

**BEFORE THE INDEPENDENT PANEL
OF KAPITI COAST DISTRICT COUNCIL**

IN THE MATTER of the Resource Management Act 1991 ("RMA")

AND

IN THE MATTER of Private Plan Change 4 ("PC4") to the Kāpiti Coast District Plan ("Plan") - 65 and 73 Ratanui Road, Otaihanga

MEMORANDUM OF COUNSEL ON BEHALF OF WELHOM DEVELOPMENTS LIMITED

16 JANUARY 2026

**Russell
McLeagh**

3436-4924-0902

D J Minhinnick / E M E Boister
P +64 9 367 8000
F +64 9 367 8163
PO Box 8
DX CX10085
Auckland

MAY IT PLEASE THE PANEL:

1. The purpose of this memorandum is to respond on behalf of the PC4 applicant, Welhom Developments Limited ("Welhom"), to Direction #2 from the Hearing Panel / Whakahau #2 nā Te Paewhiri Whakawā and to request the Panel in due course consider whether any of Welhom's witnesses could be excused from attending the hearing.

Response to hearing direction 2

2. Direction #2 from the Hearing Panel / Whakahau #2 nā Te Paewhiri Whakawā notes that the Panel intends to take an initial site visit prior to the hearing on the afternoon of Sunday 15 February 2026.
3. Welhom confirms that the Panel will be able to access the site at that time with a representative from Welhom in attendance to enable entry and address any health and safety concerns.
4. From a health and safety perspective, there is uneven terrain on the site, long grass and the presence of rabbit holes. The existing cattle on the site are also hand-fed so may follow persons when in the paddocks.
5. Welhom also confirms that those site appraisal locations that are located on the Site (as shown as points A – J in the attached map) will be physically marked out on the site for the Panel's reference.

Request for witnesses to be excused

6. In accordance with Direction #1 from the Hearing Panel / Whakahau Nohoanga #1 Nā te Paewhiri Whakawā, Welhom has prepared a comprehensive suite of evidence in relation to PC4. Accompanying this memorandum are statements of evidence from the following witnesses:
 - (a) Aaron Smail (Corporate);
 - (b) Mark Thomson (Civil Engineering);
 - (c) Brett Black (Geotechnical);
 - (d) Marcus Herrmann (Contamination);
 - (e) Ellen Cameron (Archaeology);
 - (f) Mark Georgeson (Transport);

- (g) Vaughan Keesing (Ecology);
- (h) Tim Heath (Economics);
- (i) Alex Gardiner (Landscape and visual); and
- (j) Torrey McDonnell (Planning).

7. Welhom anticipates that following review of submitter evidence (if any) filed by Tuesday 27 January, the Panel may consider that some of the above evidence could be taken as read with the relevant witnesses excused. Based on the matters raised in submissions and in the section 42A report, Welhom anticipates that the following witnesses may fall into that category:

- (a) Marcus Herrmann (Contamination);
- (b) Ellen Cameron (Archaeology); and
- (c) Brett Black (Geotechnical).

8. Welhom respectfully requests an early indication as to which (if any) evidence the Panel wishes to take as read, enabling those witnesses to be excused from attending the hearing.

DATED 16 January 2026



Daniel Minhinnick / Eve Boister
Counsel for Welhom Developments Limited

