

BEFORE THE PANEL CONVENER

IN THE MATTER

of an application for approvals by Simplicity Living Limited under section 42 of the Fast-track Approvals Act 2024 ("**FTAA**")

AND

IN THE MATTER

of an integrated residential development, including subdivision and associated land use for a multi-unit development at 12-14 Lower Shotover Road, Queenstown, together with associated transport and three waters infrastructure ("**Project**")

MEMORANDUM OF COUNSEL

8 OCTOBER 2026

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MAY IT PLEASE THE CONVENER

Introduction

1. This memorandum is prepared on behalf of Simplicity Living Limited ("**Applicant**") in relation to the Project and addresses the matters set out in the Panel Convener's Minute 3 dated 30 September 2026.
2. The Applicant has lodged a comprehensive application under the FTAA to seek the necessary approvals for its Project ("**Application**"). The approvals sought include resource consents under the Resource Management Act 1991, a concession under the Conservation Act 1987, and a wildlife approval under the Wildlife Act 1953. The details of the approvals sought are outlined in Part 2 of the Application.
3. The Project seeks to address Queenstown's critical housing affordability issue through the provision of affordable quality long-term rental housing stock. The Project is on land within the Te Pūtahi Ladies Mile ("**TPLM**") Structure Plan area, which has recently been live zoned for residential intensification. The Project is consistent with the District Plan's outcomes for the TPLM Structure Plan area. The Applicant is committed to delivering quality housing stock for the Queenstown community that is supported by the necessary transport and three waters infrastructure. This sets it apart from other fast-track development applications which propose intensification on greenfield land that is not zoned or earmarked for intensification.

Extent of engagement and key issues

4. A summary of the engagement undertaken by the Applicant is set out in Appendix U to the Application, including extensive consultation with the Councils, New Zealand Transport Agency ("**NZTA**"), and the Department of Conservation ("**DoC**"). In relation to engagement with these parties post referral, and lodgement of the Application, the Applicant:
 - (a) Has had discussions with DoC in relation to the wildlife approval component of its Application, and understands that DoC is generally comfortable with the proposed approach to management of lizards being largely determined following completion of the lizard surveys currently underway.
 - (b) Has had discussions with NZTA's transport engineer in relation to the transport modelling for the Project and proposed transport upgrades.

NZTA has provided feedback which has been incorporated into the Application, and the Applicant understands NZTA's transport engineer is comfortable with the modelling and upgrades proposed. The Applicant has also engaged a peer reviewer in relation to transport matters to provide additional rigour and confidence in the assessments.

- (c) Has sought to engage with Queenstown Lakes District Council ("**QLDC**") post referral, but these requests to engage have been declined. The Applicant understands from pre-referral engagement and QLDC's comments on the referral application, that the Council raised a range of matters in relation to the Project which it requested be addressed in the substantive application.¹ The Applicant has comprehensively addressed these matters in its application, and is hopeful most of QLDC's concerns have been appropriately addressed in the Application, and can be addressed further by refinement to conditions.
- 5. The Applicant will continue engaging with all relevant stakeholders, with a view to refining any outstanding issues and conditions prior to the Panel inviting parties to comment on the Application.
 - 6. Without the benefit of discussing with QLDC, the Applicant considers the key issues that remain are:
 - (a) The Project's scale and density of residential development and its alignment with the TPLM Structure Plan. The Applicant understands QLDC's concerns are largely related to urban design matters and management of effects, which can be addressed through refinements to conditions if necessary.
 - (b) Details in relation to the design of the Project's three waters infrastructure which is well progressed and which will be able to be addressed through refinements to conditions. The Applicant is committed to delivering the necessary three waters infrastructure required to service its development (both internal and external to the site), and this infrastructure forms part of the Application.

¹ Including in relation to transport, three waters and education infrastructure, staging and integration, the provision of parks and community facilities, the Project's alignment with the relevant planning framework and effects management.

- (c) Details in relation to the design of the Applicant's upgrades to the transport network which is also well progressed, and which will be able to be addressed through refinements to conditions. It is acknowledged there is existing congestion in this area, there has been an ongoing body of work to improve the wider transport network surrounding the Project site and the required transport upgrades are detailed in the plan provisions for the TPLM area. The Applicant is proposing a range of transport upgrades to mitigate the effects of its Project, consistent with the TPLM District Plan provisions and NZTA's recommendations.
- (d) The topography and extent of infrastructure within the proposed park proposed to vest in QLDC.
- (e) Additional information sought by DoC through lizard surveys which could not be completed over the winter season. These surveys are now underway and results are expected shortly, which will enable refinements to conditions to address DoC's queries.

Anticipated changes to the Application

- 7. The Applicant anticipates that some minor refinements to the detailed design of the Project may be required. Any refinements required are not expected to alter any of the conclusions in relation to effects or introduce additional complexity to the processing of the Application.
- 8. If any design refinements are to be made, the Applicant confirms these will be provided to the Panel ahead of parties being invited to comment on the Application.

Complexity

- 9. The Applicant notes the following in relation to the Project:
 - (a) **Planning complexity:** It is not anticipated the Project will involve any difficult planning issues. The Project site and surrounding area have been subject to a Council plan change process which resulted in the live zoning of the area to enable significant housing intensification. Through this plan change process, the potential effects of housing intensification of the TPLM area were robustly tested. The Project is consistent with the outcomes contemplated by the TPLM Structure Plan.

- (a) **Legal complexity:** It is not anticipated the Project will involve any novel or difficult legal issues.
 - (b) **Evidentiary complexity:** The Application is accompanied by a range of expert reports, and the information provided is typical of a comprehensive integrated residential development.
10. Overall, in the context of other fast-track projects, we consider the Application is relatively straightforward and is on land which has recently been live zoned for urban intensification. The Applicant is also committed to delivering the necessary infrastructure to support its development and the wider TPLM zone, which in turn will facilitate the uptake of wider development. In our view the issues that remain in contention are common for a residential development of this scale and nature.

Conditions of consent

11. The Applicant has provided draft conditions with the Application. The Applicant anticipates these draft conditions will be subject to further refinement throughout the FTAA process, but they provide a strong starting point for the Panel and parties to work with.
12. The Applicant considers the draft conditions effectively mitigate the effects of the Project, and that any outstanding disagreements as to the sufficiency of mitigation or the significance of the Project's effects can be effectively managed through refinements to the condition set throughout the FTAA process.

Procedural steps

13. The Applicant is willing to engage with the Panel as necessary to advance the Project and refine issues. We consider it would be useful for the Applicant to provide a briefing on the Project early on in the Panel's assessment. The Applicant is also open to its experts engaging in expert conferencing on any matters which may benefit from such direct discussions.
14. At this stage, the Applicant considers:
- (a) it is unlikely a hearing will be required;
 - (b) any matters in respect of which the Panel requires clarification can be addressed through requests for further information; and

- (c) any matters relating to conditions can be addressed through the statutory process for providing comments on draft conditions.

Timing

15. The Applicant considers a timeframe in the order of 50 working days (subject to Panel availability) from the date specified for receiving comments to be sufficient for deciding the Application, taking into account the extensive work and consultation to date, and limited number of issues.

DATED: 8 October 2026



Daniel Minhinick | Kirsty Dibley
Counsel for Simplicity Living Limited