

Under the	Fast-track Approvals Act 2024 (FTAA)
In the matter	of the application for the Simplicity Living – Te Pūtahi Ladies Mile Project at 12 Lower Shotover Road, Frankton, Queenstown

**MEMORANDUM OF COUNSEL FOR QUEENSTOWN LAKES DISTRICT COUNCIL FOR
PANEL CONVENER'S CONFERENCE**

14 October 2026

**SIMPSON
GRIERSON**

Sarah Scott / Kierra Parker

PO Box 8/4 Christchurch

MAY IT PLEASE THE PANEL CONVENER:

1. This memorandum is provided on behalf of Queenstown Lakes District Council (**QLDC**) in response to Minute 3 of the Panel Convener (**Minute**) for the Panel Convenors Conference on the application for the Simplicity Living – Te Pūtahi Ladies Mile Project (**Application**). Simpson Grierson has been instructed to act for QLDC in respect of the Application.
2. The Panel Convener has directed the parties to file a written response to the matters set out in the Minute, including Schedules 1 and 2 of the Minute. Only matters relevant to QLDC as set out at paragraph [7] of the Minute are addressed in this memorandum. This memorandum provides a response to each matter in turn.

Attendance at Panel Convener's Conference

3. The following persons for QLDC will attend the Panel Convenor's Conference on 15 October:
 - (a) Kierra Parker (Simpson Grierson, legal counsel)
 - (b) Onur Oktem (QLDC, FTAA Programme Manager)
 - (c) Fiona Blight (QLDC, Manager, Resource Consents)
 - (d) Dave Wallace (QLDC, General Manager Planning and Development)
 - (e) Marcus Langman (Planning Consultant).

Extent of engagement

4. QLDC agrees with the summary of pre-lodgement consultation with QLDC set out in Appendix U Consultation of the Application.
5. In particular, the applicant has continued discussion with the Property & Infrastructure Team at QLDC about Developer Agreements that would be required in order to facilitate three waters for the Project, in the context of the broader development of Ladies Mile. There has been no agreement reached on the

infrastructure or Developer Agreement with QLDC at this stage, but the applicant continues to work with QLDC on options and solutions.

In-house experts and external consultants engaged on the Project

6. The QLDC experts that will be involved in the Project are set out below.

In-house:

- (a) Mr Cameron Martyn - Property and Infrastructure Team
- (b) Ms Jeannie Galavazi - Parks and Reserves Team
- (c) Ms Liz Simpson and Ms Anita Vanstone - Strategy and Policy Team

External consultants:

- (d) Mr Michael Lowe, Studio Pacific Architecture - Urban design
- (e) Bridget Feary, Aurecon – Transport
- (f) Mr Andy Calder, Scott Wilkinson Planning - Planning

Likely principal issues in contention

7. This Project is on land which is live-zoned for urban development in the Proposed District Plan (**PDP**), where housing development is anticipated.
8. In this context, the key issues for QLDC are therefore likely to be:
- (a) ensuring that the development delivers a well-functioning urban environment (including good urban design outcomes) that provides public connections with other development on Ladies Mile, Shotover Country and Lake Hayes Estate;
 - (b) that any areas of misalignment with the Te Pūtahi Ladies Mile Structure Plan (found in the PDP) and the Te Pūtahi Ladies Mile Zone are appropriately addressed or managed, including to ensure a well-functioning publicly accessible and connected urban environment;
 - (c) ensuring appropriate location / amount / type of open space given the breaches of height standards resulting in increased density;
 - (d) ensuring appropriate and timely delivery of necessary transport works/upgrades, and that the collector road running along the northern

side of the Ladies Mile Plan change area is of appropriate size and accommodates the appropriate vehicle, cycling and walking facilities to support high density development; and

- (e) ensuring the provision of 3 waters infrastructure to Council requirements (noting that while discussions are in progress no agreement has yet been reached or Developer Agreement signed).

- 9. In addition to existing consents, QLDC also notes that there is a live resource consent application for adjacent land in Ladies Mile (Council ref: RM260587, applicant is the Clarke Group, described by the applicant as an integrated land use and subdivision consent for 443 dwellings, commercial and community facilities). It is therefore important from QLDC's perspective that the consideration of the Simplicity Project takes into account its impact and relationship on the neighbouring site, particularly in terms of ensuring a connected urban environment.
- 10. Attached as **Appendix A** to this memorandum is a more detailed summary of the likely principal issues in contention from QLDC's perspective. **Appendix A** also contains a column setting out whether QLDC considers an issue is capable of resolution via conditions as requested in Minute 3.
- 11. QLDC's technical review of the substantive application is not complete and is ongoing. The issues it will be addressing in its s 53 comment are not advanced / confirmed. Therefore, QLDC's position on the principal issues in contention is only preliminary at this stage. Equally, QLDC's identification of whether an issue can be resolved via conditions, is based on the stage that it is at in its ongoing review of the substantive Application, and QLDC may well refine its position.

Processes agreed with the applicant to narrow issues

- 12. No processes have been agreed between the applicant and QLDC at this stage.

Complexity of this Application

13. QLDC's position on complexity of the project is as follows:

Table 1: consideration of complexity	
Level of complexity	QLDC comment
(a) Legal Complexity: novel or difficult legal issues	QLDC does not consider that there is any significant legal complexity relating to untested law or interpretation of statute. It is recorded however that the separate Developer Agreement discussions, may need to be tied into the consent via a condition.
	There are a variety of approvals sought from QLDC including land use consents for various activities and a subdivision consent.
	Within the RMA framework there are a number of policy documents which apply to this proposal: 1) Queenstown Lakes Proposed District Plan 2) Otago Regional Policy Statement 2021 3) Otago Regional Plan: Water for Otago 4) Te Tangi a Taurira – The Cry of the People: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 5) Kāi Tahu ki Otago Natural Resource Management Plan 2005. 6) Water Conservation (Kawarau) Order 1997 7) The National Policy Statement for Indigenous Biodiversity 2023 8) The National Policy Statement on Urban Development 9) The National Policy Statement for Freshwater Management 2020 10) National Policy Statement for Natural Hazards 2025 11) National Policy Statement for Infrastructure 2025 12) National Policy Statement for Renewable Electricity Generation 2011 13) The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
	Constitutional and public law issues are not anticipated to arise.

Table 1: consideration of complexity	
Level of complexity	QLDC comment
(b) Evidentiary Complexity: stemming from the volume, type, or technical nature of evidence	The applicant has commissioned a number of technical reports for its Application. QLDC staff are currently undertaking a detailed review of these documents. In terms of technical experts, QLDC has engaged the in-house and external consultant experts set out above and considers the evidential complexity to be average for a large fast-track application.
(c) Factual Complexity: arises from the volume and nature of evidence	Key substantive issues that QLDC will likely comment on include the issues set out in Appendix A , and the consent conditions.

Proposed consent conditions

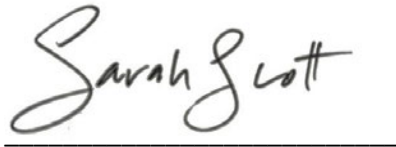
14. QLDC is reviewing the applicant's Proposed Conditions. QLDC is not presently in a position to state definitively whether the drafting of proposed consent conditions is accepted and will address the conditions further in QLDC's written comment under s 53 (and later s 70) of the FTAA.

Efficient processes

15. Council anticipates that expert conferencing on certain issues (in particular urban design and transport, and 3 waters if no Developer Agreement is yet in place) may be required. Conditions workshops may also assist in an efficient process.
16. On timeframes, while it is a decision for the Panel Convener to make, QLDC considers that 60-65 days would be appropriate. This timeframe could give time to process and resolve the developer agreement discussion (three waters infrastructure) and other issues raised through s 53 comments. Importantly for QLDC, it is currently working on a significant number of fast track processes (substantive and referral applications) and in its experience, some of the conferencing and hearings processes after s 53 comments can be intensive. The proposed working days will go a small way to giving QLDC the ability to resource

any subsequent processes, while responding to multiple significant fast-track projects in the District straining its resources.

Date: 9 October 2026

A handwritten signature in black ink, reading "Sarah J Scott". The signature is written in a cursive style with a horizontal line underneath it.

S J Scott / K E Parker

Counsel for Queenstown Lakes District Council

APPENDIX A – QLDC PRELIMINARY PRINCIPAL ISSUES

Key issues are:

	Principal issue	Capable of resolution by conditions?
1.	Parks and reserves provision effects (a) The provision of suitable and sufficient open space (vested local park, and private open space), including land that is of sufficient size and location and is not constrained by existing topography or stormwater infrastructure / land that meets the QLDC Future Parks Provision Plan criteria. The open space also needs to reflect the level of density proposed by Simplicity (including increased density through breach of height limits), which results in a greater reliance by residents on public open space and reserves. (b) Private open spaces proposed by Simplicity appear to be too small for most recreation activities such as informal sports and community gatherings, and they cannot support recreation infrastructure like hardstand courts and should therefore be supplemented by a larger publicly vested accessible green space.	Potentially – dependent on applicant or Panel amending proposal design, or conditions
2.	Urban design effects (a) The Project design needs further design refinement to ensure the proposal provides public connections to the wider Ladies Mile area. (b) Simplicity propose not to deliver the Collector Road Type A as shown in the TPLM Structure Plan running from north to south. All roads internal to the development are private, with a RoW connection for pedestrians only from North to South. The issue arising is whether the Project delivers a connected environment and an alternative vehicle, cycle and pedestrian link equal to that intended by the 'Collector Road A' of the TPLM Structure Plan. (c) Provision of car parking / visitor parking and its effects on broader residential visitor connectivity within the wider region which is heavily car dependent.	Potentially – dependent on applicant or Panel amending proposal design or conditions

3.	Education infrastructure Whether the consent application breaches Rule 49.4.6 – which includes the 1,100 dwelling trigger (dwellings subject to resource consent). Without the operation of a high school within the Zone, consideration has to be given to resulting effects on the transportation network when that threshold is passed, with relevant Assessment Matters in 49.8.3.	Potentially
4.	Transportation effects (a) Refer to 2(b) above re Collector Road. (b) Refer to 3 above as to effects on the transportation network when there is no high school. (c) Effects on transport infrastructure including whether there will be funded and coordinated delivery of transport infrastructure. This includes: (i) Delivery of the Stalker Road northbound bus priority lane south of State Highway 6; (ii) Partial delivery of the westbound bus land on State Highway 6; (iii) Signalisation of Stalker Road / State Highway 6 junction (iv) And associated timing/trigger mechanisms and staging, as well as commitment from NZTA where required.	Potentially – dependent on applicant or Panel amending proposal design or conditions
5.	Three waters infrastructure (a) The scope, staging, and timing of three waters supply remain subject to confirmation through detailed design and a finalised Developer Agreement between Simplicity and QLDC. (b) Without an agreed Developers Agreement, the matter may need to be decided on by the Panel.	Potentially – dependent on Developers Agreement being entered into
6.	Strategic growth issues (a) Cumulative effects when considered alongside other consented and proposed growth in the Whakatipu Basin. Not its own issue per se but relevant to transport and education infrastructure issues above.	N/A