

HOROWHENUA DISTRICT COUNCIL
PROPOSED PLAN CHANGE 4: TARA-IKA GROWTH AREA
REZONING TO GREENBELT RESIDENTIAL ZONING AREA
MINUTE 2 OF INDEPENDENT HEARING PANEL

Introduction

1. This is the second Minute of the Independent Hearing Panel (IHP) and is being sent to you because you are either a submitter or a Council reporting officer to the above Plan Change.
2. In our first minute we set some directions for pre-hearing meetings which we understand have been taking place. We have received a report from Ms Andrea Harris on the initial pre-hearing meetings held last month.
3. We understand a further pre-hearing meeting has recently taken place on Waka Kotahi NZ Transport Agency's submission points and that the parties present reached agreement on a number of points. Those submitters who were not in attendance at the meeting are being given the opportunity to view the agreed points and decide whether they support them. We understand an agreed statement will be prepared and we would like to see that agreement provided by the **21st of July 2021**.
4. At this point we would like to thank all those who have participated in the pre-hearing meetings to-date which has helped in better defining the issues associated with the plan change.
5. The purpose of this Minute is to set some further directions and outline the process as we head towards a hearing.

Pre-Hearing Meetings

6. We have been advised by HDC Hearings Administrator that two further pre-hearing meetings are scheduled for the 19th and 20th of July which stem from the initial meetings to discuss zoning/structure plan and stormwater respectively. We would like to receive reports from these meetings by the **28th of July**.
7. Once these two pre-hearings have been held, we will direct that the pre-hearing process be concluded in order to enable the Council to prepare its Section 42A (of the RMA) report and for the plan change to proceed to a hearing.

Hearing date

8. In our first Minute we indicated that a hearing date was likely to be in mid-August 2021. As it has transpired this is no longer suitable due to the further work required by the Council. A new hearing date is likely to be set for **mid-November 2021**. A formal notice will be sent to all parties by the HDC Hearings administrator once a specific date has been set.

Friend of the Submitters

9. The IHP considers there would be some benefit in providing a Friend of the Submitters' service for the next phase of the plan change process. The purpose

of a Friend of the Submitters' service to help submitters through the process by having an independent planning consultant that is available to provide free guidance on the overall process and what it entails during the lead up to the hearing. To be clear the Friend of the Submitter cannot write evidence nor advise on the merits or advocate any view on the plan change itself.

10. In this regard we have approached Mr Wayne Gair to act in that role. Mr Gairs' contact details are:

Mobile: 022 466 2074

Email: wayne.g@leithconsulting.co.nz

Expert Evidence

11. One matter which will help the process going forward is to understand which submitters intend to call expert evidence and in what disciplines. This will help us decide whether any expert conferencing would be of benefit. We accept this may well change closer to the hearing once the reporting officer's Section 42A report has been received, however at this point if any submitters decide of their own volition to call expert evidence, could they please advise the HDC hearing administrator by the **30th of July 2021**.

Scope of the Plan Change

12. We understand that during the pre-hearing meeting on zoning and density the issue of 'up-zoning' from low density or greenbelt zoning to full residential zoning has been raised and that the Council staff are considering this. In order to ensure that this would be within the scope of the plan change we have sought advice from the Council's legal advisors Chapman Tripp. They have advised that they consider that all of the submission points are fairly "on" PC4, in other words they are within the scope of the plan change, and that we as the IHP appointed to hear the plan change are free to consider the merits of each submission point.
13. A copy of the legal opinion from Chapman Tripp will be posted on the Council's website at <https://www.horowhenua.govt.nz/Council/Documents/District-Plan/Proposed-Plan-Change-4-Taraika-Growth-Area>

Site visits

14. We have had three responses to our request for submitters to indicate whether they wish us to visit a particular site or locality. Given the discussions in the pre-hearing meetings and the delay in the hearing process we have extended the period for such requests, and advising the HDC Hearing Administrator of such, until the **30th of July 2021**.

Next Steps

15. Once the pre-hearing meetings have been concluded and the agreed statement received on the 21st of July 2021, pre-hearing report(s) received on the 28th of July and we have been advised of any expert witnesses by the 30th of July 2021, we will issue any directions, as required, relating to expert conferencing, the pre-circulation of evidence and the date of the hearing.
16. A reminder that the HDC hearing administrator is Aroha Parker and can be reached at arohapa[@horowhenua.govt.nz](mailto:arohapa@horowhenua.govt.nz)

DATED this 13th of day of July 2021



Dean Chrystal
Chair - Independent Hearings Panel

For and on behalf of:
Commissioner DM Chrystal
Commissioner J Mason (Horowhenua District Council Hearings Committee
Chairperson)
Commissioner DJ McMahon