

9 October 2026

Jane Borthwick

Panel convener for the purpose of the Fast-track  
Approvals Act 2024 (FTAA)

Tēnā koe Jane,

**FTAA-2607-1264 – Simplicity Living – Te Pūtahi Ladies Mile – Convener’s Conference Minute 3 of the Panel Convener**

Thank you for your Minute 3 dated 30 September 2026 regarding the Simplicity Living – Te Pūtahi Ladies Mile proposal.

Otago Regional Council (ORC) can confirm that representatives Dwayne Daly (Principal Consents Planner) and Leah Day (Consent Planner) will be attending the convener’s conference on Thursday 15 October 2026 at 10.00am.

Please see below ORC’s response to the matters set out in Minute 3. ORC has not provided a ‘Participants’ estimated timeframe’ and adopts the Applicant’s suggested timeframe. ORC’s attendance at the conference, as listed in Schedule 1, is confirmed above.

ORC trusts this information will assist the Panel Convener regarding the decisions under schedule 3 and section 79 of the FTAA.

Please advise if you need any further clarification on any matters raised in this response.

We look forward to working with you at the convener’s conference.



Dwayne Daly  
**Principal Consents Planner**



Jenny Ross  
**Team Leader Consents - Fast Track and Regulatory Projects**  
**Kaiārahi Whakaataka Takutai**

**SIMPLICITY LIVING – TE PŪTAHI LADIES MILE**

Under the **FAST-TRACK APPROVALS ACT 2024**

In the matter of An application for approvals by Simplicity Living Limited to authorise an integrated residential development, including subdivision and associated land use for a multiunit development at 12-14 Lower Shotover Road, Queenstown, together with associated transport and three waters infrastructure.

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**MEMORANDUM FOR OTAGO REGIONAL COUNCIL  
REGARDING MATTERS FOR DISCUSSION AT  
PANEL CONVENER'S CONFERENCE**

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**Introduction**

1. This memorandum from Otago Regional Council (ORC) responds to Minute 3 of the Panel Convener dated 30 September 2026 to inform the decisions to be made in setting up the Panel to consider this application. It addresses each of the matters listed at paragraph [7] of the minute.
2. In summary, ORC considers that:
  - (a) The proposal does not raise novel or untested legal issues and is not complex from a regional consenting perspective.
  - (b) Engagement with the Applicant has been constructive. A small number of defined technical matters relating to earthworks management remain open. ORC considers that

these can be resolved through the provision of updated technical documents from the Applicant;

- (c) The Applicant's volunteered conditions are reasonable and consistent with ORC's standard conditions of consent for residential earthworks and associated discharge. However, some refinement of earthworks-related conditions is anticipated in consultation with the Applicant.
- (d) ORC is happy to agree to a timeframe proposed by the applicant.

#### **Number and range of approvals sought**

- 3. The Applicant seeks resource consent for the activities identified in Table 5 within Section 6.2 of the substantive application dated August 2026.
- 4. ORC agrees with the applicant's assessment of the relevant provisions of Otago's Regional Plans, being the Regional Plan: Water for Otago (RPW), the Regional Plan: Waste for Otago (RPWaste) and the Regional Plan: Air for Otago (RPA). All relevant approvals have been identified.
- 5. The activity status of the approvals required from ORC are restricted discretionary.
- 6. The Applicant also seeks Certificates of Compliance for activities that comply with the relevant permitted activity standards of the RPW and RPA. Compliance with the permitted activity standards of the relevant rules is demonstrated in Appendix Z of the application.

#### **Extent of engagement with the Applicant**

- 7. In response to paragraph [7](a) of Minute 3, ORC acknowledges that the applicant's engagement with ORC has been constructive. The Applicant has held meetings with ORC's Transport Team and a pre-application meeting with ORC's Consents Team prior to lodging a referral application. The Applicant provided a large number of documents with their referral application under s17 of the FTAA. The Applicant also held a further meeting with ORC's Transport Team before lodging their substantive application.

#### **ORC's in-house experts and external consultants**

- 8. In response to paragraph [7](b) of Minute 2, the in-house experts and external consultants engaged by ORC on this project are set out in Table 1 below.

**Table 1. ORC in-house experts and external consultants**

| <b>Matter</b> | <b>Advisor</b>                               | <b>Scope of advice</b>                                                                                                                                           |
|---------------|----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Planning      | Mat Bell, ORC (Principal Consents Planner)   | Pre-application advice.                                                                                                                                          |
| Planning      | Angela Fenemor, Incite (consultant planner)  | Comments on the referral application under s17, assessment of existing consents and competing applications under s30, and the completeness assessment under s46. |
| Planning      | Dwayne Daly, ORC (Principal Consents Planer) | Assessment of existing consents and competing applications under s.47.                                                                                           |

|                    |                                                |                                                      |
|--------------------|------------------------------------------------|------------------------------------------------------|
| Transport Planning | Grace Longson, ORC (Transport Planner)         | Advice on transport planning.                        |
| Earthworks         | Jason Smith, Morphum Ltd (Principal Scientist) | Audit of the Applicant's earthworks management plan. |

### Principal issues in contention, and issues capable of resolution by conditions

9. ORC has identified some principal matters of contention arising from the application but notes these are limited to details of earthworks design or methodology.
10. Table 2 below identifies the principal issues and, in response to paragraph [7](c) of Minute 2, whether ORC considers each is capable of resolution through conditions of approval.

**Table 2. Principal issues and whether they are capable of resolution by conditions**

| Issue                                    | ORC position                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Capable of resolution by conditions                                                                                                                                                                                                                                                                                                                                                                                                            |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Earthworks, erosion and sediment control | <p><b>Not resolved</b></p> <p>ORC engaged Morphum Ltd (Morphum) to audit the EMP submitted in support of the Application.</p> <p>The audit identified the need for further information on matters relating to:</p> <ol style="list-style-type: none"> <li>The size of the contributing catchment for clean water diversion bunds;</li> <li>Monitoring and maintenance of the soakage basin;</li> <li>Sediment discharge criteria; and</li> <li>Storage of chemicals.</li> </ol> | <p>ORC would expect that the Applicant would provide an updated draft EMP that addressed the matters raised by the Morphum audit prior to a decision being made on the application. This is to allow for review and assessment of the updates by ORC to ensure the EMP suitably manages adverse effects.</p> <p>Finalised Environmental Management Plans (EMP) and Erosion and Sediment Control Plans (ESCP) can be secured by conditions.</p> |
| Conditions and management plans          | <p><b>Not resolved</b></p> <p>The audit by Morphum highlighted the potential need for two additional conditions relating to:</p> <ol style="list-style-type: none"> <li>certification of any finalised EMP and ESCP, and;</li> <li>bench testing if Sediment Retention Ponds or Decanting Earth Bunds are proposed.</li> </ol>                                                                                                                                                  | Yes.                                                                                                                                                                                                                                                                                                                                                                                                                                           |

### Processes agreed with the Applicant to narrow the issues

11. In response to paragraph [7](d) of Minute 3, the following processes have been agreed or are in train:
- (a) On behalf of ORC, Morphem Ltd have reviewed the Applicant's draft EMP and ORC will provide the audit to the Applicant for their consideration and response.
  - (b) ORC intends to provide the audit to the Applicant following the Panel Convener's Conference, with the Applicant's agreement, to work through the matters raised ahead of ORC's comments under s53(2);

#### **Changes made, or currently underway since lodgement**

12. In response to paragraph [7](e) of Minute 3, there have been no changes since lodgement, and to the best of ORC's knowledge, there are no proposed changes to the application currently underway.
13. ORC would be happy to work with the applicant to resolve the issues raised in the Morphem audit but to-date ORC has not raised this with the Applicant, and no arrangements have been made yet.

#### **Complexity**

14. Table 3 below provides ORC's consideration of the specific matters of complexity identified at paragraph [7](f) of Minute 3.

**Table 1: Consideration of complexity.**

| <b>Level of complexity</b>                            | <b>Specific provision</b>                              | <b>ORC comment</b>                                                                                                                                             |
|-------------------------------------------------------|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) Legal Complexity: novel or difficult legal issues | (i) involve untested law or interpretation of statute; | ORC do not consider that there is any legal complexity relating to untested law or interpretation of statute in relation to its regional consenting functions. |
|                                                       | (ii) involve application for multiple approvals;       | Approvals are required under sections 9 and 15 of the RMA for activities regulated by ORC.                                                                     |
|                                                       | (iii) interface with two or more statutes; and         | Setting aside FTAA, the RMA is the primary statute for this proposal.                                                                                          |

|                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                             | <p>ORC considers that the following statutory documents are of relevance to this proposal:</p> <ul style="list-style-type: none"> <li>i. National Policy Statement for Freshwater Management 2020</li> <li>ii. National Policy Statement on Urban Development 2020</li> <li>iii. Otago Regional Policy Statement 2021</li> <li>iv. Regional Plan: Water for Otago</li> </ul> |
|                                                                                                                                                                                 | (iv) engage constitutional law and public law.                                                                                                                                                                                                                                                                                                                                                              | The consents relating to ORC's regional functions have a restricted discretionary activity status. Constitutional and public law issues are not not anticipated.                                                                                                                                                                                                             |
| <p>(b) Evidentiary Complexity: stemming from the volume, type, or technical nature of evidence</p> <p>(c) Factual Complexity: arises from the volume and nature of evidence</p> | <p>(i) include challenges like managing expert reports or dealing with conflicting factual or opinion evidence; and often involve technical or scientific analysis.</p> <p>(ii) requires careful management of extensive information or reports, including expert opinion in specialised fields; and necessitates analysis if technical, scientific, or highly specialised subject matter are involved.</p> | In relation to the matters that can be considered by ORC, there is little evidentiary or factual complexity. The matters raised by the Morphem audit, can readily be resolved by the Applicant's technical expert responding to the matters raised.                                                                                                                          |

15. Overall, ORC considers that the proposal does not raise novel legal issues and has a low level of evidentiary and factual complexity, due to the limited scope and scale of the consents sought from ORC.

### **Drafting of the proposed conditions and management plans**

16. In response to paragraph [7](g) of Minute 2, ORC considers the Applicant's volunteered conditions to be reasonable, and ORC agree on their general form. However, the Morphem audit identified the need for additional detail regarding earthworks methodology and for a small number of additional conditions. Therefore, ORC consider that further refinement of the volunteered conditions is required.

### **Efficient processes proposed**

17. In response to paragraph [7](h) of Minute 2, ORC suggests the following:

- (a) Immediately following this conference, ORC will provide the Morphem audit to the Applicant and give the Applicant have the opportunity to review and respond, ideally by providing the details highlighted as missing, and adopting the recommended conditions prior to ORC being called for s53 comments. ORC would require the opportunity to review and respond to the Applicant's response. ORC considers this is the step most likely to narrow and potentially resolve the matter.
- (b) If agreement cannot be reached through that process, options include a conditions workshop involving ORC and the Applicant, held in parallel with the Panel process, or expert conferencing.
- (a) Based on the issues in contention, ORC does not consider a hearing necessary for the approvals within its jurisdiction. ORC would, however, attend a hearing on any specific issue if the Panel were so inclined.

### **Panel membership**

18. ORC considers that the regional approvals sought are common to other subdivision and development projects within the Otago region. The key knowledge, skills and expertise that ORC expects to be beneficial to be included within the Panel are RMA knowledge, including experience in the drafting of consent conditions, and knowledge of environmental engineering, including erosion and sediment control for large-scale earthworks.

### **Procedural requirements and proposed processes**

19. As noted above, ORC is willing to continue to engage with the applicant to refine the proposed conditions and to narrow or resolve the outstanding technical matters, both in advance of and following the appointment of the Panel.

### **Timeframes / other information**

- 20. ORC is happy to agree to the timeframe proposed by the Applicant.
- 21. ORC does not currently anticipate that periods of leave or other commitments will affect its ability to meet the timeline set out by the Applicant.
- 22. ORC is willing to participate in any briefings, conferencing, wānanga, hearing, or mediation with the Applicant or any other participant as requested or directed by the Panel.

### **Administrative and contact details**

23. Please direct all correspondence relating to this application to:

- (a) Dwayne Daly [REDACTED]
- (b) ORC Fast Track Team: [consent.fasttrack@orc.govt.nz](mailto:consent.fasttrack@orc.govt.nz)
- (c) Jenny Ross: [REDACTED]