

Before an Independent Hearings Panel

The Proposed Waikato District Plan (Stage 1)

IN THE MATTER OF the Resource Management Act 1991 (**RMA**)

IN THE MATTER OF hearing submissions and further submissions on the Proposed
Waikato District Plan (Stage 1):

Topic 25 – Zone Extents

**HIGHLIGHTS PACKAGE
CHRIS SCRAFTON ON BEHALF OF TATA VALLEY LIMITED (PLANNING)**

12 May 2021

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1. SUMMARY OF EVIDENCE

- 1.1 My full name is Christopher James Scrafton. I am a Technical Director – Planning in the consultancy firm of Beca.
- 1.2 I have provided statements of primary and rebuttal planning evidence in relation to the proposed rezoning sought by TaTa Valley Limited (**TVL**)¹ to develop the site at 242 Bluff Road² and 35 Trig Road, Pokeno (**the Site**) into the TaTa Valley Resort (**the Resort**).
- 1.3 The following summary of evidence has been drafted in advance of fully reviewing the Reporting Officer's rebuttal evidence. I have undertaken an initial review of the rebuttal evidence and consider that there is a high level of agreement between the Reporting Officer and myself. From my initial review, I consider that the remaining areas of difference relate to minor drafting matters and I intend to further engage with the Reporting Officer in advance of the hearing to look to reach an agreed position and will update the Panel on progress at the hearing.
- 1.4 The Resort comprises a Hotel and Farm Park with associated tourism, retail and recreation activities that showcases rural New Zealand. Key activities proposed as part of the Resort include a hotel with amenities such as a conference and event space, camping/glamping throughout the Site, a 'New Zealand Made Hub' to showcase rural New Zealand and other recreational activities. The proposal is expected to bring substantial economic and social benefits to the District³.
- 1.5 A special purpose zone – called the TaTa Valley Resort (**TVR**) Zone – is proposed to enable the development, operation and maintenance of the Resort. A concept plan is included with the proposed Zone which shows the proposed parcels of land to be zoned 'TaTa Valley Resort' Zone, the Hotel Precinct, a paa site, areas of Significant Natural Areas as identified in the Proposed Waikato District Plan (**PWDP**) and the Significant Amenity Landscapes overlay as it is proposed to apply to the Site as recommended in the s42A Report for Hearing 21B: Landscapes⁴ (which TVL accepts). Additional areas that meet one or more criteria of Appendix 2 of the

¹ Submitter 574 and further submitter 1340.

² Also known as 42B Potter Road.

³ Primary evidence of Mr Thompson for TaTa Valley Resort, 19 February 2021, for the anticipated economic benefits of the proposal.

⁴ Refer to Attachment 8 of the s42A Report: Landscapes 21B at https://wdcsitefinity.blob.core.windows.net/sitefinitystorage/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/hearings/hearing-21a/councilsection-42a-reports/attachment-8---recomended-map-amendments.pdf?sfvrsn=78c8ac9_4.

PWDP (containing significant indigenous biodiversity values) have also been identified by TVL's ecologist and included on the concept plan.

1.6 The provisions proposed to enable development of the Site and to give effect to TVL's vision include:

- (a) Zone specific objectives and policies that recognise that the Resort may result in a greater scale of development than typically found in the rural environment – whilst managing the adverse effects of the Resort including taking into account rural amenity and character and values of the Waikato River;
- (b) Rules with specified activities which in most cases have relevant development standards to consider as well. Many of the proposed rules are based on the s42A Reporting Officer's final recommendations for the Rural zone⁵ which is a deliberate approach to recognise the functional relationship between the proposed development of the site and the rural environment. Key differences in the rules proposed for the TVR Zone compared to the Rural Zone include:
 - (i) The use of a Hotel Precinct to provide for a large scale hotel (as a restricted discretionary activity) and a more enabling approach to visitor accommodation outside the Precinct for smaller scale accommodation;
 - (ii) New, specified activities – including helicopter take off/landings and special noise events – which provide for a limited number of events that exceed the Rural Zone's standard noise limits;
 - (iii) A higher level of permitted building coverage whilst still retaining open space over a large extent of the TVR Zone; and
 - (iv) Unlimited temporary events as long as permitted standards are met.

1.7 The provisions have been updated and amended following consideration of the recommendations of the s42A Report, these are attached as Appendix 1 of my rebuttal evidence and in summary the amendments relate to:

- (a) Amending objectives and policies by further highlighting key environmental effects to take into account;

⁵ Refer to s42A Report Closing Statement: Hearing 18 Rural Zone Land use, 23 October 2020.

- (b) Requiring buildings within the setback of the Waikato River to have a functional or operational need to be located in this area⁶; and
- (c) New matters of discretion with respect to activities within a maori site of significance and for subdivision.

1.8 Overall I understand that there is a high level of alignment between my position and the position of the Reporting Officer with respect to the appropriateness of the zone and proposed provisions. One of the key areas explored through the exchange of evidence was the merits of a special purpose zone at the Site. In my view a special purpose zone is the most effective and efficient method to achieve the objectives than the alternative of developing the Site as part of (for example) the PWDP Rural Zone given:

- (a) The Rural Zone (as notified and as per the recommended amendments from Hearing 18) does not contemplate or enable TVL's vision for the Resort. This means (a number of) resource consents will be required to enable the development and any subsequent phases. Neither does the policy framework effectively provide for such development or signal a clear intent to the community as to the Site's intended use. This creates uncertainty (and risk to the landowner) about whether the development can or will proceed;
- (b) A special purpose zone allows for a site specific policy framework, which appropriately responds to the site's context and signals the intentions and future development of the site for the community, TVL and Council. It also enables the efficient future operation of the Site; and
- (c) Amending the Rural Zone to make the development 'fit' would reduce the effectiveness and integrity of the Rural Zone.

1.9 In summary, I remain of the view that the special purpose TVR Zone is the most and effective method to achieve the objectives.

Chris Scrafton

12 May 2021

⁶ This amendment arose through feedback from tangata whenua consultation as outlined in paragraph 5.2(a) of my rebuttal statement (dated 3 May 2021).