

## WESTERN BAY OF PLENTY DISTRICT COUNCIL PROPOSED PLAN CHANGE 92 & NOTICE OF REQUIREMENT

Ōmokoroa and Te Puke Enabling Housing Supply and other supporting matters & Notice of Requirement Ōmokoroa Active Reserve

### HEARING DIRECTION 3

20 September 2023

Post Hearing Directions

This Direction should be read in conjunction with Directions 1 and 2 of the Independent Hearing Panel.

At the conclusion of the formal hearings on Friday 15 September 2023 the Hearing Panel adjourned the hearing and indicated that it would issue directions as to the next steps prior to formally closing the hearing.

Following the Panel's initial deliberations these are the matters the Panel now seeks further information on and issues the following directions:

1. State Highway 2 / Ōmokoroa Road intersection: The Panel was advised that planning and transport experts for the Waka Kotahi, Council and Kāinga Ora reached agreement as to the number of residential units that can be constructed in Stage 3 (2680). The Panel has heard the parties' different positions on the appropriate activity status.

The Panel directs that the Council reports back on further discussions in relation to the wording of the proposed rule (indicating where matters are agreed or not agreed between those parties) by **29 September 2023**.

2. Bay of Plenty Regional Council (BOPRC): during the hearing the Panel invited the planning experts for Council and BOPRC to see if further agreement could be reached in relation to the outstanding matters.

The Panel directs that the Council reports back on the outcome of those discussions (in the form of a joint statement) by **29 September 2023**.

The Panel also invited BOPRC to provide comments on the matters raised by Ms Julie Shephard on behalf of Pirirakau in writing, and requests any response by **29 September 2023**.

3. Noise controls for rail: Mr Styles (for Kāinga Ora) offered to discuss directly with Dr Chiles (for KiwiRail) the drafting of a rule in relation to indoor rail noise.

The Panel directs that the Council reports back on the outcome of those discussions by **29 September 2023**.

4. Ōmokoroa Country Club: at the end of the OCC presentation the Panel invited the submitter to provide any further criteria in relation to the urban design matters raised during the hearing.

The Panel directs the submitter to provide any further comment in writing to the Hearings Manager by **29 September 2023**.

5. Council: The Panel directs the Council to file its written reply by **29 September 2023**.

Note:

6. Retirement Villages Association of New Zealand Incorporated / Ryman Healthcare Limited: The Panel received the Memorandum of Counsel dated 15 September 2023 extending an invitation to the Panel and Council officers to a site visit at a selection of member villages in the district. The Panel thanks Mr Hinchey for this invitation but does not consider it necessary to undertake a further site visit. This is on the basis of the site visit undertaken by the Panel on Tuesday 12 September, and the evidence received during the hearing.

### **Notice of Requirement**

1. TDD Limited: Ms Barry Piceno presented legal submissions during the hearing in response to matters raised during the Requiring Authority's presentation of its case in the hearing. To the extent these submissions covered matters not in the written legal submissions the Panel invites Ms Barry Piceno to record those further legal submissions in writing by **25 September 2023**.
2. The Panel directs the Council (as Requiring Authority) to file its written reply by **29 September 2023** (including indicating if any changes to the proposed conditions are agreed to by the reporting planner).

All written correspondence to the Panel should be directed via email to the Hearings Manager.

Hearing Manager

Phone: 0800 926 732

Email: [pc92hearing@westernbay.govt.nz](mailto:pc92hearing@westernbay.govt.nz)



Greg Carlyon

**Independent Hearing Panel, Chair**