

Jenny Moran Statement of evidence for the proposed Te Karaka stopbank upgrade.

Before Gisborne District Council

Under the Resource Management Act 1991 (the **RMA**)

In the matter of applications by Gisborne District Council for resource consents to modify a stopbank at Te Karaka

Statement of evidence of Jenny Moran

21 September 2026

Introduction.

Tēna koutou katoa,

I am Jenny Moran, I live down Rangatira road.

I was Jenny Trafford before marrying Dan. My parents were Bufty and Joy Trafford.

I grew up at 29 Morris Road, the property where Ken and Karen Mc Lanahan now live.

I went to Te Karaka primary school and then Waikohu College.

Qualifications and Experience.

- a) I have been a horticulturist, a registered nurse, a midwife and am currently a High School teacher.
- b) I trained as a teacher via Te Wānanga o Raukawa. Turanga Ararau was the Gisborne provider. My iwi and hapu studies related to Te karaka and Te Āitanga a Mahaki.
- c) I am a mother of five children.
- d) I am not an expert in anything as I am always learning.
- e) I live in the region and have lived here for a lot of my life.
- f) I did not pay an army of researchers, experts or lawyers to work for me. What I write is limited to what I have been able to research myself, I am no expert.

I wrote a submission opposing the proposed stopbank upgrade and I want to speak about why I did that.

Scope of Evidence.

- 1) Human Health and Safety.
- 2) Informed decision making and community engagement.
- 3) Risk to the bridges.
- 4) Our property. - 88 Rangatira Road
- 5) Treaty of Waitangi.

1) **Number one - Human health and safety first** - The proposed new stop bank is not a permanent solution to the flooding problem for Te Karaka. Council agrees with this. The stop bank upgrade will not solve the flooding problem and will only pass the problem into the future, if not this generation then future generations creating future generational debt. The supreme objective of the RMA, “Sustainable Management” is not being met.

1.1 I have read the 73 submissions in support of this stopbank proposal.

The overall theme that came through strongly from these submissions is that people want;

“To live in a safe environment and not be flooded.”

1.2 From some of the submissions supporting the stopbank -

- *I am a home owner in Te Karaka, my property was impacted by the floods in Feb 2023. I am a member of Mahaki Tiaki Tangata and support with all weather events in Te Karaka since the floods. It is for **peace of mind** that our community will be safer from future events which could impact our community and properties.*
- *to protect our property from future floods within our community.*
- *Definitely want the stop bank raised , want Te karaka people and homes protected from future floods.*
- *Making sure the community can feel safe again from future flooding.*
- *These upgrades **can only be a positive for** our community during another event.*
- *From the 55 submitters who basically wrote one line ‘ I support the stopbank upgrade’, I believe they wrote that because they want a safe place to live in, a place where they will not be flooded.*

1.3 These submitters only see how positive this proposal is. They want to be safe and free from flooding and believe this proposal will provide that.

1.4 I believe the stopbank proposal cannot guarantee the safety they seek, it cannot guarantee to keep the community free from flooding which they want.

It is a medium term solution that is anticipated to last **decades only**. Medium term relating to stopbanks and engineering means 10 - 30 years. Joss Ruifrok has stated it will be decades.

Joss Ruifrok has also stated “ *this approach will reduce flood risk but not eliminate it.* ”(7.18 Statement of evidence). Other points in his statement of evidence;

1.10 The presence of an upgraded stopbank must not create a false perception that the community is fully protected from flooding.

7.14 An important principle underpinning the project is the recognition that flood risk can be reduced but not eliminated.

*7.15 Consequently, the proposed upgrade should be viewed as a **medium-term resilience measure** rather than a long-term solution.*

*9.7 An important point for the hearing is that a stopbank is a flood mitigation measure, not a **life-safety guarantee**.*

9.8 (b) people may incorrectly assume they are safe because of the presence of a stopbank;

9.11 A particular consideration is the potential for a "levee effect", whereby the presence of improved flood protection infrastructure creates a perception that the community is fully protected from flooding. This can result in individuals delaying preparedness actions or choosing to remain in place for longer during a threatening event because they believe the stopbank will provide complete protection. Such behaviour can increase risk to life should floodwaters exceed the scheme design standard or should structural failure occur.

Why I do not believe this proposal can guarantee this -

1.5 The Reality of Risk in Te Karaka

The Geographic and Hazard Reality of Te Karaka

1.6 High Hazard Zone: Te Karaka is officially recognized as a high natural hazard zone. The area faces severe, documented vulnerabilities to extreme weather events, which are only intensifying due to climate change.

1.7 The Oxbow Trap: The Waipaoa River forms a tight **oxbow u shaped curve around the township**. This unique geography means Te Karaka is effectively surrounded by the river channel. When the river breaches its banks or suffers severe silt aggradation, water is forced directly into the township from differing angles, leaving the community trapped in a high-risk flood path.

1.8 Inadequate Protection: Keeping the village in its current, highly vulnerable location means it **cannot and will not be adequately protected** from future flooding. Relying on the hope that engineering or environmental factors will spontaneously stabilize is a dangerous strategy that puts property and human lives at unacceptable risk.

1.9 Response to the Evidence of Joss Ruifrok (Paragraph 1.8)

In paragraph 1.8 of his statement of evidence, Mr Ruifrok states:

If catchment management and other measures are successful in maintaining an acceptable and sustainable level of flood protection, relocation may not be required.

2.0 My Response:

I strongly contest this statement. Mr Ruifrok's assertion that relocation may not be required in the future rests on a series of highly improbable, unevidenced assumptions about the river system and long-term environmental factors. For this statement to be correct, it would require the panel to accept that:

1. **2.1 Silt Aggradation Can Be Permanently Halted:** The ongoing build-up of silt and sedimentation in the riverbed would somehow cease, ignoring the natural and ongoing geomorphology of the catchment.
 - (The silt comes from the Tarndale slip, the largest active landslide in the Southern Hemisphere, it bleeds silt into the Waipaoa river and it is virtually impossible to stop it. The Waipaoa catchment delivers an estimated **15 million tonnes of suspended sediment annually** down the river channel—one of the highest relative yields in the world.)
2. **2.2 Climate Change Impacts Will Stop:** Future intense rainfall events, rising sea levels, and the resulting accelerated erosion and sedimentation will simply stabilize, which directly contradicts all current national climate change projections and council hazard mapping.
3. **2.3 Severe Weather Risks Are Over:** The risk of extreme, sudden high-water events and catastrophic flooding will spontaneously diminish rather than increase in frequency and severity.

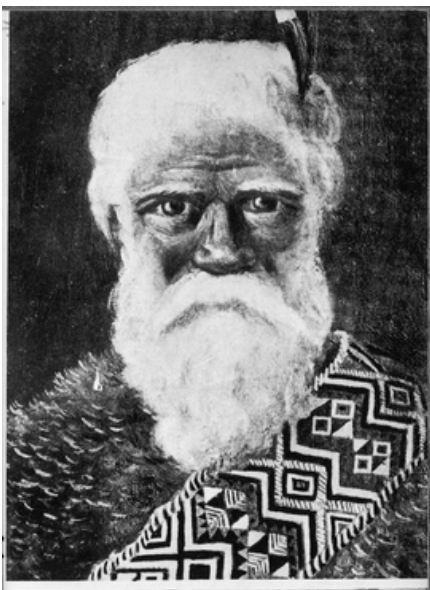
2.4 By suggesting that relocation is a problem that may never need to be managed, the applicant's evidence fails to adopt a precautionary approach to natural hazards. It downplays the reality of climate-induced flooding and catchment aggradation. If the consent is granted based on this assumption, it leaves the community and the environment exposed to unmitigated, long-term risks when—not if—the next extreme weather event occurs.

2.5 The Prophecy of the "Drifting" Land and the River

“E kite ana ahau i to koutou whenua e rēre ana ki te moana, ā, e kore e taea e koutou te pupuri.”

“I see your land drifting, drifting to the sea. And you will not be able to retain it.”

2.6 Words from Te kooti in 1886. He spoke these words directly to the people of the **Mangatū Block** during a visit to the upper regions of the Waipaoa River catchment. This was said 140 years ago. That is an amazing prophecy.



Te Kooti Arikirangi Te Tūruki.

It wasn't until 1910 that rivers started to become discoloured due to the effects of tree clearing. This was the beginning, the conception of the Tarndale slip. This was 24 years after Te kooti made his prediction.

2.7 The Proven Failure of Engineering Solutions in Te Karaka

A Documented History of Premature Engineering Failure

The proposal to install a new stopbank closer to the town is not a novel solution—it is a repeated strategy with a documented history of failure in Te Karaka. We cannot ignore the reality of how these engineered structures perform in this specific catchment:

- **2.8 The 1988 stopbank and 2002 Upgrade:** Following past flooding, a stopbank was built in 1988 to withstand a 4,000 cumec flood. In 2002, it was raised to withstand a 4,500 cumec flood. At that

time, experts and engineers assured the community that this design represented a 1% Annual Exceedance Probability (AEP) and would secure the township for the next 50 to 100 years.

- **2.9 The 21-Year Lifespan:** That engineered protection did not last 50 to 100 years. It lasted just 21 years. In 2023, Cyclone Gabrielle—estimated at that same 4,000 to 4,500 cumec range—overtopped and breached the system. The failure of the 2002 design proves that expert modeling in this catchment consistently underestimates rapid changes in climate severity, land use patterns, and severe weather.
- **3.0 The Silt Aggradation Reality:** Crucially, this premature failure is driven by riverbed aggradation. As the riverbed actively rises due to heavy sedimentation, the relative height and effectiveness of any stopbank are rapidly diminished. A stopbank built today will inherently protect less and less of the town every single year as the riverbed continues to rise.

3.1 The Flaw in the Proposed "Medium-Term" Stopbank

The applicant acknowledges that the proposed stopbank is only a "medium-term" measure. By definition, this concedes that it too will eventually fail, repeating the cycle of 1988 and 2002 but with higher stakes.

3.2 Furthermore, by leaving wider areas undefended under this model to allow the river "more space," the proposal inadvertently creates a massive trap for sedimentation. It creates wider, slower-flowing spaces where the river will deposit massive volumes of aggradation. This rapid buildup will steadily choke the channel, accelerate the rise of the riverbed, and systematically minimize the effectiveness of the proposed protection even faster than the applicant predicts.

3.3 Statement of evidence by Dean Foote "There is no statutory requirement to design flood protection infrastructure to a certain level of service and aggradation has not been individually factored into the 0.6m freeboard of the final design." Paragraph 7.5

3.4 "Because engineering solutions in this catchment have a proven track record of premature failure due to climate acceleration and aggradation, I ask the Commissioners to:

3.5 Decline the Consent for the Proposed Stopbank: Reject the application on the basis that it relies on a flawed, medium-term engineering strategy that does not provide sustainable, long-term protection for the Te Karaka community.

3.6 Reject Medium -Term Engineering Over Sustainable Planning: Direct the applicant to abandon temporary stopbank models that worsen aggradation, and instead align with regional and

national frameworks that focus on true, long-term resilience—such as managed retreat and permanent relocation out of the high-hazard zone.

3.7 Prioritize Human Safety Over Temporary Mitigations: Refuse to anchor the township behind another engineered structure that history proves will eventually be overwhelmed, placing future generations of Te Karaka residents in an unacceptable hazard trap."

3.8 Insufficient Protection vs. National Adaptation Policy Risk

While the proposed upgrade intends to reduce flood risks, engineering works only mitigate risk—they do not eliminate it. My opposition is rooted in the severe economic risks this proposal creates when intersected with the emerging national adaptation frameworks.

3.9 National adaptation policy is shifting away from government-funded property buyouts and moving toward stricter risk mapping, localized adaptation plans, and market-led accountability. If this stopbank is upgraded, it creates a dangerous, false sense of security that incentivizes continued investment in a high-risk flood plain.

4.0 When a climate event exceeds the design capacity of this stopbank, the legal and economic landscape will be vastly different than it is today. Under national frameworks, properties flooded in the future risk being designated as unviable. Once a community is caught in this policy net, property insurance will be withdrawn, banks will refuse mortgages, and our assets will effectively become worthless overnight. We cannot look at a stopbank in isolation from the broader national policy framework that will govern climate risk and property values over the next 20 to 50 years.

Relief Sought (What I ask the Commissioners to do)

To address these severe long-term risks, I ask that the Commissioners:

- **4.1 Decline the consent** until Gisborne District Council provides a joint, binding framework that links this infrastructure with a long-term, community-led managed retreat and property value protection strategy.
- **4.2 Impose a strict condition** requiring an independent climate-risk insurability assessment. The applicant must prove that this specific stopbank upgrade will guarantee long-term property insurability under upcoming national adaptation guidelines.

- **4.3 Require the council to formally address residual risk liability**, ensuring that property owners are not left holding financially catastrophic, stranded assets if the infrastructure fails or is overtopped.

4.4 I'm going to quote one of Josh Wharehinga's business values here -

Integrity

No short cuts, we do things the right way.

We are committed.

We practice accountability.

I like this value.

I want the council to be accountable to long term, permanent solutions not medium term solutions that ultimately will put the people of Te karaka at risk.

4.5 Potential for Increased Harm if the township stays.

Altered flood hydrodynamics outside the protected zone, the compounding danger of early route isolation, and the structural risks inherent to catastrophic overtopping or breach events.

4.6. Altered Flood Behaviour and Displaced Risk

- **Increased Risk Outside the Line:** The preferred "retreat" approach shifts sections of the stopbank closer to the Te Karaka township, creating a smaller defended area to give the river more room.

According to the [Gisborne District Council's Notified Resource Consent Details](#), this **may result in changes to flood behaviour in some areas outside the proposed flood protection scheme**. Residents, properties, and infrastructure left outside the upgraded alignment face a heightened, compressed risk of fast-moving floodwaters.

4.7 Evacuation Lag and Severe Structural Isolation

- **Early Route Cut-Off:** The [GDC Te Karaka Flood Resilience documentation](#) identifies a critical safety paradox: **vehicle access on State Highway 2 towards Gisborne is cut off when water levels at Kanakanaia Bridge reach approximately 8.5m.**
- **4.8 The "Lag" Trap:** Because this evacuation route closes *well before the water reaches the stopbank's design crest*, an upgraded stopbank can create a false sense of security. Residents may remain in their homes while the river rises, only to find themselves completely trapped and isolated if the system is ultimately overwhelmed.
- 4.9 This proposed stopbank is like a wall. Walls do two things - they protect and they entrap.

5. High-Velocity System Failure (Breach vs. Overtopping)

- **Catastrophic Failure Mechanics:** Raising the stopbanks up to 2.5 meters upstream holds back significantly higher volumes of water. If a flood event exceeds the design capacity (designed to handle a 5,625 cumec event), or if a structural breach occurs due to piping or internal erosion, the water will release into the township at **much higher velocities and depths** than in historical unmitigated events. This rapid velocity severely reduces survival chances and emergency response windows compared to a slow-rising flood. Once the banks are breached it will be like a fish bowl. Water will pour in, fill up and it will empty out slowly leaving increased silt deposit.

5.1 Rebuttal to the Evidence of Joss Ruifrok (Paragraph 9.2)

The Human Reality of Cyclone Gabrielle vs. The Technical Narrative

In paragraph 9.2 of his evidence, Mr Ruifrok states that Cyclone Gabrielle did not alter emergency management principles, that warnings and responses were implemented, and that *"no loss of life occurred as a direct consequence of the flooding within the Township."*

5.2 While that statement may be technically clipped to the geographic boundary of the township zone, it is a deeply flawed omission of the true catastrophic reality. It paints a false picture of a successful, controlled emergency intervention to justify keeping a community in a high-hazard zone.

5.3 The reality of that night tells a vastly different story:

- **5.4 A Tragic Loss of Life:** To state that no life was lost ignores the profound tragedy of **John Coates**, the father of local submitter Guy Coates, John lost his life during Cyclone Gabrielle. His death is a catastrophic loss that continues to heavily impact his family and our entire, tightly-knit community. To inadvertently minimize the human toll of this event to satisfy a planning criteria is unacceptable.
- **5.5 The 19 Near Misses:** Information from local emergency response families indicates there were at least **19 near-misses** where residents came terrifyingly close to death. These were not controlled evacuations; they were desperate survival situations:
 - An elderly lady was left trapped inside her home, standing on her kitchen table with floodwaters up to her chest, only surviving because a local farmer managed to rescue her using his tractor.
 - A young couple with a newborn baby were trapped, forced to stand on their kitchen bench in the dark, praying for rescue.
 - While some of these events occurred just outside the technical township line, **we are one community**. The river does not respect zone lines on a council planning map.
- **5.6 The Failure of the Official Response:** Mr Ruifrok's evidence suggests a coordinated, effective agency response. Local knowledge indicates otherwise. My understanding is that the official emergency response team checked the rising river, determined an evacuation was not yet required, and returned home.
- **5.7 The True Alarm:** The evacuation alarm that ultimately saved lives in Te Karaka was not triggered by a seamless agency system—it was raised by a heroic community member, **Sally Cale in Whatatutu**, who realized the sheer scale of the upstream flooding and sounded the alarm.

5.8 This proves the ultimate danger of the applicant's model: keeping a community trapped in a high-risk oxbow environment means relying on flawless warnings that official agencies cannot always guarantee.

5.9 "Because emergency management and structural stopbanks cannot guarantee human safety in a catastrophic flood path, I ask the Commissioners to:

6.0 Reject Paragraph 9.2 of the Applicant's Evidence: Formally recognize that the emergency response during Cyclone Gabrielle was plagued by systemic delays, and that relying on emergency management to mitigate a high natural hazard zone is an unacceptable risk to human life.

6.1 Prioritize the Right to Life Over Engineering Mitigations: Acknowledge that the presence of 19 near-misses and a tragic community death proves that structural stopbanks leave residents entirely reliant on emergency rescue.

6.2 Decline the Resource Consent: Choose a path of true resilience. Stop anchoring families behind temporary structures in a known flood trap, and decline this application so the council can focus on the permanent, safe relocation of the Te Karaka community."

6.3 Critical Vulnerability in Emergency Evacuation Logistics

I wish to draw the Commissioners' attention to a severe operational flaw in the current emergency management and evacuation design for Te Karaka. The designated emergency evacuation centre is situated on high ground that, during a major flood event, effectively becomes an isolated island entirely surrounded by deep floodwaters.

While the physical structure of the evacuation centre itself may sit above the predicted flood level, its geographical isolation during a disaster means it cannot be considered a genuinely "safe" refuge.

This isolation creates several severe compounding risks that the applicant has failed to adequately address:

- **6.4 Complete Loss of Lifeline Access:** Once the surrounding area is inundated, all terrestrial access is cut off. Standard emergency vehicles, ambulances, and police transport cannot reach the site.
- **6.5 Reliance on High-Risk Rescue Logistics:** In a medical or civil defence emergency within the centre, the only methods to extract or assist people would be via boat or air (helicopter). During an active cyclone or severe weather event, aerial and water rescues are frequently grounded or heavily restricted by high winds, debris, and swift currents.
- **6.6 The "Islanded" Trap:** Concentrating a vulnerable population onto an island surrounded by floodwater creates a secondary crisis if the event exceeds design parameters. If medical emergencies arise, or if the flood duration lasts for days, the centre risks running out of critical supplies (clean water, power, medical provisions) with no reliable way to resupply.

6.7 Conclusion on Safety: True safety requires a viable path of ingress and egress. An evacuation center that cuts off its occupants from the rest of the world and traps them away from emergency services is a logistical failure. It shifts the risk from individual homes to a collective holding point, without solving the underlying danger to human life.

6.8 Questions for the Commissioners to Put to the Applicant

In light of this evidence, I ask that the Commissioners compel the applicant to answer the following questions before any decision is made:

1. **What is the specific, audited logistics plan** for provisioning and medically servicing the Te Karaka evacuation centre once it is completely surrounded by floodwater?
2. **Has Fire and Emergency New Zealand (FENZ) or Hato Hone St John** formally reviewed and signed off on the safety of an evacuation center that isolates residents from terrestrial emergency responses?
3. **Why is the community being directed to accept a structural solution (the stopbank)** when the fallback emergency infrastructure leaves them trapped and inaccessible during a breach or overtopping event?

6.9 As a previous health professional, I know that an evacuation centre is only as safe as its access to medical care. If a resident has a cardiac arrest or a severe medical event at that centre during the flood, they are trapped. That is not an acceptable standard of care or safety.

7.0 Executive Summary

While the proposed stopbank upgrade offers a short-term engineering response, it fails to address long-term community resilience and safety. This section challenges the six primary assertions that managed retreat is unviable. By evaluating long-term financial liabilities, legislative mandates, and historic precedents, I demonstrate that managed retreat is not only feasible but necessary to ensure the intergenerational safety of the Te Karaka community.

7.1 . Rebuttal of the Six Arguments Against Managed Retreat

Argument 1: "The community does not want to leave."

- **7.2 Evidence & Counterargument:** Community resistance is often a function of incomplete data. To exercise true self-determination, residents must be fully informed of both the acute risks of remaining behind a stopbank and the tangible benefits of relocation.
- **7.3 Proposed Solution:** The Council should fund comprehensive spatial modeling of a new, flood-free Te Karaka township alongside a transition plan for the current site. The existing land can be repurposed for low-risk, high-value community assets, including a *mara kai* (communal garden), regional equestrian facilities (stables, permanent riding tracks, and sports arenas), sports grounds, and extensive native revegetation to assist with broader catchment flood mitigation.

7.4 Argument 2: "Financial constraints dictate immediate spending of the current \$27 million allocation."

- **Evidence & Counterargument:** Allocating the entirety of current funding to a stopbank upgrade represents an inefficient use of public capital. It ignores the inevitable post-event cleanup costs and emergency relocation expenses when a future flood breaches or overtops the wall.
- **8.4 Proposed Solution:** Financial modeling must factor in the full life-cycle costs of the stopbank, including residual risk liability. Furthermore, councils have clear statutory obligations under the Resource Management Act (and evolving climate adaptation legislation) to manage significant risks from natural hazards and protect future generations, which justifies seeking expanded co-investment from central government rather than relying solely on fixed short-term budgets.

7.5 Argument 3: "Moving a village on this scale has never been done before in New Zealand and would take 30 years."

- **Evidence & Counterargument:** This assertion is historically inaccurate. Following the Canterbury earthquakes, the Crown successfully executed large-scale managed retreat through the residential Red Zone process. The government purchased approximately 8,000 properties, displacing and safely relocating between 16,000 and 20,000 residents, with \$1.5 billion spent on land acquisition alone.
- **8.6 Proposed Solution:** New Zealand possesses the operational blueprint for large-scale relocation. With sufficient political will and inter-agency cooperation, the relocation of Te Karaka can be achieved safely and efficiently well within a standard 10-to-15-year Long-Term Plan (LTP) cycle.

7.6 Argument 4: "The current adaptation framework timeline mandates keeping communities in place before considering retreat."

- **Evidence & Counterargument:** While sequential adaptation pathways (e.g., house raising) are standard policy tools, they must not be applied dogmatically when facing severe, systemic risk. Treating managed retreat as a distant, final step ignores the accelerating frequency of extreme weather events.
- **8.8 Proposed Solution:** The adaptation timeline must be compressed. House raising should be treated as a temporary holding measure while the planning, zoning, and legal frameworks for managed retreat are actively designed and executed, rather than delaying retreat to a future decade.

7.7 Argument 5: "The stopbank upgrade is the cheaper option."

- **Evidence & Counterargument:** The stopbank is only cheaper in the immediate, short-term accounting window. Long-term, it creates a "levee effect"—encouraging a false sense of security and further development in a high-risk zone, which exponentially increases the value of assets at risk.
- **9.0 Proposed Solution:** A comprehensive cost-benefit analysis must account for long-term fiscal risks. As climate impacts worsen, central government and private insurers are highly likely to withdraw financial support and coverage. This will ultimately shift the overwhelming financial burden of future disaster recovery directly onto local property owners and ratepayers.

7.8 Argument 6: "There is no identified location for Te Karaka to move to."

- **Evidence & Counterargument:** The absence of a finalized site is a matter of incomplete investigation, not an absence of viable geography.
- **9.2 Proposed Solution:** The hearing panel should direct Council to commission an immediate geotechnical and spatial assessment to identify safe, higher-ground sites within the district. There are viable topographical options nearby that can guarantee long-term safety from flooding while maintaining community cohesion and proximity to ancestral lands.

7.9 . Conclusion and Recommendations

Building higher walls creates a legacy of residual risk for future generations. We request that the hearing panel:

1. **Decline or defer** full approval of the stopbank upgrade until a comprehensive feasibility and business case for managed retreat is conducted.
2. **Direct Council** to initiate a co-design process with the Te Karaka community to model a new township and the positive ecological/recreational repurposing of the current flood zone.

8 Foreseeability and Council Accountability

The Lesson of Systemic Failure

8.1 We do not have to guess what happens when a local authority relies on optimistic assumptions and ignores repeated warnings about escalating environmental hazards. We have seen it play out tragically with the [Tauranga City Council's handling of the Mount Maunganui landslide](#).

8.2 The independent review into that disaster concluded that the loss of six lives was entirely preventable. The danger was known, reports had been generated for decades, and the council had the operational ability to act beforehand—yet they failed to properly manage the risk. While that council has accepted organizational responsibility for systemic failures, a post-disaster apology does nothing to reverse the loss.

Applying the Lesson to Te Karaka

8.3 The Gisborne District Council and this Hearing Panel stand at the exact same crossroads today. You cannot claim that the risk to Te Karaka is hidden or unforeseen:

- You have the historical data showing the 2002 stopbank failed in just 21 years due to climate change and aggradation.
- You have the geographic reality of an oxbow river loop that surrounds and traps the township.
- You have the explicit warning that a "medium-term" stopbank closer to the town will trap sedimentation, rapidly reduce its own effectiveness, and inevitably fail.

8.4 To approve this medium-term stopbank is to consciously choose a temporary band-aid over fundamental safety. It is a systemic failure in the making. Like the [Tauranga City Council](#), you have the knowledge and the ability to do something about this risk *before* the next catastrophic flood event occurs.

8.5 Request to the Commissioners

"Therefore, I ask the Commissioners to exercise its authority with the utmost gravity and:

1. **Acknowledge the Foreseeable Risk:** Recognize that proceeding with a medium-term, engineering-focused stopbank project in a known high-hazard zone ignores the clear lessons of recent national tragedies regarding council liability and risk management.
2. **Decline the Resource Consent:** Refuse to grant consent for a structural mitigation that history guarantees will fail, and instead protect this community by directing the council toward long-term, sustainable solutions like managed retreat and permanent relocation.
3. **Act Before the Fact:** Do not put this council in the position of accepting organizational responsibility *after* an avoidable tragedy occurs in Te Karaka. Use your power today to ensure human safety is the absolute priority."

9.0 **2) Informed decision making and community engagement.**

1.1 My perspective on this process is deeply informed by my professional background as a registered nurse and midwife.

1.2 In healthcare, we operate under the strict ethical and professional doctrine of **informed choice**. To achieve true informed choice, practitioners must provide objective, evidence-based information detailing both the positive and negative outcomes of a decision. Only when a person fully comprehends these risks and benefits can they exercise true autonomy.

1.3 Having closely observed the consultation process regarding the proposed flood mitigation for Te Karaka, I state clearly that the standard of **informed choice has not been met**. The community was not given the necessary balanced information, time, or environment to make a truly autonomous decision.

2. Chronology of a Flawed Consultation Process

I object to the adequacy of the applicant's community engagement based on the following timeline and structural failures:

2.1 Engagement During Acute Trauma: Shortly after Cyclone Gabrielle, while residents were actively displaced and sheltering at the local school, the community was reportedly asked if they wanted "peace of mind," framed as looking into a managed retreat. The apparent collective decision to stay was extracted when residents were in an acute state of psychological shock, grief, and physical survival. This is the exact moment the pivotal path toward a stopbank was locked in. In professional practice, a decision made while people are highly stressed and without comprehensive risk disclosure is void of informed consent.

2.2 Inadequate Notification and Exclusion: As formal meetings commenced, notification was inconsistent. Many residents, including highly knowledgeable local stakeholders who could have provided vital contextual input, were left unaware of initial discussions.

2.3 Statistically Insignificant Representation ("Optioneering"): The applicant states that the total population of Te Karaka is approximately 600 people. Yet, during the critical "optioneering" vote where structural directions were decided, only an estimated 30 people voted. This represents a mere 5% of the affected population. A major, irreversible infrastructure project should not be validated by a 5% sample size that excludes 95% of the community.

3. The Changing Legislative and Financial Landscape

3.1 True informed choice requires full disclosure of future consequences. The community voted on these options without knowing the shifting national policy landscape.

3.2 The introduction of the National Adaptation Framework on October 16, 2025, completely alters the long-term risk profile for Te Karaka. While still being finalized, Page 16, Point 4 of the proposed framework

indicates a clear central government shift away from post-event financial assistance, explicitly decoupling future compensation from property values.

3.3 Because the community was unaware of this policy shift during the initial consultation, they could not factor it into their decision. Choosing a stopbank today may inadvertently signal to the central government that the community has "resolved" its risk, potentially disqualifying residents from future adaptation funds or leaving them financially stranded if structural protections fail.

4. Relief Sought / What I Ask the Commissioners to Do

Given that the baseline data for community consent is fundamentally flawed, I request that the Commissioners take the following actions:

- **4.1 Decline or Defer the Application:** Halt the current resource consent process until a comprehensive, independent, and legally robust community consultation is undertaken.
- **4.2 Mandate a True Informed Choice Process:** Order the applicant to design a new consultation framework that presents balanced, evidence-based data outlining the long-term risks, benefits, and maintenance costs of a stopbank versus managed retreat.
- **4.3 Incorporate Shifting National Frameworks:** Require the applicant to explicitly educate the Te Karaka community on how the National Adaptation Framework affects their long-term financial security before any binding vote is recast.
- **4.4 Enforce a Minimum Quorum for Representation:** Stipulate that no final flood mitigation design can be advanced without a statistically meaningful and verified mandate from the community, far exceeding the original 5% participation rate.

3) Risk to Rangatira and Kanakania bridges.

1. The Core Issue: Artificially Elevated Flood Risk to Critical Infrastructure

1.1 The Council's own hydraulic modeling freely acknowledges a critical compromise in this design: for any flood event exceeding a 1-in-35-year threshold, the stopbank alignment will restrict flows, causing water levels at both the Kanakanaia and Rangatira bridges to increase.

1.2 By using the river corridor upstream of the township to naturally slow the flow and hold back water, this proposal effectively treats these two bridges as physical choke points. The design intentionally exposes these vital structures to higher water levels, severe lateral hydraulic loading, and increased buoyant pressure.

1.3 Higher water levels mean that massive woody debris—a catastrophic factor we witnessed firsthand during Cyclone Gabrielle—will no longer pass safely under the bridges. Instead, debris will be driven directly into the main spans, railings and superstructures, vastly escalating the risk of catastrophic structural failure or severe, long-term undermining of the bridge piers.

2. The Human and Economic Impact: The Isolation Trap

2.1 These bridges are not just pieces of concrete; they are lifelines. The catchment metrics indicate that when water levels at the Kanakanaia Bridge reach 8.5 metres, vehicle access on State Highway 2 is entirely severed. This loss of access occurs long before the stopbank itself is ever breached or overtopped.

2.2 By artificially raising flood depths around these crossings, this project inadvertently creates a dangerous "lag safety trap." Affected landowners, families, and rural businesses relying on these bridges will find themselves physically isolated much faster and for significantly longer durations.

2.3 Furthermore, the prolonged post-event closures required for structural inspections, debris clearance, and potential repairs will inflict severe economic hardship on our rural community, impeding stock movement, daily livelihoods, and emergency services.

3. Relief Sought and Requested Conditions of Consent

I urge the Commissioners not to grant these consents unless the applicant is legally bound to mitigate the risks forced onto these bridges. Specifically, I request that the Panel imposes the following strict conditions:

- **Mandatory Structural Upgrades:** The applicant must fund and execute physical structural mitigation—such as raising the bridge spans or reinforcing the piers—to ensure their clearance and resilience match the stopbank's design standards.

- **Binding Indemnity Agreements:** Council must enter into legally binding structural indemnity agreements to protect bridge beneficiaries against accelerated wear, tear, or failure caused by altered river hydraulics.
- **Funded Debris Clearance Triggers:** A consent condition must mandate a fully funded, immediate response protocol for rapid debris clearance at both bridge structures during and immediately following high-river events.

4. Conclusion

A flood protection scheme should protect the *entire* community, not save one part by risking the permanent isolation of another. Until the physical and structural risks to the Kanakanaia and Rangatira bridges are fully mitigated and funded, this application is incomplete, unsafe, and should be declined.

4) Our property is impacted because it becomes newly flooded.

1.2 Our property is affected by the proposed stopbank .

1.3 The purpose of this evidence is to highlight the specific, localized flooding and egress risks that the proposed stopbank upgrade imposes on our property, and to request that the Hearing Commissioners impose robust, binding consent conditions to mitigate these effects if the proposal goes ahead.

2. SCOPE OF EVIDENCE

2.1 My evidence addresses the following matters:

(a) The localized "backwater effect" and altered flood behavior resulting from the stopbank retreat and the raising of the Rangatira Bridge approach.

(b) Critical vulnerabilities regarding overland flow paths, localized ponding, and safe emergency egress at 88 Rangatira Road.

(c) Specific, enforceable resource consent conditions required to protect our property, assets, and personal safety.

3. LOCALIZED FLOOD RISKS TO 88 RANGATIRA ROAD

3.1 While I fully support the overarching objective of improving flood resilience for the wider Te Karaka community, the current design inherently shifts and intensifies hydraulic risks onto a small number of outlying properties, specifically 88 Rangatira Road.

3.2 By retreating the stopbank alignment and elevating the road approach to match the new stopbank crest height, a localized bottleneck or "backwater effect" is created during high-flow river events. Hydrodynamic modeling indicates this will result in increased flood depths and prolonged ponding durations on my land.

3.3 The retreated stopbank enables more aggradation to accumulate enabling the river bed to rise over time more than prior to the upgrade, this in turn will push more water upstream. 88 Rangatira Road is an upstream property.

4. PROPOSED CONSENT CONDITIONS FOR MITIGATION

4.1 To achieve the sustainable management purpose of the Resource Management Act 1991, and to ensure that the adverse effects on our property are avoided, remedied, or mitigated, I respectfully request that the Commissioners impose the following conditions on any granted consents:

Property-Specific Physical Works

(a) **Pre-Commissioning Bunding:** The Consent Holder shall, at its own expense, design and construct a localized secondary flood protection bund or ring-bank around the primary dwelling and

critical infrastructure at 88 Rangatira Road. This bund must be completed and certified by a Chartered Professional Engineer (CPEng) prior to the commissioning of the main stopbank realignment.

(b) **Drainage Infrastructure Upgrades:** The Consent Holder shall install high-capacity culverts equipped with positive-seal, non-return flap gates at specified chainages adjacent to 88 Rangatira Road. This infrastructure must ensure that internal localized runoff can drain freely while preventing high river flows from backing up onto the property.

Monitoring, Validation, and Contingency Pumping

(c) **Post-Event Performance Audits:** Within 20 working days of any rain or river flow event that triggers water accumulation on the landward side of the stopbank at 88 Rangatira Road, the Consent Holder must commission an independent post-event performance report. If actual flood depths or durations exceed the predicted parameters established in the hearing models, immediate remedial works must be undertaken by the Consent Holder.

(d) **Localized Mobile Pumping Protocols:** A formal contingency protocol must be established requiring the Consent Holder to deploy mobile pumping units to 88 Rangatira Road within 2 hours of a specified river level trigger code, ensuring that ponded water can be actively cleared if gravity drainage becomes restricted.

5. CONCLUSION

5.1 The Te Karaka Stopbank Upgrade Project cannot achieve a net positive outcome if it directly compromises the safety and viability of individual properties like 88 Rangatira Road.

5.2 Imposing the conditions outlined above provides a balanced, legally enforceable mechanism that protects our property while allowing the wider community project to proceed safely.

Impact to our property.

Because 88 Rangatira Road is a 17.8-hectare lifestyle property in two titles, located outside the new retreated stopbank boundary, it falls within the newly designated river overflow/flood zone. Under the transition from the old RMA rules to the new Natural Environment Bill and Planning Bill frameworks, properties outside the structural defence lines are subject to significantly stricter hazard risk management and adaptive zoning rules.

The specific impacts on the management rules for this property involve several key aspects:

1. Land-Use Restrictions & Zoning (Natural Environment Bill) The core focus of the new Natural Environment Bill is managing climate adaptation and restricting development in high-risk zones. Because the council chose a "managed retreat" design for the stopbank—moving defenses closer to the township to give the Waipaoa River more room to naturally expand—our property will be subject to strict land-use constraints managed by the Gisborne District Council:

- **Consent Obstacles:** Under the new national direction standards, getting resource consents for new permanent habitable buildings or significant structural improvements on land outside the stopbank will be highly restricted or prohibited.
- **Permitted Activities:** Future usage rules will favor non-habitable, highly resilient, or rural/agricultural activities that can withstand periodic flooding without threatening human life.

2. Infrastructure Access & Road Raising The Te Karaka Flood Resilience Improvement Project explicitly includes elevating the approach to the Rangatira Bridge to match the new, higher stopbank crest.

- **Access Risks:** While the bridge approach is being raised, properties on the river side (like ours) are recognized by the council as "bridge beneficiaries" who face unique access risks during extreme weather.
- **Emergency Management Rules:** Management rules will place a heavy reliance on the council's updated telemetry network (such as satellite-linked river level gauges at the Kanakanaia Bridge and 5-day continuous webcam monitoring) to issue mandatory evacuation and access alerts.

3. Property Designation & Insurance Rules Under the incoming planning frameworks, councils are required to map natural hazards with greater precision and reflect them explicitly on property files:

- LIM Notifications: The property's Land Information Memorandum (LIM) will be updated to reflect that it sits outside the active flood-protection scheme and within a high-risk flood path.
- Insurance Implications: While not a direct council rule, the legal exposure under the new environmental planning rules will likely trigger private insurers to re-evaluate flood premiums or apply restrictive coverage clauses to any structures sitting on the unprotected side of the stopbank.

5) The principles of Te Tiriti o Waitangi

An engineered infrastructure solution that fails to guarantee long-term safety for future generations can be argued to breach Te Tiriti in several ways:

- **Breach of Te Tiritis Article 2 (Tino Rangatiratanga & Protection of Taonga):** Under Article 2, the Crown promised to protect Māori rangatiratanga (sovereignty/self-determination) over their lands, villages, and taonga (treasures). If a stopbank only offers medium-term protection and leaves the township vulnerable to larger future climate events, it fails the Crown's duty of active protection for the community and its ancestral land.

The Principle of Intergenerational Equity (Ōhākī and Taonga): Māori resource management is inherently intergenerational (interweaving past, present, and future). If the proposed alignment defends a smaller area or merely delays an inevitable catastrophic inundation, it passes a compounded environmental debt and safety hazard to future generations, failing the kaitiakitanga (guardianship) responsibilities inherent in Tiriti-led partnerships.

Failure of Active Protection: The [Waitangi Tribunal](#) has established that the Crown (and by extension, local government operating under delegated authority) has a duty of *active protection*. Building infrastructure that engineers acknowledge will still leave the town isolated or at risk during major events may be viewed as an inadequate application of this duty.

Primary Request to Refuse Consent

1. I request that the commissioners **fully decline the resource consent application** for the Te Karaka stopbank upgrade in its entirety, on the grounds that it does not provide sustainable, long-term protection for future generations and fails to satisfy the sustainable management purpose of the Resource Management Act.
2. I request that the commissioners **decline the application** because the proposed infrastructure represents a medium-term engineering fix that fails to uphold the Crown's constitutional duty of **active protection** toward mana whenua and the wider Te Karaka community under Article 2 of Te Tiriti o Waitangi.
3. I request that the commissioners **refuse the application** on the basis that the proposed alignment reduces the defended footprint of the township, effectively abandoning ancestral land and exposing displaced whānau to unmitigated, compounded climate risks.

