.1 Adams -Foote

1.7 In relation to the submitter properties, the modelling indicates that the lower lying parts of Mr Moran's property will be flooded in the Design Event, but the upper terrace on which the dwelling is located remains approximately 2.3 metres above the modelled flood level, even after the stopbank upgrade. The lower terrace is already subject to substantial flooding in the pre-upgrade modelling.