Proposal Description and Assessment of Effects on the Environment

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Richard Jonathan Pettit and Gayle Lynn Pettit
lot7 Gala Burn Lane

Application for

NEW RESIDENCE IN THE RESIDENTIAL ARROWTOWN ZONE

April 2026 Updated July 2026
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1 Introduction

1. This is a request by R J and G L Pettit, for a new residential building on Gala Burn Lane Arrowtown, which infringes the height restriction.

2. The Address for Service is to be Rick Petit c/o Maurice Orr mauriceorr12@gmail.com.

3. The Site legal description is Lot 7 Deposited Plan 601769 held in Computer Freehold Register 1241703 The certificate of title is contained in Appendix A.

4. The site area, is 393 square meters more or less.

5. The site owners are Richard Jonathan Pettit and Gayle Lynn Pettit, as noted in the Computer Freehold Register Appendix A.

2 Site Description

6. The site is lot7 Gala Burn Lane, Arrowtown. The subdivision the site is part of has the historic Presbyterian Manse, a stone building, located on a terrace behind the site. Figure 1 identifies the site within its surrounding context.

7. The site is an irregular seven sided shape, located off Gala Burn Lane, a private lane off Manse road. Topographically, the site rises up from the Lane, in the north, 5 metres to the southern boundary.

8. The resource consent history of the subdivision site had approved travellers accommodation as a boutique hotel use. But the Subdivision consent the site is part of rescinded this to establish the residential sites.



Figure 1 : The site & surroundings

3 Heritage Features

9. There is one protected Heritage feature near the site.

    - #366 - Presbyterian Manse which are Category 2 NZHPT and QLDC listed buildings.

10. The site is close to heritage item #710 – Chinese Village a Category 2 QLDC listed site.

4 Consent History

11. RM041271 approved the use of the subject site as a boutique hotel, that had visitors accommodation.

12. RM240142, Appendix B, approved the subdivision of a larger parcel of land that the site forms part of.

5 Receiving Environment

13. RM240142, Appendix B, provided an assessment of the receiving environment that allowed the subdivision of the area.

14. The site is within the narrow river valley to the west of the town centre. The area is dominated by Feehly Hill Reserve to the south and the larger ridge to the north, that saw pit Gulley Track traverses.

6 The Proposal

6.1 New Residential Building

15. Consent is sought to construct a new residential building as per the Plans illustrating the proposed design and appearance of the building contained in Appendix C Proposed Architectural Plans 2026.

16. The building will be used as a residence. The Building has been articulated to form 3 design elements with simple gable ends, respecting the historic forms of Arrowtown. While the building is not in the historic precinct it reflects elements appropriate to that. 1 element is on the east side of the site and is single storey set in the upper 3rd of the site. The second element is adjacent to this and is 2 storey with the lower storey built into the typography 50%. The third element links the others to the lower Gala Burn

Lane level incorporating a garage at that level with a single level above that. Therefore the buildings create a cluster of forms steeping up and around the site retaining good open amenity areas .

17. The building addition has a site coverage area of 136m2. This equates to 35% building coverage over the whole site. This is aligned with 40% maximum site coverage in rule 7.5.5 of the PDP. At least 30% of the site area is landscaped (permeable) surface.

18. The material finishes and colour for the buildings are specified on the plans (Appendix C) and will consist of corrugated steel cladding for wall and roof cladding predominantly in “Slate” colour. With feature walls in rusted corrugated steel cladding to the upper area of the 3rd element adding an aged rusted element reminiscent of gold mining structure. This will add interest to the building particularly when viewed from the lower river terrace. Aluminium powder coated “Slate” joinery for window and doors complete the composition. Figure 2 below is a computer generated render of the building. This reflects the appropriateness of the design in the alpine setting of the area.



Figure 2

6.2 Landscaping

19. The overall site will be comprehensively landscaped. The concept is to create a cottage garden feel on the various terraces and incorporate native trees where possible.

6.3 Earthworks

20. Minimal Earthworks are proposed to accommodate the new building. A total of under 300m3 of earthworks allowed is proposed. The ground conditions of the site were investigated by a geotechnical engineer for the larger subdivision the site is part of, and a copy of the report that covers their findings is contained within RM240142 Appendix B.

6.4 Infrastructure and Servicing

21. It is proposed to connect to existing services where required to provide servicing for the development. Services were installed as part of the recent subdivision that formed the legal residential site.

6.5 Natural Hazards & NES

22. The site was recently subdivided and that subdivision RM240142 Appendix B addressed this. Specifically in section 2.3 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH 2011 (“NES”) “Based on the applicants review of Council records, the piece of land to which this application relates is not a HAIL site, and therefore the NES does not apply.”

6.6 Parking

23. For the purpose of this application, the consent provides on-site parking at the Lower Gala Burn Lane level of the site as was anticipated in the subdivision consent for the area .

7 Consultation

24. Affected party approvals are not required within the subdivision as:
The adjacent sites in the subdivision have a “non objection clause” to respective developments. The size of development was anticipated for this particular subdivision therefore consultation is not required.

8 Statutory Assessment

7.5 Operative Queenstown Lakes District Plan

7.5.1.1 Low Density Residential Zone Chapter 7

25. The land is zoned Low Density Residential in Arrowtown under the Operative Queenstown Lakes District Plan.

The purpose of this zone is to allow for the continued development of the historic area of residential Arrowtown in a way that will enhance and protect those characteristics which make it a valuable part of the town for local residents and for visitors attracted to the town by its historic associations, unique character and outstanding individual buildings. In particular the management area seeks to retain the early subdivision pattern and streetscape, ensure future development is at a scale sympathetic to the present character, and to encourage the protection and conservation of the trees and shrubs.

26 The following sets out relevant rule requirements and highlights where resource consents are sought to authorise the proposed development:

9.2.2 Earthworks Chapter 22

The volume of earthworks pursuant to rule 22.3.3 i Notes The maximum total volume of earthworks (m3) shall comply with Table 22.1 That notes 300m3 in the Low Density Residential Zone.

27. The volume of earthworks will not exceed the 300m3 which is permitted.

Rule 22.3.3 ii **Height of cut and fill and slope**

…

b. i The maximum height of any cut shall not exceed 2.4 metres.

ii The maximum height of any fill shall not exceed 2 metres.

iii The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see Interpretative Diagram 6), except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5 metre in height.

28. This will be complied with. Please refer to Earthworks Sections drawings RC 23 & 24. The indicate Cut and Fill works within the allowed parameters. Noting that Fill depth does not relate to the back fill of excavations. Appendix D 9 Construction Noise Management has been included should there be solid rock encountered to address potential issues in that regard.

7 Low Density Suburban Residential Zone, Proposed District Plan

7.1 Low Density Suburban Residential Zone Chapter 7

Zone Purpose - Low Density Residential Zone

The purpose of the zone is to provide for low density permanent living accommodation, maintaining a dominance of open space and low building coverage. The zone seeks to maintain and enhance the low density residential areas with ample open space, low rise development and minimal adverse effects experienced by residents. …
Other activities are permitted in the zone provided they meet environmental standards which keep the activities compatible with residential activity and amenity. A number of established activities, mainly visitor accommodation facilities, have been scheduled to ensure full protection of these activities acknowledging their contribution to the local economy.

29. The proposal is considered to promote this purpose, in this specific area there is a dominance of open space in so much that the residential area is small relative to the predominance of the reserved areas.

30. The following sets out relevant rule requirements and highlights where resource consents are sought to authorise the proposed development:

7.5.3.5 Non-Complying Activities
The following shall be Non-Complying Activities, provided that they are not listed as a Prohibited Activity:
…….
Any activity which is not listed as a Prohibited Activity and which does not comply with one or more of the relevant Zone standards, shall be a Non-Complying Activity.

31. The proposal is deemed a non-Complying Activity as it does not meet the height requirements. But the effect of the non compliance in regard to this is no more than minor. The mitigation measures in summary being the coordinated design broken in to several elements and reflecting the Arrowtown vernacular and more specifically a shed vernacular typical of the river terrace area.

v Building Height

b. Sloping sites where the ground slope is greater than 6 degrees (i.e greater than 1 in 9.5)

The maximum height for buildings shall be 7.0m:
except:

i. No part of any accessory building located within the setback distances from internal boundaries shall protrude through recession lines inclined towards the site at an angle of 25° and commencing at 2.5m above ground level at any given point along each
internal boundary.

Ii. …..

Iii. ***The maximum height for building in that part of the Residential Low Density Zone at Arrowtown shall be 6m, except that within the Arrowtown Scenic Protection Area of the zone the maximum height shall be 5m.***
…..

32. This is exceeded, which is the primary need for this resource consent. Many mitigation measures are expanded in this AEE which I believe infringement of height is no more than minor. Arguably the end result has a beneficial effect. A building design that goes beyond the minimal requirements of the district plan for this area.

9.2.2 Earthworks Chapter 25

The volume of earthworks pursuant to rule 25.5.3. Notes The maximum total volume of earthworks (m3) as 300 m3. That is 300m3 in the Low Density Residential Zone.
The volume of earthworks will not exceed the 300m3 which is permitted.

Pursuant to rule 25.5.15 The maximum height of any cut shall not exceed 2.4 metres.
This is complied with accept in the top corner of the rock bank and this will be monitored by the geotechnical engineer.

Pursuant to rule 25.5.16 The maximum height of any fill shall not exceed 2 metres.
This will be complied with.

Pursuant to rule 25.5.18 Earthworks greater than 0.5 metres in height or depth shall be set back from the site boundary the following minimum distances: outlined in

25.5.18.1 Earthworks not supported by retaining walls:

a distance at least equal to the maximum height of the fill, as measured from the toe of the fill, with a maximum batter slope angle of 1:3 (vertical: horizontal); or

b 300mm plus a batter slope angle of a maximum of 1:3 (vertical: horizontal), as measured from the crest of the cut.

33. This will all be complied with. Appendix D 9 Construction Noise Management has been included should there be solid rock encountered to address potential issues in that regard.

9.3 Overall Activity Status

34. Overall the proposal is a **non-complying** activity under the ODP and PDP.

9 Assessment of Actual and Potential Effects on the Environment

35. Section 3 of the RMA states that the term ‘effect’ includes any positive or adverse effect; temporary or permanent effect; past, present, or future effect; and cumulative or potential effect.

36. Section 88 of the RMA requires an assessment of any actual or potential effects on the environment arising from the proposal, and the ways in which any adverse effects may be avoided, remedied, or mitigated.

37. The assessment must be in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment. In accordance with the requirements of Section 88 and the Fourth Schedule of the RMA the following actual and potential effects and issues have been considered and managed in relation to this application:

9.1 Permitted Baseline (s95D(b))

38. The consent authority **may** disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect. A number of permitted activities can take place and therefore form part of the permitted baseline for the site including:

Building height up to 6.0m;
Setback for residential buildings 2.0m from internal boundaries …;
Building coverage up to 40% of the net site area which equates to 157m2 of the current site;
Earthworks up to 300m3;

9.2 Consented Baseline

39. The site has been consented for residential activity , that consent accepted the moderately steep nature of the site as appropriate for residential development.

9.3 Affected Party Approvals

40. Affected party approvals are not required within the subdivision as:

The adjacent sites in the subdivision have a “non objection clause” to respective developments.

9.4 Matters to be addressed

41. Subject to Part 2 of the Resource Management Act 1991, the Council in considering this application pursuant to Section 104(1)(a) of the Act, shall have regard to any actual or potential effects on the environment of allowing the proposed development to proceed. In assessing any actual or potential effects on the environment of allowing the proposal to proceed, Clause 7(1) of the Resource Management Act 1991 states that the following matters must be addressed.

> *(a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:*
>
> *(b) any physical effect on the locality, including any landscape and visual effects:*
> *(c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:*
> *(d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:*
> *(e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:*
> *(f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.*

42. The 2016 version of the Arrowtown Design Guidelines, referred to in the Proposed District Plan, have informed the proposal. Referencing the guidelines is considered to mitigate the height infringement in creating a better design outcome.

9.5 Effects on Locality

43. The assessment matters relating to location are considered relevant as the area is unique and contained. The narrow river valley that opens into the wider river terrace at the town centre beyond. Reference to figure 1 illustrates the dominance of the greater landscape.

9.6 Effects on Heritage Values

44 The setting of the existing heritage elements adjacent to the site and their context has been instrumental to the design and in particular positioning of the new building on the site. The building has been partially set into the embankment and located away from the existing heritage building to retain as much space and context to these buildings as possible.

45. The second key design approach has been the use of a simple ‘shed style’ building forms that is sympathetic to the form of the heritage buildings in the area. The use of long run vertical corrugated iron with some weather boards will ensure the new building reads more as a shed building rather than overtly Residential.

46. Overall, any adverse effects of the proposed building on the setting and context of the heritage attributes of the site and greater area will be no more than minor.

9.7 Effects on Geology

47. A geotechnical report had been prepared by Geo solve (RM240142 Appendix B) to assess any potential natural hazard issues with regards to the overall subdivision the site is part of.

48. Minimal Earthworks are proposed to accommodate the new building. A total of under the 300m3 of earthworks allowed is proposed around the existing embankment. The ground conditions of the site were investigated by a geotechnical engineer and a copy of the report that summarises their findings is contained in RM240124 Appendix B. Appendix D 9 Construction Noise Management has been included should there be solid rock encountered to address potential issues in that regard.

9.8 Effects on Transport

49. The site provides on site parking and the overall subdivision provides visitor parking.

9.9 Effects on Infrastructure

50. It is proposed to connect to existing services where required to provide servicing for the development. Services were installed as part of the recent subdivision that formed the legal residential site. Therefore the site is well serviced to supply the new Residence.

9.10 Effects on Health of Land NES

51. A review of both the Otago Regional Council's database of contaminated sites, and the Queenstown Lakes District Councils Hazard Register do not show that the piece of land to which this application relates is a Hazardous Activities and Industries List (HAIL) site, and therefore this National Environmental Standard (NES) does not apply.

9.11 Positive Effects

52. Strengthening the rustic character of the area With the shed type references a better urban design outcome. Creating diversity and rustic interest to the area.

53. The urban intensification reduces pressure on the greater area of Arrowtown to expand. While the rustic nature of the urban forms align with the area.

54. Stabilisation of the site embankment so the area is not geologically compromised in the future.

55. Provides for urban growth and development in a coordinated and creative way. With Architectural forms that reflect the uniqueness of this area and respect the Historical character.

9.12 Summary of Assessment of Effects

56. It is considered that the proposal provides for a comprehensive and integrated development in a manner that any potential adverse effects will be less than minor and will not compromise the historic character of the area.

57. It is considered that effects will be no more than minor. Overall it is considered that the design mitigates any effects the height infringement may have had.

11 Section 95 Notification

58 A consent authority must publicly notify an application if it decides under s95D that the activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(2)(a)). In addition, Section 95B(1) requires a decision whether there are any affected persons (under s95E) in relation to the activity. As outlined above the proposed activity is not likely to have adverse effects on the environment that are more than minor and no persons are considered adversely affected.

59 Additionally, the applicant has not requested public notification of the application (s95A(2)(b)), no rule or national environmental standard requires public notification of the application (s95A(2)(c)) and there are no special circumstances that exist in relation to the application that would require public notification (s95A(4)).

60. Given the foregoing the application should proceed on a non-notified basis.

12 Section 104 (1)(b) Assessment

61. Clause 2(1)(g) of Schedule 4 of the Resource Management Act 1991 requires an assessment against any relevant planning documents that are referred to in Section 104(1)(b) of this legislation. Such documents include:

- A national environmental standard
- Other regulations
- A national policy statement
- A New Zealand coastal policy statement
- A regional policy statement or proposed regional policy statement - A plan or proposed plan

12.1 National Environmental Standards / Other Regulations / National Policy Statements

62. No national environmental standards, other regulations or national policy statements are considered relevant to the proposal. The proposal will comply with the NES for contaminated land.

12.2 Partially Operative Regional Policy Statement for Otago

63. The Regional Policy Statement for Otago was made partially operative on 14 January 2019. The PORPS contains relevant objectives and policies relating to urban growth and development, including in relation to heritage matters.

Policy 4.5.1 relates to providing for urban growth and development and states:
Policy 4.5.138 Providing for urban growth and development

Provide for urban growth and development in a strategic and co-ordinated way, including by:
a) .....
f) Having particular regard to:
i. .....

iv. Maintaining important cultural or historic heritage values;
g) Ensuring efficient use of land;

64. The proposal has been carefully designed so that it does maintain the important cultural or historic heritage values associated with the Presbyterian Manse above. While not specifically required the building design means the gables of the building are low relative to the Manse.

12.3 Proposed District Plan - Urban Intensification Variation

7.1 Zone Purpose

The Suburban Residential Zone is the largest residential zone in the District. The District Plan includes such zoning that is within the urban growth boundaries, and includes land that has already been developed - as well as areas that will continue to be developed over time.

Fundamentally the zone provides for both traditional and modern suburban densities and housing forms. Houses will typically be one to two storeys in height. To help meet the needs of the community, the zone also enables a range of house sizes and typologies. In addition, non-subdividable residential flats that can be occupied by an independent household are enabled. The zone will help to provide a more diverse and affordable housing stock within the District through two pathways: one for permitted activities (including vacant fee simple lots) based on minimum allotment standards, and another enabling suburban-compatible higher density via restricted discretionary activity consent, which also enables appropriately-scaled attached houses.

Community activities are anticipated in the zone provided adverse effects can be suitably addressed, as these activities are often best located within the residential communities they serve. Home occupations are also provided for.

Commercial activities are generally not anticipated other than those that are residential-compatible and small-scale, however may be accommodated where necessary to address a demonstrated local need provided residential amenity is not compromised

Visitor accommodation is anticipated in the Visitor Accommodation Sub-Zones shown on the District Plan web mapping application, which have historically provided (and will continue to provide) important locations for visitor accommodation to meet the District's needs. The sub-zones are located in residential areas, and applications for visitor accommodation activities and associated development must address matters that impact on residential amenity, including character, traffic and noise effects. Visitor accommodation located outside of the Visitor Accommodation Sub-Zones is restricted.

The commercial letting of residential properties as short-term accommodation for paying guests on a year-round or permanent basis is restricted where it would result in a loss of residential

character, cohesion and amenity values. Low intensity use of residential units, including residential flats, to accommodate paying guests is enabled where the predominant residential character of the environment is retained and the residential amenity values of nearby residents are maintained.

Visitor Accommodation is defined in the District Plan separately from accommodation activities involving paying guests occurring in residential units and residential flats, which are defined as Residential Visitor Accommodation and Homestay activities.

The proposed building effectively fits the zone purpose, the layout while not for that purpose has an adaptable plan and could be repurposed for visitor accommodation as it appears to be a goal of the Policy for this zone.

***7.2.1 Objective** - Development within the zone provides for a mix of compatible suburban densities and a high amenity residential living environment for residents as well as users of public spaces within the zone.*

7.2.1.1
Ensure the zone and any development within it is located in areas that are well serviced by public infrastructure, and is designed in a manner consistent with the capacity of infrastructure Networks.
The area is on a primary feeder road and the local bus services follows this road.

7.2.1.2
Encourage an intensity of development that maximises the efficient use of the land in a way that is compatible with the scale and character of existing suburban residential development (excluding existing residential densities), and maintains suburban residential amenity values predominantly one to two storey building heights.
The density proposed by the subdivision of this area is compatible with this.

***7.2.3 Objective** - Encourage higher density development where it responds to the context and character of the locality and is designed to maintain amenity values.*
The Subdivision the site is part of responded to this.

7.2.3.1
Encourage densities higher than 1:450 square metres per residential unit where this is designed to fit well with the immediate context, with particular significance attached to the way the development:
a. complies with the standards of the zone; or otherwise
b. manages dominance effects on neighbours through measures such as deeper setbacks, sensitive building orientation and design, use of building articulation and landscaping;
c. achieves a reasonable level of privacy between neighbours through measures such as deeper boundary setbacks, offsetting habitable room windows that face each other, or the

use of screening devices or landscaping; and
d. provides activation of streets through the placement of doors, windows and openings that face the street.
The Design respects these, specifically the building is clustered with setbacks and provides activation to the lane that it is on.

7.2.3.3
Encourage landscaped areas to be well-designed and integrated into the development layout and design, providing high amenity spaces for recreation and enjoyment, having particular regard to the visual amenity of streets and street frontages.
While a small site it has maximised the potential of landscape arguably to a greater degree than the subdivision anticipated.

***7.2.4 Objective** - Residential development in Arrowtown compatible with the town's existing character*

7.2.4.1 Ensure development that requires a resource consent, including infill housing, community activities and commercial development is of a form that is compatible with the existing character of Arrowtown, with particular regard given to:
a. building design and form;
b. scale, layout and relationship of buildings to the street frontage(s);
c. materials and landscape response(s); and
d. encouraging a mix of dwelling sizes and densities, particularly small houses.
The design is compatible with Arrowtown, aligning with a-d.

7.2.4.2
Avoid flat roofed dwellings in Arrowtown.
Flat roofs are avoided and only used to link primary gable roof forms.

12.4 Operative District Plan

Part 7 - Residential Areas

Objective 1 - Availability of Land

Sufficient land to provide for a diverse range of residential opportunities for the District's present and future urban populations, subject to the constraints imposed by the natural and physical environment.
Policies:

1.1 To zone sufficient land to satisfy both anticipated residential and visitor accommodation demand.

1.2 To enable new residential and visitor accommodation areas in the District.

1.3 To promote compact residential and visitor accommodation development.

1.4 To enable residential and visitor accommodation growth in areas which have primary regard to the protection and enhancement of the landscape amenity.

1.5 To maintain a distinction between the urban and rural areas in order to assist in protecting the quality and character of the surrounding environment and visual amenity.

1.6 To promote, where reasonable, a separation of visitor accommodation development from areas better suited for the preservation, expansion or creation of residential neighbourhoods.

Implementation Methods
Objective 1 and associated policies will be implemented through:
i

District Plan

a. To enable a broad range of residential and visitor accommodation areas without allowing either activity to unduly harm the other.

65. The building design meets this objective, promoting compact residential development, with the landscape amenity being the predominant character of the area.

Objective 2 - Residential Form

A compact residential form readily distinguished from the rural environment which promotes the efficient use of existing services and infrastructure.
Policies:
2.1 To contain the outward spread of residential areas and to limit peripheral residential or urban expansion.

2.2 To limit the geographical spread and extent of rural living and township areas. Where expansion occurs, it should be managed having regard to the important District-wide objectives.

2.3 To provide for rural living activity in identified localities.

2.4 In new residential areas encourage and provide for development forms which provide for increased residential density and careful use of the topography.

2.5 To encourage and provide for high density development in appropriately located areas close to the urban centres and adjacent to transport routes.

66. This objective is meet via the recent subdivision but specifically this building allows for increased residential density by nestling the building forms carefully into the typography.

Part 7 – Arrowtown Residential Areas

Zone Purpose - Low Density Residential Zone

The purpose of the zone is to provide for low density permanent living accommodation, maintaining a dominance of open space and low building coverage. The zone seeks to maintain and enhance the low density residential areas with ample open space, low rise development and minimal adverse effects experienced by residents. …
Other activities are permitted in the zone provided they meet environmental standards which keep the activities compatible with residential activity and amenity. A number of established activities, mainly visitor accommodation facilities, have been scheduled to ensure full protection of these activities acknowledging their contribution to the local economy.

67. The proposal is considered to promote this purpose, in this specific area there is a dominance of open space in so much that the residential area is small relative to the predominance of the reserved areas.

7.5.3.4 Discretionary Activities

The following shall be Discretionary Activities provided they are not listed as a Prohibited or Non-Complying Activity and they comply with all the relevant Zone Standards:

i Visitor accommodation in the low density residential zone, excluding the visitor accommodation sub-zone, in respect of:

a. The location, external appearance and design of buildings;
b. The location, nature and scale of activities on site;
c. The location of parking and buses and access;
d. Noise, and
e. Hours of operation

ii The sale of liquor from visitor accommodation.
Note: For the purposes of this Rule, the definitions of visitor accommodation and hotel do not include the sale of liquor.

iii Retail Sales, except for Retail Sales ancillary to any Commercial Recreation Activity, Community Activity or Health Care Facility, within a Commercial Precinct.

iv Commercial Recreation Activities except within a Commercial Precinct.

v Comprehensive Residential Developments located in the Low Density Residential Zone.

vi Any Activity which is not listed as a Non-Complying Activity or Prohibited Activity and which complies with all the Zone Standards but does not comply with one or more of the Site Standards shall be a Discretionary Activity with the exercise of the Council's discretion being confined to the matter(s) specified in the standard(s) not complied with.

The proposal reflects a Discretionary activity as it does not comply with one or more of the site standards

The proposal is deemed a non-Complying Activity

7.5.3.5 Non-Complying Activities

The following shall be Non-Complying Activities, provided that they are not listed as a Prohibited Activity:
…….
Any activity which is not listed as a Prohibited Activity and which does not comply with one or more of the relevant Zone standards, shall be a Non-Complying Activity.

68. The proposal is deemed a non-Complying Activity as it does not meet the height requirements. But the effect of the non compliance in regard to this is no more than minor. The mitigation measures being the coordinated design broken in to several elements and reflecting the Arrowtown vernacular.

iv Setback from Internal Boundaries/Neighbours
a. Except as provided for below, the minimum setback from internal boundaries/neighbours for any building shall be:
Front Site
One setback of 4.5m and all other setbacks 2m.
Rear Sites
Two setbacks of 4.5m and all remaining setbacks to be 2m.
b. Exceptions to a. minimum setbacks:

i. Accessory buildings for residential activities other than those used for the housing of animals may be located within the setback distances from internal boundaries, where the total length of the walls of accessory buildings within the setback does not exceed 7.5m in length and there are no windows or openings, other than for carports, along any walls within 2m of an internal boundary.

ii. Eaves, porches, balconies, bay or box windows, steps, chimneys and similar parts of buildings may be located within the minimum building setback as follows:
a. eaves up to 0.6m into the setback; and

b. balconies and bay or box windows of less than 3m in length may project into the setback by up to 0.6m. Only one such balcony or bay or box window, intrusion is permitted on each setback of each building; and
c. porches and steps up to 0.6m into a setback; provided they measure no more than 2m parallel to the nearest internal boundary and provided that the floor level of any such porch or the top of any steps shall be no higher than 1m above ground level. Only one such porch or set of steps is permitted on each setback of each building; and
d. chimneys may project into the setback by up to 0.6m provided that the chimney measures no more than 1.2m parallel to the nearest internal boundary. Only one chimney is permitted on each setback of each building; and
e. no part of any balcony or window which is located within a setback shall be higher than 3m above ground level.

69. The building site is defined as a rear site one setback of 4.5 can be accommodated.

viii Outdoor Living Space

a. The minimum provision of outdoor living space for each residential unit and residential flat contained within the net area of the site within the Low Density Residential Zone shall be:

36m 2 contained in one area with a minimum dimension of 4.5m at the ground floor level and 8m 2 contained in one area with a minimum dimension of 2m at any above ground floor level.

b. The minimum provision of outdoor living space for each residential unit and residential flat contained within the net area of the site within the High Density Residential Zone, shall be: 20m 2 contained in one area with a minimum dimension of 3m at the ground floor level and 8m 2 contained in one area with a minimum dimension of 2m at any above ground floor level.

c. The outdoor living space shall be readily accessible from a living area.

d. No outdoor living space shall be occupied by any building, other than an outdoor swimming pool, or accessory building of less than 8m 2
gross floor area, driveway or parking space.

70. Because of the typography of this site Ground level is logically the flat area of the site to the north. Various outdoor living areas are accommodated immediately adjacent to the defined living areas at various levels of the building. Overall this makes a better residential experience on a difficult steep site, achieved through the design form being broken up but infringing the height limit as a result. It also avoids having large deck areas protruding into the open areas of the site.

ii Building Coverage
The maximum building coverage for all activities on any site shall be:

a. 40% in the Low Density Residential Zone

71. This is complied with.

v Building Height

b. Sloping sites where the ground slope is greater than 6 degrees (i.e greater than 1 in 9.5)

The maximum height for buildings shall be 7.0m:
except:

i. No part of any accessory building located within the setback distances from internal boundaries shall protrude through recession lines inclined towards the site at an angle of 25° and commencing at 2.5m above ground level at any given point along each
internal boundary.

Ii. …..

Iii. ***The maximum height for building in that part of the Residential Low Density Zone at Arrowtown shall be 6m, except that within the Arrowtown Scenic Protection Area of the zone the maximum height shall be 5m.***

…..

71. This exceeded, which is the primary need for this resource consent. Many mitigation measures are expanded in this AEE which I believe infringement of height is no more than minor. Arguably the end result has a beneficial effect. A building design that goes beyond the minimal requirements of the district plan for this area.

7.7 Resource Consents - Assessment Matters Residential and Visitor Accommodation Zones

Building Height - Zone Standard
a. Whether any earthworks have been carried out on the site prior to the date of notification (10 October 1995) that have lowered the level of the site.
b. Whether there are rules requiring the site to be built up.
c. With regard to proposals that breach one or more zone standard(s), whether and the extent to which the proposal will facilitate the provision of a range of Residential Activity that contributes to housing affordability in the District.

x Building Height - Site Standard (Lot 141 Block XX Shotover Survey District).
a. Whether the architectural style is sympathetic to the mountain setting and local context.
b. Whether the height of the building is appropriate to the scale of the natural landforms and vegetation of the area.
c. Whether the building is likely to create adverse effects of shading on Fernhill Road and neighbouring properties.

72. While this assessment matter does not refer to this site the matters a. & b. Can be applied to this site and are mitigating measures for the height infringement.

xxix Additional Matters — Arrowtown

The extent to which any building blends harmoniously with and contributes to the historic character of the residential area. In this regard the following matters are important:

a. Building Form

The extent to which the building forms generally match the common building forms of the old town area.

The primary building form should be a gabled rectangular planned structure with a maximum street frontage of 12 m and with a maximum height to the eaves of 3.0 m. The maximum building height generally should be 4.0 m to the ridge.

A larger building can be constructed by combining additional primary building forms in parallel or at right angles. Other elements which can be added are verandahs and lean-tos.

b. Roofs

The extent to which any roofs proposed reflects the following:

Main roofs should be gabled only, with pitches varying between 25 and 35 degrees. The main roof may comprise a salt-box roof pitch where the street elevation roof pitch is higher than the rear roof pitch. Lean-to and veranda roof pitches should generally be less than the main roof pitch. Subsequent lean-to's should generally be a lesser pitch again. Veranda roofs may be hipped. Dormer windows are not appropriate, but glazed skylights in the plane of the roof which project no more than 100mm are acceptable.
This is predominantly reflected in the deign.

c. Location

The extent to which the location of buildings reflects the following:
Houses should be located centrally between the side boundaries with the long wall of the main rectangular form parallel with the street. Subsequent building forms should generally be, no closer to the street boundary than the principal form and can be at right angles or parallel to the principal building form.

73. The intent of this is complied with the primary building centrally located between the side boundaries, those to east and west of the site. But in this case the subsequent smaller form is to the north and the main building setback as otherwise the building would be more dominant. Noting this note anticipates a flat site I would argue.

d. Exterior Materials and Finishes

The extent to which the exterior materials and finishes reflects the following:
Building materials and their finishes generally shall be:

i. schist with lime mortar with or without a low percentage of cement for walls and chimneys, with a natural finish or finished with a lime, sand plaster and/or a natural limewash;
ii. painted timber rusticated or shiplap weatherboards for walls;
iii. painted corrugated steel or uncoated timber shingles for roofs;
iv. painted timber for roof and wall coverboards, baseboards, and cornerboards;
v. painted timber windows, glazing bars, sills, and frames;
vi. painted timber door panels, stiles, mullions, rails, glazing bars, sills, and frames;
vii. natural or limewashed bricks for chimneys;
viii. painted timber architraves to doors and windows for timber clad houses;
ix. lime-sand rendered architraves may be applied to schist buildings;
x. painted corrugated steel for walls;
xi. painted timber framing to verandahs.

74. Schist is used to conceal the garage wall at the entry to the building and site. Painted timber rusticated is utilised. Walls are also proposed in vertical corrugated, now a vernacular of arrowtown arguably to match the roof all in a recessive grey colour. Some feature walls are proposed in corten to reflect the gold mining relics of the river area of this site, appropriate given the proximity to the river , the chinese village and as featured on the very successful Dudleys Cottage.

e. Details

Gables and eaves shall generally not overhang walls by more than 300mm.

75. This is respected

Verandahs can have broken-back roofs or roofs springing from immediately under the gutterboard of the main roof. Veranda roofs can be hipped or half gables. Veranda posts should have a positive base detail which does not decrease in dimension from the main support post.

Decoration if applied, should be simple and be limited to bargeboards and the veranda frieze or fringe. Reproduction of details shall be avoided and the use of new ornamentation designs, where used, is encouraged.

In simple rectangular house forms, chimneys shall generally be located at either end of the house, either expressed on the exterior or within the interior of the house. In 'T' plan house forms a chimney may be located at the junction of the two rectangular forms. Chimneys on the ridge shall project a minimum of 300mm above the ridge line. Chimneys can also be located at the rear of the house.

f. Proportions

The range of facade should be between 1: 2.5 and 1: 4.4. Window proportions, should be approximately 1: 2.5 without a toplight and 1: 3.2 with a toplight.
The general proportion of opening to solid wall should not be more than 3: 1.

76. These are predominantly respected.

g. Colour

Colours should be similar to the original colour schemes.

h. Ancillary Buildings

i. Garages should be to the rear of the building and follow the general design principles as for the main building.
ii. Fences shall generally match the design and heights of original fences.

77. The building design respects the above predominantly. Given the nature of the site typography, that has was approved via the overall subdivision the design mitigates the height infringement.

Part 13 – Heritage

The relevant objectives and policies for heritage values and heritage trees are set out below.

Objective 1 - Heritage Values
The conservation and enhancement of the District's natural, physical and cultural heritage values, in order that the character and history of the District can be preserved.

1.1 To protect and enhance the heritage values of urban and rural areas and the built environment including the cumulative value of retaining groups of buildings.

78. The proposal is considered to promote this objective through the considered response to the design on the site that will not detract from or degrade the existing heritage values of the site. The proposal is considered to align with this objective and associated policies

7 Lower Density Suburban Residential

7.2.4 Objective - Residential development in Arrowtown compatible with the town's existing character

Policies

7.2.4.1
Ensure development, including infill housing, community activities and commercial development is of a form that is compatible with the existing character of Arrowtown, guided by the Arrowtown Design Guidelines 2016, with particular regard given to:

a. building design and form;
b. scale, layout and relationship of buildings to the street frontage(s);
c. materials and landscape response(s).

79. This has informed the design proposed.

7.2.4.2
Avoid flat roofed dwellings in Arrowtown

80. The proposal promotes gable roof forms, but the forms infringe the height plane.

4.6.1.3 New construction should be identifiable as contemporary

81. The proposal reflects the traditional gable form of cottages and shed forms but introduces a subtle contemporary element with the cladding as rusted steel.

4.6.1.4 New construction to be in sympathy with its context.
a) New construction should avoid overpowering, (in particular in terms of scale), the cottage and shed building types or dominate its context.

82. New construction in sympathy with its context . The proposed rusted steel is a recessive material. The large open areas of the site are not compromised. The Addition harmonise well in the overall context from Arrow River track flowing down from the buildings around.

4.6.1.5 Try not to introduce false history
a) Try not to build replicas of Arrowtown cottages or sheds or replicas of historic examples from other places as this undermines the real heritage value of the zone.
b) Try not to make exact copies of the characteristic detail or ornament of historic buildings.

83. False history is not introduced

4.7.2 GUIDELINES: THE COTTAGE AND SHED BUILDING TYPES.

4.7.2.1 24.6 Scale is absolutely critical to successful new construction. The scale of new construction within the ARHMZ to reflect the scale of traditional cottages and sheds. Within the MDR and LDSR zones there is greater scope to move away from this, but careful attention is to be given to the proposed buildings to ensure that they do not become out of scale with the general character of Arrowtown.

84. Scale has been carefully considered with the 3 building forms reducing the effective scale to what may have been a stark 3 storey facade built in the whole bank.

4.7.3.2 The primary element/cell should be the basic building block.
a) Two or more primary elements appropriately arranged on a site are likely to be the most acceptable way of increasing floor area.
b) Consider the building as an evolving collection of elements/cells that adapts and grows over time. This process can create interesting outdoor spaces.
c) Primary elements should be simple and visually distinct with individual roofs.
d) Exact duplication of elements within a composition is not acceptable.
e) A total building footprint larger than 180 square metres should be subjected to very careful scrutiny, as it is difficult for a building above this size to appear cottage-like.
f) Refer ARHMZ-Figure 12 and ARHMZ-Figure 13 which illustrates the concept of the multi-celled building
g) Some variation in forms may be acceptable. This is discussed more fully below.
h) Redevelopment of the fire station in Hertford Street may require some variation in scale and form in order to accommodate the operational and functional requirements of a fire station.

85. Multiple primary elements are are arranged to suit this specific site. The building is a collection of elements which may have grown over time. It has taken it lead from historic examples in the immediate vicinity. All Primary elements have individual roofs.

4.12.1.1 Maintain and enhance pedestrian friendly streets.

a) Protect and enhance the existing scale and character of the streets within the ARHMZ so that they remain places for pedestrians.
b) In all areas try not to allow vehicle requirements to dominate.

86. a) The scale of the lane within the subdivision is pedestrian friendly. T

4.12.1.2 Preserve existing laneways and seek new pedestrian links.
a) Protect the pedestrian use of existing lanes e.g. Camp Lane.
b) Seek opportunities for more pedestrian links to the Town Centre and River (where possible by the use of lanes)

87. A link is provide to the river terrace via Garla Burn Lane.

4.13.1.1 Preserve key views and consider all vistas.
a) Identify all views and view corridors across private and public land and seek to retain these views (with key view corridors identified within the respective neighbourhood plans set out in Section 2).
b) If the values of the ARHMZ and other Zones are to be retained, key views, identified on the neighbourhood maps should be protected. Other views should be retained where possible. Key views are identified within the respective Neighbourhood Plans set out in Section 2 of this Guidance.

88. No view corridors are identified in the neighbourhood plans. The site is very open at the primary this river terrace area. The building has intentionally been set into the bank at the rear of the site so the openness of the historic context is retained.

4.14.1.1 Parking, driveways, and garages should not be prominent in the ARHMZ or dominant in other Zones.

89. Parking is on site and sites to the north of this will screen the area from the River terrace area.

4.14.1.2 Use materials for driveways that fit with ARHMZ and Arrowtown's character (as set out in Section 5 to these Guidelines).
a) For parking areas and driveways, local gravel with some fines for compaction is best. As an alternative use exposed aggregate concrete. A less desirable option is chip seal.
b) Try to avoid concrete kerbs for edging.
c) Try to avoid the use of concrete pavers, cobbles, stamped concrete or bitumen.

90. This is respected.

4.26.1.1 The approach to the placement and proportions of windows and doors within the ARHMZ should be based on the traditions of the zone.
This advice should also be considered for new buildings in the MDR and LDSR zones.
a) For the cottage primary elements the traditional double hung window and 4 panel frame and panel door are encouraged.
b) For the cottage and shed secondary elements the traditional small windows, (hopper or horizontally pivoting), are encouraged along with ledged and braced tongue and groove doors.
c) Doors and windows should be symmetrically arranged in the street facade of the cottage primary element.

d) As a general rule solid walls should dominate over openings in side and back walls, however, more flexibility may be able to be accommodated further back from the street.
e) All doors and windows should have timber sash with frames and be painted. Frames in other materials, eg. aluminium or steel, are not appropriate and detract from the heritage character of the zone.
f) Roof glazing is encouraged as a way of achieving more natural light inside the building while keeping the dominance of solid over opening in the walls. Roof glazing should be part of the roof plane and not projecting.
g) The contrast between the formal street 'face' and the more pragmatic back of house is a characteristic of the cottage. Reserve the use of larger openings, such as French doors, for walls away from the street.
h) The width of openings should be no more than 1.5m in stone walls.

91. The buildings follow this. Solid walls dominate over openings.

4.27.1.1 Within the ARHMZ new buildings should be designed so that each primary element is independent structurally and in terms of construction.
Buildings within the MDR and LDSR zones should also have the appearance that this is the case, especially where these zones immediately adjoin or adjacent to the ARHMZ.

a) A complex of buildings should be designed to be built as a number of small independent structures, not as a single complicated object 'dressed' with a variety of claddings..

92. The development is a number of small independent structures. Claddings are limited to corrugated metal and weather boards. The proposal uses rusty steel finish adding further variety.

4.27.1.2 Materials should be put together using similar construction techniques to those used traditionally within the area.
a) Design a new building to maximise hand technology and minimise heavy construction.
b) The palette of materials should be restricted to those used traditionally in the ARHMZ. It may be acceptable to use other materials which meet the criteria of local materials and minimal processing.
c) Some variety in the palette of materials on a building is acceptable (too much can be overpowering). Early buildings were normally clad in a variety of materials, e.g. primary element in stone; secondary elements in timber weatherboard; shed in corrugated iron. Often more than one profile of weatherboard was used. This made the parts of the building more distinct and the evolution of the building over-time more evident.

93. This is respected.

4.27.1.3 Mortared Stone.
a) A local stonework style has developed over the years, using the local schist rock with earth/lime mortar. This style should be used for all stone external walls of buildings. Often these walls were whitewashed.
b) Stone should not be used for secondary additions unless the primary element is also in stone.
c) Stone should not be overused: more than half the primary forms in the Precinct have always been of light timber framed construction.
d) Ideally stone walls should be structural. Veneers are only acceptable where the veneer is at least 200mm thick.

94. This is respected.

4.27.1.4 Corrugated Iron - Roofs And Wall Cladding

a) Corrugated iron is the traditional roofing material for roofs with greater than 8° pitch.
b) Most roofs have traditionally remained unpainted. The old formula for galvanized iron weathers to a beautiful matte patina, but is unfortunately no longer available.
c) Colorsteel is rather too shiny and should not be used. Low gloss paint finish is acceptable.
d) Zincalume and the modern galvanised steel are too bright and intrusive, and should not be used.
e) 'Oil-only' steel is very bright at first, but appears to dull off to an acceptable extent after five or more years.
f) Corrugated iron can also be used as a wall cladding. Painted timber trim similar to that used with weatherboards should be used with corrugated iron wall claddings.

a)
corrugated roofing used
f)
Corrugated used as wall finish.

95. In this proposal rusted steel is proposed that meets the intention outlined.

96. Glazing is proposed to the living areas of the primary forms. This then reads as a void form and contemporary element.

12.5 Arrowtown Design Guidelines

Section 104(1)(c) relates to any other matter considered reasonably necessary to determine the application.

97. The Arrowtown Design Guidelines 2016 fall into this category, and these have been referred to in places through this report.

13 Determination

98. Section 104D has two gateway tests. The assessment undertaken above has confirmed the proposal will not give rise to any actual or potential adverse effects which are more than minor. In addition, this assessment has identified the proposal is not diametrically opposed and therefore contrary to the relevant objectives and policies of the District Plan or Proposed District Plan.

14 Part 2 of the RMA

99. The proposal is consistent with Part 2 of the Act, being the sustainable management of natural and physical resources. It will enable the applicant to provide for their social and economic wellbeing whilst also protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

Section 6(f) states that all persons exercising functions and powers under the RMA shall recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development. The proposed development has been sensitively designed to respond to its heritage setting and cannot be considered to be an ‘inappropriate’ development.

15 Conclusion

100. R J and G L Pettit, are applying for a new residential Building within the newly approved subdivision. This will provide for intensification within the Arrowtown urban area to provide for Residential accommodation.

101. The site has respected the historic character of the overall area and the building forms reflect the past historic shed context of the area. It adds variety of a pioneering quality to Arrowtown. The openness of the site surpasses most in Arrowtown retaining all views of the landscape features on the site.

102. The assessment of actual and potential effects has found that there will be less than minor effects and that there is no impediment to the proposal.

103. The proposed development is consistent with the relevant objectives and policies of the District Plan, and meets the purpose and principles of the Resource Management Act 1991. The proposal is a non-complying Activity under the District Plan, but the height infringements are deemed appropriate in this unique location.

104. Overall, and in accordance with the assessment contained in this report, it is requested that the proposed development is granted as proposed.