

**HEARING STATEMENT OF SAMUEL DAVID FLEWELLEN ON BEHALF OF
SCENIC HOTEL GROUP LIMITED (S483)(FS244)**

Date: 19 March 2025

1. INTRODUCTION

- 1.1 My name is Samuel David Flewellen. I assisted with the preparation of the submission and further submissions made by Scenic Hotel Group Limited ('**Scenic**') (Submitter 483 and Further Submitter 244) on Variation 2 – Coastal Hazards of the proposed Te Tai o Poutini Plan ('**TTPP**').
- 1.2 Following the receipt of the s42A Report, I submitted evidence in chief on 3 March 2025 regarding a number of the matters where there was not agreement with the s42A Report recommendations.
- 1.3 The Reporting Officer, Mr Beban, provided rebuttal evidence on 14 March 2025 which specifically responded to the matters raised in my evidence¹. This included a small number of recommendations to address these matters.
- 1.4 As a result of these additional recommendations, I consider that the primary matters sought to be addressed in my evidence have now been sufficiently addressed.
- 1.5 A brief summary of these agreed matters is provided below:

POLICY FRAMEWORK

- 1.6 Mr Beban has recommended a new policy² with wording specific to Punakaiki as follows:

NH-PXX

Only allow for the construction of buildings associated with Hazard Sensitive Activities and Potentially Hazard Sensitive Activities within the Scenic Visitor Zone and within the Coastal Hazard Erosion and Inundation Overlay, where:

a. Locating a building on the site outside of the Coastal Hazard Erosion and Inundation Overlay is not a practicable option; and

b. Mitigation measures are incorporated into the building to minimise the risk to life of the occupants and maintain the structural integrity of the building from coastal erosion or coastal inundation.

- 1.7 This policy is considered to address the policy related matters raised in submissions and my evidence and is accepted by Scenic. As a result, the balance of policy amendments proposed in my evidence, specifically for NH-P3, NH-P10 (renumbered to NH-P6³), and NH-P12 (renumbered to NH-P8⁴) are no longer

¹ Paras 17 – 25 Rebuttal Evidence of J Beban

² Para 22 – Rebuttal Evidence of J Beban

³ Appendix 2 – NH Chapter – Rebuttal of J Beban

⁴ Appendix 2 – NH Chapter – Rebuttal of J Beban

necessary and, subject to the recommendations of Mr Beban being adopted, are no longer being pursued by Scenic.

- 1.8 I also note that the changes requested to the new policy (numbered as NH-P11⁵) regarding the consideration of hard engineering structures are also no longer being pursued by Scenic.

RULES

- 1.9 Mr Beban has suggested a new rule⁶ with wording specific to Punakaiki as follows:

NH-RXX – Restricted Discretionary Activities

The construction of buildings, and additions to buildings, that will contain Hazard Sensitive Activities or Potentially Hazard Sensitive Activities and are within the Scenic Visitor Zone and within the Coastal Hazard Erosion and Inundation Overlay

...

- 1.10 This rule is considered to address the rule related matters raised in submissions and my evidence and is accepted by Scenic. As a result, the balance of rule amendments proposed in my evidence, specifically for NH-R38/R1 and NH-R44 (renumbered to NH-R19⁷) are no longer necessary and, subject to the recommendations of Mr Beban being adopted, are no longer being pursued by Scenic.

EXTENT OF COASTAL SETBACK OVERLAY

- 1.11 The final outstanding matter in my evidence is one that has not been specifically addressed by the rebuttal evidence of Mr Beban. This relates to the extent of the Coastal Hazard Setback Overlay (Coastal Hazard Overlay 2) over part of Scenic's landholding.
- 1.12 This matter is addressed in paragraphs 7.10-7.15 of my evidence in chief and relates to the Coastal Hazard Setback Overlay only and not the Coastal Hazard Severe or Alert Overlays.
- 1.13 Mr Beban has deferred consideration of this matter to Mr Bosserelle who I understand was responsible for the mapping of all overlays.
- 1.14 While I acknowledge the evidence of Mr Bosserelle with regard to the modelling of the Coastal Hazard Setback and Alert Overlays, I do not believe that the matter which relates to the Coastal Hazard Setback Overlay on Scenic's property has been specifically addressed in the evidence of Mr Bosserelle.

⁵ Appendix 2 – NH Chapter – Rebuttal of J Beban

⁶ Para 22 – Rebuttal Evidence of J Beban

⁷ Appendix 2 – NH Chapter – Rebuttal of J Beban

- 1.15 Scenic are not presenting technical evidence with regard to the mapping of this Coastal Setback Overlay on their property. In addition, my planning evidence was primarily seeking clarification and explanation on how this overlay has been determined to ensure it follows logical boundaries and is well justified.
- 1.16 Given this matter has not, as far as I am aware, been specifically addressed or well justified, I therefore request that the relief raised in my evidence remains as a matter of consideration for the panel.

HEARING

- 1.17 Scenic, respectfully requests that this hearing statement is tabled for the panel's consideration.
- 1.18 Given the substantive matters above have all been addressed by the rebuttal evidence of Mr Beban and are acceptable to Scenic, Scenic no longer intends to appear before the panel.
- 1.19 With regard to the one outstanding matter regarding the extent of the Coastal Hazard Setback Overlay, it is noted that this is a very contained site specific issue. Without any specific response from Mr Bosserelle or Mr Beban on this matter, Scenic have little to add to assist the panel beyond my evidence already submitted. Scenic are therefore comfortable that this matter can remain as part of the consideration of the Hearing Panel when forming their decision.
- 1.20 If required, Scenic will still be available to appear online at the currently scheduled time should the Hearing Panel have any specific queries that they wish to discuss.