

## COVID-19 Recovery (Fast-track Consenting) Act 2020

### Nola Estate Consent Application by CPM 2019 Limited

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#### M-6 Minute of the Nola Estate Expert Consenting Panel – 20 August 2021

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1. Clause 10(3) of Schedule 5 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), specifies that a Panel may appoint a special adviser to assist the Panel with an application in relation to any matters the Panel may determine.
2. The Nola Estate Expert Consenting Panel (the Panel) has appointed Jeremy Brabant, Barrister as a special adviser to provide legal advice on the following questions
  - a. Whether the whole or part of the Proposal is an Integrated Residential Development (IRD) by reference to the Auckland Unitary Plan: Operative in Part (AUP);
  - b. If any element of the Proposal is not part of an IRD, whether an overall bundled or unbundled approach would be appropriate; and
  - c. Whether the Proposal requires a non-complying consent because the Residential Single House Zone (SHZ) “more than one dwelling rule” also applies.
3. The Panel has also appointed Amelia Linzey and Phil Stickney from Beca as a Special Adviser to the Panel to provide advice and assistance with the preparation of conditions of any consent.
4. The Panel has also appointed Thomas Gibbons from Thomas Gibbons Law, property law expert, on aspects of the conditions.

#### Advice received

5. On 20 August 2021, Jeremy Brabant provided his advice to the Panel on the three questions noted above.
6. This advice can be viewed at the Environmental Protection Authority website, at the following link:  
<https://www.epa.govt.nz/assets/Uploads/Documents/Fast-track-consenting/Nola-Estate/Legal-advice-to-Nola-Estate-Panel.pdf>

#### Request comment on the advice provided to the Panel

7. Under Clause 10(1) of Schedule 5, the Panel must regulate its own procedure as it thinks is appropriate, without procedural formality, and in a manner that best promotes the just and timely determination of an application.
8. The Panel has requested that if the applicant or Auckland Council have any comments that they would like to provide from their legal advisers specifically on the legal advice provided to the Panel by Jeremy Brabant, that it provides those comments to the EPA by **Friday 27 August 2021**.

Derek Nolan QC

**Chairperson**

**Nola Estate Expert Consenting Panel**