

CURRICULUM VITAE FOR DEREK NOLAN QC

Personal Details

Name	Derek Nolan QC
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Professional Details

- University of Auckland 1971-1974 LLB (Hons)
- London School of Economics and Political Science, London University 1978-1979 LLM
- Admitted as a barrister and solicitor of the High Court of New Zealand 30/01/1976
- Appointed as Queen's Counsel 2016

Specialist Areas / Work Related Strengths

Over 40 years' experience as counsel in environmental, resource management, planning, natural resources law, with related experience in local government law, including rating disputes, and in public works claims.

I am frequently sought after as counsel to lead major or complex projects in these areas of the law, to provide strategic advice, to secure all types of resource consents or other approvals, to resolve "road blocks" or other disputes, to facilitate development activities and to provide reports or opinions to both public and private clients. I have widespread contacts, as well as extensive links with many of the country's leading experts, and bring these strengths to any case I am involved with.

Career History

I was an environmental and resource management law partner at Russell McVeagh, based in Auckland for 30 years. I moved to the independent Bar in December 2014 and was appointed a Queen's Counsel in May 2016.

I was a guest lecturer at the Law Faculty of the University of Auckland in the resource management law course for 16 years and have also been a guest lecturer in the same paper at Victoria University. I am a founder and was the second President of the Resource Management Law Association of New Zealand and remain actively involved in the work of the Association. I am a former Vice-Chairman of the Environmental Law Committee of the Business Law Section of the International Bar Association and was for many years a member of the Environmental Law Committee of the New Zealand Law Society, including being the convenor of the Committee from 2002-2006.

I have represented the New Zealand Law Society before many Select Committees of Parliament. I was a member of the New Zealand Council of Legal Education and have chaired many of the New Zealand Law Society/Continuing Education's Environmental Law Intensives.

Awards

- Winner of two awards from the Resource Management Law Association of New Zealand
- Joint Winner of the New Zealand Deal of the Year in the ALB Australasian Law Awards (the Auckland Local Government Reorganisation) where I was a key legal adviser to the Auckland Transition Agency
- Joint Winner of the Commercial Property and Construction Deal of the Year for Australia and New Zealand in the ALB Australasian Law Awards (Auckland Waterfront Redevelopment) where I was the key legal adviser on all environmental and resource management law issues.

Publications

- Editor and an author of Environment and Resource Management Law (LexisNexis) for the second, third, fourth, fifth and (current) sixth editions and for the online edition. This publication has twice won awards from the Resource Management Law Association of New Zealand.
- Numerous articles in resource management law, journals and other publications.

Proceedings

Projects or other proceedings where I was senior counsel and strategic adviser include:

- Coastal and waterfront developments for Panuku Development Auckland, the Auckland Waterfront Development Agency and predecessors, Ports of Auckland Limited and Kennedy Point Marina Limited including extensions of Westhaven Marina; the proposed new marina at Kennedy Point, Waiheke Island; the America's Cup infrastructure for the 2020 Defence, including the syndicate bases and the Event on Auckland's Waterfront; the Park Hyatt Hotel in the Wynyard Quarter; the rezoning for industrial, restaurant, office and residential use of Wynyard Quarter including the North Wharf development; the Cloud and Shed 10 on Queens Wharf; the restaurant, residential and office use of Princes Wharf; the restaurant, office, retail, hotel and residential use of the Viaduct Harbour; the NZ Maritime Museum at Hobson Wharf; luxury lodges at Kauri Cliffs and Cape Kidnappers; coastal residential development for Williams Land at Weiti; and various marinas, residential canal projects and coastal land developments at Westhaven, Gulf Harbour, Pine Harbour, Beachlands and Bayswater.
- Port projects and port planning for Ports of Auckland Limited (Fergusson Container Terminal, port dredging, Viaduct Harbour, Princes Wharf, Westhaven Marina, Bledisloe Terminal) and for other ports around New Zealand. Representing all port companies in New Zealand on environmental issues affecting the industry generally.
- Aquaculture activities including the NZ King Salmon application before the Board of Inquiry, High Court and Supreme Court.

- Commercial retail and residential developments for SKYCITY, Precinct Properties, Westfield (NZ) Limited, Scentre (NZ) Limited, AMP, and others for numerous projects including the NZ International Convention Centre; the Commercial Bay 40 level tower and retail redevelopment of Lower Queen Street, Kipling Street Hospital, St Luke's Shopping Centre, 277 Broadway, 309 Broadway, Albany Centre, West City, Riccarton, PricewaterhouseCoopers Tower, Deloitte's Building, Broadway Park residential development, Auckland Racing Club residential, retirement home and hotel rezoning at Ellerslie, and various office and apartment towers and residential complexes;
- Water and waste infrastructure, electricity distribution and related facilities and telecommunications, including securing suitable policy statement and plan provisions and resource consents for existing plant and facilities or proposed new facilities, including the Hobson Bay and Central Interceptor wastewater tunnels and pipelines, wastewater treatment plants, wastewater discharges, water abstractions, electricity lines, and mobile telephone antennae, for Watercare, Vector and various network utility operators.
- Airport and aviation activities for Auckland International Airport Limited at Auckland Airport and airport planning for Air New Zealand Limited and the Board of Airline Representatives of New Zealand Inc. for airports at Whangarei, Tauranga, Hamilton, Rotorua, New Plymouth, Palmerston North, Wellington, Blenheim, Christchurch, Timaru, Queenstown, Dunedin and Invercargill.
- Ferry terminals and rail infrastructure for TranzRail, ONTRACK and Kiwirail including proposed terminals at Clifford Bay, Marlborough and Wellington, new double tracking of lines in Auckland, new branch lines and electrification.
- Industrial plants and activities, warehousing, quarries, sand extraction, and other commercial and industrial projects, including land rezoning, subdivision, land use consents, air emissions, discharges to water, water abstractions or diversions, coastal permits (industrial and business zoning of land for Auckland Airport and for Stevenson Group at Drury, quarries for Winstone Aggregates, on-shore and off-shore sand extraction for Kaipara Limited, various tanneries and asphalt plants).
- Educational and health facilities, including new school buildings, swimming pool and turf complexes, performing arts centres and hospital redevelopments.
- Application to remove significant heritage scheduled trees and buildings involving publicly notified applications and securing consents.
- Appearances before numerous Select Committees of Parliament in support of submissions on legislation and have prepared and obtained special legislation to provide commercial and environmental powers, including negotiations and liaison with Government and other parties.
- Providing "Lessons Learnt" reports to public agencies or major utilities after significant consenting cases and providing independent reports or opinions to councils where complaints have been made about council processes.

Other community involvement

- Past President of The Northern Club
- Past Deputy Chairman of the New Zealand Maritime Museum
- Past Member of Board of Governors, Diocesan School for Girls and currently member of the Board's Campus Committee
- Member of the Completion Committee of the Holy Trinity Cathedral, Auckland
- Past Trustee, Elizabeth Knox Home and Hospital, Auckland