

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:* **Queenstown Gold Limited**  
(Submitter 765)

*and:* **Continuum Hotel Limited**  
(Submitter 771)

Memorandum of Charlotte Clouston

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Dated: 22 August 2025

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## MEMORANDUM 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 the Submitters' requested relief.
- 3 I presented at the hearing on Thursday 7 August 2025.
- 4 I have prepared this memorandum to respond formally to points raised at the hearing regarding the consenting pathway in proposed Rule 12.5.9, for height non-compliance in the Queenstown Town Centre Zone.

### **Activity status for height non-compliance – Rule 12.5.9**

- 5 The Variation as notified, and rebuttal position, proposes the activity status for non-compliance with the specified height limits as non-complying. This activity status signals that heights exceeding this limit are not anticipated activities in the PDP.
- 6 My view is that the activity status in Rule 12.5.9 should instead be restricted discretionary.
- 7 A restricted discretionary activity status would be consistent with the consenting approach in the Variation for the High Density Residential zone. There is a maximum limit and associated non-complying activity status for a few specified locations in the HDR zone, however, generally the activity status for a height breach is proposed to be restricted discretionary (without an additional tier of consenting).
- 8 This approach is simpler and provides for greater height as an anticipated activity in the HDR zone, in line with the NPS-UD.
- 9 I consider that greater height should be provided for as an anticipated activity in the PDP for the Queenstown Town Centre, commensurate to Queenstown Town Centre as an area of greater (highest) accessibility.
- 10 Recent investments in active transport infrastructure further increase the accessibility of some areas of the town centre, including the Brecon Street corridor adjoining the Queenstown Gold Limited Land.

### **Recommended Amendment to Rule 12.5.9 – maximum height**

- 11 I consider the proposed activity status in proposed Standard 12.5.9 for the Queenstown Town Centre zone should be replaced with restricted discretionary activity status.
- 12 I recommend the matters of discretion should mirror the matters of discretion for building façade height and setback of upper floors in the Town Centre Zone in Rule 12.5.8, as these matters are focused on height specific effects:

*Rule 12.5.9: Maximum building height*

*Non-compliance status: ~~NC~~ RD*

Discretion is restricted to:

a. external appearance and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;

b. streetscape character and amenity;

c. views along the street and viewshafts;

d. adequate daylight access to streets; and

e. wind tunnel effects.

- 13 The activity status for 'buildings' generally is also restricted discretionary (PDP Rule 12.4.7) and covers other matters that are not specific to height i.e. signage, lighting and active frontages as examples.

### **Section 32AA Analysis**

- 14 For completeness, I provide the following section 32AA analysis for this recommended change:
- 14.1 It provides a consenting pathway consistent with other zone(s) for height non-compliance. This activity status signals that increased height is an anticipated outcome in this zone, which is appropriate given the Queenstown Town Centre area has the highest accessibility and demand.
  - 14.2 A restricted discretionary resource consent process provides for management of potential adverse effects of height through appropriate matters of discretion. These matters provide an adequate level of control in decision making for the Council in resource consent processing.
  - 14.3 In my view, amended height provisions including a restricted discretionary activity status are more appropriate in achieving the objectives and policies of the RMA, NPS-UD and PDP in the Town Centre Zone than the Variation as notified.
  - 14.4 A non-complying activity status increases uncertainty in consent processing and plan interpretation regarding anticipated height and may give rise to an onerous consenting process that is neither effective nor efficient in light of the NPS-UD.
  - 14.5 Removal of an additional tier of consenting (non-complying activity status) has benefits for improved clarity, consistency in approach between zones and plan interpretation. This will increase both effectiveness and efficiency.
- 15 Overall, I consider that a restricted discretionary activity status for non-compliance with Rule 12.5.9 (rather than non-complying) will better give effect to the direction of Policy 5 of the NPS-UD.

Dated: 22 August 2025

**Charlotte Clouston**