

BEFORE THE FAST-TRACK PANEL

FTAA-2502-1009

UNDER

The Fast-track Approvals Act 2024

IN THE MATTER OF

An application by CCKV Maitai Dev Co LP for
resource consents for the Maitahi Village Project -
FTAA-2502-1009

**MEMORANDUM OF COUNSEL SEEKING LEAVE TO FILE DR DAVE BULL'S
REPORT**

17 JULY 2025

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MAY IT PLEASE THE PANEL

INTRODUCTION

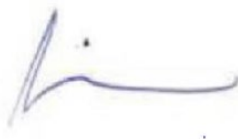
- 1 This memorandum is filed on behalf of the Applicant. The Applicant seeks the Panel's leave to file the following report from Dr. Dave Bull of HAIL Environmental:
 - 1.1 Maitahi Village - site contamination – response to Expert Panel, dated 16 July 2025 (**Second Site Contamination Specialist Review**).
- 2 This report is a revision of Dr Bull's first report (**First Site Contamination Specialist Review**), which was included (as attachment 8.2) in the application materials for the Maitahi Village Project. Dr Bull is essentially a peer reviewer in the area of contaminated land and remediation. Envirolink is the primary consultancy on that subject.
- 3 The Second Site Contamination Specialist Review was filed yesterday, Wednesday 16 July 2025. This was three working days after the Applicant's responses to comments were filed.
- 4 The Applicant respectfully seeks the Panel's leave on the basis that:
 - 4.1 Numerous comments were made on the Application, including some which gave substantial focus to the issue of land contamination. Consequently, the Applicant put considerable effort and thought into the responses to those comments and a second iteration of proposed conditions of consent. This resulted in refinement of Envirolink's initial Remediation Action Plan (**RAP**) (dated February 2025). A further revised RAP (version 4) was provided to the Panel on 11 July (**Revised RAP**) as part of the Applicant's response to comments;
 - 4.2 As the Panel is aware, Dr Bull reviewed the second draft RAP and his comments on the same were embodied in the First Site Contamination Specialist Review. Envirolink revised the second RAP in response and the third RAP was submitted with the application materials (as attachment 8.1). At the time of the Project Overview Conference Dr Bull had not undertaken a review of that particular RAP, which has since been updated;
 - 4.3 When the comments were received it became apparent a revision of the RAP could be useful. Rather than have Dr Bull review version 3 of the RAP (i.e. the one submitted with the Application and which looked likely to become obsolete), the Applicant therefore asked Dr Bull to review the RAP that would

be submitted with responses to comments. The Applicant considered this would be of greater assistance to the Panel and a more efficient approach;

- 4.4 As noted in paragraph 18 of the covering Memorandum filed on 11 July, responses to comments and drafting of proposed conditions of consent (including those relating to contaminated land) were being refined right up to the time of filing;
- 4.5 To undertake a fulsome and accurate review, Dr Bull's Second Site Contamination Specialist Review could not be finalised until after responses, conditions and version 4 of the RAP were settled. Dr Bull was involved in various discussions about the responses, refined conditions and Revised RAP so he was able to finalise his Second Review promptly after Friday 11 July;
- 4.6 Dr Bull's review will be of considerable assistance to the Panel in determining whether and to what extent the contaminated soil on site might pose a risk of adverse impacts if approvals are given for the Project; and
- 4.7 No party is or can be prejudiced by the short delay between filing responses to comments and filing Dr Bull's report. Other parties have engaged to the extent required by the Act when providing their comments. They do not have another opportunity to respond to the Applicant's responses, of which Dr Bull's report is part.

- 5 Counsel can be available at short notice if the Panel requires a discussion on this leave application.

Dated this 17th day of July 2025



Alanya Limmer KC | Sam Chidgey
Counsel for CCKV Maitai Dev Co LP