

BEFORE THE INDEPENDENT HEARINGS PANEL
THE PROPOSED WAIKATO DISTRICT PLAN (STAGE 1)

UNDER the Resource Management Act 1991 (“**RMA**”)

IN THE MATTER OF hearing submissions and further submissions on the
Proposed Waikato District Plan (Stage 1) Hearing 2
Topic 2: Plan Structure and All of Plan

BY **TATA VALLEY LTD**
Submitter

AND **HAVELOCK VILLAGE LTD**
Submitter

**JOINT REBUTTAL STATEMENT OF CHRISTOPHER JAMES SCRAFTON ON
BEHALF OF TATA VALLEY LIMITED AND**

**MARK SEYMOUR MANNERS TOLLEMACHE ON BEHALF OF HAVELOCK
VILLAGE LIMITED**

(PLANNING – NATURAL HAZARDS)

Dated: 30 September 2019

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1. INTRODUCTION

- 1.1 This joint rebuttal statement relates to primary evidence filed by Mr Stephen Coulson on behalf of Mercury NZ Ltd (**Mercury**) in relation to the consideration of natural hazards issues as part of Stage 1 of the Proposed Waikato District Plan (**PWDP**).
- 1.2 We confirm that we have the qualifications and expertise previously set out in our primary planning evidence¹
- 1.3 We repeat the confirmation given in our primary evidence that we have read the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2014 and that our evidence has been prepared in accordance with that Code.

2. REBUTTAL EVIDENCE

- 2.1 We understand from Mr Coulson's evidence² that Mercury is accepting of the two stage process to the PWDP, on the basis that Council:

“reconcile the Stage 1 land use provisions and Stage 2 provisions natural hazard provisions on a Waikato-catchment wide scale. The extent of potential conflicts should then be depicted on a spatial overlay and brought to the attention of Mercury, land owners and Stage 1 submitters, and the hearing Commissioners as soon as possible”.

- 2.2 The approach proposed by Mr Coulson, including the policy framework outlined in paragraph 7.7 of his evidence, is not inconsistent with the approach we proposed in our primary evidence.
- 2.3 Mr Coulson³ discusses the issue of 'potential conflicts' and it is implied that down-zoning of land to address flood hazards is one solution. We agree that this is an option, however, we also consider the interim measures outlined as part of option 4 proposed in our primary evidence⁴ could be utilised to address 'potential conflicts' in a manner which gives

¹ See paragraphs 2.1 – 2.4, Tollemache primary planning evidence for Havelock Village Limited for Hearing Topic 1 dated 16 September 2019 and paragraphs 2.1-2.3, Scrafton primary evidence for TaTa Valley Limited for Topic 2 dated 23 September 2019.

² Paragraph 9.4

³ Paragraphs 2.10, 9.3 and 9.4

⁴ Paragraph 4.3 and section 5, Joint Statement of Chris James Scrafton and Mark Seymour Manners Tollemache, dated 23 September 2019.

effects to the Waikato Regional Policy Statement. This includes the use of site specific flood assessments at the time of resource consent as an information requirement, supported by appropriate discretions and assessment criteria for subdivision and development for affected sites across the District.

- 2.4 Mr Coulson⁵ seeks additional analysis of the results of flood modelling that shows the areas affected by the 1: 100 event. We agree that this is important, however, we consider it is important that this occurs in a timely manner to ensure that the Stage 1 hearings are not delayed further.

Dated: 30 September 2019

CHRISTOPHER JAMES SCRAFTON

MARK SEYMOUR MANNERS TOLLEMACHE

⁵ Paragraph 7.7