

BEFORE THE WESTLAND DISTRICT COUNCIL

IN THE MATTER OF APPLICATION FOR SECTION 127 VARIATION TO RESOURCE CONSENT –
Variation to land use resource consent 220119 to amend conditions 1, 2, 4, 5, 16 and 18 on land
legally described as Lot 2 DP 577153 to allow for the commercial use of a building within the
Rural Zone (ODP) and General Rural Zone (PDP), located at 240 Taramakau Highway, Kumara
Junction

APPLICANT BM Loader, c/- Scoped Planning and Design Limited

MINUTE N0.6 OF INDEPENDENT COMMISSIONER – CONFIRMATION OF HEARING TO PROCEED
DATED 6 NOVEMBER 2025

1. Further to procedural minute 5, setting out steps to resolve the outstanding transport issues, a second addendum was received from the applicants' transport expert 23/10/25.
2. The Councils transport expert reviewed the addendum and provided initial feedback that there are inconsistencies in the transport materials, and the need for further input from Waka Kotahi NZTA on the intersection impacts, and clarifications from the applicants transport expert.
3. The Councils planner put forward a process to the applicants planner to resolve the issues prior to the scheduled hearing 7 November: supply of information requested, time for the Councils transport expert to review, any further caucusing if required, and time for the Councils planner to file an assessment / addendum prior to the hearing.
4. The applicants planner did not respond within the timeframes.
5. The councils planner asked for direction as to whether the hearing should proceed as scheduled.
6. I provided direction that the hearing should proceed as:
 - Impacts on all parties as this would be the second postponement creating uncertainty and stress for all,
 - Reorganising of schedules and travel, and any incurred costs falling on the applicant,
 - Processes are available to ensure a fair process for the transport issues.
7. The applicants planner advised at 3.49pm 5 November that "they have just had confirmation from the applicant that they will postpone the hearing to await the return of our transport engineer and to seek an updated approval from NZTA". No date of when this might happen was supplied as the applicants planner was waiting on a response from NZTA.
8. WDC contacted me this morning to bring this to my attention and to ask for further direction.
9. The applicants planners email is interpreted as a request for the application to go on hold. Having considered the application process thus far, the relevant sections of the RMA (s.88 and s.103), I determined that the applicant cannot request a further hold as they have already requested holds of more than twice the maximum processing time allowable.
10. As the appointed commissioner I have jurisdiction to grant a further postponement under s.37. I do not find that it is appropriate to do so for the reasons set out under point 6.
11. The hearing will therefore go ahead tomorrow at the schedule time, as per public notices, and the Council website.

Edith Bretherton

Independent Hearing Commissioner

Date: 6 November 2025