

**BEFORE THE NEW PLYMOUTH DISTRICT COUNCIL**  
**INDEPENDENT HEARINGS COMMISSIONER**

**IN THE MATTER**

of the Resource  
Management Act  
1991

**AND**

**IN THE MATTER**

of an application  
under section 88  
of the Act by K.D.  
HOLDINGS  
LIMITED to the  
NEW PLYMOUTH  
DISTRICT  
COUNCIL for land  
use consent for a  
building extension  
at 39-41  
Molesworth  
Street, New  
Plymouth

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**RIGHT OF REPLY FOR THE APPLICANT**  
**K.D. HOLDINGS LIMITED**

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SWG-242755-2-301-V1-e

**MAY IT PLEASE THE INDEPENDENT HEARINGS COMMISSIONER**

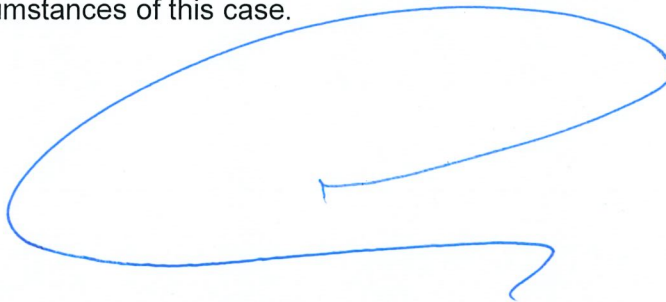
**Right of Reply**

1. With reference to the Commissioner's Directions/Minute of the Commissioner #2 LUC23/48350 dated 6 August 2024 (Directions) Steps 1 and 2 therein have now been completed.
2. In accordance with Step 3 of the Directions the Applicant advises that the materials filed in the context of Steps 1 and 2 are all satisfactory to the Applicant – and the Applicant reconfirms that the conditions discussed at the pre-hearing conference (on 6 August 2024) are offered by the Applicant on an *Augier* basis – and the Applicant looks forward to working with the Mana Whenua submitters in the future to address those conditions once resource consent has been issued.

**Concluding comments**

3. It is respectfully submitted that all issues raised in the submissions in opposition (and submitters further evidence received prior to 6 August 2024) and Officer's S.42A Report have been thoroughly canvassed in the application, the applicant's evidence and further evidence and discussions during the course of the joint expert witness conferencing and abovementioned pre-hearing conference of 6 August 2024, and subsequent expert witness conferencing and correspondence.
4. An agreed version of the consent conditions following that further conferencing by the planning experts have been filed by the relevant planning witnesses with Council as directed; and agreed to by all parties.

5. It is respectfully submitted that those consent conditions now filed provide future certainty for all parties and achieve and promote the sustainable management of natural and physical resources and that the necessary consent can now be granted in the facts and circumstances of this case.

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SWA Grieve  
Counsel for Applicant  
19 August 2024