

Before the Hearing Commissioner

Appointed by the Queenstown Lakes District Council

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Under the Resource Management Act 1991

In the matter of Submissions and further submissions on Queenstown Lakes  
Proposed District Plan 2023

Urban Intensification Variation

**Carter Queenstown 2015 Limited (Carter Group)**  
*(Submitter 776 and Further Submission 1337)*

**Centuria Property Holdco Limited (Centuria)**  
*(Submitter 743 and Further Submission 1362)*

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**Cover letter to the memorandum of Charlotte Clouston**

18 September 2025

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**Submitter's solicitors:**

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- 1 We represent Centuria Property Holdco Limited (**Centuria**)<sup>1</sup> and Carter Queenstown 2015 Limited (**Carter Group**)<sup>2</sup> in relation to the Proposed Queenstown Lakes District Plan (**PDP**): Urban Intensification Variation (**Variation**).
- 2 Centuria and Carter Group seek that the notified Queenstown Town Centre Zone (**QTC**) in the Variation be extended to include the land that is zoned QTC under the Queenstown Lakes Operative District Plan (**ODP**) (**PC 50 Land**). Alternatively, they seek that at least specific portions of the PC 50 Land, insofar as it relates to the Centuria and Carter Group Land, be included within the QTC Zone of the PDP.
- 3 We appeared and presented legal submissions for Centuria and Carter Group during the Queenstown Intensification hearing on Friday, 1 August 2025.
- 4 During our appearance, the panel requested that certain matters be addressed. Please find enclosed the memorandum of **Mrs Charlotte Clouston** (attached in **Appendix One**), which responds to the Commissioners' questions raised at the hearing, including those relating to:
  - (a) Letters sent to neighbouring landowners;
  - (b) Further submissions received;
  - (c) Questions regarding bespoke PC50 Rules;
  - (d) Objectives and Policies – ODP Chapter 10; and
  - (e) District-Wide provisions.
- 5 This cover letter briefly addresses legal aspects as they relate to the memorandum of **Mrs Clouston**.

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<sup>1</sup> Submitter 743 and Further Submission 1362.

<sup>2</sup> Submitter 776 and Further Submission 1337.

## Letter drop and further submissions received

- 6 Turning to the second limb of the *Clearwater*<sup>3</sup> test, there is no dispute that the public should be provided with a real opportunity to participate where they are potentially affected.
- 7 The Public Notice to the Variation stated that “the proposal seeks to amend the PDP by increasing heights and densities in some zones to the Urban environment as well as rezoning land close to commercial areas in Queenstown, Frankton and Wānaka to enable intensification of development” (attached in **Appendix Two**).<sup>4</sup>
- 8 In this context, as stated in Appendix A to Centuria and Carter Groups' legal submissions, the potential for the QTC Zone boundaries to incorporate the PC 50 Land as part of the Variation was reasonably foreseeable and is considered a “incidental or consequential” extension.<sup>5</sup> Submissions seeking to rezone directly adjoining land, such as the PC 50 Land, are not unusual in the context of plan variations of this nature.
- 9 The PC 50 Land has already been recognised by QLDC as QTC through the PC 50 process, which identified a need to expand the QTC Zone to provide for and facilitate economic growth. Furthermore, the PC 50 Land has been incorporated into QLDC’s Town Centre Master Plan documents,<sup>6</sup> and is consistent with QLDC’s recent decisions on resource consents within the QTC.<sup>7</sup> This alignment supports the appropriateness of the proposal within the existing planning framework.
- 10 Interest in the Variation, and specifically the inclusion of the PC 50 Land (and the ODP), has been widespread and well-known amongst Queenstown landowners, residents, and local operators. As noted by **Mrs Clouston**, the combination of the two letter drops comprises all landholdings within the PC50 Land and a number of further submissions,

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<sup>3</sup> *Clearwater Resort Ltd v Christchurch City Council* HC Christchurch AP34/02, 14 March 2003.

<sup>4</sup> Public Notice 24 August 2023; Variation to Queenstown Lakes Proposed District Plan Urban Intensification.

<sup>5</sup> Appendix A: Scope of the Variation and the Incorporation of the PC 50 Land, dated 31 August 2025.

<sup>6</sup> QLDC’s Town Centre Master Plan documents [tcsf-part-1-introduction.pdf](#), [tcsf-part-2-vision-and-key-moves.pdf](#), [tcsf-part-3-town-centre-design-strategies.pdf](#), [tcsf-part-4-the-masterplan-web.pdf](#), [tcsf-part-5-implementation-strategy-web.pdf](#); incorporates the PC 50 Land as part of the QLDC town centre under the master plan.

<sup>7</sup> RM180206 (23-41 Thompson Street) granted consent for a seven-storey hotel up to 26m in height (excluding roof plant); RM180507 (34 Brecon Street) granted consent for two six storey hotels and associated commercial activities within four buildings

both in support<sup>8</sup> and opposition, one of which directly referenced the letter drop.<sup>9</sup>

- 11 We do not consider that the letter was necessary to satisfy the second limb of the *Clearwater*<sup>10</sup> test, however it does represent a 'belts and braces' approach. In this context, the Panel can be assured that all potentially affected persons were informed of the likelihood of the inclusion of the PC 50 Land and would have been sufficiently aware of the changes sought in the Carter Group and Centuria submission.
- 12 In our view, there is no material risk of procedural fairness in determining that the Submission is in scope.

### **PC 50 Land in the context of the PDP and ODP**

- 13 **Mrs Clouston** has addressed the Panel's query as to whether there are any limitations of rolling the ODP provisions specific to PC50 Land into the PDP. **Mrs Clouston** concludes that the PDP provisions are adequate for the PC 50 Land (excluding potentially the Lakeview sub-zone), and no additional or bespoke rules are needed.
- 14 Most ODP provisions for PC 50 Land are either already reflected in the PDP or are no longer necessary due to changes in planning direction. Specific ODP rules (such as maximum building coverage, retail floor area limits, and setback requirements) are not considered necessary to retain, as the PDP approach is consistent with the purpose of the Variation to implement Policy 5 of the NPS-UD (i.e. enabling heights and density of urban form).
- 15 Further, district-wide PDP provisions for heritage, transport, subdivision, and earthworks are adequate for the PC50 Land; no additional or bespoke rules are required.
- 16 **Mrs Clouston** has noted that the Lakeview sub-zone has specific provisions in the ODP and may warrant separate assessment. We consider that this is supported on a legal basis for the following reasons:

(a) In terms of the first limb of the *Clearwater*<sup>11</sup> test:

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<sup>8</sup> FS1336; FS1267; FS1324; FS1335; and FS1361.

<sup>9</sup> FS1304; FS1274; FS1282; and FS1291.

<sup>10</sup> *Clearwater Resort Ltd v Christchurch City Council* HC Christchurch AP34/02, 14 March 2003.

<sup>11</sup> *Clearwater Resort Ltd v Christchurch City Council* HC Christchurch AP34/02, 14 March 2003.

- (i) Implementation of the PDP provisions to the Lakeview sub-zone is not required to give effect to the purpose of the Variation, noting:
  - (A) the Lakeview sub-zone in the ODP contains several bespoke provisions, including specific objectives, policies, structure and height plans (with permitted heights ranging from 4.5m to 26m).
  - (B) consenting provided for within the Lakeview sub-zone enables greater intensification than the PDP provisions.
  - (C) therefore, implementation of the PDP provisions is not required to enable height and density of urban form under Policy 5 of the NPS-UD;<sup>12</sup>
  - (D) to the extent that lower density standards than the PDP are retained within the Lakeview sub-zone, these are required to give effect to the other provisions of the NPS-US (i.e. contributes to a well-functioning urban environment).
- (b) In terms of the second limb of the *Clearwater*<sup>13</sup> test:
  - (i) As noted by **Mrs Clouston**:
    - (A) the Lakeview sub-zone includes three landowners;
    - (B) is subject to significant public interest; and
    - (C) is held in the majority by QLDC, which has not voiced opinions in terms of an application of the PDP provisions to the land.
  - (ii) Natural justice issues may be engaged, and additional information from QLDC may be required to properly consider attributes of the Lakeview sub-zone and consider negative effects of its incorporation into the PDP.

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<sup>12</sup> National Policy Statement on Urban Development 2020, Policy 5.

<sup>13</sup> *Clearwater Resort Ltd v Christchurch City Council* HC Christchurch AP34/02, 14 March 2003.

- 17 The Panel may decide to seek further input or information from QLDC regarding the Lakeview sub-zone before making a final decision on its inclusion and planning controls.
- 18 We thank the Panel for their attention to this cover letter and the enclosed memorandum of **Mrs Clouston**.

Dated 18 September 2025

A handwritten signature in blue ink, appearing to read 'Jo Appleyard', is positioned above a horizontal line.

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Jo Appleyard / Tallulah Parker  
Counsel for the Submitters