

**HOROWHENUA DISTRICT COUNCIL**  
**PROPOSED PLAN CHANGE 4: TARA-IKA GROWTH AREA**  
**REZONING TO GREENBELT RESIDENTIAL ZONING AREA**  
**MINUTE 7 OF INDEPENDENT HEARING PANEL**

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**Introduction**

1. This is the seventh 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. The purpose of this minute is to provide direction to specific witnesses who have presented before the Panel at the hearing.

**Background and Recent Actions**

3. A memo was received on 16<sup>th</sup> of February 2022, from the Reporting Officer outlining an agreement reached between Horowhenua District Council (HDC) and Waka Kotahi NZ Transport Agency (WKNZTA). This memo included further provision amendments.
4. On 23<sup>rd</sup> February 2022, HDC received a Notice of Requirement from WKNZTA for the section of O2NL that passes through the Plan Change 4 area.
5. By way of Minute 6 dated 22 February 2022, the Panel subsequently enabled any submitter wishing to comment on the memo received on 16<sup>th</sup> February 2022, to do so by 5pm on the 14<sup>th</sup> of March 2022.

**Responses Received**

6. There were three responses received; being from KM & SJ Prouse Family, James McDonnell Limited (JML) and S Jennings.
7. The responses raised matters of process and natural justice, suggested changes to the amended provisions and/or generally opposed the amended provisions.

**Process and natural justice**

8. The Panel has considered the matters raised in terms of process and natural justice seriously. We acknowledge that there have been amendments proposed to the provisions of the plan change and we consider that due process has been given to the proceedings by circulating those amendments to all parties and enabling them to provide responses. Those responses will, along with the amendments proposed, now be taken into consideration by the Panel.

**Conferencing**

9. Notwithstanding the above, we consider a more comprehensive Section 32AA (of the RMA) assessment is necessary. We share the view expressed by legal counsel for JML that the present s32AA is cursory rather than providing a detailed analysis of the new provisions and the impact they may have.

10. We consider a s32AA would be better informed by conferencing between the three planning witness for HDC, WKNZTA and JML on the amended provisions and the suggested changes from JML so that the s32AA report can then consider the three options (do nothing being the third) and/or any others options that arise.
11. We therefore direct conferencing between the above parties which should result in a joint planning witness statement including s32AA assessment with areas of agreement and disagreement identified.
12. This information is to be received by the 4<sup>th</sup> of April 2022. If this date is not suitable the parties are to advise an alternative date.

**Closing of the Hearing**

13. We will not formally close the hearing until we have the information outlined above.

**DATED** this 21<sup>st</sup> of day of March 2022



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Dean Chrystal  
Chair - Independent Hearings Panel

For and on behalf of:  
Commissioner DM Chrystal  
Commissioner J Mason  
Commissioner DJ McMahon