

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 N0.7 OF INDEPENDENT COMMISSIONER – RECORD OF PROCEDURAL STEPS FROM  
HEARING & NEXT STEPS INCLUDING INDICATIVE TIMEFRAME

DATED 11 NOVEMBER 2025

## HEARING HELD AND PROCEDURAL MATTERS

1. The hearing was opened at Westland District Council Chambers 7<sup>th</sup> November 2025. The hearing commenced at 9.05am, the slightly delayed start allowed for members of the public to be chaperoned from Customer Services to the Chambers. Ms Fleming outlined health and safety procedures for the building.
2. Present at the hearing were: Anna Johnson, Scoped Planning, and Beverly Loader (Applicant), Kate Fleming (Business Support Officer Planning), Stephanie Tangimetua (Team Leader, Planning), Joy Cowan (Business Support Officer Planning), Joubert Bekker, Bekker Planning Consultants (online) for Westland District Council, Pamella Mitchell Submitter (online), and Commissioner Bretherton.
3. On arrival, Ms Johnson tabled an updated statement of evidence, dated 7/11/25. This was circulated by Ms Fleming to Mr Bekker, Ms Mitchell and me. It will be scanned and shared online with the other consent documentation.
4. Ms Johnson also advised that the applicants transport expert was available via telephone to answer questions. As expert caucusing had not occurred prior to the hearing, and Council had not been notified that the applicants expert would be available, their expert was not available, so this offer was not able to be taken up.
5. I set out procedural matters relating to:
  - Hearing postponement
  - Process for today's hearing
  - Expert causing, and planner evidence for outstanding transport issues
  - Affected parties, limited notification and correspondence in applicant's addendum appendix 3.
6. I confirmed that today's hearing was going ahead, for reasons set out in the previous procedural minute.
7. I set out the speaking order for the hearing. I explained that while hearings are public, and public are most welcome, there is not a public forum. I further explained that parties cannot cross examine each other, they can request through myself a question to other parties, but that is at my discretion, and that I have the ability to ask questions, and must do so to ensure I have all the information clearly set out to make a decision from.
8. I set out that as the transport issues have not been resolved prior to hearing as set out in previous minutes, the hearing will remain open to allow for a fair and open process to be undertaken. As such, final assessments and positions are not expected today.
9. I spoke to the correspondence provided in Appendix 3 of the Applicants 29/07/25 Addendum from the Kumara Junction Community Group and members of the public. I noted that as per the addendum, these cannot be considered as part of the decision making process and are not expert evidence. I acknowledged the efforts undertaken by the community and thanked them for taking the time to try to be involved.
10. I confirmed that I have reviewed the affected party identification process undertaken by Ms Johnson, and the limited notification process undertaken by Olivia Anderson (WDC Planning Manager). I agree with the assessments. I do not find reasoning to allow for the Kumara Junction Community Inc to present at the Hearing as per their letter dated 21/07/25.
11. One of the letters included in Appendix 3 is from a person identified as an affected party. Mr Bradley signed an affected party approval, and as such, the effects on him must then be disregarded. It is noted that the proposal currently is quite different to what was

originally proposed to be verified, the effects are lesser than those signed off by Mr Bradley.

The hearing was adjourned 10.02am

#### NEXT STEPS INCLUDING INDICATIVE TIMEFRAME

Acoustic assessment confirmation:

As the application has been iterative, confirmation is sought (email is sufficient) as to exactly what parameters the acoustic assessment has been completed under including hours, number of events with resultant traffic movements and intended amplification.

Ms Johnson when presenting the application noted that the amended hours will only extend to midnight on one night. The acoustic assessment is for both Friday and Saturday night till midnight. Can the applicants final right of reply clarify which night it is being requested to operate till midnight on.

Transport issues:

Currently, there are two outstanding transport issues. A second addendum was provided in response to my earlier minute, which has been reviewed by the Council's Transport Manager, Karl Jackson. His review identified:

- Inconsistencies in the transport material (e.g., the “standard dwelling” daily-movement comparator vs the assumed daily volumes on the affected local roads, and limited treatment of active-mode effects near the West Coast Wilderness Trail); and
- The need for further input from Waka Kotahi (NZTA) on the SH6/Greymouth–Kumara Tramway intersection and the southbound SISD shortfall, as well as clarifications from the applicant's transport expert to reconcile the above.

It is requested that the applicant's transport expert provide by COB 12/11/25 three timeslots when they are available the week 17-21 November. Further steps are set out in the table below.

| Action                                                                                                  | Deadline Date          |
|---------------------------------------------------------------------------------------------------------|------------------------|
| Acoustic assessment confirmation sought.                                                                | 26/11/25               |
| Applicants transport expert to provide available dates.                                                 | 12/11/25               |
| Council to confirm expert causing time.                                                                 | 14/11/25               |
| Transport expert caucusing.                                                                             | Week of 17/21 November |
| Applicant requests Waka Kotahi NZTA permissions if required.                                            | 21/11/25               |
| Joint statement on transport issues prepared by Council and Applicants planner.                         | 26/11/25               |
| Decision made by Commissioner on whether physical hearing needs to be reconvened (transport and noise). | 27/11/25               |
| Council lodges a final s.42a.                                                                           | 3/12/25                |
| Further comment welcomed from submitters.                                                               | 3/12/25                |
| Applicant lodges their right of reply.                                                                  | 8/12/25                |
| Indicative hearing closure date<br><i>Decision to be released within 15 working dates of closure.</i>   | 9/12/25                |

It is noted that if a natural hazard event occurs during this time all WDC are likely to be impacted, and timeframes will need to be reconfirmed.

It is also noted that the applicant has no control over Waka Kotahi NZTA timeframes

Edith Bretherton

Independent Hearing Commissioner

Date: 11 November 2025