

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: **Latitude 45 Development Limited (Latitude 45)**
(Submitter 768)

Summary statement of evidence of Charlotte Clouston

Dated: 7 August 2025

SUMMARY STATEMENT OF EVIDENCE OF CHARLOTTE CLOUSTON

- 1 My full name is Charlotte Lee Clouston.
- 2 I prepared a statement of evidence dated 4 July 2025 in support of Latitude 45's requested relief.
- 3 My position as set out in my statement of evidence has not changed.
- 4 I wish to make one correction to my evidence, at paragraph [47], where I have incorrectly noted the activity status for maximum height limit non-compliance in the Queenstown Town Centre as restricted discretionary. This should read non-complying.
- 5 Latitude 45 owns the property at 111 Frankton-Ladies Mile Highway. The Latitude 45 Land is currently being redeveloped, with resource consents approved for residential townhouses and subdivisions. The earthworks for construction of a road connection from the Latitude 45 Land to the Hawthorne Drive roundabout is underway.
- 6 The Latitude 45 Land is split-zoned Business Mixed Use (BMU), Business Mixed Use Area A and High Density Residential (HDR) within the PDP, reflecting the Frankton North Structure Plan. There is a small portion of Rural zoned land at the northern extent of the Latitude 45 Land. The southern extent of the Latitude 45 Land is partially within the Queenstown Airport Outer Control Boundary.
- 7 The existing PDP height limits in the HDR Zone and BMU Zone at Frankton North are:
 - (a) 12m and below – permitted;
 - (b) Between 12m and 20m – restricted discretionary (Rules 9.5.4.1 and 16.5.8), and notification precluded (Rules 9.6.1.2 and 16.6.2.2); and
 - (c) Above 20m – non-complying (Rules 9.5.4.2 and 16.5.9.1).
- 8 My statement of evidence focused on two key points of contention.
- 9 Firstly, the maximum height in the High Density Residential Zone at Frankton North. In summary:
 - 9.1 The Variation proposes to increase the permitted height limit from 12m to 16.5m for Frankton North and retain the 20m maximum limit.
 - 9.2 The Variation does not propose maximum height limits in the HDR zone, except for Wanaka and Arthurs Point (12m) and Frankton North (20m).
 - 9.3 I support Latitude 45's request for removal of the maximum height limit for Frankton North.

- 9.4 Ms Frischneckt raised concerns relating to the protection of landscape values for ONLs/ONFs adjoining Frankton North.
- 9.5 In paragraph [28] of my evidence I proposed a potential matter of discretion relating to effects on landscape values of adjoining ONL/ONFs. This was not supported by Ms Frischneckt in rebuttal evidence (paragraph [7.41]), with statement that this would have further implications extending beyond Frankton North.
- 9.6 I agree that there are other examples where the HDR zone adjoins an ONL, such as Queenstown Hill and lower Fernhill. Specified maximum heights have not been proposed for these areas, nor concerns raised in the section 42A and rebuttal evidence regarding effects on landscape values/adjoining ONLs. For consistency in approach, I consider an additional matter of discretion relating to landscape values is therefore not necessary.
- 9.7 I therefore consider it is appropriate to remove the 20m maximum height limit for the HDR zone at Frankton North, for consistency with the approach provided in the Variation for the HDR zone more generally.
- 9.8 My view is that removing a maximum and the associated non-complying activity status would enable greater height in Frankton North, commensurate with the findings related to high accessibility in the Frankton area in section 32 reporting.
- 9.9 If the Panel considers a maximum height is required for Frankton North, I consider that 24m would be the appropriate upper limit.
- 9.10 I consider that the non-notification provision should be amended to apply to building heights between 16.5m and 24m at Frankton North (Rule 9.5.1.1). This would add to the efficiency of resource consent processing for applications.
- 10 Secondly, my evidence addressed the height limits in the Business Mixed Use Zone at Frankton North. In summary:
- 10.1 I support the proposed increase of the permitted height limit from 12m-16.5m.
- 10.2 I support the requested removal of a maximum height limit for the BMUZ at Frankton North, consistent with the approach for the HDR zone. This would streamline the resource consent process specific to height breaches.
- 10.3 If a maximum height limit is deemed necessary, I consider 24m would be more appropriate.
- 10.4 I consider that the non-notification provision for building heights in the BMU be updated to apply to heights between 16.5m and 24m at Frankton North.
- 11 Overall, the location of the land at Frankton North is appropriate for intensification in line with the NPS-UD, particularly objective 3 and policy 5. The land at Frankton North, including Latitude 45 Land, is in close proximity to public transport, active transport and opportunities for employment, social and cultural wellbeing and recreation.

- 12 My evidence also considered the further submissions made by Latitude 45. My position on these further submission points as set out in my statement of evidence has not changed.
- 13 In relation to the Queenstown Airport Corporation submission, I have reviewed the planning evidence provided by Ms Keeley and make the following comments.
- 13.1 The evidence relies heavily on reverse sensitivity effects and reverse sensitivity risk, as part of the rationale to prohibit Activities Sensitive to Aircraft Noise within the OCB.
- 13.2 The evidence at paragraph [89] states that *“Reverse sensitivity effects may also be at play when an existing lawfully established activity faces opposition or constraint to development and expansion”*.
- 13.3 In my view this goes beyond the reverse sensitivity definition in the PDP: *“Means the potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment or intensification of other activities which are sensitive to the established activity”*. The definition is specific to the operation of the existing activity and does not provide for expansion.
- 13.4 The evidence also refers to a proposed National Policy Statement – Infrastructure, which should not be given any weight as the document is a draft for consultation.
- 13.5 I retain the view that a consenting pathway should be available for sensitive activities, rather than a prohibited activity status.
- 13.6 This would enable intensification on land within Frankton as an accessible area, and encourage mixed uses within the OCB, which could result in positive urban design outcomes and a well-functioning environment.
- 14 Overall, I consider that there are benefits of removing a maximum height limit, or increasing the maximum height limit, for Frankton North in the BMU and HDR zones.
- 15 I support the non-notification clauses for buildings in both zones be amended to 24m.
- 16 I support the removal of the prohibited activity status for activities sensitive to aircraft noise in the OCB in the BMU zone. I consider a consenting pathway is appropriate for making decisions on specific applications, where both noise and reverse sensitivity concerns can be addressed. I do not otherwise consider that reverse sensitivity concerns be a reason for opposing the increased height limits sought.

Dated: 7 August 2025

Charlotte Clouston