



# Private Plan Change Request to the Operative and Proposed Queenstown Lakes District Plans

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**Arrowsouth Properties Limited**

**McDonnell Road, Arrowtown**

**March 2026**



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# 1 Details of the Plan Change Requestor

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The Requestor of the Private Plan Change to the Queenstown Lakes Operative District Plan (**ODP**) and Proposed District Plan (**PDP**) is Arrowsouth Properties Limited (**APL**).

The address for service for APL is as follows:

Arrowsouth Properties Limited  
C/- Southern Planning Group  
P O Box 1081  
Queenstown

**Attention: Scott Freeman**

Telephone: 021 335 998  
Email: scott@southernplanning.co.nz

It is requested that all written correspondence is emailed to Southern Planning Group.

## 2 Introduction - Proposed Private Plan Change

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### 2.1 Overview

This request (**Request**) by APL to change parts of the Queenstown Lakes District Council's (**QLDC**) ODP and PDP is made pursuant to Section 73(2) and Schedule 1 (Clauses 21 and 22) of the Resource Management Act 1991 (**RMA**).

The key aspects of the Request are summarised below.

The Request relates to changing the current ODP zoning that applies to an area of land (the **Site**) that adjoins or is located in close proximity to McDonnell Road, Arrowtown.

The Site is currently contained within the Arrowtown South Special Zone (**ASSZ**) in terms of the ODP. To date, the ASSZ has not been included in the staged District Plan review which commenced in 2015 nor within the PDP Urban Intensification Variation (**UIV**) which commenced in 2024. The Site does not include all the land that is presently contained in the ASSZ under the ODP.

Specifically, the Request seeks to change the zoning of the Site from the ODP ASSZ to the now PDP Suburban Residential Zone (**SRZ**), so as to enable low density residential subdivision and development within a defined portion of the Site. An overlay in the form of Building Restriction Area (**BRA**) is also proposed. A BRA is an existing standard in the PDP SRZ and the imposition of such will avoid residential development on the affected land. The BRA is to be located on sensitive land where residential subdivision and development is considered inappropriate.

It is noted that the formal decisions on the PDP UIV were publicly notified on the 20<sup>th</sup> of February 2026. Under the decisions for the UIV, the LDSRZ is now called the Suburban Residential Zone. At the time of lodging this Request, the appeal period (to the Environment Court) is still open for submitters to lodge appeals against the decisions for the UIV. As there is potential for the SRZ provisions to be altered via the appeal process, the Request considers both the current LDSRZ provisions and the notified provisions for the SRZ via the UIV in terms of the minimum vacant lot sizes at the time of subdivision.

In combination with the proposed rezoning of the Site, the Request also seeks to alter the location of the Urban Growth Boundary (**UGB**) that traverses through the site. The UGB is contained in both the ODP and PDP. It is proposed that the UGB will be moved in a southerly direction within the ASSZ.

The Site has an approximate area of 8 hectares. However, the land that could be subdivided and developed for residential purposes under the LDSRZ framework is approximately 2.34 hectares.

Based on the minimum lot size requirement of 450m<sup>2</sup> in the LDSRZ in the PDP (prior to the UIV), it is feasible to create up to 44 residential lots within the Site. The notified PDP UIV was seeking to reduce the minimum vacant lot size in the LDSRZ (now SRZ) from 450m<sup>2</sup> to 300m<sup>2</sup>, and under this scenario, up to 59 residential lots could be created within the Site.

The decisions version for the UIV SRZ has reverted to maintaining a minimum lot size requirement of 450m<sup>2</sup> for this zone. As there is the possibility that an appeal could result in the SRZ lot size being reduced back to the notified 300m<sup>2</sup> minimum, the Request still assesses the appropriateness of a 300m<sup>2</sup> minimum lot size for the Site.

A variety of considerations have led to the rezoning approach in the Request. These considerations have taken on board planning, landscape and visual amenity, urban design, transportation, infrastructure servicing. These considerations have led to the determination that the most efficient new zoning regime to be applied to the Site in the SRZ which is accompanied by the imposition of BRA's where residential development is to be avoided.

A full description of the Site in terms of land ownership, current uses and the land proposed to be developed for residential purposes are detailed in the Request.

## 2.2 Report Structure

This report provides the necessary information and assessments to meet the statutory requirements of the RMA in terms of the consideration of a private plan change request.

The report is structured on the following basis:

- Section 1:** Details of the Plan Change Requestor
- Section 2:** Introduction – Proposed Private Plan Change

- Section 3:** Statutory Framework
- Section 4:** Assessment of Environmental Effect
- Section 5:** Consultation
- Section 6:** Conclusion

The formulation and overall planning assessment for the changes to the ODP and PDP contained in this Request references and considers the following assessments:

- a) **Landscape Assessment Report** (RMM Landscape Architects)
- b) **Urban Design Assessment** (Williams & Co)
- c) **Transport Assessment** (Bartlett Consulting)
- d) **Infrastructure Feasibility Report** (Civilised)
- e) **Geotechnical Report** (Geosolve)
- f) **Ecological Assessment of Indigenous Plantings** (Natural Solutions for Nature)

The assessments referenced above will be addressed throughout the Request.

## 2.3 The Site and Surrounding Environment

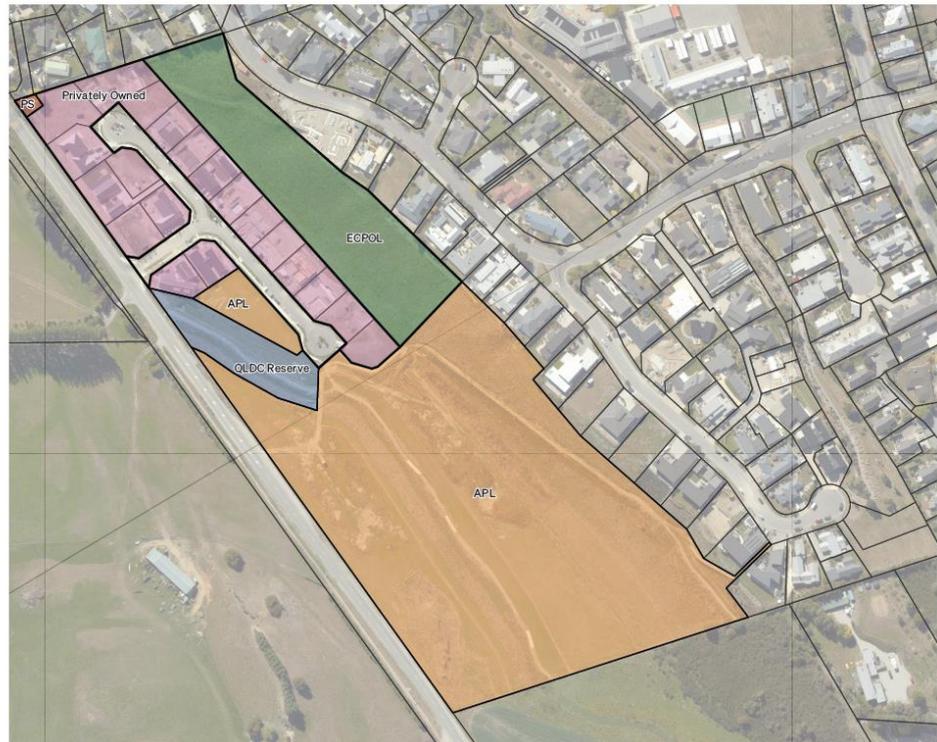
### The Site

The Site that is subject to this Request adjoins or is located in close proximity to McDonnell Road, Arrowtown.

From a land ownership perspective and excluding legal roads (Brodie Avenue and Patton Place), there are four components to the Site, with the ownership regime indicated on the Site Land Ownership Plan contained in **Appendix [A]**. For reference the Site Ownership Plan is below:

## Land Owners Plan

Legend	
	Land Owner Boundaries
	Individual Lots
	Privately Owned Lots 1 - 20 DP 535793 Total Area: 1.4ha
	Arrowtown Properties Limited (APL) Land Lots 102 and 103 DP 535793 Total Area: 4.70ha
	Existing Communal Privately Owned Land (ECPOL) Lot 104 DP 535793 Total Area: 1.13ha
	QLDC Local Purpose Reserve (Stormwater) (QLDC Reserve) Lot 101 DP 535796 Total Area: 0.3ha
	QLDC Local Purpose Reserve - Pumping Station (PS) - PDP Lot 38 DP 20 153 Total Area: 0.0ha



### First Component – Arrowtown Properties Limited

The first component of the Site consists of the land that is owned by APL (**APL Land**). The APL land is legally described as Lot 102 and 103 DP 535793 (held in one Record of Title), with a total area of 4.6992 hectares.

The APL Land is vacant of residential buildings.

Lot 102 DP 535793 is a flat area of land that adjoins Brodie Avenue, two residential units located at 2 and 4 Brodie Avenue, and a Council owned Local Purpose Reserve (Lot 101 DP 535793).

Lot 103 DP 535793 has a highly varied topography. The higher land is contained in a sloping escarpment, while the lower land contains a stream/wetland and a rocky outcrop near the southern boundary. The escarpment presently contains introduced native plantings and a trail that is protected by a right of way easement (pedestrian) in favour of the QLDC. The trail provides public access between McDonnell Road (via Brodie Avenue) to Advance Terrace. A further right of way (pedestrian) in favour of the QLDC follows the stream that meanders through the site. The mid to lower area of Lot 103 DP 535793 is covered in pastoral grass.

### Second Component – Area of Existing Development

The second component of the Site consists of the twenty existing residential sections that are referred to as the Area of Existing Development (**AED**). The AED are residential sections that are not owned by APL.

The AED is legally described as Lots 1 – 20 DP 535793, with section sizes ranging from 600m<sup>2</sup> to 1073m<sup>2</sup> (average section size is just over 600m<sup>2</sup>). The approximate area of the AED is 1.41 hectares.

At the time of lodging of lodging this request, the majority of the AED has been developed for residential purposes. The style of residential development is characterised as a low density development outcome consistent with the existing residential development to the north and east of the Site.

#### Third Component – Existing Communal Privately Land

The third component of the Site is Lot 104 DP 535793 (**Lot 104**). Lot 104 has an area of 1.1248 hectares. Lot 104 is jointly and privately owned by multiple owners (twelve undivided shares) from within the AED.

Lot 104 contains the escarpment that is located in the north-eastern portion of the site. Lot 104 has been extensively planted in native vegetation.

#### Fourth Component – Council Land

Lot 101 DP 535796 (**Lot 101**) is owed by the QLDC. Lot 101 is vested as a Local Purpose Reserve (Stormwater). Lot 101 has an area of 3117m<sup>2</sup>.

Lot 38 DP 20153 is classified as a 'Local Purpose Reserve (Pumping Station)' and has an area of 143m<sup>2</sup>.

### **APL Land - Legal Interests**

The Record of Title and legal interests for the APL Land are contained within **Appendix [B]**. The legal interests are summarised below:

#### Transfer 909861.4

Transfer 909861.4 relates to the right to convey sewage in gross in favour of the QLDC over the APL Land (specifically Lot 103 DP 535793).

#### Easement Instrument 7095612.8

Easement Instrument 7095612.8 relates to draining sewage and water in gross in favour of the QLDC over the APL Land (specifically Lot 103 DP 535793).

#### Consent Notice 11585126.5

Consent Notice 11585126.5 was imposed as a result of the resource consent RM161093 (as varied by RM181358). The Consent Notice 11585126.5 applies to the APL Land and the AED.

Of relevance to the APL Land, Conditions (f) and (g) from the Consent Notice states the following:

- (f) *All private open space areas, building/fencing restrictions and landscaping maintenance areas labelled on the approved plans identified in Condition (1) of RM161093 (as varied by RM181358) prepared by C Hughes & Associates Limited shall be managed in perpetuity in accordance with the Private Open Space Management Plan and Overarching Open Space Management Plan required under Condition 22 of RM161093 (as varied by RM181358).*
- (g) *With regard to Lot 103, all building and earthworks are prohibited within the area shown as POS-ES on the Structure Plan from the Arrowtown South Special Zone on the Operative District Plan.*

The resource consents that led to the creation of Consent Notice 11585126.5 are addressed below.

#### Easement Instrument 11585126.6

Easement Instrument 11585126.6 relates to a right of way (in gross) and right to drain water in favour of the QLDC over APL Land (specifically Lot 103 DP 535793).

### **Surrounding Environment**

The Site is located at the south-western corner of the established urban context of Arrowtown.

The northern boundary of the Site adjoins the pattern of residential sections which are accessed from McDonnell Road on the flatter land, generally located below the escarpment. The eastern boundary of the Site adjoins residential sections located off Cotter Avenue and Advance Terrace which sit at the top of the escarpment (and above the Site). The western boundary of the site is formed by McDonnell Road, while the land to the south is contained in the ASSZ.

The land to the west of McDonnell Road (between McDonnell Road and the Arrowtown-Lake Hayes Road) is contained within three PDP zones, consisting of the Wakatipu Basin Rural Amenity Zone (**WBRAZ**), Wakatipu Basin Lifestyle Precinct (**WBLP**) and The Hills Resort Zone (**THRZ**). The Arrowtown Retirement Village is located to the south-west of the site.

In the context of the PDP zonings surrounding the site and the ODP/PDP UGB, the following are described as the key elements:

- a) The urban context of Arrowtown as defined by the UGB is bound by natural elements (river and rural zoned land) to the north and east.
- b) Land to the west is dominated by existing golf course land uses (Millbrook and The Hills) within PDP Special Zone, with pockets of WBRAZ and WBLP land.
- c) To the south of Arrowtown is a third golf course (Arrowtown Golf Course).

- d) Urban residential development has developed to the direct west and south of the historic core of Arrowtown (Arrowtown Town Centre Zone and Arrowtown Residential Historic Management Zone).
- e) Two ODP Special zones that are yet to be included in the PDP Review, being the ASSZ and the Meadow Park Special Zone (located off Manse Road).
- f) The UGB has recently been extended south around the Tewa Banks residential development at the south-eastern corner of Arrowtown (near the Arrow River).

With the context described above, the urban outwards expansion of Arrowtown is relatively constrained by natural elements and golf courses, while the UGB has recently been moved southwards to accommodate the Tewa Banks residential development.

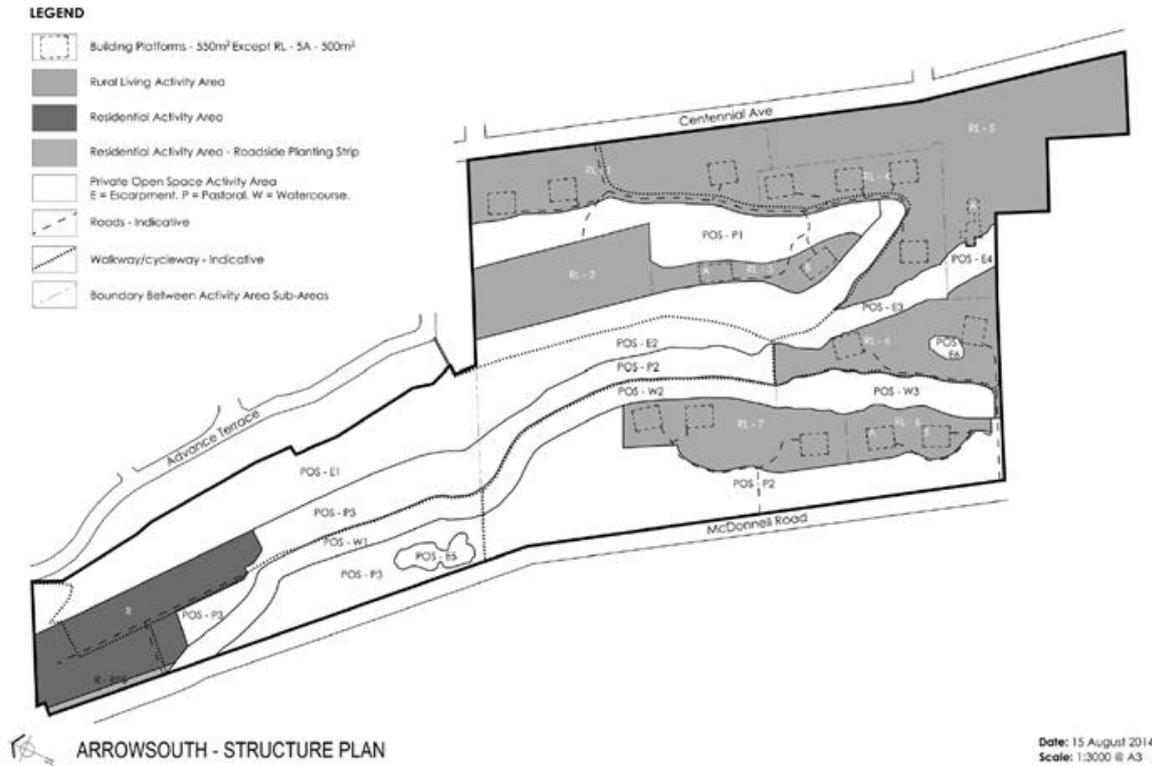
## 2.4 ODP Provisions

### Arrowtown South Special Zone

The Site is governed by the ODP zoning on the basis that to date the ASSZ has not been included in the staged District Plan review, nor within the PDP UIV.

The ASSZ includes approximately 30 hectares of land that is bound by Centennial Avenue, Arrowtown Golf Course, McDonnell Avenue and private properties (to the north). Topographically, the ASSZ is formed by two distinct areas due to the steep escarpment that runs through the zone.

The full extent of the ASSZ is indicated below:



The ASSZ was created via Plan Change 39 (**PC39**). PC39 was considered in conjunction with Plan Change 29 (**PC29**), which was a Council-led plan change to the ODP. The purpose of PC29 was two-fold, being the introduction of an UGB for Arrowsouth, together with new policies that would limit the growth of Arrowsouth.

For PC 39, the ASSZ (including the Structure Plan) was confirmed in the final Environment Court decision [2015] NZEnvC25 that was issued in early 2015, with the ASSZ subsequently becoming operative soon afterwards.

Development within the ASSZ is controlled through the Arrowsouth Structure Plan (**ASP**). The purpose of the ASP is to ensure that the ASSZ is developed in a comprehensive manner which ensures a high quality outcome for the Arrowsouth community.

The ASP broadly divides the ASSZ into three defined Activity Areas, which consist of the following:

**Residential Activity Area:**

This Activity Area comprises approximately 1.5 hectares of land that is located adjacent to McDonnell Road.

The development outcome for this Activity Area is that of a low density residential environment.

## Rural Living Activity Areas

Seven defined Rural Living Activity Areas are indicated on the ASP, with each area containing building platforms that enable residential development.

The development outcome for this Activity Area is a special rural character that provides an attractive edge to Arrowtown.

## Private Open Space Activity Area

The Private Open Space Activity Area is divided into three categories:

- Escarpment (further divided into six sub-areas)
- Water Course and Margins (further divided into three sub-areas)
- Pastoral (further divided into three sub-areas)

The areas of particular ecological and landscape values within the ASSZ are included in the Private Open Space Activity Area. The ecological and landscape values are to be enhanced and maintained in conjunction with the development of the Residential Activity Area and Rural Living Activity Area within the ASSZ.

The ASSZ uses a two-step Open Space Management Plan process at the time of subdivision so as to ensure a comprehensive approach is adopted. The two-step approach is encapsulated under provision 12.31.2 within the ASSZ which states:

*The first step is an 'Overarching Management Plan' which provides an outline of how the various areas of open space within the zone will be established, re-vegetated and managed, while also providing a comprehensive structural tree planting plan. Structural trees are trees of significant stature in strategic locations important for creating and maintaining the desired amenity outcomes for the zone.*

*The second step is to link the development of particular Residential and Rural Living Activity Areas with re-vegetation and/ or enhancement of particular areas of the Private Open Space Activity Area, through the use of more detailed Private Open Space Management Plans. These plans will include more detail on matters such as plant species, planting schedules, irrigation, maintenance, rabbit control, weed management and fencing. The specified works will need to be certified by the Council as having been or being undertaken prior to the release of separate certificates of title.*

The ASSZ outlines that the on-going maintenance and management of the revegetated Private Open Space Activity Areas will remain the responsibility of the landowners (unless otherwise agreed to be the QLDC).

Rule 15.2.6.3(i) (Zone Standards – Lot Sizes and Dimensions) within Section 15 (Subdivision, Development and Financial Contributions) of the ODP outlines the minimum lot area requirements within the ASSZ. Rule 15.2.6.3(i) from the ODP is outlined below:

Zone	Minimum Lot Area	
Arrowtown South Special Zone	Activity Area - Residential	600m <sup>2</sup>
	Activity Area — Rural Living	1,500 m <sup>2</sup> provided that the total lots to be created by subdivision for building platforms within the Arrowtown South Special Zone shall not have an average less than 4,000m <sup>2</sup>
	Activity Area - Open Space	No Minimum

Note: Also refer to Rules 12.32.3.2 (i), (ii) and (iii)

Rule 15.2.6.3(i) refers to Rules 12.32.3.2(i),(ii) and (iii) that are contained within the ASSZ. Rules 12.32.3.2(i),(ii) and (iii) address the subdivision requirements for the overarching Open Space Management Plan and Private Open Space Management Plans when dealing with the Private Open Space Activity Areas and the Residential Activity Area Roadside Planting Strip.

The Site is affected by the following activity areas from the ASP:

- Residential Activity Area
- Private Open Space Activity Area: Escarpment Area 1
- Private Open Space Activity Area: Pastoral Area 3
- Private Open Space Activity Area: Watercourse Area 1
- Private Open Space Activity Area: Escarpment Area 3

The Residential Activity Area within the site has been subdivided in accordance with RM161093 (as varied by RM181358). The background resource consents are addressed below.

Under the ASSZ, the planning status of erecting any building within the sub-Private Open Space Activity Areas is listed below:

- Escarpment Area 1: Non-Complying Activity (Rule 12.32.3.5(v))
- Pastoral Area 3: Prohibited Activity (Rule 12.32.3.6(iii))
- Watercourse Area 1: Non-Complying Activity (Rule 12.32.3.5(v))
- Escarpment Area 3: Non-Complying Activity (Rule 12.32.3.5(v))

As a whole, residential development is only anticipated within the Residential Activity Area on the Site.

## Urban Growth Boundary

The Arrowtown UGB (blue line) is indicated below from the ODP planning map:



As outlined previously, the Arrowtown UGB was imposed as a result of PC29.

## 2.5 PDP Provisions

While the zoning afforded to the site is still governed by the ODP, the PDP UGB boundary (red dashed line) adjoins and crosses the site as per the PDP planning map below:



The location of the UGB within the Site is the same within both the ODP and PDP.

## 2.6 Resource Consent Background

There are number of resource consents that provide important background information in terms of the subdivision and development of the ASSZ Residential Activity Area within the Site.

The background resource consents (and supporting information) that are addressed below are contained within **Appendix [C]**.

### RM161093

RM161093 (second issue) was obtained on a non-notified basis on the 3<sup>rd</sup> of August 2017. The applicant (and consent holder) for RM161093 was APL. RM161093 was the base resource consent that created the 20 existing residential lots within the Site.

In summary, RM161093 authorised the following:

- The creation of 20 fee simple residential Lots, ranging in size from 600m<sup>2</sup> to 1073m<sup>2</sup>.
- One balance lot (proposed Lot 101) to be vested in Council for the purpose of stormwater. Lot 100 had an area of 3992m<sup>2</sup>.
- One balance lot (proposed Lot 101) to be vested in Council for the purpose of stormwater. Lot 101 had an area of 3044m<sup>2</sup>.

- One balance lot (proposed Lot 102) that is private open space. Lot 102 has an area of 1503m<sup>2</sup>.
- One balance lot (proposed Lot 103) that is private open space that included a public walk/cycle trail easement. Lot 103 had an area of 4.559 hectares.
- One balance lot (proposed Lot 104) that is private open space that included a public walk/cycle trail easement. Lot 104 had an area of 1.125 hectares.
- Earthworks in relation to the creation of the roads, service installations, stormwater detention pond and public walk/cycle trail.

Subdivision condition 18 from RM161093 required the following amalgamation requirements:

- That Lots 102 & 103 hereon be held in the same Computer Freehold Register.
- That Lot 104 hereon be held as to twelve undivided one-twelfth shares by the owners of Lots 7 - 18 hereon as tenants in common in the said shares and that individual Computer Freehold Registers be issued in accordance therewith.

Prior to certification pursuant to Section 224 of the RMA, Condition 22 required the updating of the Private Open Space Management Plan and Overarching Open Space Management Plan.

Subdivision condition 24 from RM161093 required a covenant to registered on Lots 7 to 18 that sets out the management responsibilities of those lot owners to ensure the maintenance obligations contained in the consent notice on Lot 104 (owned by them in equal shares) are complied with. The overarching requirements of the covenant (operating in tandem with the consent notice) was as follows:

- Lot 104 shall at all times be held in the ownership of all the Lot Owners as tenants in common of undivided one-twelfth shares.
- The Lot Owners will be the 12 owners of lots 7-18 as shown on the scheme plan.
- The Lot Owners shall be liable to make a fair and reasonable contribution towards the maintenance obligations (as required by the Lot 104 consent notice and resource consent conditions) relating to Lot 104 on a proportionate basis.
- The Lot Owners will all be members of the Owners Group.

Subdivision condition 24(e) further expands on the responsibilities of the owners group.

### **RM181358**

RM181358 was issued on a non-notified basis on the 11<sup>th</sup> of March 2019.

In part, RM181358 authorised a variation to change condition 1 and condition 23(a) of RM161093 to allow the wastewater network to be a full pressure network.

## **RM210061**

RM210061 was issued on a non-notified basis on the 20<sup>th</sup> of August 2021.

RM210061 authorised a change to Conditions 1, 4 and 9(k) of RM161093 (as varied by RM181358) to provide for an amended trail design.

## **Overarching Open Space Management Plan and Private Open Space Management Plan**

The Overarching Open Space Management Plan (**OOSMP**) that was submitted (and certified) through RM161093 is contained within **Appendix [D]**. The objective of the OOSMP was to outline a strategy for establishing, re-vegetating and maintaining private open space areas as part of a residential living environment within the ASSZ.

The updated Private Open Space Management Plan (**POSMP**) that was required as part of RM161093 was updated on the 2<sup>nd</sup> of February 2021. The POSMP is contained within **Appendix [E]**. The objective of the POSMP was to outline a strategy for establishing, re-vegetating and maintaining Private Open Space areas within land contained in the subdivision.

The above documents will apply in a future subdivision of the Site, within potential changes as outlined below.

## **Future Varying Consent Notice 11585126.5**

On the basis that the Site is rezoned as proposed in this Request, conditions (f) and (g) from Consent Notice 11585126.5 will need to be formally varied at the time of a future subdivision pursuant to Section 221 of the RMA. Conditions (f) and (g) state:

- (f) *All private open space areas, building/fencing restrictions and landscaping maintenance areas labelled on the approved plans identified in Condition (1) of RM161093 (as varied by RM181358) prepared by C Hughes & Associates Limited shall be managed in perpetuity in accordance with the Private Open Space Management Plan and Overarching Open Space Management Plan required under Condition 22 of RM161093 (as varied by RM181358).*
- (g) *With regard to Lot 103, all building and earthworks are prohibited within the area shown as POS-ES on the Structure Plan from the Arrowtown South Special Zone on the Operative District Plan.*

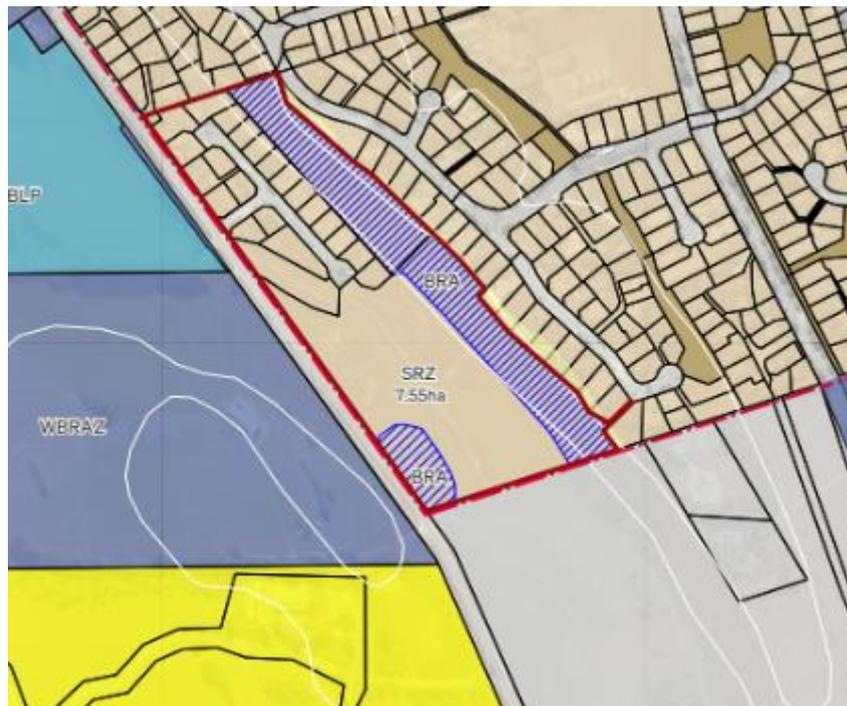
While Consent Notice 11585126.5 will need to be varied, it is more than likely that similar development constraints will apply to the land affected by conditions (f) and (g), should the land be rezoned and developed in the future.

## 2.7 The Plan Change Request

The Request seeks the following outcomes:

1. To rezone the Site from the ODP ASSZ to the PDP SRZ so as to enable residential subdivision and development in certain areas of the Site.
2. To promote a BRA on the Site that prevents the land affected by the BRA from being developed for residential purposes.
3. The introduction of new policy provisions within Chapter 27 (Subdivision and Development) of the PDP which manage bespoke landscaping requirements for the Site.
4. To move the ODP and PDP UGB in a southerly direction so as to accommodate the proposed rezoning. The UGB will be moved to the southern boundary of the Site.

From a District Plan mapping perspective, the Request is graphically shown on the Proposed Zoning Map in terms of the imposition of the SRZ and BRA on the Site. The Proposed Zoning Map is contained within **Appendix [F]**. The Proposed Zoning Map is indicated below.



While the overall Site is approximately 8 hectares, the actual area of the Site that will be further developed for residential purposes is 2.34 hectares. Contained within **Appendix [G]** is the Potential Development Capacity Plan that indicates where the further residential development can occur (and cannot occur).

The Request is promoting a standard modern zone that is already contained in the PDP, and importantly, the SRZ has recently been through the District Plan Review process and the UIV.

From a District Plan administration perspective, it is preferable to utilise an existing PDP zone as opposed to either amending the current (but dated) ODP ASSZ or creating a new special zone under the PDP.

The SRZ is the predominant low density residential zone in the District, with this zone fundamentally providing for both traditional and modern suburban residential densities. The SRZ is also the largest residential zone in Arrowtown and borders the Site on two boundaries.

The use of the BRA on certain parts of the Site to prevent residential development is also a common planning tool that already exists in the SRZ.

For the efficiencies outlined above, the Request seeks to impose the SRZ on the Site, together with the use of the BRA. However, APL are open to a different zoning approach for the land that will be contained within the BRA's. An alternative zoning approach for the BRA affected land could be the use of the Nature Conservation Zone (NCZ) within Chapter 38 (Open Space and Recreation Zones) of the PDP. The NCZ could be imposed on the existing communal privately owned land (Lot 104) and the BRA's proposed on the APL land. APL would also be supportive in terms of the vesting of the land that is proposed to be included in the BRA's (or NCZ) in QLDC ownership.

New policy provisions are proposed within Chapter 27 (Subdivision and Development) of the PDP that will deal with future landscaping within certain areas of the Site. This approach has been adopted so as to provide a consistent landscaping outcome from what has occurred within the Site to date.

The Request also seeks to relocate the ODP and PDP UGB to the southern boundary of the site, which in effect will replace the missing 'tooth' zoning wise on southern boundary of the Arrowtown UGB.

If successful, the Request will lead to the following outcomes for the four components on the site.

## **APL Land**

The APL land will be contained within the SRZ, while certain areas of the SRZ will have a BRA overlay as a mechanism so as to avoid residential development on particular areas of the Site.

The SRZ within the APL land not affected by the BRA will accommodate future low density residential subdivision and development. This land is termed the 'Area of Potential Development' (**APD**). The APD has an area of 2.34 hectares.

The proposed SRZ on the APL land currently consists of the Private Open Space Activity Area within the ASSZ, namely Escarpment Area 1, Pastoral Area 3, Watercourse Area 1 and Escarpment Area 3.

In order to demonstrate the maximised subdivision potential for the APD land from a residential perspective, the following two scenarios have been used:

1. The 450m<sup>2</sup> minimum lot size under the former LDSRZ and the UIV decisions version for the SRZ.
2. The 300m<sup>2</sup> minimum lot size that was originally proposed for the LDSRZ/SRZ via the notified UIV.

The two scenarios listed above are illustrated on the two Concept Subdivision Plans that have been included in the Request.

While the UIV decisions version for the SRZ has confirmed a minimum vacant lot size of 450m<sup>2</sup> as opposed to the originally notified 300m<sup>2</sup>, there is the potential via appeals to the UIV that the 300m<sup>2</sup> minimum vacant lot size could eventually be confirmed for the SRZ. As such, one of the Concept Subdivision Plans indicates a potential subdivision of the APL land (within the SRZ) using the 300m<sup>2</sup> minimum vacant lot size.

The Concept Subdivision Plans are not intended to act as a formal Structure Plan to be included in the PDP for the Site and the APD in particular. Rather, the maximised subdivision (and development) scenarios not only provides a clear indication of the residential development outcomes for the site, but also provides the basis to properly assessing infrastructure considerations, namely transportation and reticulated services.

Future residential subdivision and development will occur within the SRZ, while residential development within the BRA's will be avoided. Matters such as lot yield, layout, access and infrastructure servicing will be confirmed through a detailed resource consent application process.

Prior to the notification of the decisions for the UIV, Standard 27.6.1 within Chapter 27 (Subdivision and Development) of the PDP prescribed a minimum net vacant lot size of 450m<sup>2</sup> within the LDSRZ. (excluding land located within the Queenstown Airport Air Noise Boundary and Outer Control Boundary). The UIV decision for the SRZ has maintained a minimum net vacant lot size of 450m<sup>2</sup>. Based on a minimum net vacant lot size of 450m<sup>2</sup> within the PDP, the APD can accommodate 44 complying residential lots. This number of residential lots is indicated on the Concept Subdivision Plan (450m<sup>2</sup> Minimum Lot Size) as contained within **Appendix [H]**.

As outlined above, the notified UIV sought to reduce the minimum net vacant lot size within the LDSRZ/SRZ from 450m<sup>2</sup> to 300m<sup>2</sup> (again, excluding land affected by the Queenstown Airport). Based on a minimum net lot size of 300m<sup>2</sup>, the APD can accommodate 59 complying residential lots. This number of residential lots is indicated on the Concept Subdivision Plan (350m<sup>2</sup> Minimum Lot Size) as contained within **Appendix [I]**.

## Area of Existing Development

The AED is proposed to be contained in the SRZ.

Any future development for this land will be subject to the building controls in the SRZ, which are generally similar to the equivalent development controls in the ASSZ for the Residential Activity Area.

In terms of residential density at land use stage, both the ASSZ Residential Activity Area and the SRZ provide one residential unit per 450m<sup>2</sup> as a permitted activity. However, the SRZ via Rule 7.4.4 enables residential units with less than 450m<sup>2</sup> net area via a restricted discretionary resource consent, provided the requirements of Rule 7.4.4 and Section 7.5 within the SRZ are adhered to.

In creating vacant lots, the ASSZ Residential Activity Area specifies a minimum lot size of 600m<sup>2</sup>, while the SRZ specifies a minimum lot size of 450m<sup>2</sup>.

The majority of the sections within the AED have been recently developed for residential purposes. While it is proposed to rezone the land that contains the AED, it is unlikely that the development potential will significantly increase for this land.

### **Lot 104**

Lot 104 will be contained within the SRZ, but will be overlaid with a BRA to as to avoid residential development (notwithstanding the multi-ownership of Lot 104). This means that the current physical characteristics will be maintained for Lot 104.

### **Council Land**

Lot 101 is owned by the QLDC and is classified as a Local Purpose Reserve (Stormwater). Despite Lot 101 being proposed to be located in the SRZ, this land cannot be developed due to its ownership and reserve status.

Lot 38 DP 20153 is classified as a 'Local Purpose Reserve (Pumping Station) and designated as such (reference 39). Again, this land cannot be developed due to its ownership and reserve status.

### **New Policy Provisions - Landscaping**

The development of the AED within the Site resulted in an extensive native planting regime being undertaken on the escarpment, next to the waterway and rocky outcrop, and adjoining McDonnell Road. This existing planting was proposed as part of the original resource consent RM161093. This planting has provided beneficial ecological and aesthetic outcomes for the Site and its immediate context.

With the imposition of the SRZ on the Site, it is appropriate to continue the native planting regime throughout certain areas of the Site. While the specific planting details will be assessed at the time that resource consent applications are considered by the QLDC, appropriate policy provisions have been included in the Request that should be incorporated into Chapter 27 (Subdivision and Development) within the PDP.

Provision 27.3 within Chapter 27 of the PDP contains objectives and policies that relate to specific locations within the District. It is proposed to incorporate the following new objectives and policies under Provision 27.3 in Chapter 27:

### **McDonnell Road – Suburban Residential Zone**

**Objective 27.X.X.X** *Subdivision that achieves a high quality outcome in terms of indigenous planting and riparian enhancement.*

**Policy 27.X.X.X** *To require native planting strips along the McDonnell Road frontage, waterbodies and along the southern boundary of the land.*

The new policy provisions can be implemented via Rule 27.5.7 that deals with urban subdivision within the District.

It would also be prudent to provide a demarcation on the PDP planning map that indicates the area of the SRZ that adjoins McDonnell Road that will be subject to the proposed policy provisions.

### **Urban Growth Boundary**

It is proposed that the ODP and PDP UGB will be moved in a southerly direction so as to accommodate the proposed rezoning. Specifically, the UGB will be moved to the southern boundary of the Site.

Although there could be a proposition that the UGB moves further south into the ASSZ (and beyond the boundary of the Site), the various assessments contained in the Request have only dealt with the appropriateness of rezoning the Site. Further movement south of the UGB boundary will require additional assessments that consider a range of factors, including but not limited to landownership, intensity and style of development proposed, infrastructure servicing, topography and natural features.

## **2.8 Reasons for the Plan Change Request**

There is strong demand for residential sections within the urban area of Arrowtown. In the context of Arrowtown, the rezoning of the APL land will provide a large number of residential sections in a setting that already contains a low density residential built environment.

There are two options in relation to subdividing the APL land for residential purposes. The first option is to apply for a resource consent under the ODP, while the second option is to change the zoning to an outcome that enables residential development.

Under the ODP zoning, a resource consent application for a residential subdivision on the APL land would need to be assessed against the requirements of the ASSZ and Section 4.9 (District Wide Issues – Urban Growth) that addresses the ODP UGB.

A resource consent application would also need to deal with the policy outcomes within the PDP, specifically Chapters 3 and 4 (Strategy Direction and Urban Development).

Compounding the difficulties outlined above is the prohibited activity status of building within the Private Open Space Activity – Pastoral Sub-Area 3 under the ASSZ. This area of the APL land is the logical location within the site than can contain residential development.

The private plan change process will allow a consideration of the appropriateness of the rezoning the Site to the SRZ (with BRA's) and if successful, the future residential subdivision and development of the Site can be undertaken in a co-ordinated manner via the more modern SRZ.

Residential development will be concentrated in the area of the APL land that can absorb this development outcome, while the more sensitive land will be protected via the imposition of the BRA's.

The evaluation of the options available to APL are further addressed in the Section 32 Evaluation Report, as contained in **Appendix [J]**.

## 3 Statutory Framework

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The relevant provisions in the RMA for plan change requests and how such are assessed are summarised below.

### 3.1 Part 2 of the RMA

The purpose of a district plan is to assist territorial authorities to carry out their functions in order to achieve the purpose of the RMA (Section 72 of the RMA).

Part 2 of the RMA sets out the RMA's purpose and principles.

#### Section 5

Section 5 defines the purpose of the RMA:

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
  - (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
  - (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*

- (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

Sections 6, 7 and 8 of the RMA provide further guidance regarding 'sustainable management'.

## **Section 6**

Section 6 of the RMA deals with matters of national importance. Section 6 states:

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:*

- (a) *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) *the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) *the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (d) *the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) *the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) *the protection of historic heritage from inappropriate subdivision, use, and development:*
- (g) *the protection of protected customary rights:*
- (h) *the management of significant risks from natural hazards*

## **Section 7**

Section 7 outlines the matters to which particular regard must be given to, which include:

- (a) *kaitiakitanga:*
  - (aa) *the ethic of stewardship:*
  - (b) *the efficient use and development of natural and physical resources:*
    - (ba) *the efficiency of the end use of energy:*

- (c) *the maintenance and enhancement of amenity values:*
- (d) *intrinsic values of ecosystems:*
- (e) *[Repealed]*
- (f) *maintenance and enhancement of the quality of the environment:*
- (g) *any finite characteristics of natural and physical resources:*
- (h) *the protection of the habitat of trout and salmon:*
- (i) *the effects of climate change:*
- (j) *the benefits to be derived from the use and development of renewable energy*

## Section 8

In achieving the purpose of the RMA, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

## 3.2 Framework for Plan Change Requests

### Section 73 and Schedule 1 of the RMA

Section 73(2) of the RMA states that:

*Any person may request a territorial authority to change a District Plan, and the Plan may be changed in the manner set out in the First Schedule.*

Under Clause 22 of the First Schedule, a plan change request must:

- Explain the purpose and reasons for the request;
- Assess environmental effects, taking into account the provisions of the Fourth Schedule of the RMA, in such detail as corresponds with the scale and significance of actual or potential environmental effects anticipated from implementation of the requested plan change; and
- Contain an evaluation under Section 32 of the RMA for any objectives, policies, rules or other methods proposed.

The purpose and reasons for this request have been outlined in the Request.

The accompanying Assessment of Effects is contained in this document, while the evaluation under section 32 of the Request is contained within **Appendix [J]**.

Under Clause 25(4) of Schedule 1, the Council is to consider the request and may reject the request in whole or in part but only on certain grounds, as follows:

- (a) *the request or part of the request is frivolous or vexatious; or*
- (b) *within the last 2 years, the substance of the request or part of the request—*
  - (i) *has been considered and given effect to, or rejected by, the local authority or the Environment Court; or*
  - (ii) *has been given effect to by regulations made under section 360A; or*
- (c) *the request or part of the request is not in accordance with sound resource management practice; or*
- (d) *the request or part of the request would make the policy statement or plan inconsistent with Part 5; or*
- (e) *in the case of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than 2 years.*

The Council would not have adequate grounds to reject the request under Clause 25(4)(a) to (d) because of the following:

- the request is not frivolous or vexatious;
- within the last 2 years, the substance of the request has not been considered by the Council or the Environment Court;
- the request accords with sound resource management practice;
- the request would not make the ODP inconsistent with Part 5 of the Act.

Under Clause 25(4)(e), the ODP zone that is afforded to the site has been operative for more than two years, while the PDP UGB has also been deemed operative for more than two years.

## **Section 74 of the RMA**

Section 74 of the RMA deals with the matters to be considered by the territorial authority when assessing a change to its district plan.

Section 74(1) states:

*A territorial authority must prepare and change its district plan in accordance with—*

- (a) *its functions under section 31; and*
- (b) *the provisions of Part 2; and*

- (c) a direction given under section 25A(2); and
- (d) its obligation (if any) to prepare an evaluation report in accordance with section 32; and
- (e) its obligation to have particular regard to an evaluation report prepared in accordance with section 32; and
- (ea) a national policy statement, a New Zealand coastal policy statement, and a national planning standard; and
- (f) any regulations.

In relation to section 74(1)(ea), the National Policy Statement for Urban Development 2020 (**NPS-UD**) and the National Policy Statement for Freshwater Management 2020 (**NPS-FW**) are addressed in the Section 32 evaluation.

In terms of section 74(2)(a) of the RMA, the following regional planning documents are relevant to the request:

- a) Partially Operative Otago Regional Policy Statement 2019 (**POORPS**)
- b) Proposed Otago Regional Policy Statement 2021 (**PORPS**)
- c) Regional Plan: Water
- d) Regional Plan – Air for Otago

Section 74(2A) requires that a territorial authority, when preparing or changing a district plan, must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.

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## Section 75 of the RMA

Section 75(1) sets out the contents of district plans. All of the contents required to be included in a District Plan are included as it relates to this Request, are as follows:

- the existing, settled objectives; and
- the policies to implement the objectives; and
- the rules to implement the policies.

Section 75(3) of the RMA requires the following

*A district plan must give effect to—*

- (a) any national policy statement; and*
- (b) any New Zealand coastal policy statement; and*
- (ba) a national planning standard; and*
- (c) any regional policy statement.*

The only relevant National Policy Statements are the NPS-UD and NPS-FM which are addressed in the section 32 evaluation.

Under section 75(4) a district plan must not be inconsistent with a regional plan for any matter specified in section 30(1). The relevant regional plans are addressed in the Section 32 Evaluation Report. In summary, to the extent that the regional plans are relevant, the Change is not inconsistent with them because the amended provisions of the District Plan will continue to give effect to the regional plans.

Under section 75(4), there are no relevant water conservation orders. Any consents required under the regional plan to give effect to the development enabled by the Request will be applied for at the time of subdivision and development.

### **Section 31 of the RMA**

The relevant clauses from section 31(1) of the RMA are as follows:

*Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*

- (a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*
  - (aa) the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district:*
  - (b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—*

The Request is adopting an existing zone from the PDP, together with new policy provisions (for planting) and an amendment to the ODP and PDP planning maps in order to move the UGB.

### **Section 32 of the RMA**

Section 32 of the RMA sets out how the evaluation of any proposed objective, policy, rule or other method is to be carried out. The relevant parts of Section 32 from the RMA to this proposed plan change are as follows:

Section 32(1) requires an evaluation report to be prepared which must:

- (a) *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
- (b) *examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
  - (i) *identifying other reasonably practicable options for achieving the objectives; and*
  - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
  - (iii) *summarising the reasons for deciding on the provisions; and*
- (c) *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*

Section 32(2) requires that the assessment must:

- (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
  - (i) *economic growth that are anticipated to be provided or reduced; and*
  - (ii) *employment that are anticipated to be provided or reduced; and*
- (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
- (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

The Section 32 Evaluation Report is contained within **Appendix [J]**.

## 4 Assessment of Environmental Effects

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This assessment of environmental effects (**AEE**) has been prepared in accordance with Clause 22(2) of the First Schedule to the RMA (which in turn relies upon Clauses 6 and 7 of Schedule).

Clauses 6 and 7 of the First Schedule of the RMA respectively address the following considerations:

- a) Information required in assessment of environmental effects;
  - b) Matters that must be addressed by assessment of environmental effects.
-

The following matters are considered in terms of the effects assessment on the environment:

- a) Effects on landscape character and visual amenity values;
- b) Urban Design considerations;
- c) Transportation effects;
- d) Infrastructure Servicing effects;
- e) Geotechnical considerations; and
- f) Ecological considerations.

The assessment of effects considers and summaries the various technical and environmental assessments that have been composed by APL.

#### 4.1 Effects on Urban Land Supply and Growth

Via the notified UIV, the QLDC originally sought to intensify the PDP Medium Density Residential Zone (**MDRZ**) within Arrowtown, primarily through increased building height. For the former LDSRZ (now SRZ), the QLDC via the notified UIV originally sought to decrease the minimum vacant lot size (at the time of subdivision) from 450m<sup>2</sup> to 300m<sup>2</sup>. These notified provisions within the UIV would have provided the potential for increased residential intensification within Arrowtown.

The Independent Hearing Panel (**IHP**) for the UIV decided that it was inappropriate to increase the building height within the MDRZ in Arrowtown, and that the 450m<sup>2</sup> minimum vacant lot size shall remain for the SRZ. For the SRZ, the IHP did put in a place a restricted discretionary regime to 'gently' increase residential density in the SRZ.

Irrespective of whether there are appeals to the UIV that successfully restore the notified MDRZ and SRZ provisions as addressed above, the Request will enable a significant number of residential sections to be created within an existing urban setting.

The Request will have positive effects in relation to urban land supply and population growth in Arrowtown. On balance in terms of the benefits and costs, the additional residential development enabled by the Request will maintain levels of growth and direct this growth to where it can be accommodated efficiently, linked to existing roading and infrastructure, and with acceptable effects on landscape and residential amenity values.

## 4.2 Effects on landscape character and visual amenity values

### Overview

Rough Milne Mitchell Landscape Architects (**RMM**) has compiled a Landscape Assessment Report (**LAR**) that assesses the potential effects on the landscape character and visual amenity values in relation to the Request. The LAR is contained within **Appendix [K]**.

In summary, the LAR addresses the following considerations:

- a) Description of the receiving environment;
- b) Landscape values of the receiving environment;
- c) Assessment of the landscape and visual effects; and
- d) Assessment of landscape effects.

The landscape related considerations are addressed below.

### Description of the Receiving Environment

The LAR addresses the receiving environment upon which the Request should be considered. To the full extent, the receiving environment could be considered to be the entire Wakatipu Basin, however, a radius of 1.5km around the Site is considered to be the most relevant scale in terms of assessing the outcome of rezoning the Site as proposed.

The urban area of Arrowtown sits within the broader context of the Wakatipu Basin, with distinguishable nearby landscape features that include Brow Peak, Big Hill, German Hill, Mt Betham, Crown Peak, glacial/hummocky landforms, escarpments, terraces and the Arrow River. The Arrow River constrains Arrowtown to the east, and the mountain ranges constrain growth to the north of the town.

Outside of the existing urban environment within Arrowtown, the physical environment to the west and south of Arrowtown are characterised by a gently hummocked landscape, interspersed with terraces, rocky outcrops, and areas of flat land.

In the immediate receiving environment for the site, there is a diverse range of land uses and PDP Zones, with such zones consisting of the following:

- a) SRZ;
- b) Medium Density Residential Zone;
- c) Arrowtown Residential Historic Management Zone;
- d) Nature Conservation Zone;

- e) Community Purposes Zone;
- f) Active Sport and Recreation Zone;
- g) Informal Recreation Zone;
- h) WBRAZ;
- i) WBLP; and
- j) Resort Zone (The Hills, Millbrook and Hogans Gully).

With the high variance of topography and zoning (both historic and modern) in the vicinity of the site, the LAR states that the result is a landscape with a diverse and complex range of uses including suburban/rural living, tourism activities, and recreation activities (in particular three existing golf courses).

The receiving environment, at a local scale, is diverse, highly modified and visually complex landscape with a concentration of urban development associated with Arrowtown, and a periphery of manicured and highly managed landscapes with an open character associated with the three golf courses and resorts. Combined with these land uses are rural-residential living.

In an urban sense, Arrowtown has generally spread over time in south-south-east directions from the historic commercial centre and residential zones. The spread of suburban residential styled development has mostly been confined by the Arrow River (to the east) and McDonnell Road (to the west).

The Site is bordered by urban low density residential development on two sides and includes and is adjacent to privately managed open space. The Site is visually and physically connected to the urban pattern of development in Arrowtown, especially when approaching Arrowtown on McDonnell Road.

In terms of the UGB, the northern and eastern extents of the UGB are clearly defined and contained by easily defined landscape features (topography and the Arrow River). The western boundary of the UGB in the southern part of Arrowtown is largely defined by McDonnell Road, a man made physical and definable barrier. In terms of the portion of the UGB that runs through the Site, the UGB is defined by cadastral boundaries, a social construct, and the only physical manifestation is a fence with no defensible edge.

Overall, the LAR concludes that the receiving environment is defined by landscape diversity and a blending of urban and rural land uses, retaining a strong visual connectivity to Outstanding Natural Features and Landscapes.

### **Landscape values of the receiving environment**

The LAR outlines the landscape values that are evident in the receiving environment. The landscape values, consisting of the physical, perceptual and associative values,

result from the historic, present and evolving landscape attributes in the receiving environment.

The LAR provides a fuller description of the physical, perceptual and associative landscape values in the receiving environment.

### **Assessment of the landscape and visual effects**

The LAR notes that the development of the APD will have a negligible landscape effect, however the residential development of this area of the Site represents a fundamental land use change when compared to the present open space requirements of the ASSZ.

The LAR considers that the potential landscape and visual effects arising from the Request include the following:

- a) Potential effects on visual amenity and perceptual values, and the way in which the Site's current open character contributes to the views to the surrounding mountains, hills, peaks and ranges that have high scenic value and ONL and ONF overlays;
- b) Potential effects on rural character of the receiving environment;
- c) Potential localised effects on the escarpment, rocky outcrop and creek, and their physical and perceptual values;
- d) Potential effects on the associative values that stem from recreational activities in the receiving environment;
- e) Cumulative effects of the incremental increase of urban development.

### Assessment of Visibility and Visual Effects

The LAR states that the significance of the visual effect is influenced by the visibility, distance, duration of the view, the scale, nature and duration of the proposal, its overall visual prominence, the context in which it is seen, and finally the size of the viewing audience.

The visibility assessment within the LAR was limited to a number of locations that are frequented by members of the public, with the locations being:

- a) An (approximately) 1km stretch of McDonnell Road;
- b) The publicly accessible escarpment track provides representative views from the private properties along the top of the escarpment on Cotter Avenue and Advance Terrace;
- c) Feehly Hill scenic track;
- d) Parts of Tobin's Track;

- e) The Crown Range 'switch backs'; and
- f) Long views from Remarkables Ski Field Road, representative of distance views from publicly accessible mountain ranges.

The graphic package associated with the LAR indicates 16 viewpoints where the visibility of future development within the APD has been assessed from.

From each of the 16 viewpoints, the LAR addresses the extent of visibility for the future residential development within the APD. The LAR then quantifies the assessed visual effects from the selected viewpoints. The LAR provides a summary table for the visual effects on landscape values from the selected viewpoints, with the table being below:

Viewpoint number	Location	Extent of Visibility	Potential adverse visual effects
1	85 McDonnell Road, 150m from PPC Site	Western edge of PPC Site	No
2	McDonnell Road, north-western corner of PPC Site. Adjacent to pump station	AED visible and rooflines within APD	Very low
3	McDonnell Road, adjacent to riparian walkway entrance	APD visible	Low-moderate
4	McDonnell Road, centre of PPC Site, looking north	AED and APD visible	Low-moderate
4a	McDonnell Road, centre of PPC Site, looking east towards the Site	AED and APD visible	Low-moderate
5	148 McDonnell Road, south-western corner of PPC Site, looking north	AED and APD visible	Low-moderate
5a	148 McDonnell Road, south-western corner of PPC Site looking east at the Site	AED and APD visible	Low-moderate
6	McDonnell Road, Hills Golf Course entrance. 150m from PPC Site	APD and AED visible	Low-moderate
7	175 McDonnell Road. 300m from PPC Site	APD and AED visible	Low-moderate
8	214 McDonnell Road, approximately 600m south of PPC Site	Rooflines visible with APD	Very low
9	Arrowtown Lifestyle Village, 820m south of PPC Site	Not visible	No

10	Bottom of escarpment trail. Public easement within PPC Site	APD visible	Low-moderate
11	Top of escarpment trail. Public easement within PPC Site	APD and AED visible	Low-moderate
12	80 Cotter Avenue. 20m from Eastern PPC boundary	Not visible	No
12a	89 Cotter Avenue. Eastern boundary of PPC Site	AED and APD	Low-moderate
13	Feehly Hill Scenic Reserve, summit of track. 1.5km from PPC Site	AED and APD	Very low
14	Tobin's Track. 1.5km from PPC Site	Rooflines along McDonnell Road, APD	No-very low
15	Remarkables Ski Field Road, 9km from PPC Site	Potentially visible but indiscernible from this distant	No
16	Crown Range switchbacks, 3.5km from PPC Site	Potentially visible but indiscernible from this Viewpoint	No

The potential adverse visual effects range from no effects to low-moderate effects.

#### Assessment of Landscape Effects

The LAR states that whether landscape effects are adverse or not depends to a large extent on the public expectation of what can be reasonably anticipated to occur in the landscape, coupled with the landscape context in terms of its degree of naturalness/modification, existing patterns, scale, visibility and levels of public appreciation.

The LAR considers that the ONL's that surround the Site will continue to be appreciated within the receiving environment, and as such, there will be no adverse effects on the landscape values of the ONLs.

The LAR states that there will be no potential adverse effects on the legibility values of the wider Wakatipu Basin, as the APD will be confined to a narrow alluvial terrace, while the escarpment terrace and rocky outcrop both will have BRA overlays, protecting the natural character and legibility from built form and development.

The future residential development of the site will change the landscape character, removing rural character and enabling open space to be replaced with lower-density residential development. However, the LAR considers that in the context of the broader landscape of the Wakatipu Basin, the open space within the Site does not significantly contribute to the overall amenity values in the landscape. The scale of the future residential development is small when viewed in the scale and context of the local receiving environment.

The LAR considers that the potential effects on landscape values will be in the immediate context of the site, which includes the adjoining neighbours that overlook the Site from Advance Terrace, Cotter Avenue and users of McDonnell Road. The development envisaged via the Request will change a portion of open space within the Site to that of a lower density suburban development. This outcome will result in the removal of an open space foreground for residents located on Advance Terrace and Cotter Avenue, adjoining neighbours to the south and along McDonnell Road. However, this change of outlook will read as a logical extension to Arrowtown's suburban development pattern.

For the adjoining residential properties located off Advance Terrace and Cotter Avenue, the LAR considers that the development of the APD will be mitigated by the elevational difference of 20-30 vertical metres, and as such, wider view landscape panoramas will be maintained from these elevated properties. Further, future development within the APD will be partly screened as the restoration planting on the escarpment and riparian margin matures, and street trees and private properties are planted. Overall, the LAR considers that there will be very low adverse landscape effects on adjoining neighbours.

The land contained in the APD is already connected to a pedestrian network, while this land shares the same landscape characteristics (in particular topography) when compared to the already developed mid to northern sections of McDonnell Road. The LAR considers that these factors combined with the existing low density development on the northern and eastern boundaries of the site, mean that the APD is a coherent and local increase in suburban development in this part of Arrowtown, together with moving the UGB in a southerly direction. The LAR considers that future development within the APD will have low adverse landscape effects.

The LAR considers that McDonnell Road will continue to act as a boundary to sprawl in westerly direction and provide an edge to Arrowtown as it has to the north. Development within the APD will be very much consistent with the existing suburban context and character on the eastern side of McDonnell Road.

The LAR concludes by stating that the Request represents a controlled, managed, and coherent extension of urban residential development. Overall, there will be low-moderate adverse landscape effects on the landscape character and amenity values of the receiving environment.

### 4.3 Urban Design Considerations

Williams & Co has compiled an Urban Design Assessment (**UDA**) that is contained within **Appendix [L]**.

The UDA provides a comprehensive analysis of the immediate and wider context of the Site.

The UDA has considered two potential residential development scenarios for the Site under the SRZ. The first development scenario relates to creating lots with a minimum size of 450m<sup>2</sup>, while the second development scenario is the PDP notified UIV minimum lot size of 350m<sup>2</sup>.

The UDA considers that the proposed rezoning of the Site to the SRZ, together with the future residential development within the APD, to be an appropriate and logical outcome when considering the Site in its context.

The UDA states that the urban area of Arrowtown is relatively constrained in terms of potential areas for growth 'outwards' given existing boundaries, adopted and natural barriers, along with associated zoning and open space land uses. The Site has the ability to be rezoned to cater for residential development, which can be established without significant adjustment to the existing urban form.

The UDA considers that the Site forms an existing corner that is 'missing' from the current urban zoning pattern in Arrowtown, with the Site being an infill of zoning that will align with the existing pattern of development at the southern end of Arrowtown.

The UDA does not consider that the recent rezoning of the 'Tewa Banks' (and movement of the UGB) at the south-eastern corner of the urban area of Arrowtown weakens the logic of rezoning the Site and moving the UGB as proposed.

The UDA addresses through urban design matters that deal with design and character, connectivity and edges. These matters are expanded upon below.

#### **Design & Character**

The UDA states that the low density development of the APD will result in a pattern of development that is clearly aligned with the existing residential development within the Site, and to the immediate north and east.

The residential development within the APD is aligned with the avoidance of development within the land to be contained in the BRA's. The BRA's have been proposed to provide protection over the more sensitive landscape features on the Site, with this outcome maintaining a consistent approach as evidenced by the AED.

#### **Connectivity**

The UDA addresses the connectivity issue in terms of the suitability of rezoning the Site for future residential development.

While the Site is located on the periphery of the urban area of Arrowtown, the Site already has the benefit of the existing upper pedestrian trail connection to Advance Terrace/Cotter Avenue. This trail will enable active travel to the southern end of Arrowtown, in particular to the Arrowtown Primary School.

The existing trail within the mid-section of the Site stops at the southern boundary, however, this trail will eventually provide a connection point to the land to the south of the Site.

McDonnell Road will provide access to and from the site (in two directions).

## Edges

The UDA addresses how the rezoning and future development will connect through land use interfaces.

On the southern portion of the Site, the rezoning approach will provide for approximately half of the boundary to be undevelopable via the BRA (and potential stormwater reserve). This open space approach will mimic the current open space requirements within ASSZ for the land located to the south of the Site. The UDA concludes that the treatment of the southern area of the Site would not preclude logical urban development of the land to the south.

McDonnell Road provides the western edge to the Site. The treatment of the frontage of the developable area of the Site will be consistent with the approach adopted for the AED, with the combination of the rock outcrop being protected within a BRA.

The northern portion of the site contains the AED, and as such, the rezoning of the existing residential development will not result in any perceivable difference when compared to the status quo.

The higher eastern portion of the Site will be contained within a long BRA, which will encompass the steep escarpment and the existing plantings. The land contained within this BRA will adjoin the existing residential development that is accessed off both Cotter Avenue and Advance Terrace. This existing residential development will be located at a higher elevation when compared to the development proposed within the APD. The primary view from these adjoining residential units is in a westerly direction over the Site. However, while there is a direct line of sight from these residential units at this elevated position over the subject site, future residential units within the APD are anticipated to be visible in the field of view looking downwards onto the Site past the planting within the escarpment area. The UDA notes that this outcome is very much the same when compared to the AED on the Site, with existing built form not diminishing wider landscape panoramic views.

The UDA states that the new location of the UGB along the boundary of the site is considered more logical than the current UGB location and it has benefits in providing for a regular boundary (at both the site, and urban scale) and encompassing land held in one existing title which already integrates with existing residential development (the AED).

The UDA also considers that the new UGB position is necessary in terms of the proposed rezoning of the Site, which in turn will allow for the ‘missing piece’ of the Arrowtown urban area. This will allow for the appropriate urban infill with the provision of new greenfields land. While it is possible that the UGB shifts further south than proposed in this Request, additional assessment will be required to justify this outcome.

## 4.4 Transportation Effects

Bartlett Consulting has compiled a Transport Assessment (TA) that addresses the potential transportation effects of the Request. The TA is contained within **Appendix [M]**.

### Existing Transport Environment

The TA addresses the existing transport environment in the immediate context of the Site.

The TA notes that the Site can be accessed directly from McDonnell Road or via Brodie Avenue (both of which are vested roads).

The TA states that McDonnell Road provides a collection road function with a mixed function of providing access to properties as well providing a transport link between Arrowtown/Malaghans Road and Arrow Junction (SH6 and Centennial Avenue).

The TA addresses the current traffic flows in terms of the use of both McDonnell Road and Brodie Avenue, and the road capacity of the McDonnell Road and Arrowtown-Lake Hayes Road intersection.

The TA addresses the current active travel network and the public transport network in the vicinity of the Site, together with the proposed network improvements.

### Proposed Rezoning

The TA has considered the development traffic that will be generated if the Site is developed for residential purposes under the two scenarios (450m<sup>2</sup> or 300m<sup>2</sup> lot sizes). Table 3 within the TA provides the following daily traffic movements:

**Table 3 – Traffic Generation for Requested Rezoning**

	Daily	am peak	pm peak
Likely, 44 dwellings	480vpd	53vph	42vph
Maximum, 59 dwellings	643vpd	71vph	57vph

The TA notes that future residential development traffic within the Site may be distributed within the existing road network based on traffic counts undertaken at the intersections of Brodie Avenue with McDonnell Road and McDonnell Road with Arrowtown-Lake Hayes Road.

The TA notes that Brodie Avenue could be extended to provide access to McDonnell Road, or access could be formed directly from McDonnell Avenue to the Site.

## Transport Effects

The TA considers that it is possible to form an appropriate and acceptable access intersection to the Site from McDonnell Road, or alternatively, Brodie Avenue can provide all or part of the access to the Site from McDonnell Road. Both access options will not result in any adverse effects on the safety and efficiency of either Brodie Avenue or McDonnell Road.

The TA states that the greatest measure of efficiency effects within the existing transport network will be any changes to delay (queuing) and efficiency at the nearby intersection of McDonnell Road with Arrowsouth-Lake Hayes Road. The modelling provided in the TA suggests that the proposed rezoning will have minimal effect on the overall transport network and the overall change as a result of additional residential development is minor and generally will not be noticeable.

The TA finally addresses the alternative transport networks in terms of pedestrian access and public transport. The TA notes that the existing pedestrian network can serve and be extended to provide an appropriate and acceptable pedestrian connection to the surrounding local environment. The TA states that public transport is an option with existing multiple bus stops being within a 15 to 20 minute walk from the Site.

## 4.5 Infrastructure Servicing Effects

Civilised Limited has compiled an Infrastructure Feasibility Report (**IFR**) that addresses the necessary infrastructure servicing for the future development within the Site. The IFR is contained within **Appendix [N]**.

The IFR addresses the following servicing considerations:

- a) Water Supply
- b) Wastewater
- c) Stormwater
- d) Power and Telecommunications

The IFR has used the higher yield of up to 61 residential lots in terms of the infrastructure servicing of the Site. The 61 lots represents the figure derived from the notified PDP UIV minimum lot size scenario of lots being created down to 300m<sup>2</sup> (and a previous lot yield for the Site).

The investigations contained within the IFR conclude that the proposed rezoning is fully serviceable from an engineering perspective.

The IFR has noted that certain network infrastructure upgrades will be required so as to cater for the subdivision and development of the Site. While the upgrades are not insurmountable, discussions and potential agreements during any future resource consent phase can effectively deal with the financial costs to upgrade the QLDC

infrastructure. It is considered appropriate to delay any cost arrangement until there are definite plans for the actual residential subdivision of the Site.

## Water Supply

Contained within the IFR is a detailed hydraulic analysis undertaken by Watershed Engineering Limited. The hydraulic modelling confirms that it is feasible to supply water to the Site to cater for increased residential development, on the following basis:

- a) The Site can be serviced via standard connections to the existing McDonnell Road and Brodie Avenue mains.
- b) There is sufficient capacity to meet domestic demand and FW2 fire-fighting requirements.
- c) While the modeller noted existing constraints in the wider Arrowtown network (specifically head losses in the southern high-elevation zones), the proposed development does not trigger a failure of service levels within the site or the immediate boundary.

In any future resource consent application to subdivide the Site for residential purposes, details engineering specifications will need to be provided in terms of the water supply connections.

## Wastewater Services

HAL Consulting Limited was engaged by QLDC to assess the capacity of the downstream QLDC wastewater network to accept the proposed wastewater flows from the Site.

The IFR confirms that it is feasible to cater for wastewater flows from the Site based on network upgrades (Pump Station and Gravity Main) that will successfully mitigate the effects of the additional development and resolve existing pre-development capacity issues.

The IFR indicates that the necessary upgrades are technically viable and standard civil engineering works, with the detailed design and funding mechanisms to be determined in consultation with QLDC during the subdivision consent phase.

## Stormwater Management

The IFR assesses that future development can be serviced regarding stormwater management without adverse effects on the environment or downstream infrastructure. The IFR notes that further detailed stormwater design work will need to be undertaken through the consenting phase, which may lead to a different stormwater management approach.

## Power and Telecommunications

The IFR confirms that the Site can be adequately serviced with both power and telecommunications.

## 4.6 Geotechnical Considerations

Geosolve has compiled a Geotechnical Report (**GR**) that addresses ground conditions, natural hazards and geotechnical inputs in terms of the development of the APL land for residential purposes. The GR is contained within **Appendix [O]**.

The GR confirms that there that there are no geotechnical constraints that would prevent the Site being rezoned.

## 4.7 Ecological Considerations

Natural Solutions for Nature Limited has compiled an Ecological Assessment of Indigenous Plantings (**EAIP**) that is contained within **Appendix [P]**.

The EAIP addresses the following ecological based considerations:

- a) An assessment of the existing native plantings undertaken on the site.
- b) Ecological recommendations in relation to landscape planning and urban design that accompanies the rezoning of the Site.

The EAIP states that the vision and objectives of the OOSMP and POSMP relating to the existing plantings are being achieved and with the continuing maturation of the plantings the amenity values established and envisioned by the implementation of the OOSMP and POSMP will continue to accrue. The EAIP notes that on-going plant maintenance and control of rabbits are required in order to increase the ecological benefits.

With the incorporation and continuation of the native planting within the Site, the EAIP concludes that further residential development within the Site will be able to sustain and support the ecological benefits achieved under the open space approach for the escarpment and the rocky outcrop.

## 4.8 Summary of Environmental Effects

The summary of effects of the environment is as follows:

- (a) The Request will not significantly adversely affect the visual amenity and landscape character values of the Site, the immediate context or the surrounding landscape (including ONL's);
- (b) The Request will enable residential development in a location that can support this outcome from an urban design perspective;

- (c) Vehicular traffic from future residential development can be accommodated within the existing roading network, while the active travel can occur through and beyond the Site;
- (d) With minor network upgrades, the QLDC reticulated systems can accommodate water and wastewater demand from future residential development, while stormwater can be dealt with on Site;
- (e) There are no geotechnical or natural hazard related concerns that will prevent future development of the Site;
- (f) There are no significant indigenous ecological values on the Site that will be adversely affected; and
- (g) The Request will not adversely affect any existing or future surrounding land uses nor adversely impact the amenity of current and future residents on such land.

In summary, the Request will have no significant adverse effects on the environment.

## 5 Consultation

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Informal consultation has been undertaken with the neighbouring residential property owners via a recent letter drop. The letter from APL has invited direct feedback from these property owners.

Various discussions have also been undertaken with the adjoining landowner to the south of the Site.

No direct consultation in relation to the rezoning has been undertaken with the Otago Regional Council (**ORC**) or iwi (Aukaha and Te Ao Marama Incorporated). However, iwi have provided positive feedback on the initial stage of the APL housing development, in particular the ecological outcomes that have been achieved in the riparian planting. APL welcomes further dialogue on this.

On the basis that the Site is rezoned as proposed, APL will deal with any ORC requirements during the resource consenting phase in terms of subdividing the Site.

During the consenting and development of the subdivision within the Site as authorised via RM161093, significant indigenous and riparian planting occurred within the Site. Consultation was undertaken with iwi representatives and the feedback was positive in terms of the ecological restoration undertaken on the Site. This feedback is encapsulated in the QLDC letter dated 9 August 2024, as contained within **Appendix [Q]**.

The Request will be subject to a publicly notified process under the RMA, whereby neighbouring property owners and other interested persons and groups can make a submission on the merits of the Request.

## 6 Conclusion

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The rezoning of the Site will allow for appropriate residential development to occur within areas of the Site that can accommodate this built outcome.

The use of the SRZ is a current and modern low density residential zone that adjoins the Site on two boundaries. The use of a BRA is also a common planning tool to avoid development on certain areas of land.

The conclusions reached in the assessment of environment effects and the supporting technical assessments identify that the proposed rezoning, and subsequent future residential development on the Site, can be undertaken in a manner which avoids or mitigates any significant adverse effects on the environment.

In summary, the Request has been developed in such a way as to:

- a) Assist the QLDC to carry out its functions under the RMA;
- b) Achieve the purpose of the RMA;
- c) Give effect to the NPS-UD;
- d) Not be inconsistent with the relevant regional plans and district plans; and
- e) Ensure the most efficient, effective and appropriate provisions are in place to achieve the objectives of the PDP.

Having assessed the Request against the provisions of Sections 32, 74 and 75 of the RMA, it is considered that the proposed rezoning is the most appropriate way to achieve the purpose of the RMA, and that the implementation of the proposed change will not have significant adverse effects, costs, or risks.

Overall, the subject site is suitable for rezoning as proposed, and the SRZ is the most appropriate method to achieve the purpose of the RMA.