

BEFORE THE PANEL CONVENER

Under the the Fast-track Approvals
Act 2024 (FTAA)

In the matter of an application by
NZSki Limited to upgrade
the Remarkables Ski Area
and the Doolans
Expansion

Application No. FTAA-2604-1217

**Memorandum of Counsel for Central Otago District Council responding to Minute 3 of
the Panel Convenor**

3 August 2026

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MAY IT PLEASE THE PANEL CONVENER

1. This memorandum is provided on behalf of Central Otago District Council (CODC) in response to the Panel Convener's Minute 3, dated 27 July 2026 (Minute) regarding the application by NZSki to upgrade the Remarkables Ski area and expand the ski field operation into the Doolans Basin. It addresses the matters set out in the Minute, insofar as they relate to that part of the application site within the Central Otago District, and CODC's functions and interests.
2. The Panel Convenor has invited CODC to address the various matters set out at paragraph 7 of the Minute.
3. Mactodd Lawyers has been instructed to assist CODC in respect of the application. CODC's comments are intended to assist the Panel Convener in determining an appropriate decision timeframe, and to identify at an early stage the likely issues from a district planning perspective.

Matters CODC invited to comment on

Extent of engagement

4. Engagement with the applicant has been positive and collaborative. CODC have been invited to site visits and has in the main been provided with application documents in good time for peer reviews and feedback provided prior to lodgement. Engagement and peer to peer discussions continue with workshops also planned, as CODC understands it.

External consultants engaged by CODC

5. CODC has engaged the following consultants to undertake peer reviews of the application documents:
 - (a) Ben Espie (Vivian + Espie) – landscape (shared with QLDC)
 - (b) Luke Liddle (Wildlands) – Terrestrial Ecology
 - (c) Natalie Hampson (Savvy Consulting) – Economics

- (d) Mark Cruden (Meyer Cruden) - Hazards and Geotech
- (e) Jon Styles (Styles Group) - Noise
- (f) Louise Taylor (Taylor Planning) – Planning
- (g) Chris Jennings (Origin Heritage) – Heritage
- (h) Anthony Steel (Fluent) - 3 Waters
- (i) Recreation (in house)

Principal issues and potential for resolution via conditions

6. **Ecology.** From CODC’s perspective, terrestrial ecological effects are the principal matter requiring detailed consideration through the Panel process. At this early stage, there appears to be agreement between the relevant experts that the ecological effects are significant. The areas of disagreement appear to relate primarily to the adequacy and robustness of the proposed mitigation, offsetting and compensation package. CODC considers that those matters may be capable of resolution through appropriate conditions, but will need careful testing through the Panel process.
7. Other, less central issues that CODC have identified are:
 - a. **Landscape.** The relevant structures and landform modification are within an ONL, although they are not expected to be widely visible from public viewpoints. CODC’s focus is on whether appropriate conditions can manage the associated landscape effects, including in relation to lighting, external materials, glare and the final form and finish of any modified landforms.
 - b. **Economics.** CODC’s economic peer reviewer considers the assessment generally suitable and transparent and has not identified any computational errors. She considers the Project likely to generate economic benefits of significance, concentrated largely in the Queenstown Lakes District, with only minor spill-over benefits to wider Otago. The principal issue is the scale of the quantified benefits, which may represent an upper limit. Matters requiring further consideration are the counterfactual and assumed ski-field capacity constraints, the attribution of visitor spending, the timing and achievability of projected

skier-day and market-share growth, the treatment of imported construction components, and tourism-related economic disbenefits. These matters may be capable of being narrowed through expert discussion or conferencing.

- c. **Reliance on management plans** – effects from construction are planned to be managed via management plans, which is expected from a project of this scale. However it is important that the management plans are carefully crafted to suitably manage effects on sensitive ecology, and the risks of hazards in particular.

- 8. CODC expects that ecology issues in particular will lend themselves to targeted expert conferencing and, where appropriate, joint witness statements to assist the Panel to focus on the matters that remain genuinely in dispute.
- 9. There may be other matters that CODC comments on, in respect of which it has commissioned peer reviews, however it is expected that any such comments will likely be confined to adequacy of/amendment to conditions.

Agreed processes to narrow or reduce issues

- 10. Workshops are scheduled with experts relating to ecology and landscape. Workshopping of conditions would also be appropriate to ensure mitigation proposed to manage effects (including management plans) are secured via robust conditions.

Complexity

- 11. In terms of the matters that fall within CODC's jurisdiction as a territorial authority, CODC has not identified any novel or unusual legal complexity with the Application. CODC does, however, anticipate that the ecological issues are likely to require careful expert assessment, particularly in relation to the adequacy of the proposed measures to address residual terrestrial ecological effects, including any offsetting or compensation package.

Drafting of conditions

12. CODC's initial view is that the draft conditions provide a useful framework for managing the relevant effects, but they would benefit from further review and refinement as the Panel process progresses. In particular, CODC anticipates that workshopping will be helpful to ensure the conditions are clear, enforceable and appropriately supported by any management plans or technical detail.

Schedule 1 of the Minute – Participants' estimated timeframe

13. CODC does not have a prescriptive timetable to propose for every step in Schedule 1. CODC has discussed the timetable with the applicant, and is agreeable to a timetable that provide sufficient time for workshopping and expert conferencing.
14. CODC supports a decision timeframe in the order of a **100 days** from panel commencement. Again, having had some preliminary discussion the with applicant, CODC's view this is necessary to:
 - a. allow adequate time for:
 - i. any requests for further information and responses;
 - ii. expert conferencing and/or mediation on key technical issues;
 - iii. workshopping to drafting, review and refine of conditions, including conditions that rely on management plans; and
 - iv. the statutory steps involving draft conditions and Ministerial comment; and
 - b. mitigate the risk that compressed timeframes could compromise decision quality or expose the decision to unnecessary challenge.

Procedural requirements

15. CODC is willing to engage directly with the Panel, the applicant and other participants as necessary to assist the efficient progress of the application, including through:

- a. Attendance at briefings, meetings and case management conferences;
- b. Participation in expert conferencing and, where appropriate, mediation on discrete issues (for example, conditions and management plan frameworks); and
- c. Participation in any hearing process that the Panel considers necessary to test disputed factual or opinion evidence, conditions or legal issues.

16. CODC is also open to the Panel directing the preparation of joint witness statements and/or conferencing on draft conditions and management plans at an appropriate stage in the process.

Dated: 3 August 2026



Jayne Macdonald

Counsel for Central Otago District Council