

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: **MacFarlane Investments Limited and J L
Thompson (MIL)**
(Submitter 767)

Statement of evidence of Charlotte Lee Clouston

Dated: 4 July 2025

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 MIL'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 bound by Man Street, Brecon Street, Isle Street and Camp Street (*MIL Land*).¹

CODE OF CONDUCT

- 5 Although this is not an Environment Court hearing, I note that in preparing my evidence I have read the Code of Conduct for Expert Witnesses in the 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 In preparing my evidence, I have reviewed:
 - 6.1 Submission 767 and Further Submission 1336
 - 6.2 Further Submissions on Submission 767
 - 6.3 Section 42A Reports, dated 6 June 2025
 - 6.4 QLDC Proposed District Plan
 - 6.5 QLDC Operative District Plan
 - 6.6 Section 32 Report and Appendix 3 - Demand and Accessibility Assessment
 - 6.7 Housing Development Capacity Assessment 2021
 - 6.8 Queenstown Lakes Spatial Plan 2021
 - 6.9 National Policy Statement on Urban Development 2020

¹ MIL has an interest in land at 2, 4 and 8 Isle Street, 19 Brecon Street and 5, 7 and 11 Man Street.

THE SUBMITTER

- 7 MacFarlane Investments Limited and J L Thompson (MIL) owns a large portion of the block of land bound by Man Street, Brecon Street, Isle Street and Camp Street. The MIL Land is shown in [Figure 1](#).

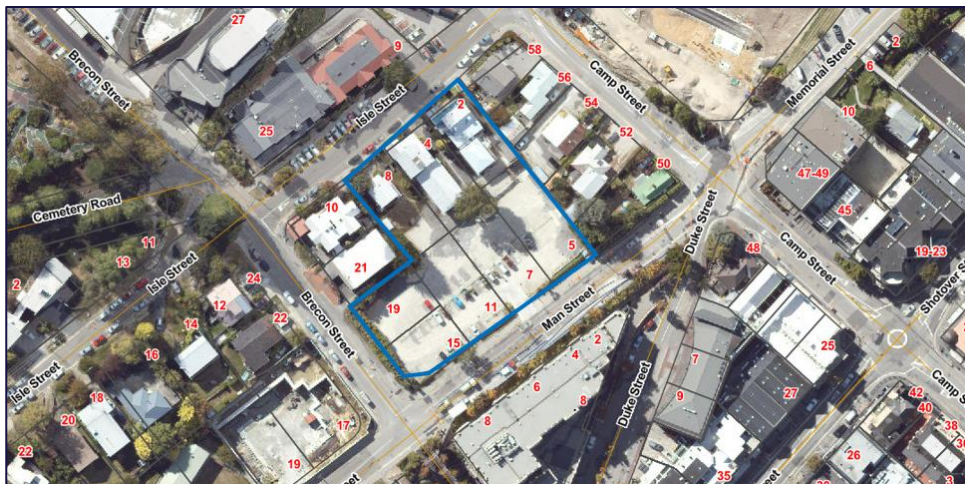


Figure 1: Location of MIL Land, outlined in blue

- 8 The MIL Land has an existing land use of a carpark facility (Wilson Parking), a residential dwelling and backpacker accommodation (Southern Laughter Backpackers).

THE SITE CONTEXT – PC50 LAND

- 9 The MIL Land is zoned Town Centre zone in the Operative District Plan. This zoning was made operative in the ODP in July 2016, as a result of decisions on Plan Change 50 (PC50). The purpose of PC50 was to rezone “High Density Residential” zoned land to “Queenstown Town Centre” zone, to address an identified shortage of land zoned as “Town Centre”, as well as providing a planning framework for a convention centre.
- 10 PC50 rezoned four blocks of land (*PC50 Land*), comprising:
- 10.1 The block of land bound by Man Street, Lake Street, Hay Street and Beach Street;
 - 10.2 The block of land bound by Man Street, Hay Street, Isle Street and Brecon Street (*Isle Street West Sub-zone*);
 - 10.3 The block of land bound by Man Street, Camp Street, Isle Street and Brecon Street (*Isle Street East Sub-zone*, includes the MIL Land); and
 - 10.4 The block of land bound by Brecon Street, Isle Street, Hay Street, Man Street, Thompson Street, Glasgow Street and the Recreation Reserve (*Lakeview sub-zone*).
- 11 The PDP review has been staged, commencing with notification of Stage 1 in August 2015. The first stage of review included assessment of Queenstown Town Centre zone.

- 12 The Stage 1 planning maps did not include the MIL Land and any other land subject to the PC50 process, as the PC50 process was not complete by the time notification of Stage 1 of the PDP commenced.
- 13 The MIL Land has not yet been subject to review as part of the Proposed District Plan process. There is no certainty when the MIL Land will be incorporated into the PDP review.
- 14 The Operative District Plan rules remain the only operative rules for the MIL Land. The objectives and policies in the ODP apply as do the PDP Strategic Chapters 3 – 6.

THE SUBMISSION (OS 767)

- 15 The Summary of Decisions Requested in Submission 767 is:

Submission Point #	Summary of Submission Point / Relief Sought	S42A Recommendation
OS767.1	That the relevant Zoning map be updated to include the PC50 land (Lakeview area), or at the very least the MacFarlane Investments and JL Thompson land at 5,7,11 and 15 Man Street, 2,4 and 8 Isle Street, and 19 Brecon Street, as Queenstown Town Centre Zone in the variation.	Reject
OS767.2	That the MIL Land (5,7,11 and 15 Man Street, 2,4 and 8 Isle Street, and 19 Brecon Street) be included within ' Figure 2: Queenstown Town Centre Height Precinct Map' of the Queenstown Town Centre Zone chapter of the variation.	Reject
OS767.3	That the block of land is included within height precinct 4, and that the greater height is only enabled where significant land is accumulated.	Reject
OS767.4	That the proposed variation include the following Rule 12.5.9.2: <u>In the block of land bound by Isle, Camp, Man and Brecon Streets, the maximum building height shall not exceed 12m, except where: i) a site is greater than 3000m² in area; and ii) the site has a frontage to both man street and Isle Street, then the maximum building height shall be 24m above ground level and shall be limited to no more than seven storeys in height.</u>	Reject
OS767.5	That the submitter generally supports the Variation, subject to the amendments identified in this submission.	Accept
OS767.6	That the failure to include land within the Queenstown Town Centre of the Proposed District Plan is opposed.	Reject
OS767.7	That the block of land bound by Man Street, Brecon Street, Isle Street, and Camp Street is included in the	Reject

	mapping identified, with the most appropriate height precinct being applied.	
OS767.8	That the variation be amended as requested in the submission, together with any alternative, additional, or consequential relief necessary to give effect to the matters raised in this submission.	Reject

- 16 There are four further submitters to submission 767, all in support of the respective submission points.

POINTS IN CONTENTION

- 17 The recommendations in the s42A reports largely reject the MIL submission points. The s42A reports do not meaningfully engage with the content of submission 767, instead referring to matters of scope.

- 18 My evidence is focused on the following points of contention:

18.1 Rezoning of the PC50 Land and/or MIL Land; and

18.2 Height Precinct classification for the PC50 Land and/or MIL Land.

REZONING OF PC50 AND MIL LAND

- 19 This evidence will not address legal scope matters. This will be addressed through legal submissions for MIL at the hearing.
- 20 This evidence is prepared on the basis that the rezoning request is within the scope of the Variation, and squarely 'on' the Variation.
- 21 I consider that it is logical for the PC50 land to be included within the Variation, for efficiency in plan-making processes and to give effect to the NPS-UD. If the PC50 land is not included in the Variation, it will require consideration of the same provisions of the NPS-UD, namely Policy 5, in the future. This will result in duplication of process and delay the implementation of Policy 5.
- 22 I consider that the logical zoning of the PC50 land in the PDP is Queenstown Town Centre. The reasons for my opinion are set out below.
- 23 The PC50 Land is geographically connected to the Queenstown Town Centre zone of the PDP, including the MIL Land immediately adjoining land subject to the Variation.
- 24 The land is suited to Queenstown Town Centre zoning in the PDP, without need for review as a 'Special Zone' in a later stage of the PDP. The combination of ODP and PDP zonings sets the extent of the Queenstown Town Centre, and the Variation provides an appropriate platform to assess the relevant rules (including heights) holistically. The effect of assessing them separately is that the Variation may result in a substantial change in form and character of the PDP extent of the Queenstown Town Centre.
- 25 The Queenstown Town Centre functions as a whole, including both ODP and PDP zoned land, to create a dynamic and vibrant centre with activities for both residents and

visitors. Therefore, I consider it is appropriate to assess proposed changes for all of the town centre at the same time. There is no reason to separate the PC50 Land from the PDP zoned Queenstown Town Centre extent, when considering the intention of the NPS-UD.

- 26 The NPS-UD requires Tier 2 local authorities to implement Policy 5 into their planning documents 'as soon as practicable' and no later than 2 years after the commencement of the NPS-UD. To prevent any further delays to implementation of Policy 5, I consider it preferable for all of the Queenstown Town Centre to be considered at once. That is more efficient and effective.

- 27 Inclusion of the PC50 Land is appropriate for achieving the purpose of the Act, and the objectives and purpose of the NPS-UD.

- 28 The Section 32 reporting prepared by QLDC included the PC50 Land within the Accessibility and Demand Analysis, as required by Policy 5 of the NPS-UD.

28.1 The Accessibility and Demand Analysis Method Statement (prepared by Barker & Associates, QLDC section 32 reporting, dated 16 May 2023) discusses the PC50 Land at [5.4.1]. This report included the PC50 Land within the general extent of the Town Centre analysis for catchments. The accessibility and demand analysis required for enabling heights and density has therefore been undertaken, consistent with requirements of Policy 5 of the NPS-UD.

28.2 The Accessibility and Demand Analysis Method Statement notes at [7.1.1] that the PC50 Land is anticipated to be Town Centre Zone and will support access to a variety of goods and services. The proposed roads through PC50 Land were not included in the accessibility analysis, however, are expected to have higher accessibility.

28.3 The spatial implications are addressed in [7.3] of the Accessibility and Demand Analysis Method Statement:

"The accessibility and demand analysis indicates that the spatial extent of areas where more intensive residential activities can occur could be expanded in accordance with the requirements of the NPS-UD. In particular, higher levels of intensification in Queenstown around the edges of the town centre (including parts of the PC50 area), Frankton and around the edges of the Wānaka Town Centre are likely to be suitable."

- 29 Based on the findings referenced in paragraph [28], I consider the rezoning to Town Centre zone in the PDP and assessment of appropriate height increase is suitable for the PC50 Land, or at least the MIL Land.

- 30 The Lakeview sub-zone has its own Structure Plan and varying height controls in a Height Limit Plan (Figures 2 and 3 in ODP 10.6) so could be considered separately.

Section 32AA Analysis for Rezoning

- 31 For completeness, I make the following comments with respect to section 32AA matters for the rezoning and incorporation of PC50 Land into the Variation, or at least the MIL Land, to Queenstown Town Centre zone in the PDP:

- 31.1 The recommended rezoning will more efficiently and effectively achieve the relevant objectives of the PDP, particularly Objective 3.2.3.2 as it will provide for built form that integrates well with the surrounding urban environment;
- 31.2 The benefits are considered to outweigh the costs. There are significant costs to rezone this land through an additional PDP review stage. Separating the PDP from the ODP town centre area will result in an inconsistent planning framework to apply across the town centre, and only partial implementation of the NPS-UD.
- 32 For the above reasons, I consider that incorporation of the PC50 Land into the PDP as Queenstown Town Centre zone is more appropriate in achieving the purpose of the RMA than retaining the ODP zoning, and excluding the application of the NPS-UD, for this extent of the town centre.

HEIGHT PRECINCT CLASSIFICATION FOR MIL LAND

- 33 I have reviewed the evidence of David Compton Moen in relation to increased height within the PC50 Land. He finds at paragraph [16] that bringing the PC50 sites up to 24m, with an Upper Floor setback, would allow for greater intensification without creating adverse effects on adjoining properties.
- 34 The MIL Land and the landholdings within the same block (bound by the same road boundaries) are appropriately located to absorb additional height and intensification. The land has a similar topography to the land to the south, which is proposed for Height Precinct 4.
- 35 Consented built form within the vicinity of the site includes 18m maximum height for a hotel at 17-19 Man Street, directly across the road from the MIL Land (Isle Street West sub-zone). To the north of the MIL Land, along Brecon Street, a 23m high hotel has been consented (not given effect to) and a 42.5m high hotel in the Lakeview sub-zone. This consented development is consistent with the approach of greater height on the edges of the town centre.
- 36 The section 42A report of Mr Cam Wallace indicated that an "amphitheatre approach to the height precincts within the Town Centre Zone", which is discussed in Paragraph 6.2.4 of the Urban Design Report attached the section 32 Report. I consider that the location of the MIL Land is on the periphery of the town centre and contributes to forming the northern edge of the amphitheatre type configuration.
- 37 For the above reasons, I consider that proposed Height Precinct 4 (with standard 12.5.9 setting maximum height of 24m) is the most appropriate height precinct for the MIL Land.

Proposed Addition to Rule - 12.5.9.2

- 38 The ODP provisions for the Isle Street East sub-zone include a 12m maximum building height, with an exception for a 15.5m maximum building height where a site is greater than 2,000m² in area and has frontage to either Man Street or Isle Street. These development rights for larger landholdings were a result of PC50 decisions.
- 39 The MIL Land has the 15.5m height limit in the ODP.
- 40 MIL has requested this ODP standard be incorporated into the Variation, with amendment. This specific control is intended to reflect that the land can be

comprehensively developed, with building scale reflecting the buildable area of development.

- 41 The departure from the ODP to the PDP standards is less (15.5m to 24m for larger sites as opposed to 12m to 24m for smaller sites) with the rollover and amendment from the existing rule and reflects the intent of the PC50 provisions.
- 42 For efficiency in plan administration and to reduce unnecessary complexity, in my opinion this additional control is not required. The block of land is considered appropriate for greater height and intensification, recommended up to 24m, as set out in the evidence of David Compton-Moen. I support more enabling height provisions for the whole block.
- 43 In my opinion, Height Precinct 4 (with standard 12.5.9 setting maximum height of 24m) is appropriate for the wider Isle Street East sub-zone block, including the MIL Land, as discussed in paragraphs [33] – [37] above.

Section 32AA Analysis for Height Precinct

- 44 As per the section 32AA analysis for rezoning in paragraph [31], I consider that inclusion of the MIL Land in the proposed 'Figure 2: Queenstown Town Centre Height Precinct Map' of the Variation is appropriate for the same reasons.
- 45 Additional s32AA analysis includes:
 - 45.1 As shown by 3D modelling in the evidence of Mr David Compton-Moen, the recommended Height Precinct 4 would enable a consistent approach to building height across the MIL Land and the wider town centre zone.
 - 45.2 Replacement of the existing ODP rules for the site (refer Site Standard 10.6.5.1) with a simplified PDP height precinct, will increase plan interpretation and enable more efficient plan administration. Improved clarity and efficiency in administering the plan will be a benefit.

FURTHER SUBMISSIONS – IN SUPPORT

- 46 MIL made further submissions supporting points of five original submissions. The planning matters are addressed below.

Waka Kotahi, NZ Transport Agency – OS200

- 47 MIL made a further submission in support of Waka Kotahi submission points. MIL agrees with Waka Kotahi that the NPS-UD Policy 5 will be a matter for consideration in review of the zoning of PC50 Land in future.
- 48 As set out in paragraph [21], I agree that the NPS-UD requirements in Policy 5 will need to be considered in any future review of the PDP.
- 49 I also agree with Waka Kotahi point OS200.14 that there are more sites in Queenstown and Frankton that are suitable for intensification than were notified in the Variation, including the PC50 land.
- 50 My reasoning for inclusion of PC50 land in the rezoned area is addressed in paragraphs [31] – [32] above.

Rick Pettit – OS298

- 51 I agree with Mr Pettit that a 24m height limit would be appropriate in areas with a significant natural height back drop such as the Man Street/Holiday Park area. The MIL Land is part of the Man Street area. My reasoning for suggested inclusion in Height Precinct 4 is addressed in paragraphs [33] – [45] of my evidence.

Centuria Property Holdco Limited – OS743

Carter Queenstown 2015 Limited – OS776

Upper Village Holdings 3 Limited – OS1252

- 52 I support these submission points relating to the failure to include PC50 land within the Variation and Queenstown Town Centre zone of the PDP. I support inclusion of the PC50 Land within the Variation, and the classification of height precincts for PC50 Land.

FURTHER SUBMISSIONS – IN OPPOSITION

- 53 MIL made further submissions opposing points of two original submissions. These are addressed below.

Man Street Properties Limited – OS991

- 54 I consider that height limits should apply consistently across the Queenstown Town Centre, including the PC50 Land, for ease of administration.
- 55 I do not support the inclusion of a fixed datum point for measuring height on the Man Street Properties Limited site.
- 56 The fixed datum point enables an additional 11.7m of height in the northern extent of Man Street Properties Limited's landholdings, as shown in Profile C of the original submission.
- 57 This could result in bulk and dominance effects from additional height on the standalone site, in an inconsistent manner with the surrounding sites and the "amphitheatre" approach for the wider town centre.

Cactus Kiwi NZ Limited Partnerships – OS1004

- 58 The fixed datum point sought through the original submission could enable an additional 7m height gain when compared to existing ground level (as defined in the PDP).
- 59 For the same reasons as set out in paragraphs [54] – [56] above, I do not support the inclusion of a fixed datum point for measuring height for 10 Man Street.

CONCLUSIONS

- 60 I consider that the benefits of including PC50 Land, or at least the MIL Land, in the Variation outweigh potential costs. There will be unnecessary duplication of process if the MIL Land is to wait until a future stage of PDP review to undertake assessment of the NPS-UD and Policy 5 requirements.
- 61 There is inherent efficiency in incorporating the PC50 Land into the Variation now. The Queenstown Town Centre includes both PDP and ODP zoned land. There is a geographical connection to the PDP zoning and the underlying intent of the ODP

zoning. I therefore consider rezoning the PC50 Land to Queenstown Town Centre in the PDP is the most appropriate way to achieve the objectives of the NPS-UD.

- 62 The MIL Land is appropriately located to absorb additional height, pursuant to Policy 5 of the NPS-UD. The demand and accessibility assessment undertaken in the section 32 reporting included PC50 and indicated higher levels of intensification on the edges of the town centre are likely to be suitable.
- 63 Inclusion of the MIL Land in Height Precinct 4 is appropriate to enable greater height and density in a highly accessible location. The inclusion of an additional control to enable greater height on larger landholdings reflects the PC50 decisions for this area. I am supportive of increased height for the block of land including the MIL Land.

Dated: 4 July 2025



Charlotte Clouston