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**FTC000025**

Tena koe Elliot

## **CPM 2019 LIMITED - NOLA ESTATE PROJECT**

### **REQUEST TO SUSPEND PROCESSING OF RESOURCE CONSENT APPLICATION**

#### **Introduction**

1. We act for CPM 2019 Limited ("CPM"), who are the authorised person of the Nola Estate Project that has been referred to the Expert Consenting Panel pursuant to Schedule 12 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020.
2. The Nola Estate project was referred to the Environmental Protection Authority ("EPA") by Order in Council on 29 January 2021, and an Expert Consenting Panel ("ECP") was appointed.

#### **Background**

3. A first request for information ("RFI") was issued by the EPA on behalf of the ECP on 20 May 2021. Civix and Berry Simons, on behalf of CPM, filed responses to this RFI on 3 June 2021, though noted that some additional information and further updates would be provided, in particular relating to other consents which CPM is seeking from Auckland Council. We note that it remains uncertain when those other consents might be granted, and progress has not been as swift as had been anticipated (the application was originally filed in December 2020). We understand that CPM's response to that RFI information is being (or has been) sent to the persons who the ECP has consulted with.
4. On 10 June 2021, the Expert Consenting Panel issued a second request for information ("RFI"). CPM's response to this RFI is due on 24 June 2021 (10 working days from the date of the request) and CPM's project team is presently working on that request.

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5. CPM has also now received a copy of the consultation feedback and that response is due on 18 July (5 working days after the receipt of that feedback).
6. In summary, CPM has a number of outstanding issues on which further information and update needs to be provided to the ECP, but this information has not yet been finalised and collated. This would require several individual information packages to be consolidated and provided to the ECP to address all outstanding matters.
7. This would leave the EPA having to send out a series of probably 4 separate updates to the parties it was consulting with and requiring separate responses in relate to each. That would not be efficient, nor particularly fair – especially for lay persons. Moreover:
  - (a) We have recently seen the inefficiency that can occur when the applicant is meeting with key stakeholders such as Auckland Transport or Watercare and working to resolve issues that they have raised, while separately those organisations are having to respond to earlier versions of the engineering plans for the project. CPM would like to avoid the inconvenience of this happening further.
  - (b) A sequential response of that nature could result in gaps, or duplication of plans. Furthermore, the lack of resolution of ancillary consenting matters makes the EPA's task of evaluating environmental effects unnecessarily complex.

#### **Request for suspension**

8. To address these matters and to consolidate the information and updates that CPM needs to provide, CPM respectfully asks the ECP, pursuant to clause 23(1) of Schedule 6 to the COVID-19 Recovery (Fast-track Consenting) Act 2020, to **suspend** processing the application (FTC000025) from **today** (or when the ECP has an opportunity to make its decision) **to 2 July 2021** inclusive.
9. This request falls within the timeframe set out in clause 23(2) of Schedule 6 as the resource consent application has been provided to the ECP, but the ECP has not made a decision.
10. Thank you for your consideration. We look forward to receiving your response.

Nāku noa, nā



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