Submission opposing Private Plan Change 2, Arrowtown South

Submitter details

This is a submission on Private Plan Change 2 (PPC2), Arrowtown South, McDonnell Road, requested by Arrowsouth Properties Limited and notified by Queenstown Lakes District Council (QLDC) on 15 October 2026. Submissions close at 5.00pm on Friday 13 November 2026.

Item	Detail
Submitter	David Murray Hanan
Address for service	13 Alison Crescent, Dunedin 9011
Email and phone	dave@ghcconsulting.co.nz, 027 282 4401
Position on PPC2	Oppose in full
Wish to be heard	Yes, and I am prepared to present evidence
Trade competition	I could not gain an advantage in trade competition through this submission

My family has owned the property at 82 McDonnell Road, Arrowtown, since 1964. I have been a party to the Environment Court proceedings on the Arrowtown urban growth boundary and the McDonnell Road greenbelt, and I am a Director and Principal Environmental Engineer at GHC Consulting Limited.

I have spent the last 30 years defending the Arrowtown South boundary, with my late mother, Dame Elizabeth Hanan, and my family. Professionally, I project managed the Taiko landfill in South Canterbury, one of the largest projects in the South Island. That meant dealing with all of the effects of establishing a landfill. It was consented through a non-notified pathway, which I understand was unprecedented for a landfill, and it gave me decades of experience in what the true effects of a development on its receiving environment are. I am not a landscape architect, but I have prepared landscape plans, including for the Green Island landfill, and I worked with other experts on those for Taiko. In the Environment Court's Topic 31 McDonnell Road proceedings, including the Boxer Hill Trust and Hanan and Banco appeals, we called Phil Blakely and Anne Stevenson as landscape experts, and my own assessments supported their evidence. I draw on that work here, and on having lived in and visited this area for almost 60 years. I give my views on landscape effects as an experienced practitioner, supported by that independent expert evidence.

This submission relates to the whole of PPC2. That includes the rezoning of the site from the Arrowtown South Special Zone to the Suburban Residential Zone, the relocation of the Urban Growth Boundary to the southern boundary of the site, the Building Restriction Areas, the new Chapter 27 provisions and all consequential map changes.

Summary of submission

I oppose PPC2 in full. The Urban Growth Boundary (UGB) is the most important protection Arrowtown has, and PPC2 asks the Council to move it so that about 44 sections can be created. Moving it would

undo a boundary the community, the Council and the Environment Court spent more than a decade settling.

My reasons, in brief:

1. **The Operative District Plan.** The site is governed by the Arrowtown South Special Zone. PPC2 sets aside the zone's protection of the watercourse, the escarpment and the Pastoral land, which the Environment Court put in place, and does not assess the zone's objectives, policies or rules. Its case for doing so is administrative convenience.
2. **The boundary was fought for and settled.** PC29 introduced the Arrowtown UGB after about 540 submissions. The Environment Court confirmed it in 2013 and created the special zone in 2015, deliberately keeping most of Arrowtown South outside the boundary.
3. **The court said it again in 2023.** On McDonnell Road the court found the surrounding land remains an important greenbelt that works together with the UGB, and that existing development nearby is no platform for further urban creep.
4. **The landscape effects are higher than the Request says.** Replacing open rural pasture with housing is a moderate to high effect, not low to moderate, and Advance Terrace and Cotter Avenue lose the open rural foreground their owners bought with.
5. **The applicant concedes the next step.** The Request says the UGB could move further south and that this only needs more assessment. A boundary that moves each time someone asks is not a boundary.
6. **No ecological studies have been done.** There is no lizard survey, although the southern grass skink is At Risk and every native lizard is protected, and no freshwater assessment of the watercourse that the Environment Court made a defining feature of the zone. The applicant should do this work, not the neighbours.
7. **The open space was the price of the original lots.** The consent notice that protects it cannot be varied through a plan change, on the applicant's own legal advice.
8. **Servicing and roading are unresolved.** Council's own monitoring says the water scheme is reaching capacity. Wastewater upgrades, funding and McDonnell Road safety are left to a later subdivision.
9. **The 44 lots is not a cap.** The concept plan is not a structure plan, and the Suburban Residential Zone allows smaller sites by consent. This looks like the first step of a larger proposal.

How the Arrowtown boundary came to be

The Arrowtown UGB is the product of more than a decade of community input, Council decisions and Environment Court hearings. It was not drawn casually and it should not be moved casually.

When	What happened
1994 onwards	The community plans its own future through the Arrowtown Charrette and later workshops and visioning documents, including Shaping Our Future (2017).

When	What happened
August 2009	QLDC notifies Plan Change 29 (PC29, Arrowtown Boundary) and Plan Change 30 (PC30, Urban Boundary Framework). Plan Change 39 (PC39), a private request to rezone about 30 ha as Arrowtown South, follows in December 2009, with 504 submissions, most of them opposed.
2010	About 540 submissions are made on PC29, 100 on PC30 and more than 500 on PC39. Murray and Dame Elizabeth Hanan appear as submitters at the PC39 hearing in May.
October and November 2010	Council adopts PC29, making Arrowtown the first place in the district with a defined urban boundary, and declines PC39. The decisions are notified on 10 November 2010.
December 2010 and January 2011	Boxer Hill Trust appeals PC29 and PC30. Monk and Cook Adam Trustees appeal PC39.
4 February 2013	Environment Court decision on PC29 ([2013] NZEnvC 12). The court rejects the appeal to extend the UGB around the PC39 land. The UGB is confirmed and moves only a small distance south along McDonnell Road.
February 2015	Final Environment Court decision on PC39 ([2015] NZEnvC 25, 27 February 2015), after an interim decision in May 2014 ([2014] NZEnvC 117). The Arrowtown South Special Zone and its structure plan are created, and the zone becomes operative on 21 May 2015.

The Environment Court looked at the same land that PPC2 now covers. It accepted that Arrowtown's southern edge could be softened, but it did not accept that the edge had to be inside the UGB. The court said it was preferable that most of Arrowtown South sit outside the boundary, given the landscape provisions and densities of the residential zones.

The zone that resulted allows a small residential area beside McDonnell Road and a limited number of rural living sites. The rest is protected open space. QLDC's own 2024 monitoring report records that the court directed the appellant to keep the public trails and open space and to keep most of the land largely free of houses, buildings and structures. That open space was the trade for the development the court allowed.

PPC2 now asks Council to convert that open space to suburban housing and to move the UGB to follow it. In my view that is a request to reopen a question the Environment Court has already answered.

The McDonnell Road cases, 2019 to 2023

The Environment Court has said the same thing again, more recently and on the land directly across the road.

Guthrie v QLDC [2021] NZEnvC 79 (ENV-2019-CHC-15). Council commissioners refused a 12 lot subdivision at 112 McDonnell Road in 2019. The Environment Court upheld that refusal because of adverse effects on landscape, character and visual amenity, and because the proposal was contrary to the operative and proposed plans. The court found it significantly more intensive than the planning framework anticipated (at [128]). The High Court dismissed the appeal in March 2022.

Hanan and Banco v QLDC, Topic 31, McDonnell Road ([2023] NZEnvC 200, interim, and [2023] NZEnvC 278, final), and Feeley v QLDC [2023] NZEnvC 263. These dealt with the Proposed District Plan zoning of the Banco site (112 McDonnell Road), the Boxer Hill Trust site (174 McDonnell Road) and the Feeley site at the Arrowtown-Lake Hayes Road corner. The court made three findings that matter here:

- The landscape character unit along McDonnell Road remains an important greenbelt for urban containment and works together with the UGB (interim decision at [64]).
- The Arrowtown Retirement Village has compromised that greenbelt but does not provide a platform for further urban creep (at [65]).
- It is desirable to avoid any impression of incremental development creep or urban sprawl along McDonnell Road (at [76]).

The court did allow some Wakatipu Basin Lifestyle Precinct zoning, with a 6000 square metre minimum and 1 ha average lot size, and capped the Feeley site at six dwellings. I accept that outcome. It is rural living, outside the UGB, and the court was careful to keep it that way.

PPC2 is a different thing. It seeks a suburban zone with a 450 square metre minimum lot size. The precinct the court allowed averages 1 ha per lot, so PPC2 is more than 20 times as dense, and it relies on moving the UGB itself. The court's reasoning on greenbelts and urban creep applies with more force to PPC2 than to any of the sites it decided.

The Hanan family took part in each of these proceedings, as parties to the Boxer Hill, Banco and Feeley appeals, because the community had no other way to be heard. Council should take the 2023 findings as a statement of what the court expects the McDonnell Road edge to look like.

Assessment against the Operative District Plan

The Request accepts that the site is governed by the Operative District Plan, and that the Arrowtown South Special Zone has not yet been reviewed into the Proposed District Plan. I have gone through the zone provisions in the order they appear in Section 12 of the Plan. For each one, the Request either sets it aside or does not address it.

The zone and its purpose

Provision	What the Operative Plan says	What PPC2 does
Zone purpose (12.32.1)	The zone enables a comprehensively planned residential living environment that	Removes the Structure Plan and the purpose with it. Moves the southern edge. Protects the

Provision	What the Operative Plan says	What PPC2 does
	clearly defines the southern edge of the township, ensures protection of the escarpment and watercourse, maintains a predominantly low density residential character and provides consistent landscape treatment of open space.	escarpment with a Building Restriction Area but not the Pastoral land.
Resources and activities (12.31.2)	An un-named stream, a tributary of the Arrow River, runs along the toe of the escarpment. Because development has to maintain and enhance these ecological and landscape values, a special zone was considered appropriate. The Pastoral Activity Area is kept in a non-urbanised form.	Rezones the Pastoral land for housing. The reason given for dropping the special zone is administrative, that the Suburban Residential Zone already exists.
Objective 1 and Policy 1.1	Development follows the Structure Plan, which creates a network of private open spaces, identifies areas for ecological restoration and implements the Urban Growth Boundary of Arrowtown.	Replaces the Structure Plan and relocates the Urban Growth Boundary.
Policy 1.2	Minimise road crossings onto McDonnell Road and Centennial Avenue.	Leaves new access, sight distances, road widening, the speed limit and urbanisation of McDonnell Road to subdivision.
Objective 2 and Policies 2.1 and 2.6	Manage and enhance biodiversity values, physical features, landscape and amenity values. Protect and enhance biodiversity and natural values. Protect, restore and enhance the natural and ecological values of the escarpment and watercourses. Use sustainable stormwater design with maximum discharge to ground.	No survey of fauna or of the watercourse. Waterbody matters are deferred to subdivision. Stormwater design may change at consent stage.
Policy 2.2	Public trails to and along the stream on its eastern side, linking to Advance Terrace, Centennial Avenue and the golf course.	Declines to address public access in policy.
Policy 2.7 and implementation methods	Ongoing revegetation and maintenance of open space is	Drops the management plans from the new provisions. Ongoing

Provision	What the Operative Plan says	What PPC2 does
	secured through a body corporate or equivalent, as a condition of subdivision.	management covers privately owned communal land only.
Anticipated results (12.31.5 a, e, f and j)	A defined southern edge, riparian revegetation and enhancement of the stream, protection of the escarpment, and generous setbacks from McDonnell Road with private open space alongside.	Houses behind a 4.5 m planting strip.

The zone rules

Rule	What it says	What PPC2 does
Prohibited activity (12.32.3.6 iii)	No building, structure or fence in Pastoral Area 3, other than pest control fencing on an adjoining boundary.	Rezones Pastoral Area 3 as the area for housing. The Request calls it the logical location.
Non-complying activity (12.32.3.5 v)	Buildings in the Escarpment and Watercourse Areas.	Covers the escarpment with a Building Restriction Area. The interface between lots and the stream is left to subdivision.
Site standard 12.32.5.1 ix	Open space is not to be used for domestic curtilage such as gardens, paving, structures and parking.	Backs residential lots onto the riparian corridor, with a 1.2 m fence limit.
Site standard 12.32.5.1 x	Stock fencing along the watercourse is set back at least 15 m from the stream edge.	No equivalent setback in the proposed provisions.
Zone standard 12.32.5.2 viii	In the Residential Activity Area, 450 m² minimum per unit and no more than 20 residential units.	Up to 44 further lots on 2.34 ha, with no cap on yield.
Zone standard 12.32.5.2 xiii b	No more than 8 units with direct access to McDonnell Road, through no more than four crossings.	Restricts private driveways but leaves road access to subdivision.

Urban growth, Part 4.9 of the Operative Plan

- **Objective 7.** Urban growth is to be managed so that a sustainable pattern of development is achieved and urban development does not adversely affect natural, environmental and landscape values.
- **Policy 7.5.11.** When an Urban Growth Boundary is defined through a plan change, the need for a clear and logical alignment that separates urban and rural areas and gives a robust defensible limit has to be taken into account. A title boundary is not that.

- **Policy 7.6, sequential release.** Zoned and consented land inside the boundary comes first. Land beyond the boundary is considered only in exceptional circumstances, where there is an identified need, not enough capacity inside the boundary and no suitable opportunities in higher order settlements. The Request does not attempt that test, and its own housing evidence puts the Arrowtown shortfall at 60 to 90 dwellings.
- **Policy 7.8.** Avoid piecemeal development.
- **Policies 7.12 and 7.13 (Plan Change 29).** Limit the growth of Arrowtown so that adverse effects of development outside the boundary are avoided. The explanation says the boundary allows only very modest growth, and that proposals outside it are to be assessed for their effect on the boundary and on the separation of urban and rural environments.

What Council's own monitoring found

QLDC's section 35 monitoring report on the zone (November 2024) tested the zone against its own objectives.

- The rules were found generally effective. A defined southern edge, riparian revegetation and escarpment protection are recorded as met.
- The constructed wetland and its native riparian planting are described as a clear success.
- Thirty five of the 37 dwellings the zone enables have been built, which Council says leaves limited scope for further development under the current provisions.
- The Arrowtown water scheme is described as reaching capacity. Wastewater needs an assessment of the pump stations and pipes to the treatment plant, including cumulative effects.
- Two complaints since 2022 were about sediment from earthworks entering the stormwater basin, which Council says could damage the ecological values of the wetland.
- Council says the findings will inform a review of the zone. PPC2 gets ahead of that review.

Taken provision by provision, PPC2 replaces a working zone with a generic one, and the Request's case for doing so rests on administrative convenience.

Why moving the UGB is the central problem

PPC2 cannot be separated from the UGB. The rezoning only works if the boundary moves, and the Request says so. It seeks to move the UGB to the southern boundary of the site and to amend Figure 1 in Chapter 4 of the Proposed District Plan to match.

The land is the open space the court set aside. The Request confirms that the land to be rezoned is currently the Private Open Space Activity Area of the Arrowtown South Special Zone, being Escarpment Areas 1 and 3, Pastoral Area 3 and Watercourse Area 1. This is the land the Environment Court chose to keep outside the UGB.

The new line is no more defensible than the old one. The Request says the current UGB through the site follows title boundaries and a fence, with no defensible edge. The proposed line along the southern boundary of the site is exactly that kind of line. The Urban Design Assessment supports it partly because it encloses land held in a single title. That reasoning applies equally to the next title to the south. The

Operative Plan describes the existing edge differently. It says the zone creates a logical and clear edge defined by the adjoining golf course open spaces and existing roads, and Council's 2024 monitoring report records the defined southern edge as achieved.

The Request invites the next move. It says the UGB could move further south into the Arrowtown South Special Zone and that this would only need additional assessment of ownership, intensity, servicing, access and topography. It also describes the site as the "missing tooth" in the urban edge. Most of the rest of the zone, and 175 McDonnell Road, would be left with a straight new boundary and the same argument. A boundary that moves each time the next landowner asks is not a boundary.

The UGB has already been adjusted once recently. The Request points to the extension at Tewa Banks as evidence that the line is not fixed. I see it the other way. A boundary that has been adjusted before should be adjusted again only on strong evidence, and the Request does not supply it.

It would extend the urban frontage along McDonnell Road. In 2023 the court asked for the avoidance of linear built form that reads as urban sprawl along McDonnell Road (at [76]). Moving the UGB south and rezoning the frontage extends exactly that pattern. The applicant's own landscape architect accepts that McDonnell Road acts as the boundary to sprawl to the west. The UGB and the road work together, and the court said so.

The plan change route avoids the existing policies. The Request accepts that a resource consent application would have to be assessed against the Operative District Plan's urban growth provisions (section 4.9) and Chapters 3 and 4 of the Proposed District Plan, and that building in Pastoral Area 3 is a prohibited activity. A plan change should not be used to get around objectives and policies that exist for good reason.

The community's own planning documents, including Shaping Our Future (2017) and its 2022 review, emphasise containing the urban boundary and protecting the green belts around the village. Based on the information available, I see nothing in the Request that justifies setting that direction aside.

The open space was the price of the original lots

The 20 existing lots and the open space around them came as one package. PPC2 keeps the lots and drops the open space.

- Resource consent RM161093 (3 August 2017, non-notified) created 20 residential lots of 600 to 1073 square metres. It also created balance lots of private open space, including Lot 103 (4.559 ha) and Lot 104 (1.125 ha), with public walking and cycling trail easements. Condition 22 required an Overarching Open Space Management Plan and a Private Open Space Management Plan.
- Consent Notice 11585126.5 requires the private open space, building and fencing restrictions and landscaping areas to be managed in perpetuity under those plans. It prohibits buildings and earthworks in the escarpment area of Lot 103.
- Twelve of the lot owners hold Lot 104 in undivided shares and carry maintenance obligations under a covenant. They are directly affected by this plan change.

The applicant's own lawyers say the plan change cannot fix this. The Lane Neave memorandum of 14 May 2026 advises that there is no statutory ability to vary a consent notice through a plan change. The Request says the conditions would have to be varied later at subdivision under section 221. In my view

that puts the steps in the wrong order. If the open space obligations stay, the rezoning achieves little. If they go, the real decision is made later and separately, with the community left out of it.

Building in Pastoral Area 3 is a prohibited activity. The Request describes this area as the logical place for housing. A prohibited activity status is the strongest signal the Plan gives, and it was set through the Environment Court process. Building in the other three open space areas is non-complying. Rezoning them to a suburban residential zone ignores why they were protected.

What replaces the protection is thinner. The Request calls it inappropriate to carry the existing management plans into the Proposed District Plan. Those plans, certified by Council before titles are released, cover plant species, planting schedules, irrigation, maintenance, rabbit control, weed management and fencing. The replacement is a handful of policies, such as planting strips along McDonnell Road and the southern boundary and a 1.2 m fencing limit. A Building Restriction Area stops buildings but does not require planting, management or public access, and the Request says it is not intended to provide access.

The current framework is working. The applicant's ecological assessment concludes that the objectives of the management plans are being achieved and that the plantings will continue to mature. It notes that continuing maintenance and rabbit control are needed. That is a reason to keep the framework, not to replace it. QLDC's own 2024 monitoring of the zone reaches the same view. It found the rules generally effective and the riparian planting and constructed wetland a clear success.

Ecology, the southern grass skink and the watercourse

No ecological studies of the things that matter on this land have been done.

What the Request provides. The only ecological report is the Ecological Assessment of Indigenous Plantings (Natural Solutions for Nature, September 2025). It assesses how the Stage 1 plantings are establishing. Its limitations section says it was a qualitative walkover on two days in late May 2025. It contains no survey of lizards, invertebrates or fish, and no assessment of the stream or wetland as a waterbody. The Request defers ecological matters concerning the waterbody to the subdivision stage, and then concludes that there are no significant indigenous ecological values on the Site that will be adversely affected. That conclusion cannot rest on surveys that were never done.

The Request's own ecologist points the other way. She says converting the open space to housing will likely displace foraging wetland and pasture birds. She says development of the flat pasture and encroachment towards the stream is likely to remove or degrade habitat for waders and herons, and adds to the gradual loss of such habitat across the Basin. She places the site in the home range of a nationally threatened falcon pair, and notes that the South Island pied oystercatcher, which is At Risk and Declining, probably forages there. She records that less than 10 percent of the indigenous vegetation remains in the site's flat land environment and less than 20 percent in its escarpment environment. She recommends a buffer between development and the riparian area, avoiding further channelisation, and a sediment management plan.

Southern grass skink. I have seen a couple of what I believe to be southern grass skinks myself, moving among the flaxes at 82 McDonnell Road on the opposite side of the road, and it makes sense that they use this land too. The southern grass skink (Oligosoma aff. polychroma Clade 5) is classified At Risk, Declining, nationally and in Otago. Otago is its national stronghold, with more than 20 percent of the population, and habitat change from land development is one of its main threats. It uses grassland,

wetland and rocky habitat, and this land has rank grass, a schist outcrop and a stream margin. The species was split in 2022 when the tussock skink was recognised, and both are At Risk and Declining, so only a qualified herpetologist can say which is present.

Why it matters now, not at subdivision. All native lizards are absolutely protected under the Wildlife Act 1953, and Department of Conservation authority is needed to handle or move them. DOC's own guidance says lizards should be considered in development proposals from the start and that a lizard expert should be consulted early. The Resource Management Act asks for significant habitats of indigenous fauna to be protected and for the effects on them to be assessed in the plan change request itself. Whether skink habitat has to be avoided or can only be relocated decides how much of this land can be built on, so it has to be answered before the zoning is changed. The only site visit was in late May, which is not a season in which skinks are easy to find.

The watercourse. The Operative Plan makes the watercourse one of the three parts of the Private Open Space Activity Area (POS-W1 to W3). It names the stream and the escarpment as the features the special zone exists to protect, requires stock fencing of the stream margins, provides for a trail on the stream's eastern side, and anticipates riparian revegetation and an enhanced stream condition as an environmental result. That structure came from the Environment Court's decision in Monk v QLDC ([2015] NZEnvC 25). In 2013 I gave evidence in that case that no biological or benthic study of the stream had been done and that flood works would affect stream life. The position has not changed. Council's monitoring says the riparian planting and wetland have been a success and records sediment from earthworks as a risk to them. The Request's ecologist is unsure whether the impounded stream upstream of the southern fence is natural. None of this has been assessed as freshwater, and the national freshwater policy statement and standards apply to wetlands and waterbodies. The Request leaves all of it to the subdivision stage.

What I ask for. The onus is on the applicant, not on me. The applicant wants the zone changed, so the applicant should engage a herpetologist, a terrestrial ecologist and a freshwater ecologist, and show that there are no skinks, birds, fish, invertebrates or wetland values of significance on this land. It is not for a neighbour to pay for surveys the Request should have contained. I ask for ecological assessments before any rezoning is considered, including a lizard survey in suitable conditions with DOC consulted, a terrestrial survey of birds and vegetation, and a freshwater and wetland assessment that delineates the wetland and covers the stream's fish and invertebrate values. Council should have them peer reviewed. These are not matters to leave to a later consent.

Landscape, character and amenity

The applicant's own landscape assessment concedes a great deal, and then reaches a conclusion that its own findings do not support.

- It describes housing on this land as a fundamental land use change from the open space the Special Zone requires, and accepts that rural character would be removed.
- It accepts that residents on Advance Terrace and Cotter Avenue lose their open space foreground, and then rates the effect on them as very low.
- It rates the overall landscape effects as low to moderate. Ten of the 19 viewpoint rows in its summary table are rated low to moderate.

- For the neighbour at 175 McDonnell Road it rates the effect as moderate at first, reducing to low to moderate as boundary planting matures.
- It describes the surrounding landscape as diverse, highly modified and visually complex. The Environment Court looked at the wider McDonnell Road landscape in 2023 and called it an important greenbelt.

I do not accept those ratings. In my view, drawing on my landscape planning and assessment experience, the change from open rural pasture to housing is a moderate to high landscape effect, not low to moderate. The Request's own summary then concludes that there will be no significant adverse effects. I do not see how it gets there. It removes the open rural character of the land and, in my view, the defensible edge of the town with it.

The foreground. The owners on Advance Terrace and Cotter Avenue bought their properties with a rural open foreground that the Special Zone protects. Losing that is a moderate to high effect on them. The Request rates it very low because the houses would be 20 to 30 m below and wider views of the mountains remain. Looking down onto roofs, driveways and roads is not made acceptable by that, and planting on the escarpment does not hide it.

The kind of change. The surrounding landscape is highly modified rural land, with golf courses, pasture and scattered houses, but it is still largely green and open. Scattered rural houses can sit in that landscape. A block of 450 square metre sections is a different thing. It is urban, it cannot be disguised among grasses and shelterbelts, and it would read as the edge of the town moving south and west. In 2023 the Environment Court rated the rest of this landscape unit as Moderate capacity because of its exposure from elevated public viewpoints in Arrowtown and on the Crown Range, and because it works in tandem with the Urban Growth Boundary (at [67]). The rural living it allowed on the neighbouring sites averages 1 ha a lot.

I ask that Council's own independent landscape reviewer tests the Request's ratings, rather than taking them from the applicant's consultant.

The larger point is cumulative. Each development on this corridor is presented as a small and logical extension of the last one. The Retirement Village, Tewa Banks, the Hills Resort Zone plan change, the 2023 precinct zonings and now PPC2 all sit within the same visual catchment. The Request assesses PPC2 against the Hills proposal and finds the effect very low because the two are visually separate. In my view the effects need to be assessed together, because that is how people experience the approach to Arrowtown.

The defined edge is the point. Arrowtown is one of New Zealand's most beautiful small towns in large part because you arrive at a defined edge. The village stops and the rural land begins. Many European villages are protected the same way, by a defensible boundary between village and countryside. That edge has been tested in court, in Plan Changes 29 and 39 and again in the McDonnell Road cases, Hanan and Banco, Feeley and Guthrie, and the court has repeatedly recognised the job that the rural land around the town does.

The Request calls this site a missing tooth, a missing piece, an infill and a logical extension. The court's 2023 decision describes the Retirement Village as an anomaly in a rural setting and says it is not a legitimate platform for further urban creep. Treating the anomaly as the pattern, and the rural corridor between the village and the town as the next stage of the urban area, turns the court's reasoning

upside down. In my view the stream and escarpment corridor is the natural defensible edge. Rezoning the land and moving the Urban Growth Boundary removes it.

Independent landscape evidence points the same way. Phil Blakely is a registered landscape architect with 40 years' experience. He led the original Arrowtown Design Guidelines and prepared the masterplan for the Retirement Village. In 2025 he told QLDC that the town is contained to the west and south by golf course parkland and rural residential land that gives it a rural setting and works as a greenbelt and Urban Growth Boundary, and that the Retirement Village is an enclave of clearly urban character beyond that containment (evidence of Philip Blakely, 4 July 2025, at [20]). He adds that the Urban Growth Boundary controls the size of the town and gives meaning to its historic context (at [32]).

Night sky and lighting. Street lighting, driveways and 44 or more houses would put a permanent glow on what is now a dark rural edge. Chapter 27 of the Proposed Plan itself asks for street lighting that avoids upward light spill affecting views of the night sky. I could not find an assessment of lighting in the Request, and lighting at this scale cannot be mitigated away.

Rural character. Roads, hardstand and housing replace pasture. The Request accepts that rural character would be removed. A 4.5 m planting strip does not mitigate that.

Infrastructure, transport and land suitability

The Request says the site is serviceable. On its own evidence, that depends on work that has not been designed, funded or approved.

- **Wastewater.** Servicing relies on network upgrades (a pump station and a gravity main), a low pressure sewer system and emergency storage on every lot. The Request says these upgrades would also resolve existing capacity issues, which tells us the network is already constrained. Detailed design and funding are left to the subdivision stage. The area already has wastewater problems, and adding load before they are fixed is the wrong order.
- **Water.** The modelling notes existing constraints in the wider Arrowtown network, including head losses in the southern high elevation zones. It finds no failure at the site boundary but does not address the wider network. Council's own 2024 monitoring report says the Arrowtown water scheme is reaching capacity, with insufficient reservoir storage and with pipes to the south end of Arrowtown needing to be upsized. It adds that the upgrades may need to be larger again for further intensification.
- **Stormwater.** Further design is needed and the Infrastructure Feasibility Report says it may lead to a different management approach. A stream and wetland run through the site.
- **McDonnell Road.** Council's information request raised sight distances, road widening, a lower speed limit and the urbanisation of McDonnell Road. The transport assessment says these are not insurmountable and can be dealt with at subdivision. Traffic on McDonnell Road is already an issue in my experience. Urbanising the road, with kerbs, lighting and footpaths, would itself change the character of the greenbelt entrance and should be assessed now.
- **Funding.** The Request says it is appropriate to delay any cost arrangement until there are definite subdivision plans. In my view ratepayers should not carry the cost of upgrades for a private rezoning, and no rezoning should take effect without a funding agreement in place.

- **Waterbody.** The ecological assessment covers the plantings only and leaves the waterbody to the subdivision stage. In 2013 I raised the absence of any biological study of this stream in the PC39 proceedings. The position has not changed. This is dealt with in the section on ecology and the watercourse.
- **Contaminated land.** None of the 20 appendices includes a preliminary site investigation. The land has a long history of pastoral farming. I expect the risk is low, but it should be confirmed, not assumed. The national environmental standard for soil contamination applies when land is subdivided or its use changes, and the answer affects both cost and layout. In my professional view, a rezoning to residential should be supported by at least a preliminary site investigation to confirm whether any activities on the Hazardous Activities and Industries List have occurred.

The infrastructure answers all come later. The rezoning decision is being asked for now.

Housing supply, and why 44 lots is not a cap

The housing case is modest. The Request relies on a peer review by Insight Economics, engaged by the applicant, which argues that Council's Housing and Business Capacity Assessment understates demand in Arrowtown. Even on the applicant's own summary, the shortfalls are about 60, 90 and 80 dwellings in the short, medium and long term, and the assessment projects about 190 additional homes over 30 years to 2053. Arrowtown was deliberately planned as a constrained town, with growth directed to places that can absorb it. In my view a gap of this size does not justify moving a boundary that the Environment Court confirmed.

I ask that Council commission its own independent review of the demand and capacity evidence rather than rely on a report commissioned by the applicant.

New standalone sections on the edge of a heritage town will not fix affordability. The section 32 evaluation answers the affordability policies only by saying the zone allows flats, detached houses and townhouses. It makes no commitment to affordable or community housing. As I said in 2023, I am not anti-development. I am anti-development in places that are highly sensitive to it. The answer is higher density housing in suitable locations, such as the Te Pā Tāhuna development on Gorge Road, not the edge of a greenbelt.

The 44 lots is an illustration, not a limit.

- The 44 lots comes from a concept plan that the Request says is not intended to act as a formal structure plan. Lot yield, layout and access are left to a later consent.
- The Suburban Residential Zone allows dwellings on sites under 450 square metres by restricted discretionary consent (Rule 7.4.4). Nothing in the proposed provisions caps the yield.
- The Infrastructure Feasibility Report was modelled on up to 61 lots. The March 2026 version of the Request included a 300 square metre concept plan alongside the 450 square metre one. The applicant has tested both.
- The larger existing lots, up to 1073 square metres, would also become eligible for subdivision under the new zone.

The effects of PPC2 should be assessed on the realistic maximum the zone allows, not on the lowest number in the concept plan.

This is the first step, not the last. Private Plan Change 39 originally sought 226 houses on the Arrowtown South land. The Hanan family and Council opposed it, and the Environment Court cut it back to a low density zone with large areas of protected open space. PPC2 now returns for part of that land with 44 lots and no cap, infrastructure sized for 61, housing figures that talk of shortfalls of 60 and 90 dwellings, and a stated openness to moving the boundary further south. In my view that is the first step of a larger proposal, and it should be assessed as one.

Answering the section 32 evaluation

The applicant's section 32 evaluation (Appendix K) is meant to show that rezoning is the most appropriate way to achieve its objectives. It does not, and in several places it says so itself. Page numbers below are from Appendix K.

It concedes the key points. The evaluation accepts that the proposal is generally inconsistent with the zone's policies, that housing here is not anticipated by the zone, and that building in this area is non-complying or prohibited today (p 30). It names the loss of protected open space as the key disadvantage (p 16), and it says that if keeping the open space is the goal, the special zone should prevail (p 30). Keeping the open space was the goal. It is why the Environment Court set the zone up the way it did.

The options were chosen to reach the answer. Keeping the status quo is rejected because it does not deliver the applicant's own objective of enabling housing (p 11), which is circular. Amending the special zone is rejected because the Operative Plan is old (p 12), not because the zone has failed, and Council's 2024 monitoring says it is working. A new zone is rejected because it adds administrative complexity and because Council officers expressed a preference before lodgement (p 12), which does not bind the decision makers. Two options are missing altogether: leaving the land alone until the zone review that the evaluation itself says Council must do soon (p 11), and rural living at the density the court allowed on the neighbouring sites.

The risk assessment contradicts the rest of the document. It says there is very little risk of acting because no uncertainty exists (p 27), and concludes there is no risk to acting (p 73). Yet the same document leaves ecology to a later consent (p 37), notes a deviation from Council's code of practice on wastewater (p 44), says it is unknown whether works will occur in or beside the waterbody (p 67), accepts that the consent notice has to be varied at subdivision (p 26), and records that there has been no consultation with Otago Regional Council or iwi (p 8). That is uncertainty, and section 32(2)(c) asks for it to be taken seriously.

It uses the boundary rule to move the boundary. The evaluation says that because the Proposed Plan avoids urban development outside the UGB, the UGB has to be moved to suit the rezoning (p 33). That is circular. The same plan says UGBs give distinct and defendable edges (Policy 4.2.1.1), and that the Arrowtown UGB preserves the town's urban character and avoids sprawl into adjacent rural areas (Policy 4.2.2.12). Policy 4.2.2.19(d) asks for recognition of the open space pattern formed between the golf courses and the rural land. The evaluation sets that policy out and never answers it (pp 39 and 40). It also assesses only Objectives 2, 3 and 9 of Part 4.9 of the Operative Plan and leaves out Objective 7 and the policies under it, which are the ones that deal with the boundary (p 29).

Minor when it suits, significant when it suits. On effects, the evaluation calls the proposal a minor expansion of the zone (p 16) and a minor extension of Arrowtown (p 41). On the National Policy Statement for Urban Development, it says the proposal adds significant housing capacity and

significantly increases supply (pp 68 and 72), which is what Policy 8 needs. It cannot be both. Forty four sections in a town where the applicant's own reviewer puts the shortfall at 60 to 90 dwellings is not significant capacity for the district, and Policy 8 also needs a well functioning urban environment.

The effects are waved through. The evaluation says no open rural landscape will be significantly affected (p 36). Later it accepts that the character and visual amenity of neighbouring owners will be detracted from, and calls that an expected effect when farmland becomes urban (p 71). This is not farmland waiting for an urban zone. It is protected open space. Policy 6(a) of the National Policy Statement asks decision makers to have regard to the planned urban built form in the plan, and the plan does not plan housing here. The evaluation also says the proposal is consistent with the outcomes the Proposed Plan identifies for the Site (p 71). The Proposed Plan identifies none, because the zone has not yet been reviewed into it (p 3).

The benefits are not new. The planting along the stream, on the rocky outcrop and along McDonnell Road, and the weed and pest control, are listed as benefits of the rezoning (pp 22 and 23). They are already required under resource consent RM161093 and the management plans, and the applicant's own ecologist says they are working. Counting them again is double counting. The certainty the evaluation talks about goes to the applicant, because the lot yield is not fixed.

The costs are not measured. Section 32(2)(b) asks for costs and benefits to be quantified where practicable. The costs column lists the loss of open space, effects on landscape and amenity and the cost of infrastructure upgrades without a figure for any of them (pp 21 and 22).

Low density is not low density. The evaluation calls the proposal low density throughout (for example pp 3, 9 and 13). A 450 square metre minimum is about 19 dwellings a hectare. When it rejects the Medium Density Residential Zone, the evaluation says that on a vacant greenfield site the maximum density will more than likely be used throughout (p 17). The same applies to the Suburban Residential Zone, so the yield will not stop at 44.

National direction is skipped over. The National Policy Statement for Indigenous Biodiversity is listed as having no applicability, with no reasons (p 66). By its own terms it applies to indigenous biodiversity in the terrestrial environment throughout New Zealand (clause 1.3(1)), and clause 3.16 deals with biodiversity outside significant natural areas. The applicant's ecologist identifies a nationally threatened falcon pair, an At Risk oystercatcher and the loss of wader habitat. The freshwater assessment lists seven policies of the National Policy Statement for Freshwater Management and leaves out Policy 6 on wetlands, Policy 7 on loss of river extent and Policy 9 on the habitats of freshwater species, then defers the lot to consent (pp 66 and 67). On the Urban Development statement, Policy 9 asks for early involvement of hapū and iwi in preparing planning documents. The evaluation defers that to the resource consent stage (p 72).

Affordability is not addressed. The evaluation answers the housing affordability policy and Objective 2 by saying the zone allows flats, detached houses and townhouses (pp 32 and 68). That is not a commitment to anything.

What the Request's own technical reports say

The technical appendices are meant to support the rezoning. Read closely, several of them point the other way. This section sets out what the applicant's own consultants say. Page and section references are to the documents on Council's website.

Landscape, the change is a choice (Appendix L). The applicant's landscape architect says PPC2 will result in "an obvious and inevitable change in character for the lower portion of the Site" (p 5). It is only inevitable if Council makes it so. Nothing changes on this land unless Council approves a plan change. The open space character is there because the Environment Court decided, through Plan Changes 29, 30 and 39, that Arrowtown needed an open edge. A change from open space to urban housing is a significant change, and it does not have to happen. The only thing that is obvious and inevitable is that the open space stays if Council declines PPC2.

The report accepts the zone requires open space, then dismisses it. It says "The ASSZ requires the pastoral landscape to be retained as private open space" (p 34). On the same page it says this open space "does not significantly contribute to the overall amenity values in the landscape". A zone cannot require open space to be kept and also not matter. The Environment Court reached the opposite view after hearing from experts and the community.

It admits a policy conflict. The report says "Future development within the APD that would be enabled by the PPC is contrary to policy 4.2.1.3" (p 41). I agree. That admission, from the applicant's own landscape architect, should carry real weight.

The ratings lean on planting that has not grown. The overall rating is "low-moderate" (p 37). In my view the effects are moderate to high, for the reasons given above. The report rates effects on 175 McDonnell Road as "moderate initially" (p 32), reducing as boundary planting establishes. For properties it could not enter, it says "without accessing these private properties a more conservative approach is considered appropriate" (p 31). The ratings depend on trees maturing, not on anything the plan change provisions would secure.

More lots, taller buildings. The report says dwellings will be up to 6.5 m tall (p 8). It later says the site "will enable built form up to 8m" (p 29). It also acknowledges "further potential subdivision and increased density being enabled by the PPC zoning" (p 23). That supports my concern that 44 lots is where this starts, not where it stops.

Lighting is barely considered. The word appears once, in a list of possible reverse sensitivity issues at the southern edge (p 31). Night-time effects are not otherwise assessed.

The edge is not made more defensible. The report says the current UGB "divides the Site with no defensible basis" (p 41). The Environment Court confirmed that boundary after hearing the evidence. A new boundary along a property line, softened by a planting strip, is not more defensible than the one the Court set.

The review was done in house. The report was prepared for the applicant and reviewed by another landscape architect in the same firm. Council should commission an independent review, as I ask below.

Wastewater, the applicant's own modelling raises the alarm (Appendix O). The wastewater modelling by Hydraulic Analysis Ltd found that, even before any development, "the risk of uncontrolled overflows is considered high" (section 5.1). With only a pump upgrade, the risk stays high, "with the water level within 500mm of the lid level" (section 5.6). Its conclusion is that "upgrades are required before the development can be approved" (section 6). It says the conveyance upgrade "is the only option that has been considered" and recommends Council undertake an options study. It also says the model's accuracy "has not been validated as part of these studies" (section 3). The applicant's infrastructure

report describes the same upgrades as feasible and technically viable. It does not carry the overflow finding forward.

Water supply, the network is already stretched. The water supply modelling attached to Appendix O reports existing storage of about 1,450 m3 against 2,662 m3 of peak day demand over twelve hours (section 1.3.2). It says peak day pumping "breaches sustainable intake capacity by 2027" (section 1.3.1). Pressure at Advance Terrace falls from 26.51 m to 24.29 m with the development, which is already below the 30 m (300 kPa) level. The model has "not been updated" since 2016. The infrastructure report says the system remains well above the minimum pressure and that the model was validated against recent data. Those statements do not sit comfortably with the underlying modelling.

Stormwater, no margin and no certainty. The detention basins are designed to leave 1 percent AEP outflows at 42.2 and 51.1 L/s against pre development flows of 42.8 and 51.3 L/s. That is a margin of well under one litre per second. The report acknowledges a risk of localised scour where flows reach the watercourse (section 7.2). It says basin design may need to allow for buoyancy if groundwater is high (section 7.4). It says a geotechnical investigation is still needed to find the standing groundwater level (section 8.2). Ownership is described only as anticipated vesting in Council, or a residents' society (section 7.3).

Nobody has agreed to pay for any of it. The funding for the upgrades "will be determined in consultation with QLDC" (section 4.6). The report recommends a pre application meeting with Council engineers (section 8.2), which suggests Council has not yet reviewed the concept. There are no costings. The Aurora letter says it can make a point of supply available, subject to conditions, but that this "does not imply that a PoS is available now, or that Aurora Energy will make a PoS available at its cost".

The numbers do not agree with each other. The infrastructure report is designed around 61 lots (section 1.3). The stormwater report uses up to 59 lots. The transport and landscape reports use 44. Site area is given as both 4.7 ha and 5.7 ha. The concept plan carries a note that the layout "is indicative only and does not comply with current QLDC Rules". A plan change should not be decided on services designed for a different development from the one described.

Transport, there is no layout to assess (Appendix N). The assessment says "there is no structure plan to determine a future subdivision or road layout at this time" (section 4.1.1). A new McDonnell Road access is likely to need shoulder widening on both sides and earthworks to realign the trail. Any new intersection must be within 200 m of Brodie Avenue. Only the McDonnell Road and Arrowtown Lake Hayes Road intersection was modelled. Brodie Avenue was assessed qualitatively. The walking route to town is a "grade 4 trail with stairs which will be difficult for pedestrians with mobility impairment" (section 4.2.1). The report says there is "no committed funding" for the State Highway 6 bus lanes (section 2.4). Trip rates come from a 2010 table. I do not say the roads will fail. I say the assessment is of a layout that does not exist.

Geotechnical, uncontrolled fill and nothing about contamination (Appendix Q). The applicant's geotechnical engineer reports that "Previously placed uncontrolled fill is located across the proposed private plan change area" (p 2). The report does not mention contamination or the Hazardous Activities and Industries List. Nobody has assessed what is in the fill. That strengthens my concern that there is no preliminary site investigation. The report says instability of the terrace slope in a moderate to large earthquake "is possible" (p 4). Groundwater was found between 0.9 and 2.9 m below ground (p 4). Measured infiltration rates were 1, 0 and 3 mm per hour, and the report says "the location and method

of the stormwater disposal is unconfirmed at this stage" (p 8). It also says subsoil conditions away from the test locations "cannot be guaranteed" (p 9). I accept the engineer concludes there are no geotechnical grounds to decline the rezoning. My point is that these matters are deferred, not resolved.

Liquefaction, Council's own map flags McDonnell Road. The GNS Science regional assessment for Otago (Consultancy Report 2018/67, 2019) is published on Council's GIS as the Liquefaction Awareness Areas layer. It maps the McDonnell Road corridor as Domain B1. GNS explains that the Bush Creek fan "has extended down an old river channel along McDonnell Road", and that GeoSolve (2018) "reports having found possibly liquefaction susceptible materials in one area within the channel, and so it is classified here as Domain B1" (Appendix 3). GNS says that in domains B and B1 "damaging liquefaction is considered to be a possibility". The applicant's own geotechnical report calculates liquefaction in the intermediate and ultimate limit state earthquakes at depths of 1.5 to 9 m, with settlement of up to 160 mm, and places the land in MBIE categories TC1 to TC3 (pp 5 to 7). It recommends lot specific testing (p 7). It does not refer to the GNS map. GNS is clear that these are awareness areas, not hazard zones. That is my point. The hazard is possible and unquantified, and the Request asks Council to rezone first and test lot by lot later. Natural hazards are a matter of national importance under section 6(h) of the Act.

The report acknowledges the big earthquake, then tests a smaller one. The applicant's geotechnical report says "A significant seismic risk exists in this region from rupture of the Alpine Fault" and that there is "a high probability that an earthquake with an expected magnitude of over MW 8" will occur in the next 50 years (section 4.1, p 3). It says "A severe seismic risk is present in the region" (section 5.1, p 4). GNS Science and the AF8 programme put the chance of an Alpine Fault earthquake in the next 50 years at 75 percent. The average gap between ruptures is 249 years, give or take 58, and the last one was about 1717. The Otago Regional Council's 2015 seismic hazard report expects a magnitude 8.1 earthquake on that fault to cause shaking of intensity MMVII in Queenstown for one to two minutes. Yet the three design earthquakes in the liquefaction analysis are all at an effective magnitude of 6.5, taken from the MBIE guidance and described as an interim hazard (section 5.3.1, Table 5.1, p 5). The report does not explain how those scenarios relate to a magnitude 8 earthquake. I accept that the guidance sets the scenarios. My point is that the report does not reconcile the two, and Council should require the applicant to do so before it rezones.

Ecology, the only report does not look for lizards (Appendix R). The applicant's ecological report is an assessment of existing plantings, not of the site's fauna. Lizards are mentioned once, in a quoted objective (p 10). The survey was in May, when "some species are less conspicuous", and "some may have been overlooked" (p 6). It was "a qualitative assessment rather than a quantitative assessment" (p 6). I have seen skinks on this land myself. The report also says "not all plantings have reached a self-sustaining condition" (p 28), with about 5 percent losses on the escarpment and at least 217 gaps, or 15 percent, on the outcrop (pp 16 and 26). It acknowledges that "the establishment of large Lots in the POS-Outcrop area would require a reconfiguration of planting" (p 34), and that development is likely to remove or make habitat less suitable for waders such as oystercatchers and stilts (p 29). The open space is not yet doing its job. It should not be traded away.

Housing, the applicant's own reviewer says it will not help soon (Appendix J). The Insight Economics review was prepared for the applicant. It says the proposal "is unlikely to contribute over the short term due to lead times" and is "modest in scale relative to district wide growth" (p 2). It says Arrowtown "is not identified as a Priority Development Area" (p 9) and "was not classed as a growth

area" (p 7). It describes the match to the medium term shortfall as "broadly comparable" (p 19). It does not claim the plan change would fix the shortfall. It also does not analyse affordability.

This will not make Arrowtown affordable. The same review says "Property values are high by national and district standards" (p 15). New sections of 450 m2 in Arrowtown will sell at Arrowtown prices. I could not find any analysis in the Request or its appendices showing that these homes would be affordable to people who work in the district. Opening up 44 sections for a high end market does nothing for the housing crisis. It uses up open green space that cannot be replaced.

Consultation, the neighbours along the crest and no one else. The Request records a letter drop in early March 2026 to properties within the site and off Cotter Avenue and Advance Terrace, the properties overlooking the site (Request, section 5). It describes the feedback as "limited". It records no engagement with the wider Arrowtown community. It does not mention the Arrowtown Village Association or any other community group, a public meeting or open day, or any advertising beyond the Council's own notice. If any of that happened, it is not in the material Council has published. The Request also records no direct consultation with the Otago Regional Council or with iwi (Aukaha and Te Ao Marama Incorporated), and says it will go to iwi once Council accepts it. The southern neighbour at 175 McDonnell Road was left out of the letter drop. This is a proposal to move a boundary that the whole community fought for. It is not a matter for the neighbours on the crest alone. Talking to the neighbours is welcome. It is not consultation with Arrowtown.

Where the Request falls short

I do not need to prove that PPC2 will cause harm. The Request has to show that the rezoning is the most appropriate way to achieve the purpose of the Act, and that the land can be serviced and used safely. Where the information is uncertain or insufficient, section 32(2)(c) requires the risk of acting to be assessed. The table below lists the gaps and uncertainties in the Request, and where each one comes from.

Topic	What is missing, uncertain or contradicted	Source
Landscape	Effects rated low to moderate, but "moderate initially" at 175 McDonnell Road. Ratings depend on planting that has not grown. Admits conflict with policy 4.2.1.3. Lighting not assessed. Heights given as 6.5 m and 8 m. Reviewed in house only.	Appendix L, pp 8, 29, 31, 32, 37 and 41
Wastewater	Overflow risk already high. Upgrades "required before the development can be approved". Model not validated. Only one option considered. Funding not determined.	Appendix O, Hydraulic Analysis Ltd report sections 3, 5.1, 5.6 and 6, and section 4.6
Water supply	Storage of about 1,450 m3 against 2,662 m3 of peak day demand. Pumping breaches sustainable intake by 2027. Pressure already low at Advance Terrace. Model dates from 2016.	Appendix O, water supply modelling sections 1.2 and 1.3
Stormwater	Outflow margin under 1 L/s. Groundwater and buoyancy unresolved. Scour risk. Ownership and maintenance not settled.	Appendix O, sections 7.2 to 7.4 and 8.2

Topic	What is missing, uncertain or contradicted	Source
Lot numbers and design	44, 59 and 61 lots used in different reports. Site area given as 4.7 ha and 5.7 ha. Concept plan does not comply with current rules.	Appendices L, N and O, stormwater report
Transport	No structure plan or road layout. One intersection modelled. Poor walking route. No committed bus funding. 2010 trip rates.	Appendix N, sections 2.4, 4.1.1 and 4.2.1
Geotechnical	Uncontrolled fill across the site. Slope instability "possible". Stormwater disposal unconfirmed. Liquefaction in TC1 to TC3 land. Lot testing deferred. Design earthquakes at magnitude 6.5, not reconciled with the Alpine Fault.	Appendix Q, pp 2, 4, 6, 7, 8 and 9
Liquefaction	McDonnell Road corridor mapped Domain B1. Applicant's report does not refer to the map.	GNS Science Report 2018/67, Appendix 3
Contamination	No preliminary site investigation. Fill not assessed for contaminants.	Appendix Q, whole Request
Ecology	No lizard survey. May survey, qualitative only. Plantings not yet self sustaining. Outcrop planting would need reconfiguring.	Appendix R, pp 6, 10, 28 and 34
Housing	Will not contribute in the short term. Modest in scale. Arrowtown not a priority growth area. No affordability analysis.	Appendix J, pp 2, 7, 9, 15 and 19
Section 32 evaluation	Omits Objective 7 and its policies, key national direction and a proper options assessment.	Appendix K, as set out above

Each of these is a gap in the Request's own material. Several are admitted by the applicant's consultants. Taken together, they mean Council cannot be satisfied that the land can be serviced, that the hazards are understood, that the ecology has been assessed, or that the landscape effects are what the applicant says. In my view the risk of acting on this information is high. The risk of not acting is low, because the land stays zoned as it is and the Proposed District Plan continues to provide for housing elsewhere. The loss of open space, once made, cannot be reversed.

Documents referred to.

- Appendices J, K, L, N, O, Q and R to the Request, as published on the Council's website for Private Plan Change 2.
- GNS Science Consultancy Report 2018/67, Otago Liquefaction Susceptibility, 2019 (orc.govt.nz).
- Otago Regional Council, Seismic hazard in the Queenstown Lakes district, August 2015 (orc.govt.nz).
- AF8 programme, Likelihood of an Alpine Fault earthquake increases, 20 April 2021 (af8.org.nz).

Statutory assessment

In my view PPC2 does not meet the tests Council must apply.

- **Section 32 options.** The evaluation looks at five options and rejects keeping, amending or replacing the special zone mainly because the Operative Plan is old and the Suburban Residential Zone is easier to administer. That is a convenience argument, not an evaluation of which option is most appropriate for this land.
- **Section 32(2)(c), uncertain information.** The consent notice, the infrastructure funding, the freshwater and wetland values and the contaminated land status are all unresolved. Where information is uncertain, the risk of acting is high. The risk of not acting is low, because the current zone and the Proposed District Plan continue to apply and housing capacity elsewhere continues to be provided.
- **Section 75(3).** A district plan must give effect to national policy statements and the regional policy statement. I ask Council to test the Request's analysis of the National Policy Statement for Urban Development closely, in particular whether enabling 44 lots at the edge of the UGB contributes to a well functioning urban environment given the landscape and servicing constraints.
- **Part 2.** Section 6(c), the protection of significant habitats of indigenous fauna, section 7(c), amenity values, section 7(d), the intrinsic values of ecosystems, and section 7(f), the quality of the environment, all carry real weight on this site. Amenity and landscape values were central to the Environment Court's reasoning on the same land.
- **Integrated management.** Council's function under section 31 includes integrated management of the effects of land use. The Proposed District Plan's strategic chapters (3 and 4) set the UGB as part of that approach. A plan change that moves it for a single site undermines that integration.

The earlier Environment Court decisions do not bind Council on this plan change. They are, however, the best evidence of what was found on this land after hearing from experts and the community. Council is entitled to give them great weight.

Relief sought

I ask that Council **decline PPC2 in full**, including the rezoning from the Arrowtown South Special Zone to the Suburban Residential Zone, the relocation of the Urban Growth Boundary, the Building Restriction Areas, the new Chapter 27 provisions and all consequential map changes.

I also ask that Council commission independent landscape, economic and three waters reviews of the Request before it decides. The Request's conclusions on both should be tested, not taken from the applicant's consultants.

I wish to be heard in support of my submission. If others make a similar submission, I would consider presenting a joint case at the hearing.

Signed:



David Murray Hanan
Date: 10 November 2026