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PRIVATE PLAN CHANGE REQUEST TO THE PROPOSED DISTRICT PLAN

THE ARROWTOWN SOUTH SPECIAL ZONE

REQUEST FOR ADDITIONAL INFORMATION

Tēnā koe Scott,

This request for additional information seeks to better understand the nature of the private plan change request, including its potential effects on the environment and how those effects are proposed to be managed, the benefits and costs, the efficiency and effectiveness, and any possible alternatives to the request, and the nature of any consultation undertaken. The information sought is considered appropriate to understand the actual or potential environmental effects anticipated from implementing the plan change request.

This request for additional information follows the request for further information issued by Council on 9 April 2026. The requestor provided further information to the Council on 14 July 2026, in the form of updated application documents and a covering letter. The Council has reviewed the further information provided and is now seeking additional information.

This request is made pursuant to clauses 23(2)–(4) of Schedule 1 of the RMA 1991, which outline:

> *(2) A local authority, within 15 working days of receiving any information under this clause, may require additional information relating to the request.*
>
> *(3) A local authority may, within 20 working days of receiving a request under clause 21, or, if further or additional information is sought under subclause (1) or subclause (2), within 15 working days of receiving that information, commission a report in relation to the request and shall notify the person who made the request that such a report has been commissioned.*
>
> *(4) A local authority must specify in writing its reasons for requiring further or additional information or for commissioning a report under this clause.*

This information request is separated into topic sections, and is formatted so that the Council first sets out the background context and reasons for the information requests, and then subsequently lists the information requests. Where internal feedback from QLDC staff has informed part of this RFI, this has been identified.

Section 32 Evaluation

Section 1.2 Consultation

The requestor's updated s32 evaluation report (s32 report) summarises the parties that the requestor has contacted as part of their consultation but does not include a summary of the feedback received or whether that feedback has been incorporated into the proposal. The s32 report also states that a full copy of the revised proposal will be sent to iwi. If feedback is received, this should be summarised alongside any changes that have been made in response to the feedback.

This information should be included in the s32 report in accordance with section 32(4A), cl 22(2) of Schedule 1, and cl 6(1)(f) of Schedule 4. This information would assist the Council to understand the environmental effects and the nature of any consultation under cl 23(1).

Section 2 Objectives of the proposal, options and examination

The proposal has been revised to apply the Suburban Residential Zone (SRZ) with a Building Restriction Area (BRA) rather than an Open Space Zone. This section and other sections of the s32 report state that the intention to apply a BRA to avoid *residential development* on the specified land.

Since the revised proposal does not seek any amendments to the current SRZ provisions, Rule 7.5.13 would apply to the land within the BRA as shown on planning maps. Rule 7.5.13 requires non-complying activity consent for *any building* located within the BRA.

Section 3 Examining whether the provisions of the proposal achieve the objectives

ODP Urban Growth Boundary (UGB)

The proposed provisions refer to amendments to the ODP, such as moving the ODP UGB. However, it is not clear what amendments are proposed, and no evaluation of the ODP has been provided.

It is also not clear why the ODP is proposed to be amended. While the proposal states it seeks to amend the UGB in the ODP.

Identification of McDonnell Road – Suburban Residential Zone

The proposed provisions for Chapter 27 in this section refer to bespoke provisions under the *McDonnell Road - Suburban Residential Zone.*

The requestor's letter dated 14 July states that '*it would be appropriate to introduce an additional PDP planning map overlay to clearly articulate the land that will be subject to this bespoke policy framework*'. However, thes32 Report has not been amended to reflect this method, nor have any appendices been included to show how this overlay would be included on the PDP planning maps. Alongside updating the s32 report, this information needs to be provided so that a clear package is used for notification, if the PDP is accepted.

Proposed Objectives and Policies under Chapter 27

The following updated bespoke objective and policies within Chapter 27 have been proposed by the requestor:

McDonnell Road Suburban Residential Zone

Objective 27.X.X.X High quality low density residential subdivision and development is enabled, while appropriately providing for amenity, mitigation and riparian plantings, together with controlling access onto McDonnell Road.

Policies

27.X.X.X *Require a 4.5m planting strip along the McDonnell Road frontage (excluding any primary vehicular access point(s)) and a 5m planting strip along the southern boundary of the zone.*

27.X.X.X *Maintain existing riparian planting along the waterbody that flows through the zone.*

27.X.X.X. *To provide on-going management of plantings, weed and pest control for any privately owned communal land.*

27.X.X.X *Avoid private fencing over 1.2m on boundaries of residential lots that adjoin a Council reserve containing a waterbody, the southern boundary of the zone and for any residential lot boundaries that adjoin a legal road.*

27.X.X.X *To require the identification of the Building Restriction Area at the time of subdivision within the zone.*

27.X.X.X *Avoid private vehicle crossings (and access) onto McDonnell Road from residential lots that adjoin this road.*

The requestor sees that these new provisions can be implemented via the existing Restricted Discretionary Rule 27.5.7, which is:

All urban subdivision activities, unless otherwise provided for, within the following zones:

1. *Suburban Residential Zone;*

We do not understand how Rule 27.5.7 would require implementation of the bespoke objective and policies proposed. For instance, an 'avoid' policy cannot be effectively implemented through a broad Restricted Discretionary activity matter of discretion. To be effective, it would need a more restrictive activity status for the activity and effects that the policy is seeking to regulate (i.e. non-complying or discretionary). Therefore, the proposed provisions are neither effective nor efficient.

Additionally, the proposed bespoke objective and policies are very prescriptive and directive regarding their requirements.

We consider that it would be more appropriate to propose a bespoke rule(s) or an alternative method, such as a structure plan, as previously suggested by Council. For an example of a bespoke sub-zone and associated rules, please refer to Rule 27.7.3 – Bob's Cove Rural Residential Sub-Zone.

<u>S32 Report s32(1)(b) assessment</u>

The s32 Report does not adequately evaluate the efficiency and effectiveness of the provisions in achieving the objectives of the PDP. The provisions of the request are not limited to the proposed bespoke provisions; they include all provisions proposed to apply to the land, for example, the other district wide chapters and SRZ specific provisions.

Of particular concern is that the s32 Report has not undertaken an evaluation of the effectiveness and efficiency of the current Chapter 27 provisions in achieving the proposed bespoke objectives and implementing the proposed bespoke policy.

When the PPC land comes 'into the PDP', the land will not just become subject to the SRZ provisions (as amended by the private plan change), but all district wide chapters will also apply to the land. There hasn't been an assessment of any necessary changes to the district wide chapters (except for Chapter 27). The s32 Report is currently silent on the effectiveness, efficiency and appropriateness of the PDP District Wide provisions in responding to resource management issues for the PPC site, nor does it evaluate whether the PDP District Wide provisions are more appropriate than the ODP District Wide provisions.

Section 4 The risk of acting or not acting

You have not identified any risks of not acting and do not recognise any infrastructure risks, despite stating in Wastewater Infrastructure Report (Appendix P) that a deviation from the Code of Practice is required. We consider this to be a risk and ask that you consider any other additional risks that may arise.

Section 5 Evaluation of the provisions under the relevant District Plan Objectives

Amending Proposal

It is stated within this section that this proposal is an "amending proposal" because it will amend the ASSZ as contained in the ODP and also amend the partially operative PDP.

In terms of the ODP: It is not clear why the proposal is seeking to amend the ODP, other than to remove the land from the ODP. Because the ODP would fall away (and therefore not be relevant under s 32(3)(b)), Council's interpretation is that an assessment of the ODP is only needed insofar as it proposes to carry over any of the requirements from the ODP into the PDP, including as it relates to the assessment of alternative options of retention of part or all of the status quo.

In terms of the PDP: The PPC land will become subject to, not just the provisions as amended by the PPC, but also all relevant PDP district-wide chapters – objectives, policies and rules. The Council has not undertaken any s32 evaluation of the PPC land, in respect of it coming into the PDP and being subject to these district-wide chapters. Therefore, the s32 for the PPC needs to assess:

- Objectives: it is not just the proposed new McDonnell Road SRZ objective that needs to be assessed. The existing SRZ objectives also need to be assessed as appropriate for the PPC land, as do the other district-wide objectives that will apply to the PPC land (e.g. subdivision, noise, traffic). Presumably in undertaking this assessment, the requestor has concluded that the existing Chapter 27 SRZ PDP objectives are not the most appropriate way to achieve the purpose of the RMA (hence why the requestor has proposed bespoke Chapter 27 objective and policies), and that the existing Chapter 7 SRZ PDP objectives are the most appropriate and do not require amendment;
- Provisions: the same applies to provisions. When considering the district-wide chapters, the requestor needs to turn its mind to whether the PDP provisions that already exist, are the most appropriate way to achieve the relevant district-wide objectives (through following s32(1)(b)).

As a consequence of this evaluation, the requestor may conclude that other site-specific provisions are required in other PDP district-wide chapters. Information on this evaluation would assist the Council to understand the efficiency and effectiveness of the proposal, and any possible alternatives.

Servicing inconsistencies

Inconsistencies have been identified on page 36 of the s32 evaluation, which states that '*Information supplied with the Request confirms that the future residential subdivision and development of the Site can be supplied with infrastructure servicing that can meet the PDP and QLDC Code of Practice'.* However, Appendix P – Wastewater Infrastructure notes that the proposed engineering solution would result in a deviation from the Code of Practice with regard to emergency storage.

Section 6 Evaluation of the provisions under the relevant regional planning instruments

The following iwi management plans are relevant to this proposal: The Cry of the People, Te Tangi a Tauira: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan (2008) and Kāi Tahu ki Otago Natural Resource Management Plan (2005).

Information on whether/how these plans have been considered would assist the Council to understand the effects of the proposal and whether the proposal is appropriate under s32.

Section 7 Evaluation of the provisions under the national planning instruments

An assessment has not been undertaken against the National Policy Statement for Freshwater Management (NPS-FW) 2020 (consolidated with December 2025 amendments) and the National Environmental Standards for Freshwater Management (NES-FM) 2020 (version as at 15 January 2026). Since there is a watercourse that runs through the site, we would expect that an assessment is made against these higher order national planning instruments.

Note

We note that this proposal has not been assessed against any QLDC documents aside from the Housing Capacity Assessment (2025). Other Council documents, such as the Queenstown Lakes Spatial Plan Whaiora (2021) and the Parks and Open Space Strategy 2017, may help inform the proposal.

Information requested pursuant to cl23(1)(a)-(d) of the First Schedule

1. In consideration of the above comments and reasoning, please provide the below information in an updated s32 report:

    a. A summary of the feedback received through consultation and how any feedback has been incorporated into the proposal.

    b. Correct reference to avoiding the establishment of *any building* rather than *residential buildings* in the BRA.

    c. If the intention is for the proposal to amend the ODP planning maps to shift the location of the UGB, please provide an evaluation in the s32 report and a map appended that shows the amendment to the ODP mapping.

d. A method to identify the land within the McDonnell Road - Suburban Residential Zone, either through an amendment to Chapter 27 or through a mapping annotation on the Planning Maps. This method should be included in the s32 report and plan amendments, with an appendix showing these provisions and/or mapping updates to the PDP.

e. Given how descriptive the proposed bespoke objective and policies are for the proposed McDonnel Road – Suburban Residential Zone, confirm if it is more appropriate to include bespoke rules for their implementation.

f. An evaluation of the effectiveness and efficiency of the current Chapter 27, provisions in achieving the proposed bespoke objectives and implementing the proposed bespoke policy.

g. An evaluation of effectiveness, efficiency and appropriateness of the PDP District Wide provisions in responding to resource management issues for the PPC site, and evaluation of whether the PDP District Wide provisions are more appropriate than the ODP District Wide provisions.

h. Assessment of any risks of acting that may arise as a result of this proposal, including in relation to servicing.

i. Removal of any inconsistencies within the s32 report with regards to a suitable engineering solution that is or is not in accordance with the QLDC Code of Practice.

j. Identification of any relevant provisions within the two aforementioned iwi management plans and discuss how their content has bearing on the resource management issues of this proposal. If there are no relevant provisions, please state this.

k. An evaluation against the NPS-FM and NES-FM with regard to this proposal and any effects that may occur on the waterbody within the site, including how those effects can be mitigated.

Servicing

The Wastewater Infrastructure report provided by Civilised Ltd (Appendix P) states that a feasible solution for the upgrades to the Wastewater Pump Station (WWPS) would require a relaxation of the standards outlined in the Code of Practice. It further states that an agreed reduced volume would need to be determined through a detailed design process at the resource consent phase.

Another solution noted would be a consent notice registered at the time of subdivision for individual lot owners to have required emergency storage within their pump wet well.

Therefore, we sought comment from the Internal Property & Infrastructure Team and Development Engineering Team to confirm that the solutions proposed could likely be feasible at the Subdivision phase. They confirmed it is likely that servicing could be resolved at time of subdivision.

In context, the neighbouring development to the immediate west of the zone change area was also formed with low pressure connections and did not trigger WWPS upgrade. This does not address present emergency storage capacity, but even if there is no residual capacity there and additionally the added storage cannot be added within the land footprint, there are then other options for the PPC site to introduce a further pump station within their development area and then for flows to be conveyed along the same or similar alignments to existing rising mains until reaching the gravity network to the north.

Page 18 of the s32 report states that the costs of infrastructure upgrades will "potentially" be reduced by development contributions. This suggest that development contributions may be utilised to support identified necessary upgrades to enable feasibility of the development solution put forward. However, this will likely not be the case especially when such upgrades are needed just to support the development. Upgrades would likely be linked against future subdivision outcomes and developer funded.

Information requested pursuant to cl23(1)(c) of the First Schedule

2. Please confirm whether *all* costs of infrastructure upgrades may be borne by the requestor during the development contribution process.

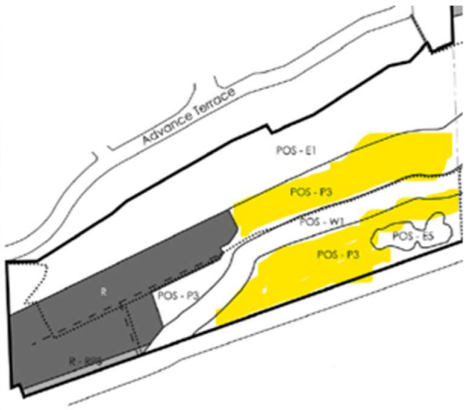
Landscape and Ecology

POS-P3

Within the RFI response letter to point 6(b) it was stated that:

"Removing future residential development from the POS-P3 is an academic question, because this outcome leads to no further residential development on the Site (and the need for this Request). In effect the status quo will remain for this part of the Site. As such, it is considered that landscape evidence is not required to respond to this question."

The s32 does not explain why residential development is appropriate in all of the POS-P3 pastoral private open space areas. Landscape evidence to provide an understanding of the effects of the proposal is considered necessary. In particular, information is requested in relation to why the restrictions in the ODP are no longer valid and why the PPC proposal is more appropriate than the status quo. See figures below, the yellow highlights the indicative area in POS-P3 outside the BRA:



OOSM and POSMP

The updated application confirmed that references to the current OOSM and POSMP will not be continued through a consent notice or within the bespoke provisions proposed in Chapter 27. It also states that it is not proposed to specify exact riparian strips on-site, instead relying on existing Rule 7.5.11 within the SRZ, which requires a 7m setback for buildings from water bodies.

It appears the proposed amendments to Chapter 27 below have been included to manage landscape and ecological impacts:

> *McDonnell Road Suburban Residential Zone*
>
> *Objective 27.X.X.X High quality low density residential subdivision and development is enabled, while appropriately providing for amenity, mitigation and riparian plantings, together with controlling access onto McDonnell Road.*
>
> *Policies*
>
> *27.X.X.X Require a 4.5m planting strip along the McDonnell Road frontage (excluding any primary vehicular access point(s)) and a 5m planting strip along the southern boundary of the zone.*
>
> *27.X.X.X Maintain existing riparian planting along the waterbody that flows through the zone.*
>
> *27.X.X.X. To provide on-going management of plantings, weed and pest control for any privately owned communal land.*

The provisions only state "maintain" rather than "enhance". This drafting suggests that no further riparian planting will be required. Additionally, page 34 of the s32 report states that the site "could" be further enhanced by riparian plantings. This is contrary to the recommendations outlined in the Ecological Assessment (Appendix R), which state that further planting is required. It also does not appear to meet Objective 27.2.4.

Designed Urban Edge

The Landscape Assessment Report (Appendix L) states that protecting the rocky outcrop from built development will provide a well-defined urban edge by acting as a default gateway. This is in accordance with Policy 4.2.2.19(c) of PDP Chapter 4, which states:

> *Ensure that development within the Arrowtown Urban Growth Boundary provides:*
>
> *a. a designed urban edge with landscaped gateways that promote or enhance the containment of the town within the landscape, where the development abuts the urban boundary for Arrowtown;*

However, it has been noted that the proposed bespoke provisions in Chapter 27 do not mention ensuring that this rocky outcrop, acting as a landscaped gateway and designed urban edge, is protected.

Information requested pursuant to cl23(1)(a)-(b) of the First Schedule

3. In consideration of the above comments and reasoning, please provide the below information:

    a. An assessment of whether it is appropriate to carry over into the PDP the existing ODP rules with regard to POS-P3 under the ASSZ, including any expert evidence demonstrating that they are no longer valid and that the change proposed is more appropriate than the status quo.

    b. If the continuation of the existing or new OOSM and POSMP is not being proposed, consider the inclusion of proposed bespoke provisions that will suitably manage landscape and ecological effects on-site, supported by expert advice to support these new provisions.

    c. Update the proposed bespoke provisions within Chapter 27 to ensure that the site will provide a designed urban edge with a landscaped gateway in accordance with 4.2.2.19(c) from PDP Chapter 4.

Site Access & Transport

Whilst no specific feedback or information is being requested regarding transport, we still have provided the following comments regarding the draft proposal.

The s32 report states on page 35 that there is an existing active travel route. However, the existing pedestrian routes via Brodie Avenue to Advance Terrace and via McDonnell Road have not been determined by the Council Parks and Roading teams to be suitable active travel networks. This is particularly relevant given that the Brodie Avenue footpath is a steep “grade 4” trail that requires cyclists to dismount and open a gate to access Advance Terrace.

The Transport Assessment did not consider whether the 40km/h speed limit will be extended to encompass the proposed intersection on McDonnell Road. We have sought comments from our internal Transport Team, as the Road Controlling Authority, regarding the appropriate speed limit for the proposed intersection on McDonnell Road and whether shoulder widening would be required. They also considered the safety impacts on the potential extension of Brodie Avenue, and these are also outlined below.

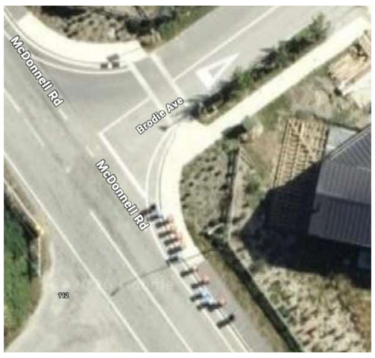
The Transport Team recommend extending the 40km/h speed limit on McDonnell Road since the 80km/h Speed Limit is not aligned with Safe System Speed thresholds for a Suburban Residential Zone and the most likely types of crashes that could occur at the intersection. The 40km/h speed limit would also align better with safe and appropriate speeds outlined in the One Network Framework (ONF), noting that they are in the process of updating our Code of Practice to align with the ONF.

If the Speed Management Team do not support extending the 40km/h Speed limit, then consideration could be given to using the existing Brodie Avenue intersection (since it will be a through road instead of a cul de sac) with alternative appropriate safe pedestrian access to the properties fronting McDonnell Road.

The extension of Brodie Avenue will increase traffic volumes and trigger a requirement for footpaths on both sides of the road – The existing Brodie Avenue cross section only has a footpath along one side.

Looking at the available aerial images, there might be space to allow for the necessary footpath provision (on both sides of the road) along the existing Brodie Avenue section. The extension should require footpaths on both sides of the road, fronting all properties.

It was also recommended that any footpath extension along McDonnell Road includes a front berm to allow for rubbish bin placement – the Google maps snips below show that rubbish bins are placed on the footpaths currently. A front berm would allow for a safer pedestrian environment through creating separation from the carriageway.



They confirmed the details of the intersection form can be finalised and worked through during the resource consent stage rather than the Plan Change. When preparing for the resource consent application, the designer should consider traffic volumes on McDonnell Road and the new road/access into the development to inform a suitable intersection form.

Yours sincerely, Nāku noa nā

Charlotte Clark