

**BEFORE INDEPENDENT COMMISSIONER MARK ST CLAIR APPOINTED BY
NEW PLYMOUTH DISTRICT COUNCIL**

UNDER the Resource Management Act
1991

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

STATEMENT OF EVIDENCE OF
KEVIN ANTHONY DOODY
ON BEHALF OF
K.D. HOLDINGS LIMITED

Connect Legal Taranaki
LAWYERS
Private Bag 2031
DX NX10021
NEW PLYMOUTH
Telephone No. 06 769 8080
Fax No. 06 757 9852
Email: scottg@connectlegal.co.nz
Lawyer Acting: SWA Grieve

SWG-242755-2-167-V1-e

INTRODUCTION AND BACKGROUND

1. My name is Kevin Anthony Doody and I reside in New Plymouth. I am Taranaki born and bred and have lived here all my life.
2. I am a company director of K.D. Holdings Limited (the applicant).
3. I have been in business on my own account for over 45 years in New Plymouth and have always prided myself on improving the city where achievable through my own business life.
4. My family and I purchased the building approximately three years ago with the intent to build our private home on top of the existing building. The existing building is to have new double glazed low E glass fitted and cladding to stay as it was originally. The new building is also designed with cladding to relate to the earthy tones of the surrounding land.
5. When we started looking to purchase the building, it had been vacant for approximately six years and had been on and off the market for sale. It was unoccupied at that time. The property was not on the market for sale when I approached the vendor, but was up for lease (and I was aware the owners did want to sell it, as it had been on the market).
6. The building was at that time run down, dilapidated, and was in need of refurbishment. Especially as it is in a prominent position on the New Plymouth foreshore and we felt that we could convert it into a family home and also upgrade it to make it more visually appealing, while also keeping the character and the majority of the footprint of the existing building.

SWG-242755-2-167-V1-e

7. The plans to renovate the building have been developed since the Agreement for Sale and Purchase to buy the land went unconditional (prior to settlement approximately three years ago).
8. The new top floors proposed will create a new family home for us.
9. Early engineering investigations proved feasible to build our home on the top floor – and the interior of the building has already been strengthened to take the house load on top.
10. So far, we have invested approximately \$1.5 million in this regard (on top of the land and building purchase costs of approximately \$4 million) and have had two and a half years of holding costs while we have obtained building consent and sought resource consent.
11. The existing ground floor and first floor is proposed to be commercially leased and I have been in negotiations with Ministry for Primary Industries (MPI) for approximately 12 months now and have entered into, and signed, an Agreement to Lease with MPI for an initial term of 12 years, with 4 rights of renewal of 5 years each – being a total term of 32 years (if the rights of renewal are exercised, if they are not exercised then MPI will definitely be leasing it for 12 years).
12. I believe that MPI will be a very positive business to have situated on this site in New Plymouth.
13. The building will be the headquarters for MPI in Taranaki and I understand that they will have approximately 20-25 staff working in the building – who will of course all contribute to supporting surrounding businesses such as cafés and restaurants etc.

SWG-242755-2-167-V1-e

14. MPI has also now leased the building two doors up from our building at 45 Molesworth Street – which it will use for storage of its fishery boats and gear, and, for example, any vessels or fishing gear confiscated from offenders of the law.
15. I also understand that the new lease to MPI will save MPI (and the New Zealand Government) about 30% in terms of current costs it is paying, being another positive outcome.

CONSULTATION

16. I have actively engaged in consultation (or endeavored to engage in consultation) with Ngati te Whiti Hapu who hold mana whenua for approximately 15-18 months now, as is further discussed in Ms. Martin's evidence.
17. During that consultation, two options to recognise the cultural values of the adjacent Site of Significance to Maori were presented to me through the collaborative work that Ngati Te Whiti hapu and BOON architects undertook, to build cultural narrative into the design – and I was advised that the Kohatu Stone was non-negotiable.
18. After discussions with our family and MPI, and genuinely considering the views of the hapu, we are happy to proceed with completing Option 2 being the cultural narrative at the site in the form of landscape paving design, and the non-negotiable Kohatu Stone in the corner of the section (as shown on the Boon drawing/design included in Ms. Martin's evidence).

SWG-242755-2-167-V1-e

19. I was surprised that Ngati Te Whiti were disappointed that I had not selected their preferred Option 1, given that we had been presented with two options, agreed to the non-negotiable Kohatu Stone, and because we had genuinely engaged with Ngati Te Whiti to recognise the cultural values in good faith.
20. There are practical reasons why patterned screens etc on the outside of the building to further recognise cultural values are not feasible, as follows:
- a) The sheer scale and cost of including that in the build which is prohibitive. This is because the patterned screens need to be structurally designed, fabricated by a specialist company, then approved by Council (regarding engineering and waterproofing), before being fixed to the building via drilling holes and bolting fixings into the structure of the exterior of the building. Being in a corrosive environment, the drilling can create an ingress for water and salt which potentially can compromise the integrity of the building. There are two engineering processes involved; first, the engineering design of the screens for this high wind zone and the changing of the structural engineering design of the building to be able to accommodate them, which, secondly, (as I understand it) would need to be approved by a fascia engineer. This is not a simple job;
 - b) It is our house and we do not want patterned screens on our family home; and
 - c) There are also significant maintenance issues in that our lease with MPI requires us as landlord to have the exterior of the

SWG-242755-2-167-V1-e

building cleaned 4 times per annum and patterned screens will be difficult to clean, and being adjacent to the ocean will accumulate salt and I expect will corrode (such patterned screenings would be made of powder coated aluminum). Because the building is so close to the sea, we are purposely cladding the new addition with ACM flat panel for ease of maintenance and cleaning, and we are keeping the existing building the same (although replacing mirrored glass with tinted glass). In my experience, salt accumulates on buildings such as this on horizontal surfaces, catches on hinges and window latches and the like, causing high maintenance and corrosion. I specifically instructed my architects at the outset of this project (before engaging with hapu), that we did not want any, or as little as possible, screening on the building which would result in major maintenance issues in my experience.

21. I note that the adjacent car park to the immediate west of our site (abutting our site) is also part of the same cultural landscape and has no cultural narrative at all – so we see our commitment as a very positive contribution in this context to enhance the city's cultural landscape (which is currently non-existent at the site).
22. This is not a new build project, and this building has been existing in this environment for approximately 30 years (the current building was developed in about 1990).
23. We are simply wanting to build an extension for our private home and get a very good long-term tenant into the unoccupied commercial space, which will be a very positive contribution to New Plymouth and Taranaki.

SWG-242755-2-167-V1-e

24. In my opinion the proposal enhances the area and has many positive benefits in that regard.
25. We would potentially also be happy with, for example, some further signage on the site beside the proposed Kohatu Stone perhaps to further explain the significance of the site for the benefit of hapu/iwi and all New Zealander's (and tourists and so forth).
26. We were not planning to re-concrete the entire yard with cultural narrative landscape paving or install a Kohatu Stone (prior to our consultation with hapu) which will come at a significant expense to us of approximately \$100,000.00 + GST or more, depending on the type of stone, size of stone, where it comes from, and the narrative / design that will need to occur, freighting and installation costs (which might need to be done by crane), and potential requirement for a foundation.
27. To concrete the yard alone – even without the cultural narrative patterning – will cost approximately \$50,000 – 60,000 + GST – and the cultural narrative patterning will add approximately \$35,000.00 + GST to that cost. I attach as **Appendix A** a quote from Denis Wheeler Earthmoving dated 15 July 2024 showing the estimated costs. Note – this does not include the costs of engraving the Kohatu Stone which will be on top of that (I am currently unsure what that will cost).
28. To complete the cultural narrative concrete, requires the existing yard to be totally ripped out and reformed. This is because the existing sealing and basecourse would need to be removed, and the ground reformed, in order to achieve the correct depth of concrete

SWG-242755-2-167-V1-e

and longevity of the surface (if it is not done properly, it will crack and deteriorate).

29. The existing tar seal is in perfect condition and does not need resurfacing; and it should be noted that, to achieve a high-quality outcome, the existing tar seal cannot simply be retrofitted/etched/painted with the cultural narrative design - and requires complete replacement with concrete (for the cultural narrative design to achieve a high-quality outcome). If we were not completing the cultural narrative concrete, we would simply leave the existing tar seal as it is.
30. However, we are prepared to spend that amount of money at our family's expense to generally recognise the cultural significance of the site to the hapu by re-concreting it and including the cultural narrative paving design in the concrete and Kohatu Stone as has been proposed in recognition of Ngati te Whiti's cultural values and relationship with the Waimanu Pa.
31. I am not aware of any other private homes around New Plymouth that have been required to have cultural narrative in terms of patterned screens over their houses, and we consider that what we have personally and privately committed to date, to recognise the cultural significance of the site, at very considerable cost to our family, is fair and reasonable in all of the circumstances (especially also given this will be our private house).

OFFICERS REPORT

32. Officers Report – I have read the Officer's Report and thank the Officer for her report. I generally agree with the report and

SWG-242755-2-167-V1-e

recommended consent conditions – subject to the comments from,
and issues raised by, my expert consultants.

CONCLUSION

32. My family and I are very excited about developing the proposal and the numerous positive benefits it will potentially have for people and communities of New Plymouth city (and the Taranaki region) and would like to thank the Commissioner for considering the application.

KEVIN ANTHONY DOODY

25 JULY 2024

SWG-242755-2-167-V1-e

"A"



Tel. 067599919
admin@deniswheeler.co.nz
www.deniswheeler.co.nz
GST # 082-687-254

87 Corbett Road
PO Box 9013
Bell Block, New Plymouth
4351

CUSTOMER QUOTATION NO. 2200

Supreme Construction Taranaki Ltd
7B Beach Road, Omata, NEW PLYMOUTH

Quote No: 2200
Site: 39 Molesworth Street
Site Contact:
Created Date: 15/07/2024
Valid For: 30 Day(s)

Description

- 260m2 area to excavate - 63m3 cut to waste
- Supply and place pit metal to concrete areas
- Supply topsoil to garden areas
- Supply and place of a 3T rock
- Pour 260m2 of carpark area
- Soda blast specified pattern into concrete driveway

Commercial/Civil

Part #	Item	Quantity	Unit Price	Total
T21	DWE Transporter	4.00	\$150.00	\$600.00
D32	5 Tonne Digger	12.00	\$120.00	\$1,440.00
T20	Nissan Truck	12.00	\$150.00	\$1,800.00
FQ2	Pitmetal (m3)	14.00	\$19.55	\$273.70
DWE14	Topsoil (M3)	7.00	\$40.00	\$280.00
	Concrete as per Inforce design	260.00	\$145.00	\$37,700.00
	Soda Blasted Pattern in Concrete - Stencil creation and blasting	1.00	\$35,000.00	\$35,000.00
	Traffic management, service detection and sump repairs if required - provisional sum	1.00	\$20,000.00	\$20,000.00

Thank you.

Sub-Total ex GST	\$97,093.70
GST	\$14,564.06
Total inc GST	\$111,657.76