

Before an Independent Hearings Panel
Appointed by Queenstown Lakes District Council

under: the Resource Management Act 1991

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

and: Urban Intensification Variation

and: **Bush Creek Investments Limited**
(Submitter 777 and Further Submitter 1342)

Memorandum of counsel regarding evidence

Dated: 22 August 2025

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MEMORANDUM OF COUNSEL REGARDING EVIDENCE

- 1 We represent Bush Creek Investments Limited (*BCIL*)¹ in relation to its submission on the Proposed Queenstown Lakes District Plan (*PDP*): Urban Intensification Variation (*Variation*).
- 2 BCIL's submission relates to the land described as Lots 1 and 2 DP 18134 (*BCIL Land*). BCIL seeks that the BCIL Land be included in the Medium Density Residential Zone (as amended by the Variation) at Arrowtown (*Submission*). However, **Ms Charlotte Clouston's** planning evidence considers that zoning the BCIL Land as Business Mixed Use (*BMU*) would be more appropriate. This alternative relief remains within the scope of the original submission and relief requested.
- 3 Counsel respectively seeks leave to file late planning evidence of **Ms Clouston** on behalf of BCIL (attached in **Appendix 1**), in support of BCIL's Submission.

Relevant Background and reasons for late evidence

- 4 The deadline for submitting expert evidence in respect of the Variation was 4 July 2025. BCIL did not provide evidence within this specified timeframe.
- 5 At the hearing on 31 July 2025, we understand that the Panel expressed interest in BCIL's Submission. We understand (or BCIL understands) that the proposed provisions for intensification in Arrowtown have been revised by the Council to date through the Variation process and that further evidence may be of use to the Panel.
- 6 In response, BCIL has commissioned the expert planning evidence of **Ms Clouston**. The evidence of **Ms Clouston** addresses matters central to the rezoning request, including planning justification, infrastructure servicing, and urban form considerations.

Prejudice and Interests of Justice

- 7 The evidence is directly relevant and will materially assist the Panel in its assessment of BCIL's Submission.
- 8 No undue prejudice arises from the late filing of this evidence. Council has included a reference to BCIL's Submission within its summary of submissions, and no further submissions were received in relation to the BCIL Submission or BCIL Land.
- 9 Granting leave will enable the Panel to have the benefit of a complete assessment and will assist in achieving a robust and well-informed decision.

¹ Submitter 743 and Further Submission 1362.

- 10 BCIL is willing to engage with the Council or any other parties to address any concerns regarding the late filing of evidence.
- 11 We thank the Panel for its attention to this memorandum.

Dated: 22 August 2025

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

Jo Appleyard / Tallulah Parker

**APPENDIX ONE: STATEMENT OF EVIDENCE OF CHARLOTTE
CLOUSTON**