

BEFORE THE WESTLAND DISTRICT COUNCIL

IN THE MATTER OF

Combined resource consent proposal to subdivide land into 17 allotments (including amalgamation condition) and land use consent to erect a total of 12 dwellings, including no more than one dwelling per allotment on Lots 1 to 12, and to form an unformed legal road for residential access, resulting from the three stage subdivision of land legally described as Lots 8 to 29 DP 142, Part RS 1300, 1589 and 4363, and RS 1421, 1588 and 1602-1603 within the Rural Zone, 117 Arthurstown Road, Hokitika. RC220120 and RC230030

APPLICANT

Forest Habitats Limited

MINUTE NO. 8 OF THE INDEPENDENT HEARINGS COMMISSIONER

DATED 19 FEBRUARY 2025

INTRODUCTION

1. This minute responds to the latest memorandum received from the applicant's legal Counsel, NA McFadden, dated 19 February 2025.

BACKGROUND

2. The applicant's legal Counsel in a Memo dated 19 February 2025 states:
 2. *"You knew, or ought to have known that Edith Bretherton was initially appointed by Westland District Council as Commissioner to hear and determine the Forest Habitats application for consents. That appointment was opposed by the Applicant and your appointment followed.*
 3. *Your failure to adequately respond to our questions as to external input, particularly any from Edith Bretherton has been of concern, and that concern has been conveyed to you.*
 4. *We have now received information that Ms Bretherton has been involved, it appears at your behest, and has in fact, since the hearing been the author of documents issued under your name."*

RESPONSE

3. In response to this accusation, I confirm that:
 - a. I do not know Ms. Bretherton and have never met her nor communicated with her.
 - b. I did not know Ms. Bretherton was the Commissioner previously appointed to hear and determine the application until now.
 - c. I have never discussed the subject resource consent application or anything to do with it with Ms Bretherton, nor have I had any other communication with her on this matter.
 - d. I have never given any instruction to Ms. Bretherton to author documents in my name, nor has she, in my knowledge, authored any documents in my name.

FURTHER INFORMATION

4. I have now received the information requested from the applicant in my previous minute. I now consider I have sufficient information to determine the application.

DIRECTIONS

5. The hearing is now closed, and I will not accept any further correspondence from the parties.
6. If any of the parties have any remaining concerns regarding the process, they are welcome to refer those concerns directly to Council.

Mark Geddes

INDEPENDENT HEARING COMMISSIONER