

BEFORE THE PANEL CONVENER

IN THE MATTER of the Fast-track Approvals Act 2024 (**FTAA**)

AND

IN THE MATTER of an application by Simplicity Living Ltd under section 42 of the FTAA for the development of 12 – 14 Lower Shotover Road in Frankton, Queenstown

APPLICATION NO. FTAA-2607-1264

**SUPPLEMENTARY MEMORANDUM FROM THE DIRECTOR-GENERAL OF
CONSERVATION FOR PANEL CONVENER’S CONFERENCE**

Dated 14 October 2026

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Introduction

1. This Memorandum is filed on behalf of the Director-General of Conservation (**DG**), in response to the Panel Convener's request (by email 13 October 2026) to address the following matters at the Panel Convener's Conference (5 October 2026):
 - a. any unavailability of counsel and experts/ consultants between 11 January and 15 February 2027;
 - b. in-house experts and external consultants engaged;
 - c. whether DOC intends to comment on the resource consent approvals;
 - d. date by which lizard survey and draft lizard management plan to be provided in order for DOC to complete its section 51 report on the Wildlife Act approval;
 - e. further information relating to the complexity of the wildlife and concession approvals and the timeframe for decision-making.
2. These matters are addressed below for the Panel Convener's convenience.

Experts engaged and availability in January/ February 2027

3. Counsel and experts engaged by the Department of Conservation (**DOC**) are as follows:

Name	Expertise
Emily Bayliss	Fast Track Lead
Carey Knox	Herpetologist
Charlotte Grey	Permissions advisor (Wildlife Act approval)
Ben Fielding	Concessions advisor (Conservation Act concession)
Joseph Roberts	Statutory Land Manager
Jen Vella	Counsel

4. DOC has confirmed that there are no known limitations on the availability of these team members, although confirmation of Ms Grey's availability is pending and counsel hopes to provide an update at the conference.

Resource consent approvals

5. The DG advises that its primary focus in relation to this application is on the Wildlife Act approval and concession sought under the Conservation Act. At this stage, it is not anticipated that the DG will comment on the resource consent aspects of this application.

Provision of lizard survey and draft lizard management plan

6. The DG requests that the lizard survey and draft lizard management plan be provided 20 working days in advance of the deadline for its section 51 report on the Wildlife Act approval. This timeframe is proposed to accommodate the availability of DOC's herpetologist (noting that it is currently lizard survey season) and enable some time for liaison with the applicant, if that becomes necessary.
7. The DG advises that DOC has agreed with the applicant that the herpetologists will confer prior to commencement of the survey and preparation of the draft lizard management plan to ensure a common understanding as to the information required for DOC to prepare its section 51 report.

Complexity and timeframe for decision-making

8. In the memorandum of counsel dated 9 October 2026, the DG advised that:
 - a. the application has a moderate level of complexity in respect of the required conservation approvals;
 - b. DOC is unable to advise whether there are any issues in contention as it was still working through matters; and
 - c. DOC is unable to comment on whether the drafting of proposed consent conditions, including draft management plans, are accepted.
9. The Panel Convener has requested clarification on:
 - a. whether "conservation approval" relates to one or both of the Wildlife Act and Conservation Act approvals;
 - b. why DOC considers the conservation approval to be of moderate complexity; and

- c. why DOC is confident that a 30 working day timeframe is appropriate when it is unable to advise whether there are any issues in contention or comment on conditions.
- 10. The reference to “conservation approval” relates to all approvals in relation to which DOC is the administering agency, however counsel understands the confusion, given concessions are granted under the Conservation Act 1987.
- 11. The DG thanks the Panel Convener for the opportunity to clarify its position with respect to complexity and timeframe for decision making as follows:
 - a. The application for a wildlife authority is considered of moderate complexity – largely due to the absence of information, namely the survey, draft lizard management plan and assessment of suitability of proposed release sites, and therefore uncertainty as to appropriateness of proposed conditions. Having said that, provided that information is available in sufficient time to enable DOC to prepare its section 51 report, the DG does not consider it likely that the wildlife approval aspect of the application would require longer than the default statutory timeframe for making a decision. It is noted, however, that there is likely to be some work required to identify and confirm proposed release sites and ensure long term protection of relocated lizards.
 - b. The application for a concession for works and an easement on the marginal strip is of low complexity from the DG’s perspective and should not require longer than the statutory timeframe for making a decision. DOC is considering appropriate conditions and will liaise with the applicant directly in that regard. It is noted at this stage that the term of the easement is not clear and is likely to require some further discussion with DOC.
- 12. The DG thanks the Panel Convener for its attention to these matters.



Jen Vella
Counsel for Director-General of Conservation

Date: 14 October 2026