

Before an Independent Hearings Panel  
Appointed by 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

*and:* Urban Intensification Variation

*and:* **Acorn Mountain Trustees Limited**  
**Clearwest Trustees Limited**  
**Oak Wood Trustees Limited**  
**St Marthas Trustees Limited**  
**J F C Henderson**  
**(Collective)**  
*(Submitter 779)*

Statement of evidence of Charlotte Clouston

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Dated: 4 July 2025

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## **STATEMENT OF EVIDENCE OF CHARLOTTE CLOUSTON**

### **INTRODUCTION**

- 1 My full name is Charlotte Lee Clouston.
- 2 I hold the qualifications of Bachelor of Laws (Honours) and Bachelor of Science (Environmental Science and Geography) from the University of Auckland.
- 3 I have 6 years' experience practicing as a planner. Prior to planning, I practiced resource management law for over 2 years. I currently work as a planner for John Edmonds & Associates in Queenstown.
- 4 I am familiar with the Collective's submission on the Queenstown Lakes Proposed District Plan 2023 – Proposed Urban Intensification Variation (the *Variation*) to the Queenstown Lakes Proposed District Plan (*PDP*) and its interests in the block of land at 16 and 18 Camp Street, and 14, 28, 29, 30 and 35 Ballarat Street (*Collective's Land*).

### **CODE OF CONDUCT**

- 5 Although this is not an Environment Court hearing, I note that in preparing my evidence I have read the Environment Court's Code of Conduct for Expert Witnesses in its Environment Court Practice Note 2023 and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

### **SCOPE OF EVIDENCE**

- 6 The purpose of my evidence, I have reviewed:
  - 6.1 Submission 779
  - 6.2 Section 42A Reports, dated 6 June 2025
  - 6.3 QLDC Proposed District Plan
  - 6.4 QLDC Operative District Plan
  - 6.5 Section 32 Report and Appendices
  - 6.6 National Policy Statement on Urban Development 2020 (*NPS-UD*)

## THE SITE CONTEXT

- 7 The Collective owns land located in 'the Mall', either side of Ballarat Street and an adjoining section of Camp Street (between Searle Lane and Ballarat Street / the Mall).
- 8 The existing land use is commercial buildings.
- 9 The QGL Land is zoned Queenstown Town Centre (QTCZ) in the PDP and subject to Height Precinct 5. The existing discretionary height limit for the site is 7.5-8.5m for the street front parapet, subject to a recession plane towards the site of 45 degrees from 7.5m above a street boundary (Rule 12.5.8.5) and maximum height limit of 12m (Rule 12.5.9.1).
- 10 The PDP zoning is not subject to appeals; therefore, the PDP objectives, policies and rules are deemed operative for the QGL Land.

## THE SUBMISSION (OS779)

- 11 The Collective submission generally supported the Variation, subject to amendments identified in OS779. The submission:

Submission #	Relief sought	S42A recommendation
OS779.1	That the Variation is supported subject to the amendments identified in the submission.	Accept in part
OS779.2	That 12.5.8.1 be amended as follows: Within Precinct 2, a 4m minimum building setback from all road boundaries shall apply to the area of any building that exceeds a height of <del>8m</del> <u>8.5m</u> from the ground level, <u>except where a site adjoins either Searle Lane or Pedestrian Link</u>	Reject
OS779.3	That proposed rule 12.5.8 that replaces the 45 degree recession plane with a 4m setback for those building elements that are above 8m measured from the street boundary, is supported as it will improve urban design outcomes by removing the more domestic appearance of gabled roof forms in the Town Centre.	Reject

OS779.4	That the Variation be amended as requested in the submission together with any alternative, additional or consequential relief necessary or appropriate to give effect to the matters raised in this submission and/or the relief requested.	Reject
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12 There are no further submissions to OS779.

### **POINTS IN CONTENTION**

13 My evidence is focused on the following point of contention:

13.1 Amendments to Rule 12.5.8.

### **RULE 12.5.8 – BUILDING HEIGHT AND SETBACK AT UPPER FLOORS**

#### **Section 42A recommendations**

14 The s42A report of Ms Corinne Frischneckt for Chapter 12 addresses requested amendments to Rule 12.5.8.

15 The recommended provisions in the s42A include amendment to the title of the rule:

“Building façade height and setback ~~at~~ of upper floors”

16 I support this recommended change on the basis it improves clarity and therefore efficiency in plan administration.

17 The s42A reporting does not recommend amendment of Rule 12.5.8 for the setback to 8.5m as sought by the Collective, nor amendment to the frontage height for Height Precinct 2 in the Height Precinct Plan from 8m to 8.5m.

#### **Amendment to reflect 8.5m height**

18 I consider that the rule as proposed is appropriate in that it removes the recession line element from the existing PDP rules and replaces with a simpler setback requirement.

19 I consider there is benefit in increasing the height to 8.5m to reflect the permitted PDP parapet height. The proposed frontage height of 8m in the Variation effectively reduces the height limit that applies to the Collective’s Land from the existing framework in the PDP (acknowledging there is a change in setback requirement). Although minor, this reduction does not sit well in the framework of the NPS-UD. In addition, the maximum

height limit of 12m is not changing from the PDP to the Variation for the Collective Land. Overall, the Variation imposes a minor reduction for the Collective Land.

- 20 I recommend the Height Precinct Plan be updated for Height Precinct 2 to show 8.5m frontage and 12m total height. This will add clarity and a simple representation of the height limits.

**Exception to setback for pedestrian links**

- 21 The s42A reporting recommends amendment to Rule 12.5.8.2 to include an advice note:

"Note: This rule does not apply in Precincts 1 and 5, or to boundaries adjoining Cow Lane, Searle Lane, or the pedestrian links identified in Figure 1 of this Chapter."

- 22 I support the intention of this amendment.
- 23 I consider there would be improved clarity if the advice note was to be moved to the front of the rule, ahead of 12.5.8.1.
- 24 The current position of the advice note suggests that the exception only applies to Rule 12.5.8.2, as the text is indented in line with this sub-rule.
- 25 My understanding is that the exception for the boundaries adjoining pedestrian links is not limited to the scope of Rule 12.5.8.2. Moving the position to the top of the rule would avoid any doubt.

**CONCLUSIONS**

- 26 I support the relief sought by the Collective, for amendment to the Height Precinct Map and setback requirement in Rule 12.5.8.1 to carry over the 8.5m height from the PDP. I do not consider a reduction in height for the façade is necessary.
- 27 I consider amendment to the text of 12.5.8.1 to reorder the provisions, such that the advice note is at the top, would improve clarity and remove any potential confusion on when the exception applies.

Dated: 4 July 2025



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Charlotte Clouston