

Before an Expert Consenting Panel

Under

the Fast-track Approvals Act 2024

And

In the Matter of

an application for approvals by Mt Iron Junction Limited to develop 250 medium to high density residential dwellings, a childcare centre, a retail building, a café, reserve areas and recreation amenities

Legal Submissions on behalf of Mt Iron Junction Limited

Dated: 26 June 2026

Lane Neave

Level 1, 2 Memorial Street

PO Box 7348

Queenstown

Solicitors Acting: Joshua Leckie/Charlotte Coyle

Email [REDACTED]
[REDACTED]
[REDACTED]

lane neave.

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INTRODUCTION

1. Mt Iron Junction Limited (**MIJ**) seeks approvals under the Fast-track Approvals Act 2024 (**FTA**) for the Mt Iron Junction Housing Scheme (**Project**).
2. These submissions form part of MIJ's response to the following:
 - (a) Comments on the Substantive Application from parties invited to comment under s 53 of the FTA. MIJ's response is provided in accordance with s 55(2) of the FTA and is to form part of the Expert Panel's considerations in its decision making.¹
 - (b) Matters raised at paragraph 6 of Minute 2 dated 21 May 2026. These submissions address the legal points and issues raised in Minute 2 and are intended to clarify and respond to those matters to the extent necessary to assist the Expert Panel in its consideration of the application.
3. Alongside these submissions MIJ's experts have addressed technical matters raised and provide the following statements of evidence which we refer to throughout these submissions:
 - (a) Sam Connell (architecture);
 - (b) David Compton-Moen (urban design);
 - (c) Paul Smith (landscape);
 - (d) Natalie Hampson (economics);
 - (e) Rewa Satory (acoustics);
 - (f) Andy Carr (transport);
 - (g) Tom Grandiek (environmental management); and
 - (h) Duncan White (planning).

EXECUTIVE SUMMARY

4. The Queenstown Lakes District has a significant housing shortfall.
5. The Project takes a different approach to the majority of housing currently provided and projected in the district, and will deliver 11% of the projected medium-term demand for additional residential housing in the Wānaka urban area and 8% of

¹ Fast-track Approvals Act 2024, Section 81(2)(a).

demand in the Wānaka-Upper Clutha Ward (**Wānaka Ward**). The Project will also enable the Queenstown Lakes Community Housing Trust (**QLCHT**) to provide affordable homes for low-income households.

6. The delivery of the Project will provide significant economic benefits for the region.² The Project is estimated to cost around \$121 million which will help sustain the district's construction workforce and generate an estimated \$74 million in total direct, indirect and induced value added and \$35 million in total household incomes.³ Total direct, indirect and induced employment sustained by Project is estimated at 771 full time equivalent years over the total development period.⁴
7. The Project Site is already consented for a mixed-use development including residential units, worker accommodation and a service station approved under RM181471 (**2021 Consent**). The Project Site sits within three kilometres of the Wānaka Town Centre and approximately one kilometre from the Three Parks mixed use commercial centre which is anticipated to progressively develop as the most significant area of employment in Wānaka. State Highway 84 (**SH84**) and State Highway 6 (**SH6**) border the Project Site and there is a blend of residential, commercial and rural activities with residential activity continuing to expand in the broader environment. Therefore, although the Project Site is zoned rural under the Proposed District Plan (**PDP**), this zoning is not representative of the Project Site and surrounding environment as recognised by the Environment Court in approving the 2021 Consent.⁵
8. MIJ's consultants have undertaken a detailed and thoughtful master planning process for the Project to ensure it aligns with the receiving environment and provides a positive urban design outcome.
9. Effects of the Project have been appropriately avoided, remedied, or mitigated.
10. Many s 53 commenters are not opposed to the Project in principle and recognise the need for housing in the district but raise specific concerns. These concerns are addressed throughout these submissions and in the evidence for MIJ. We submit that these concerns have been appropriately addressed.
11. We submit that the Expert Panel can grant the approvals sought for the Project.

² Substantive Application, Appendix G – Housing and Economic Assessment, 16 December 2025 and Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026.

³ Substantive Application, Appendix G – Housing and Economic Assessment, 16 December 2025 at page 66.

⁴ Substantive Application, Appendix G – Housing and Economic Assessment, 16 December 2025 at page 66.

⁵ *Mt Iron Junction Limited v Queenstown Lakes District Council* [2021] NZEnvC 53, [2021] ELHNZ 86 at [7].

FRAMEWORK OF LEGAL SUBMISSIONS

12. Our Legal Overview lodged with the Substantive Application sets out our submissions that the Project meets the purpose of the FTA and the legal tests for approval. We refer to and rely on the Legal Overview throughout these submissions.
13. These legal submissions respond to comments and matters raised in Minute 2 generally by key topic rather than individual comment or point so as to avoid any unnecessary duplication. The structure is as follows:
 - (a) key legal issues raised and MIJ response;
 - (b) key feedback topics and MIJ response;
 - (c) planning framework;
 - (d) amendments to conditions;
 - (e) other matters in response to Minute 2; and
 - (f) conclusion.

KEY LEGAL ISSUES RAISED AND RESPONSE

Variation of Conditions

14. Queenstown Lakes District Council (**QLDC**) states that while it has no significant disagreement on the use of s 127 to reduce the amount of consented development of the 2021 Consent, this would also remove the Protected Landscape Area (**PLA**) on the western extent of Project Site which is currently required to be protected through a protective covenant condition.⁶ QLDC considers there has not been a material change in circumstances that would render this protective covenant of no further value.⁷
15. We submit that the variation of the 2021 Consent including the removal of the PLA covenant is appropriate as it meets the FTA tests for approval including that there has been a material change in circumstances.
16. The test to vary consent conditions is addressed at paragraphs 41 to 45 and 100 to 105 of the Legal Overview. In summary, the FTA imports the provisions of the

⁶ Queenstown Lakes District Council, Section 53 Comments, Appendix 8 – Planning Technical Memo (Peer Review), 19 June 2026 at [6.2].

⁷ Queenstown Lakes District Council, Section 53 Comments, Appendix 8 – Planning Technical Memo (Peer Review), 19 June 2026 at [6.5].

Resource Management Act 1991 (**RMA**) but requires an application to change or cancel an existing consent condition to be considered in light of the FTA's purpose.

17. When considering the removal of a covenant condition, the Environment Court has held that issues as to the certainty of covenants are to be considered along with the flexibility to allow planning changes to occur over time.⁸ Each resolution will turn on the facts of the case and the reasons for the covenant.⁹
18. As recognised by QLDC, the Court has held that as covenants give a high degree of certainty they should only be altered when there is a material change in circumstances.¹⁰ A material change in circumstances is such that it would result in the condition obstructing the sustainable management purposes of the RMA.¹¹
19. In light of the above, we submit that the variation of the 2021 Consent can be approved for the following reasons:
 - (a) There has been a material change in circumstances since the 2021 Consent. The PLA covenant was a product of its time and reflects the context and environment of the development proposal in 2021. Circumstances have since changed with the continued development of the receiving environment outlined at paragraph 26 below and the listing of the Project in Schedule 2 of the FTA.
 - (b) The variation will also meet the purpose of the FTA as cancellation of identified conditions of the 2021 Consent is necessary to deliver the Project. In particular the PLA does not align with the Project's objectives and will not enable the Project to deliver significant regional benefits. Variation of the 2021 Consent will ensure that the Project can proceed efficiently in accordance with the intent of the FTA.
20. We therefore submit that it is appropriate to grant the variation sought.
21. The evidence of Mr Smith addresses the relevance of the removal of the PLA in response to comments criticising its removal due to the impact of its loss on open space in a rural zone. Mr Smith outlines that the PLA was in place only due to the Project Site being zoned rural and that the covenant was to be removed if the zone was changed.¹²

⁸ *McKinlay Family Trust and Ors v Tauranga City Council* ENC Auckland A119/08, 29 October 2008, [2008] ELHNZ 459 at [16].

⁹ *McKinlay Family Trust and Ors v Tauranga City Council* ENC Auckland A119/08, 29 October 2008, [2008] ELHNZ 459 at [16].

¹⁰ *Ballantyne Barker Holdings Limited v Queenstown Lakes District Council* [2019] NZHC 2844, (2019) 21 ELRNZ 428 at [45].

¹¹ *Ballantyne Barker Holdings Limited v Queenstown Lakes District Council* [2019] NZHC 2844, (2019) 21 ELRNZ 428 at [45].

¹² Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026

Rural Zoning

22. QLDC and various adjacent landowners consider that the Project is inconsistent with the rural zoning of the Project Site.
23. Although zoned rural under the PDP, this is not reflective of the actual character of the Project Site. The Project represents an appropriate use of the Project Site and will correspond with the nature of the receiving environment.
24. The character of the Project Site and receiving environment is important as it forms the baseline environment or reference point from which the effects of the Project can be assessed.
25. It is well established by *Queenstown Lakes District Council v Hawthorn Estate Limited* that the environment to be considered in resource consenting is the “*legal receiving environment*” which includes the surrounding area:¹³
 - (a) as it exists, including any permitted and consented activities already being conducted; and
 - (b) as it could potentially exist in the future, including:
 - (i) modification by permitted activities; and
 - (ii) unimplemented resource consents that are likely to be implemented.
26. We address key aspects of the legal receiving environment for the Project throughout the Legal Overview. In summary:
 - (a) The Project Site sits within the urban fringe of Wānaka and Albert Town.
 - (b) The Project Site is already consented for a mixed-use development under the 2021 Consent. Part of the 2021 Consent has been given effect to by subdivision consent RM230506 (**Subdivision Consent**). The Subdivision Consent was obtained in November 2023 to create individual lots for consented development under the 2021 Consent. Infrastructure works for this are progressed in advance of the completion of internal roading.
 - (c) Exotic tree clearance associated with the installation of QLDC water and wastewater trunk mains has been undertaken on the Project Site.
 - (d) Mt Iron recreational reserve is to the north of the Project Site.

¹³ *Queenstown-Lakes District Council v Hawthorn Estate Ltd* CA45/05, 12 June 2006, (2006) 12 ELRNZ 299 at [84].

- (e) The Three Parks special zone, a mixed-use area comprising commercial and residential developments, large-format retail and a tourism and recreation precinct is to the south and west of the Project Site.
 - (f) SH84 to the south and SH6 to the east border the Project Site.
 - (g) There is a blend of residential, commercial and rural activities with residential activity continuing to expand in the broader environment. This includes several commercial and community activities, including Puzzling World, a vet clinic and a church within close proximity to the Project Site.
27. In this context the Project Site appears as a rural zone island, disconnected from rural productive land and is peri-urban. There is therefore an obvious disconnect between the rural zoning and the actual character of the Project Site as recognised by the Environment Court in approving the 2021 Consent where it stated:¹⁴
- Despite its zoning, the landscape architects each agreed (more or less) that the zoning of the site did not reflect its current character or amenity, particularly taking into account the nature of the surrounding commercial and residential land use activities. Context was an important consideration for the experts.*
28. Since the grant of the 2021 Consent, this context has changed further as there is already a residential development approved on the Project Site. The existing environment is therefore more heavily weighted in favour of a non-rural character.
29. As detailed further in these submissions, the Project is designed to complement and fit within the existing character of the receiving environment. The Project Site is also strategically and geographically well located for the Project compared to alternative (rural or purely residential) land uses.
30. Fundamentally, the RMA is an effects-based statute. The FTA regime as it relates to RMA approvals, does not alter this position. The implication is that you can and should focus on the effects of the Project rather than strictly the zoning of the Project Site in these particular circumstances. The underlying zoning of the Project Site does not represent the level or type of development the Project Site is best suited to. When considered against the legal receiving environment, which is not rural in character, the Project is appropriate.
31. Further, and as outlined in more detail at paragraphs 170 to 172, s 85(4) directs that the Expert Panel may not form the view that an adverse impact meets the sufficiently significant threshold solely on the basis that the adverse impact is inconsistent with or contrary to a provision of an Act or any other document requiring consideration,

¹⁴ *MIJ Limited v Queenstown Lakes District Council* [2021] NZEnvC 53, [2021] ELHNZ 86 at [7].

such as planning documents. This means that, unlike traditional RMA processes, an inability to meet objectives or policies, while a matter to be taken into account, must not be the basis on which a proposal is declined. As put by the Expert Panel for Waihi North, planning objectives and policies do not play as critical a role in relation to resource consent applications as they would under the RMA.¹⁵ The rural zoning of the Project Site therefore cannot be determinative in decision making, and does not provide a basis for decline of the Project.

Benefits

32. In Minute 2, the Expert Panel stated that in terms of potential regional benefits, it was encouraged by MIJ's discussion of providing housing at an affordable price point within this part of the district.¹⁶ However, on the surface, these benefits were not conveyed with any other social benefits within the economic assessment.¹⁷ The Expert Panel observed that the economic assessment had not taken into consideration QLDC's recent determination on its intensification provisions and wondered, while under appeal, whether these issues would influence their economic assessment.¹⁸ The impact of the Urban Intensification Variation (**UIV**) was also raised in comments from the CM Morgan and JC Morgan Family Trust.¹⁹
33. During the Project Overview Conference, the Expert Panel also raised whether displacement was relevant to the assessment of economic benefits of the Project.
34. A related point was raised in comments provided by CM Morgan and JC Morgan Family Trust, Wayne Casey and Vida Laira and Luke Smeets on whether there is a need for the Project.²⁰
35. Ms Hampson has responded to these matters in her statement of evidence.²¹ We address key points as follows.

¹⁵ *Record of Decision of the Expert Consenting Panel, Waihi North*, 18 December 2025, Part M at [12](c). The Waihi Panel's reasoning was later adopted in: *Record of Decision of the Expert Consenting Panel, Southland Windfarm*, 9 March 2026, at [979].

¹⁶ Minute 2, Mt Iron Junction Housing Scheme Expert Panel, 21 May 2026 at [6(b)].

¹⁷ Minute 2, Mt Iron Junction Housing Scheme Expert Panel, 21 May 2026 at [6(b)].

¹⁸ Minute 2, Mt Iron Junction Housing Scheme Expert Panel, 21 May 2026 at [6(b)].

¹⁹ CM Morgan and JC Morgan Family Trust, Section 53 Comments, 19 June 2026 at [56]-[62].

²⁰ CM Morgan and JC Morgan Family Trust, Section 53 Comments, 19 June 2026 at [56]-[62], Wayne Casey [REDACTED], Section 53 Comments, 19 June 2026 and Vida Laira and Luke Smeets [REDACTED] Section 53 Comments, 18 June 2026.

²¹ Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026.

Social Benefits

36. Ms Hampson considers that the Project will deliver a range of social benefits that will be significant at the local and district level including:²²
- (a) By restricting the potential for residential visitor accommodation in 80% of the dwellings and donating 5% of the dwelling capacity to QLCHT, the Project is not profit maximising for MIJ. This translates into household wellbeing outcomes by increasing a household's ability to meet basic needs and unexpected costs and participate in community life.
 - (b) Increased supply of medium-density housing helps improve housing availability, affordability and security which links to reducing housing stress and improving access to suitable housing that matches socio-economic needs.
 - (c) Increased supply of housing is likely to help local businesses retain staff and therefore reduce churn in the resident population supporting a more stable community.
 - (d) The Project Site's proximity to employment areas, schools, recreation facilities, open space, shops and services means greater access for resident households at a lower social cost.
 - (e) The proposed café, grocery store, and daycare on the Project Site will help strengthen a sense of community and help to reduce social isolation.
 - (f) The Project will support household incomes for those involved in its construction and will generate a number of new long-term jobs on the Project Site which can contribute to social wellbeing.
37. Ms Hampson provides that while the supply of housing in developments that support well-functioning urban environments can generally be expected to deliver a range of economic and social benefits, residential developments that pro-actively and specifically target particular housing needs, including housing needs not being delivered by the wider market, tend to generate far stronger social benefits.²³

²² Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026, Appendix A at pages 12-14.

²³ Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026, Appendix A at page 14.

Displacement

38. Displacement has been considered in Expert Panel decisions for Ashbourne,²⁴ Sunfield,²⁵ and Ayrburn.²⁶ These decisions take a consistent approach and demonstrate that displacement, for example displacement of housing from other live-zoned developments in the region or displacement of employment from one Project Site to another, should be accounted for if demonstrated to be an economic disbenefit.²⁷ This must be based on reliable evidence rather than speculation.²⁸ If displacement is not shown to be an economic disbenefit, it does not need to be accounted for.²⁹ For Ashbourne and Sunfield, which both included residential development, a key question considered by the Expert Panels was whether there was a need for the proposed housing supply.
39. We submit that displacement has been appropriately addressed by Ms Hampson in her economic assessment. There is no evidence of displacement as an economic disbenefit of the Project.
40. Ms Hampson's evidence confirms that the Project uniquely matches housing supply with demand that has not been adequately met in the Wānaka urban area to date, nor likely to be met in the short term.³⁰ Ms Hampson considers that while the Project could in theory compete with other zoned land that enables medium density attached housing, based on expected supply trends in the short term, realistically the potential for displacement of attached housing development of a similar type, location and price point is limited.³¹ She therefore considers that there will be minimal displacement in the short term (next three years) and only minor potential displacement in the medium term but expected to be limited to years 4 and 5 of the Project after which, if fully occupied, there will no displacement effect for the remainder of the medium term.³²
41. In addition to this, the Project Site is already consented for a mixed-use development under the 2021 Consent. Any displacement as a result of the Project can only be in relation to the additional residential units over and above that approved under the 2021 Consent.

²⁴ *Record of Decision of the Expert Panel, Ashbourne*, 21 April 2026.

²⁵ *Record of Decision of the Expert Panel, Sunfield*, 10 March 2026 at [472].

²⁶ *Record of Decision of the Expert Panel, Ayrburn Screen Hub*, 13 May 2026.

²⁷ *Record of Decision of the Expert Panel, Sunfield*, 10 March 2026 at [526].

²⁸ *Record of Decision of the Expert Panel, Ashbourne*, 21 April 2026 at [517]-[520].

²⁹ *Record of Decision of the Expert Panel, Ashbourne*, 21 April 2026 at [517]-[520].

³⁰ Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026, Appendix A at page 12.

³¹ Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026, Appendix A at page 14.

³² Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026, Appendix A at page 12.

42. Ms Hampson's opinion is that there will not be any economic disbenefits from this displacement.³³ The Project does not preclude growth or competition from occurring in other development areas, and the Project overall supports a well-functioning urban environment.³⁴

Urban Intensification Variation

43. QLDC's decisions on the UIV have directed intensification to particular areas of Wānaka adjacent to Three Parks where the Independent Hearings Panel's findings take advantage of already zoned greenfield land which is central and located close to a major commercial centre.³⁵ Although the UIV remains subject to appeal, the existence of the Project does not mean that residential housing growth would not otherwise take place in the land adjacent to Three Parks.
44. Ms Hampson's evidence is that the UIV is subject to a range of appeals that, if successful, will reduce some of the attached housing opportunity intended by the Independent Hearings Panel.³⁶ Other aspects of that decision, particularly in parts of Three Parks not already subject to consented developments, may further increase attached housing opportunity, but this is unlikely to help meet demand in the short term.³⁷

Need for the Project

45. Mr Casey's comment questions whether there is a need for the proposed housing and whether higher density housing is better left nearer to the town centre.³⁸ A similar point was raised in the comment provided by Luke Smeets and Vida Laird.³⁹
46. Ms Hampson has considered the location of medium and high density housing opportunities in the PDP and UIV.⁴⁰ Her evidence is that much of the zoned opportunity is in already developed residential areas which, given Wānaka's already very high residential housing prices, tends to drive any intensified redevelopment into "*premium*" attached housing supply.⁴¹ She states that even when located on

³³ Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026, Appendix A at page 12.

³⁴ Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026, Appendix A at page 14.

³⁵ *Recommendation of the Independent Hearing Panel on the Urban Intensification Variation to the proposed Queenstown Lakes District Plan*, 23 December 2025 at [9.28].

³⁶ Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026, Appendix A at page 14.

³⁷ Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026, Appendix A at page 14.

³⁸ Wayne Casey [REDACTED] Section 53 Comments, 19 June 2026 at page 3.

³⁹ Luke Paul Smeets and Vida Joyce Mercedes Laird ([REDACTED]) 18 June 2026 at page 5.

⁴⁰ Substantive Application, Appendix G - Housing and Economic Assessment, 16 December 2025 and Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026.

⁴¹ Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026 at [22].

greenfield land, there are clear examples of housing supply being delivered at lower densities than plan enabled or continuing to focus on standalone dwelling types.⁴² Her evidence is that these developments result in higher cost housing that will not help meet the housing needs of those wanting smaller, compact dwellings, at lower relative prices.⁴³

47. In relation to the Links, Reece Quarters and Cemetery Road residential developments raised by Mr Casey, Ms Hampson confirms that these will not meet housing demand themselves.⁴⁴
48. Overall, Ms Hampson's evidence provides that there is a real and probable risk in relying on already zoned medium and high density housing to adequately meet expected needs for attached housing in the Wānaka urban area in the near future and help improve housing and rental affordability issues facing the wider Wānaka Ward.⁴⁵ She states that the Project is needed in addition to plan enabled capacity now in the PDP and that it will make a significant contribution to addressing current housing issues in Wānaka in the short and medium term.⁴⁶
49. In relation to Mr Casey's further query on whether the retail and commercial activity proposed is needed,⁴⁷ Ms Hampson's assessment concludes that:
 - (a) the benefits of including the grocery and café offerings to cater for on-site demand far outweigh any economic costs (and is therefore efficient);⁴⁸
 - (b) childcare capacity in the Wānaka Ward is under constant strain as a result of population growth, therefore the proposed childcare centre caters for a clear existing and future "need",⁴⁹ and
 - (c) the Project will not generate any adverse retail distributional effects on the existing centre network.⁵⁰

Relevance of Previous Decisions

50. QLDC and some adjacent landowners⁵¹ have raised the QLDC's decisions to decline McDonald's Restaurants (NZ) Ltd's application for a drive-through restaurant (RM230874) and MIJ's original application for consent on the Project Site.

⁴² Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026 at [22].

⁴³ Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026 at [22].

⁴⁴ Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026 at [23]-[26].

⁴⁵ Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026 at [26].

⁴⁶ Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026 at [27].

⁴⁷ Wayne Casey (), Section 53 Comments, 19 June 2026 at page 3.

⁴⁸ Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026 at [35].

⁴⁹ Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026 at [34].

⁵⁰ Statement of Evidence of Natalie Hampson, Response to Comments, 26 June 2026 at [37].

⁵¹ CM Morgan and JC Morgan Family Trust (), Section 53 Comments, 19 June 2026, Wayne Casey (), Section 53 Comments, undated and Vida Laira and Luke Smeets, (), Section 53 Comments, 18 June 2026.

51. The Project is of a very different nature to the McDonald's application and is also a new development to that put forward by MIJ in its original consent application. The FTA itself also constitutes a departure from typical consenting practices under the RMA. These decisions therefore have little relevance to the consideration of the Project.

Uninvited Comments

52. Vida Laira and Luke Smeets sought to submit evidence of a "*general community feeling and consensus*" that the Project is not appropriate through comments on a social media post.⁵²
53. Parties with relevant interests are identified and required to be invited to comment under s 53(2). Where an Expert Panel finds that further comment from a wider group of sources may be warranted, it is able to extend the invitation to do so under s 53(3).
54. The Expert Panel for the Taranaki VTM Project directed a party invited to comment that it was expected to do so on behalf of a group of people it identified.⁵³ The purpose of this was to reduce the administrative burden of responding to multiple parties with substantially similar interests.⁵⁴
55. However, it is not the intention of the FTA that the public is generally able to comment on an application.⁵⁵
56. We submit that the social media posts included as part of Vida Laira and Luke Smeets' comments are not appropriate under the FTA. Vida Laira and Luke Smeets were invited to comment as adjacent landowners, not as representatives of the Wānaka community more widely.

KEY FEEDBACK TOPICS

Positive Feedback

57. Comments in support of the Project have been received from Otago Regional Council (**ORC**), Government ministers and adjacent landowner Stella Park (South) Limited.
58. ORC's comments state that MIJ has demonstrated a genuine commitment to consultation.⁵⁶ ORC considers that the Project is likely to provide significant regional

⁵² Vida Laira and Luke Smeets (), Section 53 Comments, 18 June 2026.

⁵³ Minute 5, Taranaki VTM Expert Panel, 24 September 2025 at [8].

⁵⁴ Minute 5, Taranaki VTM Expert Panel, 24 September 2025 at [8].

⁵⁵ New Zealand Parliamentary Debates (Hansard), 10 December 2024, 780 NZPD, Fast Track Approvals Bill in Committee, Hon Chris Bishop.

⁵⁶ Otago Regional Council, Section 53 Comments, 18 June 2026 at [5].

benefits for the purposes of the FTA and will not result in any adverse effects that are sufficiently significant to be out of proportion with these benefits.⁵⁷

59. The Minister for the South Island and Associate Minister of Transport considers the Project will make a positive contribution to the Otago region in his capacity as Minister for the South Island.⁵⁸ He also supports the Project receiving the approvals it requires as Associate Minister for Transport. He states he believes the delivery of the Project will help drive economic growth and productivity and help satisfy some of the demand for accommodation around Wānaka.⁵⁹
60. The Minister for Infrastructure expresses broad support for the Project.⁶⁰
61. Comments from the Minister for Economic Growth state that the Project may deliver economic benefits through construction activity and increased housing supply consistent with ss 22(2)(a)(iii) and 22(2)(a)(iv) of the FTA.⁶¹
62. Stella Park (South) Limited fully supports the Project as lodged.⁶²
63. These comments are acknowledged and supported.

Design of Project

64. Various adjacent landowners raise concerns that the design of the Project is inconsistent with the surrounding area. QLDC raises concern with the architectural treatment of end walls facing the public realm.⁶³
65. Mr Connell has addressed these comments in his statement of evidence.
66. In response to adjacent landowner comments, Mr Connell's evidence is that the design of the Project is appropriate for the following reasons:
 - (a) The architectural design has been calibrated with the character of the setting in mind.⁶⁴ In particular it has been developed with specific regard to the Project Site's prominent gateway location at the junction of SH6 and SH84 and the visual relationship with Mt Iron.⁶⁵

⁵⁷ Otago Regional Council, Section 53 Comments, 18 June 2026 at [89].

⁵⁸ Minister for the South Island and Associate Minister of Transport, Section 53 Comments, 18 June 2026, page 1.

⁵⁹ Minister for the South Island and Associate Minister of Transport, Section 53 Comments, 18 June 2026, page 1.

⁶⁰ Minister for Infrastructure, Section 53 Comments, 15 June 2026.

⁶¹ Minister for Economic Growth, Section 53 Comments, 15 June 2026 page 2.

⁶² Stella Park (South) Limited, (Head Place), Section 53 Comments, 19 June 2026.

⁶³ Queenstown Lakes District Council, Section 53 Comments, Appendix 4 – Urban Design Peer Review 19 June 2026 at [6.10]-[6.14].

⁶⁴ Statement of Evidence of Sam Connell, Response to Comments, 26 June 2026 at [24].

⁶⁵ Statement of Evidence of Sam Connell, Response to Comments, 26 June 2026 at [37].

- (b) Modest individual building footprints have been chosen for the Project.⁶⁶
- (c) The massing of the apartment blocks has been broken down through variation in setback, balcony expression and changes in cladding material at different levels.⁶⁷
- (d) The material palette, particularly the use of natural timber cladding, muted earthy tones and textured surfaces, has been chosen to respond to the natural character of Mt Iron.⁶⁸ The choice of Roman brick in an off-white or pale tone is a low-reflectance, matte-finish product that does not produce high visual contrast or glare. It is used at ground-floor level to provide robustness, weight, and a sense of permanence appropriate to a mixed-use gateway development.⁶⁹ The upper levels of the same buildings use recessive timber-based cladding which softens the overall appearance of the buildings when viewed from distance. Notwithstanding this, Mr Connell is open to revisiting the specific brick colour at detailed design stage.⁷⁰
- (e) The stepped and varied roofline of the terrace typologies is a deliberate design outcome, intended to avoid a monotonous flat or uniform ridge line and to break the massing of the terrace rows into smaller perceived units.⁷¹ This is an appropriate architectural response for this typology.⁷²
- (f) In relation to the terrace housing along the north boundary,⁷³ the linear arrangement reflects the Project Site geometry and the need to maximise the developable area efficiently.⁷⁴ The boundary condition is softened through the proposed landscaping along this edge, which will provide screening and visual relief over time.⁷⁵
- (g) In response to comments from Gordon and Janet Lang which raise concerns around building height, bulk and boundary setbacks,⁷⁶ Mr Connell does not consider that amendments to the Proposal are required. From an architectural perspective, the scale and density of the Project have been

⁶⁶ Statement of Evidence of Sam Connell, Response to Comments, 26 June 2026 at [24].

⁶⁷ Statement of Evidence of Sam Connell, Response to Comments, 26 June 2026 at [17].

⁶⁸ Statement of Evidence of Sam Connell, Response to Comments, 26 June 2026 at [19].

⁶⁹ Statement of Evidence of Sam Connell, Response to Comments, 26 June 2026 at [18].

⁷⁰ Statement of Evidence of Sam Connell, Response to Comments, 26 June 2026 at [18].

⁷¹ Statement of Evidence of Sam Connell, Response to Comments, 26 June 2026 at [20].

⁷² Statement of Evidence of Sam Connell, Response to Comments, 26 June 2026 at [20].

⁷³ CM Morgan and JC Morgan Family Trust [REDACTED] Section 53 Comments, Statement of Evidence of Elizabeth Anne Steven, 19 June 2026 at [40] and [68(k)].

⁷⁴ Statement of Evidence of Sam Connell, Response to Comments, 26 June 2026 at [21].

⁷⁵ Statement of Evidence of Sam Connell, Response to Comments, 26 June 2026 at [21].

⁷⁶ Gordon Lang [REDACTED] Section 53 Comments, 8 June 2026 and Janet Lang [REDACTED] Section 53 Comments, 8 June 2026.

carefully calibrated within Medium Density Residential Zone performance standards proposed as conditions of consent.⁷⁷

67. In relation to the architectural treatment of end walls facing the public realm and building elevations visible on the state highway network, QLDC's concerns are based on MIJ's visualisation renders.⁷⁸ Mr Connell states that these renders were produced at an earlier stage of the design process and do not fully represent the final material palette.⁷⁹ The architectural drawings package provided in the Substantive Application reflects the current and refined design and should be the primary reference for assessing end wall treatment.⁸⁰
68. Mr Connell disagrees that the existing end wall design presents a blank or inactive facade as the end wall design incorporates material variation, cladding profile and glazing to provide surface texture and depth.⁸¹ Noting that there are practical limitations to additional windows, Mr Connell is committed to ensuring that the final design provides for an enhanced façade articulation where practicable.⁸²
69. Mr Connell supports the approach suggested by QLDC that confirmation of end wall treatment "*could be incorporated in the next stage of design development*" and that a consent condition is an acceptable alternative to providing this information upfront.⁸³

Urban Design Effects

70. QLDC and various adjacent landowners raise urban design matters in their comments.
71. QLDC considers that the Project demonstrates a good quality design outcome, including a diversity of housing typologies, good levels of onsite amenity and passive surveillance, and integration with the Mt Iron landscape through view retention and internal pedestrian connections.⁸⁴ However, QLDC considers further refinement is required to ensure the Project responds appropriately to its prominent gateway location and achieves a high-quality interface with its surroundings.⁸⁵

⁷⁷ Statement of Evidence of Sam Connell, Response to Comments, 26 June 2026 at [34].

⁷⁸ Queenstown Lakes District Council, Section 53 Comments, Appendix 4 – Urban Design Peer Review 19 June 2026 at [6.10]-[6.14].

⁷⁹ Statement of Evidence of Sam Connell, Response to Comments, 26 June 2026 at [9].

⁸⁰ Statement of Evidence of Sam Connell, Response to Comments, 26 June 2026 at [9].

⁸¹ Statement of Evidence of Sam Connell, Response to Comments, 26 June 2026 at [10].

⁸² Statement of Evidence of Sam Connell, Response to Comments, 26 June 2026 at [12].

⁸³ Statement of Evidence of Sam Connell, Response to Comments, 26 June 2026 at [14].

⁸⁴ Queenstown Lakes District Council, Section 53 Comments, Appendix 4 – Urban Design Peer Review, 19 June 2026 at [1.2].

⁸⁵ Queenstown Lakes District Council, Section 53 Comments, Appendix 4 – Urban Design Peer Review, 19 June 2026 at [1.3].

72. Various adjacent landowners raise concerns that the Project introduces urban form into a context that they consider is not presently urban in character.
73. Mr Compton-Moen considers these matters in his statement of evidence and concludes that the current form of the Project creates a well-functioning urban environment which will provide future residents, workers and visitors with a high amenity mixed-use development.⁸⁶
74. In summary, Mr Compton-Moen's response to the key themes raised in comments is as follows:
- (a) The Project Site is not a purely rural residential environment but is a transitional location influenced by SH6 and SH84, the existing roundabout, Junction Road, Albert Town, the emerging Three Parks urban environment, consented development on the Project Site, and the Mt Iron reserve edge.⁸⁷ In this context, the Project is acceptable in urban design terms.⁸⁸
 - (b) The proposed site layout is best suited for this specific context.⁸⁹
 - (c) The end wall and visually prominent elevations are appropriate as the Project includes building modulation, material variation, glazing, setbacks, changes in height and landscape separation.⁹⁰
 - (d) The Project will not obscure or dominate Mt Iron.⁹¹ The Project will alter the gateway experience, but that change is acceptable in urban design terms because the development is structured, comprehensive and landscape-led rather than ad hoc or visually incoherent.⁹²
 - (e) Mr Compton-Moen does not agree with Ms Frischknecht for QLDC that the absence of an external all-weather sealed active travel shared path connection to Wānaka, Three Parks and Aubrey Road means that the Project is deficient from an urban design perspective.⁹³ The Site has good internal connectivity and reasonable external connectivity.⁹⁴ A direct separated cycle connection along SH84 was not provided because cycle movements are intended to be routed via the Mt Iron Track to the north towards Wānaka where possible, and via existing state highway

⁸⁶ Statement of Evidence of David Compton-Moen, Response to Comments, 26 June 2026 at [42].

⁸⁷ Statement of Evidence of David Compton-Moen, Response to Comments, 26 June 2026 at [28].

⁸⁸ Statement of Evidence of David Compton-Moen, Response to Comments, 26 June 2026 at [28].

⁸⁹ Statement of Evidence of David Compton-Moen, Response to Comments, 26 June 2026 at [22]-[23].

⁹⁰ Statement of Evidence of David Compton-Moen, Response to Comments, 26 June 2026 at [15]-[18].

⁹¹ Statement of Evidence of David Compton-Moen, Response to Comments, 26 June 2026 at [20].

⁹² Statement of Evidence of David Compton-Moen, Response to Comments, 26 June 2026 at [33].

⁹³ Statement of Evidence of David Compton-Moen, Response to Comments, 26 June 2026 at [21].

⁹⁴ Statement of Evidence of David Compton-Moen, Response to Comments, 26 June 2026 at [21].

connections through the roundabout.⁹⁵ Connections to Three Parks are routed through the roundabout or the Mt Iron Track toward the underpass near the BP service station.⁹⁶

- (f) Additional cycle parking can be incorporated at detail design stage, with 4 spaces required for the childcare building and 2 in the market area in an easily accessible location.⁹⁷
- (g) In relation to the interface with Old Racecourse Road, the Project does introduce a more urban edge, but that does not mean the edge is unacceptable.⁹⁸ The design provides a coherent and legible residential interface and the change in character can be absorbed without resulting in an unacceptable urban design outcome.⁹⁹

75. Overall, Mr Compton-Moen's evidence is that the Project Site is not an isolated rural site but is a transitional and highly connected edge location. The Project will change the character of the Project Site but that change is managed through a comprehensive layout, varied housing typologies, internal open space, pedestrian connectivity, passive surveillance and a landscape-led master plan.¹⁰⁰ He considers that the changes from the previous or existing environment are acceptable from an urban design perspective.¹⁰¹

Landscape and Visual Amenity Effects

- 76. A key issue raised in comments is the landscape and visual amenity effects of the Project.
- 77. These effects are addressed in Mr Smith's evidence which confirms that the Project will have a low degree of adverse effects on the landscape values of the receiving environment and will be visually and contextually integrated into the surrounding area.
- 78. Ms McManaway for QLDC and Ms Steven for adjacent landowners CM Morgan and JC Morgan Family Trust disagree with Mr Smith as to the exact degree of effect. However, none of the landscape experts consider the landscape and visual effects of the Project to be significant.
- 79. We submit that Mr Smith's balanced Landscape Assessment and evidence, which takes into account the reality of what is on the ground, should be preferred.

⁹⁵ Statement of Evidence of David Compton-Moen, Response to Comments, 26 June 2026 at [21].

⁹⁶ Statement of Evidence of David Compton-Moen, Response to Comments, 26 June 2026 at [21].

⁹⁷ Statement of Evidence of David Compton-Moen, Response to Comments, 26 June 2026 at [26].

⁹⁸ Statement of Evidence of David Compton-Moen, Response to Comments, 26 June 2026 at [32].

⁹⁹ Statement of Evidence of David Compton-Moen, Response to Comments, 26 June 2026 at [33].

¹⁰⁰ Statement of Evidence of David Compton-Moen, Response to Comments, 26 June 2026 at [41].

¹⁰¹ Statement of Evidence of David Compton-Moen, Response to Comments, 26 June 2026 at [41].

Characterisation of the Receiving Environment and Ability to Absorb Change

80. The legal receiving environment, outlined above at paragraphs 25 to 28, is the starting point for assessing landscape and visual amenity effects.
81. Mr Smith and Ms Steven agree that the receiving environment is a peri-urban landscape.¹⁰²
82. Ms McManaway acknowledges that the Project Site is “*transitional/peri-urban*”¹⁰³ but considers that it has a no more than moderate landscape capacity to absorb change.¹⁰⁴
83. Mr Smith confirms that at a Wānaka scale, the Project Site has a high ability to absorb change due to the peri-urban character of Wānaka’s outer edge and at a receiving environment scale it has a moderate ability to absorb change due to Mt Iron’s ONF values and sentinel role on the entry to Wānaka.¹⁰⁵ Therefore, the capacity of the Project Site and the receiving environment to absorb change is moderate to high.¹⁰⁶
84. In relation to rural character, Mr Smith’s evidence disagrees with Ms McManaway and Ms Steven that there is a sense of openness and rural/rural living character within the Project Site and receiving environment that needs to be maintained.¹⁰⁷
85. Mr Smith has considered the spatial growth of Wānaka at both a plan change and resource consent level as well as landscape character and values at both a Wānaka and receiving environment level.¹⁰⁸ As he considers the receiving environment is peri-urban in character, not rural, there are no landscape attributes that contribute to rural character within the Project Site that need to be maintained.¹⁰⁹
86. Mr Smith also disagrees with Ms Steven that soil type is relevant to this assessment because it does not materially contribute to the landscape values.¹¹⁰

¹⁰² Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 and CM Morgan and JC Morgan Family Trust, Section 53 Comments, Statement of Evidence of Elizabeth Anne Steven, 19 June 2026 at [19].

¹⁰³ Queenstown Lakes District Council, Section 53 Comments, Appendix 2 – Landscape Peer Review, 12 June 2026 at [75].

¹⁰⁴ Queenstown Lakes District Council, Section 53 Comments, Appendix 2 – Landscape Peer Review, 12 June 2026 at page 1.

¹⁰⁵ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [39].

¹⁰⁶ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [39].

¹⁰⁷ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [33]-[36].

¹⁰⁸ Substantive Application, Appendix D2 – Landscape and Visual Assessment, 17 December 2025 at section 3.5.

¹⁰⁹ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [33]-[36].

¹¹⁰ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [35].

Relevant Planning Framework

Urban Growth Boundary

87. Both Ms McManaway¹¹¹ and Ms Steven¹¹² have placed weight in their assessments on the Project Site being outside the PDP's Urban Growth Boundary (**UGB**) line.
88. Mr Smith's evidence provides that the boundary line does not reflect the existing context as it was identified in the PDP prior to the 2021 Consent being approved.¹¹³
89. At a higher level, the Project Site is situated west of the Ōrau/Cardrona River which has been highlighted in the Queenstown Lakes Spatial Plan 2021 as the urban extent of Wānaka, reinforced in the Draft Riverbank Road Priority Area schedule.¹¹⁴ The Project will be consistent with the peri-urban character on Wānaka's outer edge, in particular the denser development around the Alpine Junction/Albert Town shops and the high density, 16.5m tall residential development anticipated to line the western side of Riverbank Road within Three Parks.¹¹⁵
90. The Project Site being outside the UGB is therefore immaterial.¹¹⁶ Rather, the Project Site, being located west of the Ōrau/Cardrona River, can accommodate further development.¹¹⁷

Rural Character Landscape Objectives and Policies

91. Ms McManaway raises concern that the Landscape Assessment did not assess the Proposal against the PDP Rural Character Landscape (**RCL**) objectives and policies.¹¹⁸
92. Mr Smith's evidence is that although the Project is inconsistent with some objectives and policies of the rural zone, the RCL objectives, policies and assessment matters are not overly relevant, and an assessment against them is not helpful for the Expert Panel.¹¹⁹ This is because the RCL is too small to form its own landscape, the rural zoning is an anomaly within the Project Site and there are no rural characteristics or amenity values within this RCL that need to be maintained.¹²⁰

¹¹¹ Queenstown Lakes District Council, Section 53 Comments, Appendix 2 – Landscape Peer Review, 12 June 2026 at [45].

¹¹² CM Morgan and JC Morgan Family Trust, Section 53 Comments, Statement of Evidence of Elizabeth Anne Steven, 19 June 2026 at [36]-[38].

¹¹³ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [28].

¹¹⁴ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [31].

¹¹⁵ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [31].

¹¹⁶ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [32].

¹¹⁷ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [32].

¹¹⁸ Queenstown Lakes District Council, Section 53 Comments, Appendix 2 – Landscape Peer Review, 12 June 2026 at [84].

¹¹⁹ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [22] and Substantive Application, Appendix D1 – Landscape and Visual Assessment, 17 December 2025 at [6].

¹²⁰ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [22].

93. Our assessment of the Project against relevant objectives and policies is addressed below at paragraphs 166 to 180.

Effects on Landscape Values

94. In terms of effects on landscape values, a key issue is effects on the values of the Mt Iron ONF.
95. Ms McManaway agrees *“that the Project will not adversely affect the physical attributes of Mt Iron and that it will remain a dominant feature”*.¹²¹ However, she considers that the effects on its perceptual and associative values have been understated and that Project has the potential to diminish the legibility and clarity of Mt Iron’s role as a gateway marker at the entrance to Wānaka, by introducing a more continuous and intensified urban foreground.¹²²
96. Mr Smith’s evidence is that Mt Iron will continue to be seen as a large, foreboding landscape feature with a very strong influence on the area, remaining as a dominant backdrop to the Project Site.¹²³ Views to Mt Iron’s steep, impressive rock outcrops and skyline will be retained.¹²⁴
97. Ms Steven agrees with Mr Smith that *“there would be no effects on the natural character, visual prominence, legibility and memorability of Mt Iron or on the biophysical values.”*¹²⁵

Visual Effects

98. Additional visualisations have been prepared in response to Minute 2 and are appended to Mr Compton-Moen’s evidence.¹²⁶ Mr Smith considers these reinforce the conclusions of the Landscape Assessment provided with the Substantive Application.¹²⁷
99. In relation to differences of opinion as to the visual effects of the Project, Mr Smith’s evidence is that the assessments of Ms McManaway and Ms Steven overstate visual effects for the following reasons:

¹²¹ Queenstown Lakes District Council, Section 53 Comments, Appendix 2 – Landscape Peer Review, 12 June 2026 at [87].

¹²² Queenstown Lakes District Council, Section 53 Comments, Appendix 2 – Landscape Peer Review, 12 June 2026 at [87].

¹²³ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [53].

¹²⁴ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [59].

¹²⁵ CM Morgan and JC Morgan Family Trust, Section 53 Comments, Statement of Evidence of Elizabeth Anne Steven, 19 June 2026 at [42].

¹²⁶ Statement of Evidence of David Compton-Moen, Response to Comments, 26 June 2026, Appendix 1.

¹²⁷ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [45].

- (a) When travelling along SH84, because the road user will be travelling away from Mt Iron, it will not form part of their main view.¹²⁸
 - (b) When travelling past the first apartment block, the view towards Mt Iron's summit is perpendicular to the road alignment, therefore Mt Iron does not form a key element in the view towards Aubrey Road/Albert Town, and any interruption would be very brief, fleeting at best.¹²⁹
 - (c) Ms McManaway does not adequately consider the consented development that will sit in the foreground of Mt Iron.¹³⁰ She has also overemphasised the importance of the view to Mt Iron's toe.¹³¹
 - (d) Ms Steven has overemphasised the primary view from the upstairs window of [REDACTED] as being in an east/southeast direction, when the master bedroom's glass double doors face directly north, and only a fleeting view is gained when ascending the stairs. The protected conifer hedge along the southeast boundary of [REDACTED] will screen views of lower development below 4m.¹³²
100. In relation to adjacent landowner comments, Mr Smith has provided responses to the specific issues raised as follows:
- (a) The Project will not shade properties along Old Racecourse Road. Further, the shade diagrams provided in the Substantive Application illustrate that the Project Site will not be entirely shaded even during the shortest day of the year.¹³³
 - (b) The Project aligns with the PDP's Medium and High Density Residential except for one minor breach of the Suburban Residential Zone Rule of 2m by 260mm.¹³⁴
 - (c) Ms Ryan and Mr Johnson's comments are factually incorrect that "[n]o comparable high-density development exists within a rural or large-lot residential context in the district".¹³⁵

¹²⁸ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [48].

¹²⁹ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [49].

¹³⁰ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [57].

¹³¹ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [58].

¹³² Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [66].

¹³³ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [67(a)] in response to Jonathan Fitchew & Janine Fitchew Carroll ([REDACTED]) Section 53 Comments, undated.

¹³⁴ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [67(b)] in response to various comments.

¹³⁵ Gillian Ryan and Scott Johnson ([REDACTED]) Section 53 Comments, 17 June 2026 and Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [67(c)]

- (d) The visualisation provided in Mr Casey's comments is inaccurate. It illustrates the proposed townhouses extending into his property, which will not occur. This visualisation is also unreliable as Mr Casey has not included a methodology on how the visualisation was prepared.¹³⁶
 - (e) The Project will have a low to low-moderate degree of effect on neighbouring visual amenity as the Project will be mitigated by intervening sheds and boundary planting.¹³⁷ In most instances, the Project is situated to the rear of the commenters' properties outside their primary view to the north away from the Project Site.¹³⁸ The potential perception of being overlooked by two-storey townhouses will be mitigated by the north facing windows being set 10m from the boundary and being associated with a bedroom, not living area.¹³⁹
101. Overall, Mr Smith's evidence, that effects on landscape values and visual amenity will be appropriate, should be preferred.

Transport Effects

102. Transport matters are raised in comments from Waka Kotahi New Zealand Transport Agency (**NZTA**), QLDC, ORC and adjacent landowners.
103. NZTA's comments provide that while there is clear evidence that the wider network growth is contributing to congestion at the existing roundabout, the Project will have a tangible impact on the existing roundabout, particularly in evening peak traffic as noted in the Substantive Application.¹⁴⁰ NZTA provides that capacity improvements have not been anticipated to be provided in the short term and therefore any future upgrade cannot be relied upon to mitigate the transport effects generated by the Project.¹⁴¹
104. NZTA considers that it is reasonable for MIJ to contribute to capacity improvements at the existing roundabout and this would likely need to take the form of a partial or full second circulating lane being added.¹⁴² NZTA also suggests MIJ construct shared path connections along SH6 and SH84 to provide connectivity between the Project Site and nearby facilities/destinations.¹⁴³
105. QLDC states that because there are no formed footpaths along the state highway frontages to the Project Site, this means the Project Site is poorly connected to the

¹³⁶ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [67(d)].

¹³⁷ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [68].

¹³⁸ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [68].

¹³⁹ Statement of Evidence of Paul Smith, Response to Comments, 26 June 2026 at [68].

¹⁴⁰ New Zealand Transport Agency Waka Kotahi, Section 53 Comments, 18 June 2026 at [4.3].

¹⁴¹ New Zealand Transport Agency Waka Kotahi, Section 53 Comments, 18 June 2026 at [4.3].

¹⁴² New Zealand Transport Agency Waka Kotahi, Section 53 Comments, 18 June 2026 at [4.5].

¹⁴³ New Zealand Transport Agency Waka Kotahi, Section 53 Comments, 18 June 2026 at [5.3].

existing pedestrian network with the only connection being via the Mt Iron Track which is within reserve land and has not been formed for use in all weather or all lighting conditions.¹⁴⁴

106. ORC suggests walking and cycling connections to the north-east as well as to the west be added to the development design to future proof the project for public transport service.¹⁴⁵
107. Adjacent landowners raise concerns as to whether the Project will result in increased traffic volume and question whether parking is proposed is adequate.
108. Transport matters are addressed by Mr Carr in his statement of evidence. We address key issues in relation to traffic, capacity at the existing roundabout, active transport routes and parking as follows. Mr Carr's evidence confirms that other issues can be addressed through detailed design of the transport infrastructure, and through engineering approvals and are addressed in detail in his evidence.¹⁴⁶

Roundabout

Background

109. As part of the assessment of effects for the 2021 Consent, a traffic survey showed that extensive queueing and delays on SH6 was already occurring, and this was forecast to become significantly worse with only a small amount of ambient traffic growth, unrelated to any traffic generated by the 2021 Consent proposal.¹⁴⁷ The traffic experts agreed that the existing intersection would run out of capacity in the near future and that a roundabout was required to address existing capacity constraints irrespective of the Project.¹⁴⁸
110. Accordingly, MIJ liaised with NZTA to work towards producing a roundabout design that would provide additional capacity for existing and future traffic, as well as facilitating access to the Project Site. While the design and construction of the roundabout was undertaken by NZTA and therefore fell outside the 2021 Consent process, a condition was volunteered in the 2021 Consent requiring that the roundabout be operational prior to the consented development being occupied.¹⁴⁹
111. At that time MIJ commissioned Patersons to produce an indicative roundabout concept design which was discussed informally with NZTA. Mr Carr carried out a series of sensitivity tests on the indicative concept design of the roundabout,

¹⁴⁴ Queenstown Lakes District Council, Section 53 Comments, 19 June 2026 at [3.3.4].

¹⁴⁵ Otago Regional Council, Section 53 Comments, 18 June 2026 at [72].

¹⁴⁶ Statement of Evidence of Andy Carr, Response to Comments, 26 June 2026 at [122].

¹⁴⁷ Substantive Application, Appendix K1 - Integrated Traffic Assessment, February 2026 at [3.3.3].

¹⁴⁸ Statement of Evidence of Andrew Carr, 20 December 2019 at [74]-[76].

¹⁴⁹ Condition 5 of RM181471.

including varying the number of lanes on critical approaches.¹⁵⁰ NZTA then commissioned WSP to produce the final design of the roundabout. Ultimately NZTA decided that the intersection would be upgraded to a single-lane five-leg roundabout to accommodate the existing and expected future traffic flows. The design of the roundabout was modelled by WSP using specialist software and showed that even with ambient traffic growth to 2045, plus traffic from the 2021 Consent development, the roundabout would have plenty of capacity.¹⁵¹

112. An agreement between NZTA and MIJ was subsequently executed, confirming that MIJ would make a contribution to the cost of the roundabout.¹⁵² MIJ also gifted the additional land required for the roundabout land to NZTA. The roundabout was completed in 2024.
113. As stated in Mr Carr's traffic assessment for the Project, it is unusual for a recently constructed roading scheme to run out of capacity within such a short timeframe.¹⁵³ The roundabout design advanced by WSP relied on traffic volume projections that recent survey data shows materially underestimated actual growth. For example, the expected traffic flows in 2030 set out by WSP in its memorandum are now being seen in 2025, indicating that district-wide growth is a key contributor to the shortfall in the roundabout capacity.¹⁵⁴

Traffic Effects of the Project on the Roundabout and Proposed Mitigation

114. Mr Carr's evidence demonstrates that the existing roundabout should have been constructed with two lanes.¹⁵⁵ His evidence also provides that although the Project will have some impact on the traffic to the roundabout, this outcome does not arise as a result of the Project. Due to the increase in traffic flows on SH84 this outcome would consequently also occur from different types of development and/or in different locations.¹⁵⁶ Mr Carr has assessed expected traffic flows and finds that the Project would add an additional 9.9% of vehicles to the roundabout.¹⁵⁷
115. Despite this, MIJ offers a contribution for capacity improvements to the roundabout.
116. MIJ has spoken with a contact at Fulton Hogan who managed the construction of the existing roundabout and confirmed that the cost of the single lane roundabout

¹⁵⁰ Statement of Evidence of Andrew Carr, 20 December 2019 at [35].

¹⁵¹ Statement of Evidence of Andrew Carr, 20 December 2019 at [25]-[26].

¹⁵² Queenstown Lakes District Council, Decision on RM181471, 7 April 2020 at [24].

¹⁵³ Substantive Application – Appendix K1, Integrated Traffic Assessment, February 2026 at [5.4.1].

¹⁵⁴ Substantive Application – Appendix K1, Integrated Traffic Assessment, February 2026 at [5.4.1].

¹⁵⁵ Statement of Evidence of Andy Carr, Response to Comments, 26 June 2026 at [31]-[32].

¹⁵⁶ Substantive Application – Appendix K1, Integrated Transport Assessment – External, February 2026 at [2.8].

¹⁵⁷ Statement of Evidence of Andy Carr, Response to Comments, 26 June 2026 at [34].

was approximately \$7 million while the cost of a two lane roundabout would have been approximately \$10-11 million.

117. MIJ agrees to a fixed financial contribution of \$350,000. This has been calculated based on 9.9% of the difference between the cost of a single lane roundabout and the cost of a two lane roundabout. This funding will provide certainty to NZTA and will be provided to NZTA prior to certification of the stage of the Project which creates the 50th residential lot stage in accordance with s 224(c).¹⁵⁸
118. This contribution is a good faith estimate which has been calculated on the basis of available information to MIJ, based on a fair and reasonable contribution of the traffic movements the Project will generate. The capacity improvements to the roundabout are not relied upon for the Project and MIJ's contributions would be over and above the contribution that MIJ has previously made to the existing roundabout.
119. This approach aligns with that taken by the Expert Panel for the Pound Road project, where it stated that it would be *"unfair to the parties and disproportionate if the consent holder was somehow bound to contributing to upgrade costs that did not reasonably relate to the development or accurately reflect its agreed share of the actual costs."*¹⁵⁹
120. We submit that MIJ's proposed contribution is a fair and pragmatic way to address this issue, while providing the Expert Panel with certainty that traffic effects as a result of the Project have been appropriately addressed, given uncertainties of the broader network and the impact of the Project on that.
121. In response to NZTA's request that the ability to implement a roundabout improvement scheme is not foreclosed by the Project, Mr Carr's evidence is that at the present time, there is no layout for any roundabout scheme and therefore it is not possible to confirm the location of any land needed nor the area required.¹⁶⁰

Active Transport Connections

122. NZTA's comment states that a shared path on the northern side of SH6 and alongside SH84 should be formed.¹⁶¹
123. MIJ is agreeable to funding the construction of a shared walking and cycling route that connects the end of the existing trail at the western extremity of the Project Site to the current underpass of SH84.¹⁶² Mr Carr has considered the practicality of this

¹⁵⁸ Statement of Evidence of Duncan White, Response to Comments, 26 June 2026 at [45] and proposed subdivision conditions of consent, condition 50(ee).

¹⁵⁹ *Record of Decision of the Expert Panel, Pound Road Industrial Development*, 1 May 2026 at [312].

¹⁶⁰ Statement of Evidence of Andy Carr, Response to Comments, 26 June 2026 at [41].

¹⁶¹ New Zealand Transport Agency, Section 53 Comments, 18 June 2026 at [5.2].

¹⁶² Statement of Evidence of Andy Carr, Response to Comments, 26 June 2026 at [46].

and finds that although there are no technical or design impediments, the path would lie within the legal highway and therefore require NZTA permissions.¹⁶³ Mr Carr therefore does not consider it appropriate for MIJ to agree to construct the shared path.

124. Instead, MIJ proposes to make a financial contribution of \$250,000 (on the basis of the cost estimate prepared by Patersons) to NZTA to be used for the construction of the shared pathway.¹⁶⁴ This financial contribution is secured by condition 50(ff) which requires payment to be made prior to certification of the first stage of the Project in accordance with s 224(c).¹⁶⁵ The condition provides for a working group from affected stakeholder groups to determine responsibility for design, implementation, construction and ongoing maintenance of the track.¹⁶⁶
125. Integration with the pedestrian/cycle off road network to Aubrey Road and development in the Three Parks area was raised in the Expert Panel's Minute 2.¹⁶⁷
126. NZTA also seeks the provision of a shared pathway in the direction of Albert Town as far as Aubrey Road.¹⁶⁸
127. Mr Carr does not consider this route is justified to manage or mitigate an effect of the Project. The vast majority of users of this route would be Albert Town residents rather than residents of the Project Site.¹⁶⁹
128. For similar reasons, Mr Carr considers it is not necessary to construct a shared route between the western end of the Project Site and the roundabout.¹⁷⁰
129. Mr White agrees and states that in some places, the Project Site boundary is close to the edge of the seal or constrained by stormwater channels so construction of paths in these locations would potentially be problematic.¹⁷¹
130. However, should NZTA and QLDC consider that either link along SH6 to the north or across the Project Site frontage on SH84 are needed, MIJ is agreeable to its financial contribution being used for this purpose, in lieu of the path from the western edge of the Project Site to the current underpass of SH84.
131. MIJ proposes to establish a working group with NZTA, QLDC and the Upper Clutha Tracks Trust to determine the desired location and design of the shared path. The

¹⁶³ Statement of Evidence of Andy Carr, Response to Comments, 26 June 2026 at [52].

¹⁶⁴ Statement of Evidence of Duncan White, Response to Comments, 26 June 2026 at [37] and Appendix C.

¹⁶⁵ Proposed subdivision conditions of consent, condition 50(ff).

¹⁶⁶ Statement of Evidence of Duncan White, Response to Comments, 26 June 2026 at [37].

¹⁶⁷ Minute 2, Mt Iron Junction Housing Scheme Expert Panel, 21 May 2026 at [6(a)].

¹⁶⁸ New Zealand Transport Agency, Section 53 Comments, 18 June 2026 at [5.2].

¹⁶⁹ Statement of Evidence of Andy Carr, Response to Comments, 26 June 2026 at [59].

¹⁷⁰ Statement of Evidence of Andy Carr, Response to Comments, 26 June 2026 at [60].

¹⁷¹ Statement of Evidence of Duncan White, Response to Comments, 26 June 2026 at [38].

detailed design for the shared path will be approved by QLDC prior to commencement of construction of the development and will be funded by MIJ's contribution.

132. This is a valid approach as MIJ does not own or control the land therefore can only contribute to these works being undertaken.

Parking

133. In response to adjacent landowners who raise concerns in relation parking, Mr Carr's evidence confirms that his calculation of parking supply and demand in the Transportation Assessment is appropriate.¹⁷²
134. This aligns with QLDC's transport assessment which agrees that the level of parking proposed is appropriate to accommodate the anticipated level of demand.¹⁷³

Servicing

135. Comments from some adjacent landowners have questioned the capacity of existing infrastructure to accommodate the Project.
136. Mr White addresses these comments in his statement of evidence which confirms that the Project is not expected to have any adverse effects on the overall function of existing infrastructure.¹⁷⁴
137. All aspects of the servicing required for the Project have been addressed as follows:
- (a) The Project fits within the anticipated growth for water supply demand in the Wānaka area. QLDC's comment confirms there is capacity within its water network to service the Project Site.¹⁷⁵
 - (b) The Project includes upgrades to existing wastewater infrastructure on the Project Site.¹⁷⁶ QLDC's comments confirm there is capacity within its wastewater reticulation system to service the development.¹⁷⁷
 - (c) Stormwater run-off will be managed through design of the subdivision (including construction methods and placement of soak pits) to ensure that ponding/flooding effects are appropriately mitigated.¹⁷⁸ QLDC's comments

¹⁷² Statement of Evidence of Andy Carr, Response to Comments, 26 June 2026 at [117].

¹⁷³ Queenstown Lakes District Council, Section 53 Comments, Appendix 1 - Transport Peer Review, 18 June 2026 at [4.2].

¹⁷⁴ Statement of Evidence of Duncan White, 26 June 2026 at [104].

¹⁷⁵ Queenstown Lakes District Council, Section 53 Comments, 19 June 2026 at [3.6.4].

¹⁷⁶ Substantive Application, Appendix J - Infrastructure Report, 20 February 2026 at 3.4.

¹⁷⁷ Queenstown Lakes District Council, Section 53 Comments, 19 June 2026 at [3.6.5].

¹⁷⁸ Substantive Application, 20 February 2026 at [6.9.5].

confirm that the proposed stormwater servicing approach is acceptable. MIJ has accepted QLDC's recommended amendments to conditions on this matter.¹⁷⁹

- (d) Access to the Project Site is already provided for through the existing roundabout into the Project Site.
- (e) Aurora Electricity have confirmed that electricity for the Project can be provided.¹⁸⁰
- (f) Chorus have confirmed that they will be able to extend their telecommunications network to provide connection availability to the Project, with sufficient space within the roading corridor to accommodate necessary works.¹⁸¹

Acoustic Effects

- 138. Some adjacent landowners raise concerns with the acoustic effects of the Project.¹⁸²
- 139. Ms Satory addresses these comments in her statement of evidence and confirms that acoustic effects will be acceptable.
- 140. Ms Satory states that the adjacent landowners that have raised these concerns are already exposed to elevated noise from traffic on SH6 and SH84 therefore this is not a quiet environment.¹⁸³
- 141. Her evidence is that, as a result of the Project, the traffic noise from SH6 and SH84 will be reduced over most of the commenters' sites by up to 8 dB, as the new buildings will provide screening.¹⁸⁴ Noise from vehicles inside the development is not expected to contribute in a meaningful way to overall traffic noise levels received at the commenters' properties to the north, as the traffic volumes are relatively low, and shielding will be provided by the new dwellings to be located on the northern boundary of the development.¹⁸⁵ Noise from other sources such as heat pumps will be required to comply with the PDP noise limits, and will have minimal effect in this ambient environment.¹⁸⁶

¹⁷⁹ Queenstown Lakes District Council, Section 53 Comments, 19 June 2026 at [3.6.3] and Statement of Evidence of Duncan White, 26 June 2026 at [54].

¹⁸⁰ Substantive Application, Appendix J - Infrastructure Report, 20 February 2026 at 3.6.1.

¹⁸¹ Substantive Application, Appendix J - Infrastructure Report, 20 February 2026 3.6.2.

¹⁸² Wayne Malcom Casey (), 19 June 2026, Luke Paul Smeets and Vida Joyce Mercedes Laird (), 18 June 2026, CM Morgan and JC Morgan Family Trust (), 19 June 2026, Gordon David Lang (), 8 June 2026, Gillian Ryan and Scott Johnson (), 17 June 2026 and Jonathan David Fitchew and Janine Lesley Fitchew-Carroll (), undated.

¹⁸³ Statement of Evidence of Rewa Satory, Response to Comments, 26 June 2026 at [25].

¹⁸⁴ Statement of Evidence of Rewa Satory, Response to Comments, 26 June 2026 at [26].

¹⁸⁵ Statement of Evidence of Rewa Satory, Response to Comments, 26 June 2026 at [26].

¹⁸⁶ Statement of Evidence of Rewa Satory, Response to Comments, 26 June 2026 at [26].

142. In response to Luke Paul Smeets and Vida Joyce Mercedes Laird¹⁸⁷ who consider that construction noise could frighten kārearea, Ms Satory's evidence is that construction noise and other transient louder sounds are common in the wider Mt Iron area.¹⁸⁸ She therefore does not expect construction noise associated with the Project to be uniquely prone to disturbing wildlife.¹⁸⁹
143. Ms Satory's conclusions are confirmed by comments from QLDC and NZTA.¹⁹⁰ QLDC's acoustic peer review states that subject to its suggested amendments to conditions, the Project will not cause unreasonable disruption to activities on neighbouring sites or within future units.¹⁹¹
144. MIJ has accepted QLDC's amendments to acoustic conditions except for Mr Exeter's suggestion to lower the construction noise limit below the PDP construction noise limit. Ms Satory considers that the PDP construction noise limit should be applied as the PDP noise limits have undergone review for acceptability and comply with relevant standards and guidelines.¹⁹²

Wildfire Risk

145. QLDC and adjacent landowners raise fire risk at Mt Iron.
146. QLDC considers the Project Site is of high wildfire risk due to the proximity of kanuka vegetation on Mt Iron and recommends that the Expert Panel seek further information regarding the risk from wildfire.¹⁹³
147. MIJ has engaged Jamie Cowan, a wildfire specialist to address this issue. As Mr Cowan is currently overseas and unable to produce a full report on the Project, Mr White has included Mr Cowan's comments within his statement of evidence.¹⁹⁴ Mr Cowan is available to provide a more detailed assessment once he returns from overseas travel.¹⁹⁵
148. Mr Cowan considers that the Project Site is of low risk to the threat of wildfires for the following reasons:¹⁹⁶

- (a) The Project and Project Site have the following characteristics:

¹⁸⁷ Vida Laird and Luke Smeets, Comments [REDACTED] Section 53 Comments, 18 June 2026 at page 3.

¹⁸⁸ Statement of Evidence of Rewa Satory, Response to Comments, 26 June 2026 at [27].

¹⁸⁹ Statement of Evidence of Rewa Satory, Response to Comments, 26 June 2026 at [71].

¹⁹⁰ Queenstown Lakes District Council, Section 53 Comments, 19 June 2026 at [3.4.2] and New Zealand Transport Agency Waka Kotahi, Section 53 Comments, 18 June 2026 at [8].

¹⁹¹ Queenstown Lakes District Council, Section 53 Comments, 19 June 2026 at [3.4.3].

¹⁹² Statement of Evidence of Rewa Satory, Response to Comments, 26 June 2026 at [18].

¹⁹³ Queenstown Lakes District Council, Section 53 Comments, 19 June 2026 at [3.7.1]-[3.7.2].

¹⁹⁴ Statement of Evidence of Duncan White, Section 53 Comments, 26 June 2026 at [61]-[67].

¹⁹⁵ Statement of Evidence of Duncan White, Section 53 Comments, 26 June 2026 at [60].

¹⁹⁶ Statement of Evidence of Duncan White, Section 53 Comments, 26 June 2026 at [61].

- (i) the Project is well separated on the northern boundaries from the continuous flammable kanuka scrub apart from a very small area to the rear of Lot 25;
 - (ii) the Project Site has excellent access and egress for people escaping any fire and emergency responders arriving;
 - (iii) the Project Site has excellent access to reticulated water supplies;
 - (iv) the Project Site is within 3km of the Wānaka fire station; and
 - (v) proposed landscaping includes limited vegetation around the units.
- (c) The Project Site does not have the following characteristics:
- (i) it is not upslope from any potential wildfire risk; and
 - (ii) it is not on Mt Iron.

149. Mr Cowan considers that although the Project Site could be subject to ember attack in the event of a large fire on Mt Iron in a northerly wind, this is the case for much of Wānaka.¹⁹⁷ Any fire starting within the Project Site is unlikely to spread onto Mt Iron except off Lot 25 as long as the current approximate 15m vegetation clearance is maintained along the northern boundary.¹⁹⁸

150. MIJ has adopted Mr Cowan's recommendation that a condition be included requiring the maintenance of a 1.5m separation of the buildings on Lots 1 to 26 from the Mt Iron Reserve boundary.¹⁹⁹

151. Overall, Mr Cowan considers that risk from a fire on Mt Iron impacting on the Project Site is low and can be managed to an acceptable level.²⁰⁰

152. From a transport perspective, Mr Carr confirms that there will be available capacity for any necessary evacuation of the Project Site in the event of a wildfire.²⁰¹

Precedent Effects

153. Some adjacent landowners consider that the approval of the Project will result in precedent effects.²⁰²

¹⁹⁷ Statement of Evidence of Duncan White, Section 53 Comments, 26 June 2026 at [62].

¹⁹⁸ Statement of Evidence of Duncan White, Section 53 Comments, 26 June 2026 at [63] and [66].

¹⁹⁹ Proposed land use conditions of consent, condition 12.

²⁰⁰ Statement of Evidence of Duncan White, Section 53 Comments, 26 June 2026 at [65].

²⁰¹ Statement of Evidence of Andy Carr, Response to Comments, 26 June 2026 at [111].

²⁰² Luke Paul Smeets and Vida Joyce Mercedes Laird [REDACTED] Section 53 Comments, 18 June 2026, Gordon David Lang ([REDACTED]), 8 June 2026, Janet Patricia Lang ([REDACTED]) 8 June 2026, Gillian Marie Ryan and Scott Andrew Johnson ([REDACTED]) 17 June 2026.

154. We submit that a precedent issue does not arise here.
155. Precedent effects are a relevant consideration under s 104(1)(c) of the RMA (which is relevant under Clause 17 of Schedule 5 of the FTA) and may weigh against the granting of consent.²⁰³
156. The leading case on precedent effects *Dye v Auckland Regional Council* held that the precedent effect of granting a resource consent (in the sense of like cases being treated alike) is not an effect on the environment but is a relevant factor for a consent authority to take into account when considering an application for consent for a non-complying activity.²⁰⁴
157. The Court has been reluctant to consider precedent effects and has stated that generally the outcome of future applications would depend on the evidence before the Court at that time measured against the relevant assessment criteria.²⁰⁵
158. On this basis, the granting of a consent has no precedent effect in the strict sense as applications are required to be considered in relation to the policies of the relevant plan or policy statement, their effects and the receiving environment.²⁰⁶
159. We submit that the nature of the proposed development as well as the characteristics of the Project Site which does not reflect a rural character and is consented for a mixed used development make the Project unique and highly unlikely to be replicated. We therefore submit that no precedent issue arises.
160. Further, the High Court has held it would be inconsistent with the approach of the Court of Appeal in *Dye v Auckland Regional Council* to regard evidence on “community expectations” as relevant to precedent.²⁰⁷

Cumulative Effects

161. Adjacent landowners Janet Lang, Lisa McFarlane and Peter Barham consider that the Project will generate cumulative effects.²⁰⁸
162. We submit that the cumulative effects of the Project will be no more than minor.

²⁰³ *Dye v Auckland Regional Council* CA86/01, 11 September 2001, [2002] 1 NZLR 337 (CA); *Feron v Central Otago District Council* ENC Christchurch C075/09, 11 September 2009, [2009] ELHNZ 333 at [49].

²⁰⁴ *Dye v Auckland Regional Council* CA86/01, 11 September 2001, [2002] 1 NZLR 337 (CA).

²⁰⁵ *Progressive Enterprises v North Shore City Council* ENC Wellington W075/08, 31 October 2008, [2008] ELHNZ 465 at [81]-[82].

²⁰⁶ *Dye v Auckland Regional Council* CA86/01, 11 September 2001, [2002] 1 NZLR 337 (CA) at [32].

²⁰⁷ *Rodney District Council v Gould* HC Auckland CIV2003-485-2182, 11 October 2004, (2004) 11 ELRNZ 165 at [113].

²⁰⁸ Janet Patricia Lang [REDACTED] 8 June 2026 and Lisa Margaret McFarlane and Peter Donald Barham [REDACTED] 18 June 2026.

163. Cumulative effects are included in the definition of effect in s 3 of the RMA. The Court of Appeal *Dye v Auckland Regional Council* held that the concept of cumulative effects is confined to the effect of the activity itself on the environment.²⁰⁹ A cumulative effect is concerned with things that will occur rather than with something which may occur (a potential effect).²¹⁰
164. In applying *Dye v Auckland Regional Council*, the Environment Court in *Stallard v Nelson City Council* found that a cumulative effect requires evidence of a particular effect that would be cumulative on an effect of the same kind arising from other activities, past or present.²¹¹
165. No such evidence has been provided.

PLANNING FRAMEWORK

166. While ORC does not raise any concerns in relation to relevant regional or national planning documents,²¹² QLDC considers the Project is inconsistent with the strategic direction of the PDP.²¹³
167. The Supreme Court's decision in *Royal Forest and Bird Protection Society v New Zealand Transport Agency*²¹⁴ is the latest guidance on how decision makers should have regard to objectives and policies within an RMA framework. A 2025 decision of the Court of Appeal on the COVID-19 Fast Track consenting regime has confirmed that the Supreme Court decision was relevant to assessment undertaken in that context²¹⁵ and we consider it is therefore applicable to FTA decision making also.
168. The Supreme Court held that decision makers must undertake a fair appraisal of the objectives and policies read as a whole, and must avoid isolating and de-contextualising individual provisions in a manner that does not fairly reflect the broad intent of the drafters.²¹⁶
169. This approach does not mean objectives and policies can be put in a blender with the possible effect that stronger policies are weakened and weaker policies

²⁰⁹ *Dye v Auckland Regional Council* CA86/01, 11 September 2001, [2002] 1 NZLR 337 (CA) at [39].

²¹⁰ *Dye v Auckland Regional Council* CA86/01, 11 September 2001, [2002] 1 NZLR 337 (CA) at [38].

²¹¹ *Stallard v Nelson City Council* ENC Christchurch C160/06, 30 November 2006, [2006] ELHNZ 498 at [51].

²¹² Otago Regional Council, Section 53 Comments, 18 June 2026 at Section E.

²¹³ Queenstown Lakes District Council, Section 53 Comments, 19 June 2026 at

²¹⁴ *Royal Forest and Bird Protection Society v New Zealand Transport Agency* [2024] NZSC 26, (2024) 25 ELRNZ 915.

²¹⁵ *Glenpanel Development Limited v Expert Consenting Panel* [2025] NZCA 154, (2025) 26 ELRNZ 657.

²¹⁶ *Royal Forest and Bird Protection Society v New Zealand Transport Agency* [2024] NZSC 26, (2024) 25 ELRNZ 915 at [79].

strengthened. Objectives and policies must be read on their own terms and in relation to one another, recognising that in context some will carry greater weight.²¹⁷

170. However, in the context of the FTA, while objectives and policies are a relevant consideration:
- (a) Section 85(4) directs that the Expert Panel may not form the view that an adverse impact meets the sufficiently significant threshold solely on the basis that the adverse impact is inconsistent with or contrary to a provision of an Act or any other document requiring consideration, such as planning documents.
 - (b) Clause 17(4) of Schedule 5 states that even if a provision would normally require an application to be declined, the Expert Panel must not treat the provision as requiring it to decline the FTA application.
171. This means that when applying statutory tests in the FTA, any inconsistency with objectives and policies must not preclude approval and the Expert Panel must weigh consideration of those provisions against the broader purpose of the FTA, being facilitating the delivery of projects with significant regional or national benefits.
172. This approach was confirmed in the Expert Panel's decision on the Waihi North project, later adopted by the Expert Panel for the Southland Wind Farm project.²¹⁸
173. Also relevant is the broader weighting approach to decision making required by the FTA. In accordance with previous Expert Panel decisions, the statutory tests under the FTA require an “*overall balancing*” or “*overall judgment*” approach of incommensurables.²¹⁹ This requires considering all components of the Project, potential impacts and the relevant policy framework against the broader purpose of the FTA which must be given the most weight decision in making.
174. As touched on in QLDC's comment,²²⁰ in the Strategic Direction chapter of the PDP, the Project aligns with Strategic Objectives 3.2.2 and 3.2.3 including that it will provide a compact, well designed, quality and integrated urban form and will not result in sporadic or sprawling urban form.

²¹⁷ *Royal Forest and Bird Protection Society v New Zealand Transport Agency* [2024] NZSC 26, (2024) 25 ELRNZ 915 at [80].

²¹⁸ *Record of Decision of the Expert Panel, Waihi North*, 18 December 2025, Part M at [12](c). The Waihi Panel's reasoning was later adopted in: *Record of Decision of the Expert Panel, Southland Windfarm*, 9 March 2026, at [979].

²¹⁹ *Record of the Decision of the Expert Panel, Tekapo Power Scheme*, 3 November 2025 at [436] and *Record of the Decision of the Expert Panel, Waihi North*, 18 December 2025, Part M: Overall approach at [12].

²²⁰ Queenstown Lakes District Council, Section 53 Comments, Appendix 8 – Planning Assessment, 19 June 2026 at [4.1.2] and [4.1.4].

175. Key issues raised by QLDC in relation to PDP objectives and policies are that the Project Site is located outside of the UGB, landscape and visual amenity concerns in the Mt Iron gateway environment and active transport connections.²²¹
176. In particular, Objective 4.2.1 of the PDP directs that UGBs be used as a tool to manage the growth of urban areas within distinct and defensible urban edges and Objectives 4.2.2A and 4.2.2B which address urban development and form within UGBs. Supporting Policy 4.2.2.23 states that rural land outside of UGBs is not used for urban development until a change to the PDP amends the UGB and zones additional land for urban development purposes.
177. In the RMA context, these provisions may be determinative of resource consent applications. However, as outlined above, under the FTA regime an inconsistency with a provision of a planning document is not fatal to an application.
178. Mr White's evidence is that although the Project is outside the UGB and is therefore inconsistent with key PDP objectives and policies in this regard for example Objective 4.2.1, the Project does not defeat or frustrate the outcomes sought for strategically managed and integrated urban growth.²²² The Project is not inconsistent with policies in relation to the strategic intent of the containment, protection of rural character or the maintenance of ONF values.²²³
179. MIJ has also offered amendments to the Project in response to comments including a financial contribution to an active transport link which links the development to the Wānaka urban area and Three Parks, providing better connections for commuters, to schools and commercial and recreational opportunities. This better aligns the Project with Chapter 4 (Urban Development) and Chapter 29 (Transport) objectives and policies.²²⁴
180. We submit that, when the overall balancing approach required for decision making under the FTA is applied, the Project's inconsistency with some directive PDP provisions, when weighed against its significant regional benefits, does not preclude approval of the application.

²²¹ Queenstown Lakes District Council, Section 53 Comments, Appendix 8 – Planning Assessment, 19 June 2026 at [1.3].

²²² Statement of Evidence of Duncan White, Response to Comments, 26 June 2026 at [70].

²²³ Statement of Evidence of Duncan White, Response to Comments, 26 June 2026 at [71].

²²⁴ Statement of Evidence of Duncan White, Response to Comments, 26 June 2026 at [73].

AMENDMENTS TO CONDITIONS

181. In response to s 53 comments, in particular from ORC and QLDC, Mr White has proposed amendments to conditions. These amendments are described further in his evidence, and an updated condition set is appended to his evidence.²²⁵

OTHER MATTERS IN RESPONSE TO MINUTE 2

182. The majority of the matters raised in Minute 2 are addressed throughout these submissions and in evidence for MIJ. We address the remaining two matters as follows.

Relationship to Consented Petrol Station

183. In Minute 2, the Expert Panel acknowledged that the consented petrol station is not part of the application but stated it would like to understand the relationship between the consented petrol station and the application area especially in terms of the relevant amenity and hazard issues.²²⁶
184. Mr White has addressed this point in his statement of evidence which confirms that the service station will not generate any issues outside of that site that would affect the Project Site or Project.²²⁷

Compliance with Expert Code of Conduct

185. In Minute 2, the Expert Panel directed each of the experts that submitted a report as part of the application to submit a signed written statement confirming that their report was prepared in accordance with the Environment Court Practice Note 2023.²²⁸
186. This is provided at **Appendix A** to these legal submissions.

CONCLUSION

187. The Project will address Queenstown Lakes District's significant housing shortfall and provide significant economic benefits. The Project will generate an estimated \$74 million in total direct, indirect and induced value added and \$35 million in total household incomes.²²⁹ The Project will also enable the QLCHT to provide homes for low-income households.

²²⁵ Statement of Evidence of Duncan White, Response to Comments, 26 June 2026.

²²⁶ Minute 2, Mt Iron Junction Housing Scheme, 21 May 2026 at [6(d)].

²²⁷ Statement of Evidence of Duncan White, Response to Comments, 26 June 2026 at [10]-[16].

²²⁸ Minute 2 of the Expert Panel - Invitations to Comment, 21 May 2026 at [6(e)].

²²⁹ Substantive Application, Appendix G – Housing and Economic Assessment, 16 December 2025 at page 66.

188. The Project represents an appropriate use of the Project Site, which is already consented for a mixed-use development under the 2021 Consent and sits within a peri-urban environment where there is a blend of residential, commercial and rural activities with residential activity continuing to expand.
189. MIJ has taken a pragmatic and considered approach to issues raised in s 53 comments and we submit that concerns raised by commenters have been appropriately addressed including design, landscape and transport matters.
190. The Project meets the FTA criteria as it will result in the delivery of a project with significant regional benefits, while appropriately addressing potential impacts in a manner consistent with the FTA legal framework.
191. We therefore submit that the Project can be granted as it meets the purpose of the FTA and the legal tests for approval.

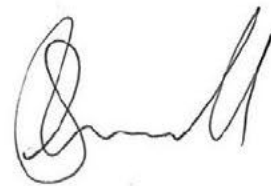
Dated 26 June 2026



Joshua Leckie / Charlotte Coyle
Counsel for Mt Iron Junction Limited

Appendix A
Code of Conduct Table

Name	Discipline	Reports prepared	Qualifications, relevant experience and any other basis for expertise	Confirmation of compliance with the Code of Conduct for Expert Witnesses	Signature
Josh Binnie	Architecture	Architectural Plans and Renders	I am a Senior Associate at Figure & Ground and have held this position for 5 years. I hold the following qualifications: • Bachelors degree in Architectural Studies; • Licensed Building Practitioner – 1; and • Professional Member of Architectural Designers New Zealand. I have 14 years of experience across New Zealand and Australia. Prior to joining Figure & Ground, I spent six years at one of Australasia and Southeast Asia's leading residential architecture practices, where I was involved in the design and documentation of some of Sydney's largest residential towers and mixed-use complexes. I have been employed by Figure & Ground since 2021. The company is responsible for the highest number of residential building consents of any architectural practice in Christchurch, the majority of which relate to multi-unit residential developments.	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	

Name	Discipline	Reports prepared	Qualifications, relevant experience and any other basis for expertise	Confirmation of compliance with the Code of Conduct for Expert Witnesses	Signature
Sam Connell	Architecture	Architectural Plans and Renders	I am a Director of Figure & Ground and have held this position since the company's inception in 2021. I hold a Bachelor of Architectural Studies, am an LBP 2 Licensed Building Practitioner, and am a Professional Member of Architectural Designers New Zealand. I have 19 years of experience across Australia and New Zealand. Prior to establishing Figure & Ground, I was the Director of Connell Architecture for eight years, where I developed a strong reputation in residential architecture, particularly in multi-unit residential developments. Since Figure & Ground began operating, the company has grown from a small team delivering smaller multi-unit developments to becoming a leading specialist in multi-residential architecture in Christchurch and the wider South Island. Figure & Ground now consents over 500 dwellings annually.	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	
Natalie Hampson	Economics	Wānaka Ward Housing and Economic Assessment	Provided at Appendix 1 to Housing and Economic Assessment including (in summary): • Owner and Director of Savvy Consulting. • Previously a director of Market Economics Limited. • 20 years experience in economics for commercial and public sector clients with a particular focus on economic	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	

Name	Discipline	Reports prepared	Qualifications, relevant experience and any other basis for expertise	Confirmation of compliance with the Code of Conduct for Expert Witnesses	Signature
			assessment within the framework of the Resource Management Act 1991. • Considerable experience carrying out economic assessments within Queenstown Lakes District over the last 20 plus years and resident in the district for 10 years. • Member of the Queenstown Lakes District Council preferred supplier panel. • Providing economic assessment support to a range of Fast Track applications in the South Island. • Expert Panel member for the Taranaki VTM project.		
Nikki Smetham	Landscape	Landscape Assessment Report	I am a Senior Landscape Architect at Rough Milne Mitchell Landscape Architects Limited. I hold a Bachelor of Landscape Architecture from Lincoln University. I am a registered member of the New Zealand Institute of Landscape Architects and a member of the Resource Management Law Association of New Zealand. I have over 27 years' experience as a landscape architect and for the last 20 years I have specialised in landscape assessment work. This has included undertaking landscape and visual effects assessments associated with a wide variety of development proposals throughout New Zealand. Work of relevance includes proposed developments in Queenstown Lakes District, Central Otago, Dunedin, Hurunui, Christchurch / Banks	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	

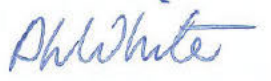
Name	Discipline	Reports prepared	Qualifications, relevant experience and any other basis for expertise	Confirmation of compliance with the Code of Conduct for Expert Witnesses	Signature
			Peninsula, and the Selwyn District. I have previously presented expert evidence at council hearings and before the Environment Court. I have been involved in a significant amount of work specific to the Queenstown Lakes District including providing a landscape assessment and evidence for Environment Court hearings for the Sticky Forest Plan Change, providing evidence and attending mediation for the Queenstown Lakes District Plan Schedules hearings and undertaking various peer reviews of landscape and visual assessments in the district.		
Paul Smith	Landscape	Landscape Assessment and Plans Landscape Response to Queenstown Lakes District Council Information Gaps	I am a Senior Landscape Architect at Rough Milne Mitchell Landscape Architects Limited. I hold a Bachelor of Landscape Architecture (Honours) degree from Lincoln University and am a Registered Member of Tuia Pita Ora New Zealand Institute of Landscape Architects. Also, I am a Landscape Planning Judge for the 2026 Tuia Pita Ora New Zealand Institute of Landscape Architects Awards. I have been practising as a landscape architect, primarily in the field of landscape planning since 2012. I was employed by Vivian and Espie Limited, a specialist resource management and landscape planning consultancy based in Queenstown from 2012 – 2017 and then by Beca Limited, as a landscape architect, specialising as a landscape planner from 2017 – 2019. Since 2019, I have been employed by Rough Milne	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	

Name	Discipline	Reports prepared	Qualifications, relevant experience and any other basis for expertise	Confirmation of compliance with the Code of Conduct for Expert Witnesses	Signature
			Mitchell Landscape Architects in the same role. I have been involved in a significant number of projects within the Queenstown Lakes Districts over the past 15 years. The majority of my work involves advising clients regarding the protection and maintenance of landscape and amenity values that the Resource Management Act 1991 and District Plans require. I also prepare Landscape Assessment Reports for Resource Consent Applications, Plan Changes and Submissions on District Plan Reviews, and provide evidence for local Council Hearings and Environment Court Hearings.		
Andy Carr	Transport	Traffic Assessment Transport Response to Queenstown Lakes District Council Information Gaps	Provided at Appendix A to Integrated Transport Assessment – Internal and Appendix A to Integrated Transport Assessment – External including (in summary): • Bachelor of Science with Honours (Computing Science). • Master of Science (Transport Engineering and Operations). • Master of Business Administration (Distinction). • Chartered Professional Engineer (Practice field: Transportation engineering). • International Professional Engineer (NZ). • APEC Engineer. • Chartered Member: Engineering New Zealand.	This report has been prepared by Mr Andy Carr, in accordance with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. His qualifications and experience are summarised in Appendix A.	

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			• Various transport engineer and planner roles held from 1990-present. • Member, Resource Management Law Association. • Member, Engineering New Zealand Transportation Group Associate Member, New Zealand Planning Institute.		
David Compton-Moen	Urban Design	Urban Design Assessment and Plans Urban Design Response to Queenstown Lakes District Council Information Gaps	Provided at pages 2 and 4 of Urban Design Assessment as follows: • Director of DCM Urban. • New Zealand Institute of Landscape Architects Registered Landscape Architect. • Bachelor of Resource Studies in Planning and Economics. • Bachelor of Landscape Architecture (Honours). • Master of Urban Design (Honours). • 25 years of experience in the planning, urban design and landscape profession.	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	
Chris Greenshields	Landscape	Landscape Plans	I am a director of DCM Urban I am a Register Landscape Architect with 18 years' experience as a Landscape Architect. During my time as a Landscape Architect, I have worked for both local authorities and private consultancies. My work has covered a wide range of skills within the landscape profession ranging from high level master planning, expert evidence, landscape	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	

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			assessment, concept design, detailed design and construction delivery.		
Anca Belu	Urban Design	Urban Design Plans Urban Design Response to Queenstown Lakes District Council Information Gaps	I am an Urban Designer / Architectural Designer at DCM Urban. I hold a Bachelor of Architectural Studies and a Master of Architectural Studies (Professional) from Victoria University of Wellington. I am currently undertaking a Master of Urban Design at the University of Auckland. I am in my fourth year of professional practice in the field of urban design. My work has included master planning for a range of residential, mixed-use, and commercial developments, as well as fast-track applications, private plan changes, subdivision design, and public realm and playground projects. I have also assisted with the preparation of urban design assessments and reports.	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	
Antonio Espinoza Garcia	Landscape	Landscape Plans	I am a landscape architect at DCM Urban Design. I hold a Bachelor of Landscape Architecture (Honours) degree from Lincoln University and am a graduate member of the New Zealand Institute of Landscape Architects on my 2nd year of experience as a landscape architect. I have worked for DCM Urban Design since starting my professional career in 2024. I have worked on a variety of projects ranging in scale from landscape concept design, assessment,	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	

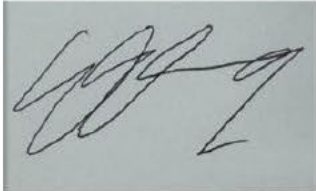
Name	Discipline	Reports prepared	Qualifications, relevant experience and any other basis for expertise	Confirmation of compliance with the Code of Conduct for Expert Witnesses	Signature
			detailed design and construction establishment.		
Jeremy Ross	Urban Design	Urban Design Plans	I am a Spatial Designer at DCM Urban. I hold a BDes(Honours) majoring in Spatial Design from Massey University. With over four years of experience at DCM Urban starting my career in 2022, I have worked on a range of projects including but not limited to, landscape concept planning, Landscape and Visual Assessment reports and graphic attachments, scheme plans and photo-match illustrations ranging in scope and complexity.	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	
Rewa Satory	Acoustic Engineering	Acoustic Response to Queenstown Lakes District Council Information Gaps	I am an Associate Acoustic Engineer at Acoustic Engineering Services Ltd. I hold a Bachelor of Mechanical Engineering degree from Canterbury University and am a Member of the Acoustical Society of New Zealand I have over 10 years' experience in acoustic engineering and have been involved with a large number of environmental noise assessment projects throughout New Zealand on behalf of applicants, submitters and as a peer reviewer for Councils. My experience includes assessing noise from mixed use developments and reverse sensitivity issues on sites throughout Queenstown Lakes District and New Zealand.	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	

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Martin Johnson	Acoustic Engineering	Assessment of Environmental Noise Effects	I am an Acoustic Engineer at Acoustic Engineering Services Ltd. I hold a Bachelor of Mechanical Engineering degree from Canterbury University. I have two years' experience in acoustic engineering and have been involved in a wide range of residential, commercial, and mixed-use projects throughout New Zealand. My experience includes the assessment of operational and construction noise, and noise insulation reviews across a variety of projects in Queenstown and New Zealand.	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	
Duncan White	Planning	Assessment of Environmental Effects and associated planning documents Response Letter to Queenstown Lakes District Council Information Gaps	I hold the qualifications of a Bachelor of Science in Geography, a Diploma for Graduates and a Post Graduate Diploma in Science. Both of the latter two qualifications are in Land Planning and Development. These qualifications are all from the University of Otago. I have over 23 years' experience as a planner. I gained seven years planning experience with the Manukau City Council, including three years as a subdivision officer processing subdivision resource consent applications, followed by four years as an environmental policy planner undertaking district plan changes, policy development and the acquisition of reserves.	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	

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			For the past 16 years I have lived in Wanaka and worked as a planner for Patersons Land Professionals.		
Alana Standish	Planning	Assessment of Environmental Effects and associated planning documents	I hold a Bachelor of Resource and Environmental Planning (Honours) from Massey University, awarded in 2012. I am a Member of the Resource Management Law Association, and an Intermediate Member of the New Zealand Planning Institute. I am also an accredited Resource Management Act Commissioner, having completed the Ministry for the Environment's Making Good Decisions programme in 2020 and 2023. I am currently employed as a Senior Resource Management Planner at Patersons Land Professionals in Queenstown, a role I have held since September 2024. Prior to joining Patersons, from 2013 onwards, I worked in a range of resource consent planning roles at Queenstown Lakes District Council and its predecessor, Lakes Environmental Limited. During that time, I progressed through the positions of Planner, Senior Planner, and Team Lead. My experience spans both local authority and private consultancy practice, providing a comprehensive understanding of the resource consent process from both applicant and decision-maker perspectives. I have prepared and processed a wide range of resource consent applications, predominantly within the Queenstown Lakes District. This includes applications for subdivision, comprehensive	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	

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			residential developments, construction of residential and non-residential buildings, commercial and commercial recreation activities, and earthworks. These applications have covered both urban and rural environments and have included non-notified, limited notified, and publicly notified processes. In my role at Council, I exercised delegated authority as a decision-maker for non-notified applications across these activity types and others. I also acted as a senior reviewer of section 42A reports for publicly notified applications, primarily in rural areas. This experience has provided me with strong technical capability in assessing environmental effects, applying district plan provisions, and forming balanced, well-reasoned recommendations and decisions. It also reflects a high level of familiarity with the planning issues, land use patterns, and regulatory context specific to the Queenstown Lakes District.		
Callum Riddle	Planning	Assessment of Environmental Effects and associated planning documents	I have the following qualifications from the University of Otago: • Master of Planning; and • Bachelor of Science. I have seven years of work experience as a planner. I have primarily been involved in the resource consent space during this time, undertaking the preparation and delivery of	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	

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			resource consent applications for small to medium scale sized developments. I have also been involved in processing resource consents on behalf of local government from a variety of Councils across Otago.		
Kim Botting	Surveying	Subdivision Scheme Plans and Building Setback Plans	I am a Registered Professional Surveyor and Licensed Cadastral Surveyor at Patersons. I hold a Bachelor of Surveying (with Distinction) from Otago University and am a member of Survey and Spatial New Zealand. I have worked as a surveyor for over 27 years of which the last 22 have been in the Queenstown Lakes District area. The majority of my work involves preparation of scheme plans, understanding records of title, implementing subdivision consents through to completions and cadastral survey.	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	
Daisy Breen	Surveying	Subdivision Scheme Plans and Building Setback Plans	I have 2 years of experience working for Patersons as a Draftsperson.	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	
Peter Joyce	Engineering	Infrastructure Report	I am a Senior Surveyor at Patersons Wanaka office and hold the qualification of Bachelor of Surveying degree from Otago University.	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of	

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		Engineering Drawings – Earthworks Engineering Drawings – Roading and Infrastructure Roading Overview Plan provided in Response to Queenstown Lakes District Council Information Gaps	I am a full member of Survey and Spatial New Zealand. I have over 25 years' experience working within the Queenstown Lakes District as a Land Surveyor predominantly in a Land Development Engineer role.	expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	
Sam Standing	Engineering	Engineering Drawings – Earthworks Engineering Drawings – Roading and Infrastructure Roading Overview Plan provided in Response to Queenstown	I have a Bachelor of Surveying degree from the University of Otago. I have 2 years of experience as a Land Surveyor.	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	

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		Lakes District Council Information Gaps			
Alan Hopkins	Engineering	Infrastructure Report Engineering Drawings – Earthworks Engineering Drawings – Roading and Infrastructure Roading Overview Plan provided in Response to Queenstown Lakes District Council Information Gaps	I hold the qualifications of BE (Environmental), CPEng CMEngNZ. I have 23 years working within Otago and Queenstown Lakes within local government and private engineering consultancy roles in residential and commercial land development specialising in three waters. I have specific experience and skill in stormwater modelling and flood hazard assessment.	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	
Lucy Cramp	Environmental Management	Environmental Management Plan	I am a Certified Environmental Practitioner and recognised Suitably Qualified and Experienced Professional. I hold a Master's degree in Environmental Management and have over seven years' experience in environmental consulting, with extensive expertise in preparing environmental reports for resource consent	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might	 

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			applications, as well as in the preparation, implementation, and monitoring of Environmental Management Plans and Erosion and Sediment Control Plans. I have managed environmental compliance projects throughout the Otago Central Lakes region, including high-risk earthworks and complex construction environments. I meet the criteria of a Suitably Qualified and Experienced Professional for the purposes of preparing the Environmental Management Plan and overseeing the environmental aspects of this project.	alter or detract from the opinions expressed in my reports.	
Katy Bonacci	Environmental Management	Environmental Management Plan	I hold two Bachelor of Science degrees in Environmental Science and Geography, providing a strong foundation in environmental processes, spatial analysis, and land management. I have experience preparing Environmental Management Plans and Erosion and Sediment Control Plans within the Queenstown Lakes District and the wider Otago Region, as well as experience in undertaking field work, chemical bench testing, and using Geographic Information Systems.	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	
Tom Grandiek	Environmental Management	Environmental Management Plan	I am a Certified Environmental Practitioner and recognised Suitably Qualified and Experienced Professional. I have over nine years' experience in environmental and resource management. I	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am	 

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			have extensive expertise in construction environmental management, with a specialist focus on erosion and sediment control. I am frequently engaged by regulatory authorities to undertake expert reviews of Erosion and Sediment Control Plans, and am recognised for my practical, solution-driven approach. I have senior and principal level experience in both public and private sectors, within environmental management, regulatory compliance, training, project leadership, and technical delivery across infrastructure, land development, and resource management sectors. I have managed environmental compliance projects throughout Otago, including high-risk earthworks and complex construction environments. My combination of technical knowledge, hands-on site experience, and clear communication enables me to deliver robust outcomes and trusted advice to clients and regulators alike.	relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	
Fraser Wilson	Geotechnical	Geotechnical Assessment	I am a senior engineering geologist with over 22 years professional experience, predominantly in Otago and Southland. I have broad experience in construction related geotechnical investigation and assessment including geological ground modelling, liquefaction assessment, groundwater modelling and geological hazard assessment with extensive knowledge of the geological conditions in Otago and Southland.	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	

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			I hold a Bachelor of Science majoring in Geography and Geology.		
Mike Plunket	Geotechnical	Geotechnical Assessment	I am a chartered professional geotechnical engineer with over 10 years of experience in the Central Otago area. Based in Wanaka, I have primarily worked on geotechnical projects involving managing geotechnical investigation, assessment and design in the Central Otago area. I also have experience in projects within the greater Otago, and Southland area. I hold a Bachelor of Engineering (Honours) – Civil.	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	
James Stewart	Geotechnical	Geotechnical Assessment	I am an Otago trained geologist with over 12 years' experience working as an engineering geologist across Otago. There I have been involved with geotechnical fieldwork for residential, commercial and infrastructure projects. I have experience in construction related geotechnical investigation and assessment including geological ground modelling, liquefaction assessment, groundwater modelling and geological hazard assessment with extensive local knowledge of the geological conditions in Central Otago. I hold a Bachelor of Science majoring in Geology and a Post-Graduate Diploma in Geology.	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. The reports I have prepared are within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my reports.	