

In the Environment Court of New Zealand
Christchurch Registry

I Mua I Te Kōti Taiao O Aotearoa
ŌtautahiRōhe

ENV-2026-CHC

Under the Resource Management Act 1991 (**RMA**)

In the matter of Of an appeal under clause 14(1) of Schedule 1 of the RMA in relation to the Urban Intensification Variation to the proposed Queenstown Lakes District Plan

Between **Universal Developments Hawea Limited and LAC Property Trustees Limited**

Appellant

And **Queenstown Lakes District Council**

Respondent

Notice of Appeal on behalf of Universal Developments Hawea Limited and LAC Property Trustees Limited

Date: 02 April 2026

Appellant's solicitors:

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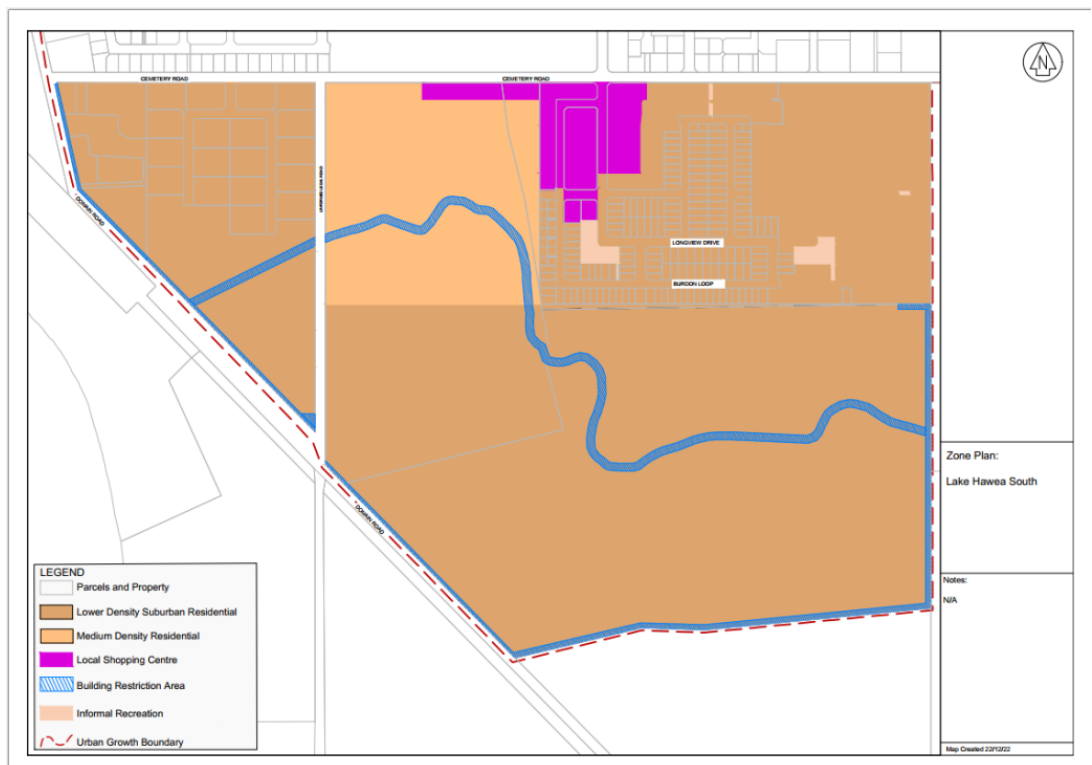
**anderson
lloyd.**

To: The Registrar

Environment Court

Christchurch

- 1 Universal Developments Hawea Limited and LAC Property Trustees Limited (**Appellant**) appeals against part of the decision of Queenstown Lakes District Council (**Respondent**) in relation to the variation to the Queenstown Lakes Proposed District Plan (**PDP**) (**UIV** or **Variation**) (**Decision**).
- 2 The Appellant made Submission #470 on the Variation.
- 3 The Appellant is not a trade competitor for the purposes of section 308D of the RMA.
- 4 The Appellant received notice of the Decision on 20 February 2026.
- 5 The Decision was made by the Respondent.
- 6 The Appellant is appealing the Decision as it relates to *Lake Hāwea South*, as delineated on the plan below:



- 7 Without derogating from the generality of above, the parts of the Decision the appeal relates to are in respect of the Suburban Residential Zone

(**SRZ**), Medium Density Residential Zone (**MDRZ**), Local Shopping Centre Zone (**LSCZ**) and Subdivision Chapter, specifically including the:

- (a) retention of the PDP's height limit of 10 metres within the *Lake Hāwea South* LSCZ (Rule 15.5.7);
 - (b) retention of the PDP's minimum lot size of 450m² within the SRZ (Rule 27.6.1);
 - (c) inclusion of new Rule 7.4.4;
 - (d) inclusion of new Rule 8.4.10.4; and
 - (e) intensification provisions applying to *Lake Hāwea South* generally.
- 8 The reasons for the appeal and general relief sought by the Appellant are summarised below.

Background

- 9 The Appellant has an interest in the Land at *Lake Hāwea South* rezoned by consent order [2023] NZEnvC 110 and included in the Variation.
- 10 The Appellant lodged a submission on the Variation, that generally supported the Variation as notified, but sought, amongst other matters, that:
- (a) Rule 15.5.7(b) be deleted and Rule 15.5.7(a) be amended so that the standard height limit of 14 metre applies to the LSCZ in *Lake Hāwea South*; and
 - (b) that the notified changes proposed to the PDP to provide for the intensification outcomes should be approved and apply to *Lake Hāwea South*.

Decision

- 11 Relevant to the Appeal, the Decision on the Variation:
- (a) retained the PDP's height limit of 10m for the Hāwea South LSCZ, a reduction from the notified height limit of 12 metres;
 - (b) within the SRZ:
 - (i) retained the PDP's minimum lot size of 450m²; and

- (ii) introduced new Rule 7.4.4, providing a new restricted discretionary consenting pathway for residential units with a density of less than 450m² net area, subject to compliance with several additional standards; and
- (c) within the MDRZ introduced new Rule 8.4.10.4, providing a new restricted discretionary consenting pathway for residential units with a density of less than 250m² net area, subject to compliance with several additional standards.

Reasons for appeal

- 12 The general reasons for the appeal are set out below.
- 13 *Lake Hāwea South* is well placed to provide for intensification enabled by the relief sought.
- 14 Intensification of *Lake Hāwea South* will assist with giving effect to Policies 1 and 5 of the National Policy Statement for Urban Development 2020.

Lake Hāwea South LSCZ height limits

- 15 The Decision erred in its finding that the *Lake Hāwea South* LSCZ should retain the PDP's height limit of 10 metres, a decrease from the notified 12 metre limit in Rule 15.5.7.
- 16 Importantly, the *Lake Hāwea South* LSCZ is well placed to accommodate additional height for several reasons including:
 - (a) it contains several existing, consented or anticipated land uses that are rapidly improving accessibility for the Hawea community to the *Lake Hāwea South* LSCZ, including:
 - (i) a church that is under construction and due to open in 2026;
 - (ii) several Food Trucks are already operating with further trucks opening imminently.
 - (iii) a full-service medical facility - construction is expected to start later in 2026;
 - (iv) a gym facility has been announced, and construction is scheduled for 2026;
 - (v) a liquor store has resource consent approval;

- (vi) an early childhood centre is provided for;
 - (vii) GFA is provided for to enable a potential supermarket; and
 - (viii) the new Hawea primary school is likely to be established directly opposite Longview on the other side of Cemetery Road.
- (b) providing for additional height within the LSCZ in *Lake Hāwea South* will provide greater opportunity for above ground floor residential apartments, adding to housing diversity;
 - (c) applying an increased height of 14 metres to the LSCZ in *Lake Hāwea South* is logical given it adjoins medium density residential zoning and is the primary focus of the development area within *Hāwea South*; and
 - (d) being a greenfield location a 14 metre height can be accommodated without adverse visual effects or amenity impacts to existing neighbors.
- 17 For the avoidance of doubt, the Appellant supports the Decision on the Variation to amend the activity status for non-compliance with the building height standard in Rule 15.5.7 from non-complying activity to discretionary.

Suburban Residential Zone

- 18 The Decision erred in its finding that the PDP's minimum lot size in 27.6.1 of 450m² should be retained.
- 19 Specifically, the Longview Special Housing Area within *Lake Hāwea South* is already providing a range of lot sizes, including lots that are 250m² or less. Accordingly, a reduced minimum lot size for the adjacent *Lake Hāwea South Area A* will not be out of character and will complement the residential densities and lot sizes that are already established in this greenfield location.
- 20 The UIV clearly provides for density of this nature. However, the mechanism for design control is a land use consent which is an extremely difficult approach to implement in a greenfield situation like that of the *Lake Hāwea South Area A*. Requiring a land use consent for every lot is not practicable. It also unnecessarily limits the housing choice for future homeowners. Further, because of the design controls that the Appellant maintains it is not necessary. Therefore, amending the minimum lot size is

a logical adjustment to support the density envisaged. Particularly where a structure plan is already in place.

- 21 Additionally, while supportive of new Rule 7.4.4 and the additional intensification it provides for, the Appellant seeks amendments to the Rule and its associated standards including to Rule 7.4.4(ii) and Rule 7.4.4(iii) as they apply to *Lake Hāwea South Area A* to ensure clarity, give effect to the matters raised generally in this appeal and to give effect to the outcomes sought in Submission #470, specifically:
- (a) amend its application so that it applies only to Residential Units with less than 250m² net area per residential unit;
 - (b) the application of Rule 7.4.4 (ii) relating to 'legal access from a public road' and its cross reference to Chapter 29, is unclear, was not addressed in evidence and should be deleted; and
 - (c) the application of Rule 7.4.4 (iii) requiring a small off-street loading area is unclear, including in circumstances where a car park is provided. There was not sufficient evidence that demand exists for these loading areas. This provision should be deleted.

Medium Density Residential Zone

- 22 The Decision erred in its inclusion of some of the standards associated with new Rule 8.4.10, specifically Rule 8.4.10.4(ii) and Rule 8.4.10.4(iii).
- 23 While generally supportive of new Rule 8.4.10, and the additional intensification it provides for in the zone, the Appellant seeks the deletion of some of its associated standards, specially Rule 8.4.10.4(ii) and Rule 8.4.10.4(iii), as they apply to *Lake Hāwea South Area A* to ensure clarity, give effect to the matters raised generally in this appeal and to give effect to the outcomes sought in Submission #470.

Relief sought

- 24 The Appellant seeks the following relief:
- (a) that the Decision be amended to be consistent with the changes sought in the Appellant's Submission #470 and to address the reasons for the appeal listed above;
 - (b) that the height limit for the LSCZ in *Lake Hāwea South* identified in Rule 15.5.7 be increased to 14 metres;

- (c) that the Minimum Lot Area identified in Rule 27.6.1 for the SRZ as it applies to *Lake Hāwea South Area A* be amended to 250m²;
- (d) that the minimum permitted density in Rule 7.4.3 for the SRZ as it applies to *Lake Hāwea South Area A* be amended to 250m²;
- (e) that Rule 7.4.4 be amended as it applies to *Lake Hāwea South Area A* to provide clarity, ensure consistency with the changes sought in the Appellant's Submission #470 and to address the reasons for the appeal, specifically the Appellant seeks amendments so that:
 - (i) it applies only to residential units with less than 250m² net area per residential unit; and
 - (ii) some of its associated standards, specifically Rule 7.4.4(ii) and Rule 7.4.4(iii) are deleted;
- (f) in relation to new Rule 8.4.10, its associated standards Rule 8.4.10.4(ii) and Rule 8.4.10.4(iii) be deleted in order to provide clarity, ensure consistency with the changes sought in the Appellant's Submission #470 and to address the reasons for the appeal; and
- (g) any other alternative, consequential, or necessary additional relief to maps or PDP provisions to give effect to the matters raised generally in this appeal or such other changes that give effect to the outcomes sought in Submission #470.

Attachments

25 The following documents are **attached** to this notice:

- (a) **Appendix A** - a copy of the submission lodged by the Appellant;
- (b) **Appendix B** - a copy of the Decision; and
- (c) **Appendix C** - a list of names and addresses of persons to be served with a copy of this notice.

Dated this 02 day of April 2026

Maree Baker-Galloway

Maree Baker-Galloway / Conor Meredith
Counsel for the Appellant

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Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Act.

You may apply to the Environment Court under section 281 of the Act for a waiver of the above timing or service requirements (see form 38).

Advice

If you have any questions about this notice, contact the Environment Court in Christchurch.

Appendix A - a copy of the Submission lodged by the Appellant

Appendix B - a copy of the Decision

Appendix C – a list of names and address of persons to be served with a copy of this notice

| Name | Organisation or on behalf of | Address for service |
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