

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 N0.2 OF INDEPENDENT COMMISSIONER – UPDATE DATES FOR EXCHANGE OF
EVIDENCE.

DATED 5 JUNE 2025

Update on Timeframe for Exchange of Evidence

1. As laid out in Procedural Minute 1 Pursuant to Section 103B of the RMA, evidence exchange dates had been calculated and set.
2. I was contacted by Westland District Council 5 June 2025, requesting I review the applicants' evidence due date, and consider amending it from 6th June to 9th June. This request was based on a differing interpretation of how the ten working day requirement is calculated, whether it includes the hearing date, or not, and whether it includes the day the evidence is provided on, or not.
3. The Council provided the applicants calculations of this. I have reviewed this request and agree the dates can be amended. The earlier interpretation was precautionary, I am however comfortable that statutory requirements will still be met with the change of dates.
4. In order to maintain natural justice and fairness in process, the date of evidence for submitters also needs to be extended to ensure they have time to review the applicant's evidence and prepare any expert evidence if they wish to.
5. The updated evidence dates are as follows:
 - b. A copy of the applicant's evidence must be provided to the Council no later than 10 working days before the hearing. This would be no later than 9 June 2025.
 - c. Any person who has made a submission and who is intending to call expert evidence must provide briefs of this expert evidence to the Council and the applicant no later than 5 working days before the hearing. This would be no later than 16 June 2025.
6. As outlined in Procedural Minute 1, the above timeframes do not apply to non-expert evidence, or evidence to be presented by submitters who are "non-experts" (persons who do not provide expert evidence at these types of proceedings). They will have the opportunity to present written or oral evidence at the hearing in the normal manner. While they do not need to pre-circulate any written statements before the hearing commences, it is encouraged.

Edith Bretherton

Independent Hearing Commissioner

Date: 5 June 2025