



When replying please quote: ECM8444782
LUC 20/47704

11 January 2021

Dear Applicant and Submitters

NOTICE OF HEARING – KD HOLDINGS

1. New Plymouth District Council advises that Mr Stephen Daysh will hear and determine the application by KD Holdings Limited for the construction of a six-storey mixed use building with a basement car park at 45, 49 and 51 Brougham Street and 33 Devon Street West, New Plymouth. Levels 1 to 5 are proposed to be for commercial tenancies and the top floor is to consist of a three bedroom residential apartment. To facilitate the proposal it is required to relocate the Halamoana sculpture and remove a notable tree.
2. The hearing will convene at:

10am

Thursday 25 February 2021

(The hearing will reconvene on Friday 26 February 2021 if required)

**Civic Centre, Liardet Street,
New Plymouth**

Key Dates for this hearing (for more information see below)	
Council s42A report available	Tuesday 2 February at midday
Applicant's evidence due	Wednesday 10 February at midday
Submitters expert evidence due	Wednesday 17 February at midday
Applicant's supplementary evidence and legal submissions	To be determined by the Commissioner if required
Appearance confirmation due	Wednesday 17 February at midday

3. As the applicant, or a submitter, you are invited to attend the hearing where the Hearing Commissioner will consider the application and submissions in relation to the application.
4. The Commissioner expects to visit the site prior to the hearing. Council staff will contact you if access to the site, or your property, is required. During the site visit, the Commissioner will not speak to any of the parties directly about the application's merits.

5. Pursuant to section 103B(2) of the Resource Management Act 1991, the pre-provision of evidence is mandatory for the resource consent. The Council and the applicant are required to provide all evidence prior to the hearing. The submitters are required to provide any expert evidence before the hearing, but can provide non-expert evidence (ie personal submissions) at the hearing.
6. All evidence is expected to be provided electronically. Evidence can be sent to the Hearings Administrator Julie Straka at julie.straka@npdc.govt.nz.
7. The following timeframes apply:
 - a) The Council is required to provide its officer's report (the Section 42A report) and any evidence by **midday** on **Tuesday 2 February 2021**. This report will be available on the Council website no later than **9am** on **Wednesday 3 February 2021**.
 - b) **The applicant** is required to provide all its briefs of evidence no later than **midday** on **Wednesday 10 February 2021**. The Hearing Administrator will email you once the evidence is available on the Council's website.
 - c) **Any submitter** proposing to call expert witnesses is required to provide briefs of evidence from those experts by **midday** on **Wednesday 17 February 2021**. (An expert is a professional such as a planner, traffic engineer or similar.)
8. If you have any additional written material to present at the hearing, please bring ten (10) copies to the hearing. The Hearing Commissioner has received a copy of the original application and submissions. You do not need to provide additional copies.
9. If you would like to speak at the hearing, please email Julie Straka (julie.straka@npdc.govt.nz) by **Wednesday 17 February 2021**. Your email needs to provide:
 - Your daytime phone number.
 - Advise who will be speaking on your behalf (including any expert witnesses).
 - Indicate how much time yourself and each of your representatives require to speak.

10. This will enable an indicative hearing schedule to be prepared and pre-circulated.
11. If you have any questions in relation to the hearing, please contact me on 759 5688 or at julie.straka@npdc.govt.nz.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Julie Straka', with a long horizontal flourish extending to the right.

Julie Straka
GOVERNANCE LEAD