

**BEFORE THE PANEL CONVENER PURSUANT TO THE FAST-TRACK APPROVALS
ACT 2024**

IN THE MATTER

of an application made under the Fast-Track
Approvals Act 2024 by RCL Homestead Bay
Limited.

**MEMORANDUM OF COUNSEL FOR RCL HOMESTEAD BAY LIMITED IN
RESPONSE TO PANEL CONVENER DIRECTIONS**

27 AUGUST 2025



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INTRODUCTION

1. This case management memorandum is filed on behalf of RCL Homestead Bay Limited (**RCL**) in response to the Panel Convener's directions (**Directions**) dated 13 August 2025.
2. Those directions require the following by 27 August 2025:
 - (i) The applicant, having conferred with the statutory participants, will advise on the timing and sequencing of steps to narrow or resolve the issues –
 - (1) Prior to filing comments under s53 and following comments being filed;
 - (2) In relation to draft conditions, any processes, if required, to assist the panel (eg workshoping, expert conferencing).
 - (ii) When responding, the applicant is to allow for issues arising from other persons consulted (but not invited to this conference).
3. In response to the Panel Convenor's Minute on 13 August 2025, the Department of Conservation (**DoC**), the Queenstown Lakes District Council (**QLDC**) and Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga, Waihōpai Rūnanga, Te Rūnanga o Awarua and Te Rūnanga o Ōraka-Aparima (collectively, **Kā Rūnaka**) lodged memorandums outlining the issues in relation to the application. Although the Otago Regional Council (**ORC**) did not lodge a memo, the ORC's outstanding issues are well understood by the Applicant.
4. The Applicant has further conferred with DoC, the QLDC, Kā Rūnaka representatives and ORC in relation to the process and sequencing of steps to narrow and resolve the issues in the pre-s53 comment period and following the s53 comment period. The outcomes of these discussions are detailed below.

Otago Regional Council

5. RCL and the ORC have had ongoing discussions in relation to the proposal and the ORC has procured a number of peer reviews undertaken by the consultancy firm SLR. Some of these peer reviews have identified issues that RCL is committed to working through. The following process and timeframes pre-s53 comment period has been agreed with the ORC:

- a) RCL to provide ORC with the requested updated information and assessments by 8 September 2025, with the exception of the Wetland Management Plan that is to be sent to the ORC by 12 September 2025;
 - b) ORC to seek updated peer review reports between 8–12 September 2025;
 - c) RCL and ORC to workshop proposed conditions during the week of 15-19 September 2025.
6. In summary, by 19 September 2025 the Applicant expects that there will be few substantive issues for which an agreed approach has not been reached.

Department of Conservation

7. RCL have discussed the issues identified in DoC's memo with DoC representatives, and the following process and timeframes pre- s53 comment period have been agreed:
- a) Sharing of the ORC ecology peer review with DoC.
 - b) RCL to provide DoC with additional information to address the issues in their memo dated 20 August 2025 by 8 September 2025, with the exception of the Wetland Management Plan that is to be sent to DoC by 12 September 2025;
 - c) RCL to share updated ORC ecology peer review with DoC when it is received.
 - d) RCL and DoC to workshop proposed conditions during the week of 15-19 September 2025.

Kā Rūnaka

8. RCL and representatives of Kā Rūnaka have discussed the issues raised in Kā Rūnaka's memorandum to the Panel Convenor dated 22 August 2025 and the following process for Kā Rūnaka's preparation to comment during the s53 written comment timeframe has been discussed:

Issues	Timing and Process
Cultural landscape	Kā Rūnaka are going to undertake a Cultural Impact Assessment which is expected to expand on this issue. This will be complete by the end of the s53 comment period.
Freshwater quality including discharges from wastewater and stormwater	The SLR peer reviews (on behalf of the ORC) have been shared with Kā Rūnaka who are assessing the information. RCL will share the additional information and assessments in response to the issues raised in the SLR peer reviews with Kā Rūnaka by 8 September 2025. Kā Rūnaka will undertake their own assessment of the technical reporting and in discussions, representatives indicated that they are unlikely to require additional technical reporting.
Ecology	Same as above – no additional technical reporting is expected. Updated information and assessments will be shared with Kā Rūnaka on 8 September 2025 (12 September 2025 for the draft Wetland Management Plan). Kā Rūnaka will undertake own assessment of the technical reporting.
Contamination risks	Same as above – no additional technical reporting is expected. Updated information and assessments will be shared with Kā Rūnaka on 8 September 2025. Kā Rūnaka will undertake own assessment of the technical reporting.
Social and economic effects on mana whenua	Kā Rūnaka will undertake an assessment of the social and economic benefits of the project. This will be completed in time for the s53 written comment period.
Consent duration and review conditions	Should Kā Rūnaka, having completed their assessments, seek amendments to the consent duration and review conditions, it is anticipated that they will comment during the s53 period along such lines. The applicant is meeting regularly with Kā Rūnaka which will provide the opportunity to reach an agreed position later in the process.

9. RCL have agreed with Kā Rūnaka to share all updated information and peer reviews to and from the other statutory participants with Kā Rūnaka.
10. Kā Rūnaka confirmed that they are preparing to submit their written comments within the s53 comment period by late October 2025, as per the estimated timeframe RCL advised when the parties met.

Queenstown Lakes District Council

11. RCL and the QLDC have had recent discussions and the following pre-s53 process has been agreed:
 - a) RCL will share the information provided to the ORC with the QLDC on 8 September and 12 September 2025;
 - b) RCL to share the updated ORC peer review reports with the QLDC when they are received.
 - c) QLDC is invited by RCL to continue their assessment of the application and advise RCL of any queries they have or further information requests. As advised previously, RCL has agreed to cover QLDC's costs for this pre-s53 comment work.
 - d) RCL and QLDC to workshop proposed conditions during the week of 15-19 September 2025.

Conditions workshop

12. There is likely to be benefit in the combined workshopping of conditions (at least in part) between the Applicant and all statutory participants during the week of 15-19 September 2025. This will be facilitated by RCL.
13. At the conclusion of the workshopping, RCL will prepare an updated set of proposed conditions which are to form part of the application that is to be the subject of written comment.
14. If there are any areas of discrepancy between RCL and the statutory participants, the statutory participants will be able to comment on these areas in their s53 written comment.

Updated information

15. RCL will provide the updated information and proposed conditions to the EPA on 19 September 2025 for this to amend and supplement the Fast Track application.
16. It is requested that the s53 written comment period commence soon thereafter.

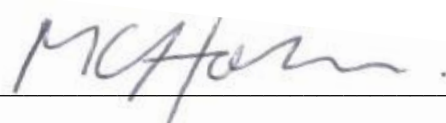
Post s53 comment period

17. Given comments may arise from other participants in the process in the s53 period, but the subject matter and technicality of those comments is not known, it is suggested that an additional 15 working days be included in the overall timeframe to allow for these discussions and if necessary, workshopping or witness conferencing following the close of the s53 period. This 15 day period has been discussed with both the ORC and QLDC. This timeframe is supported by ORC and QLDC did not express concern.
18. As detailed above, conferencing in relation to proposed conditions of consent is planned to be undertaken with those statutory participants. It is therefore expected that the majority of the issues with conditions of consent will already be addressed prior to the s53 comment period. If additional concerns relating to conditions are raised during the s53 comment period, the additional 15 working day period will allow for any required discussions or workshopping of the conditions.

Conclusion

19. RCL has and is continuing to expend significant effort in front loading the Fast Track application so that any issues are resolved or narrowed prior to the s53 comment period.
20. The abovementioned process and timeframes that have been agreed with the statutory participants are expected to resolve the majority of the issues that have been raised by those participants by 19 September 2025. An updated set of proposed conditions will be provided as part of the application. It is therefore requested that the Panel Convenor sets an efficient timeframe for a decision on the application taking these proactive and consultative steps into account.

DATE: 27 August 2025



Mike Holm / Nicole Buxeda

Counsel for RCL Homestead Bay Limited