JOHN EDMONDS & ASSOCIATES

**Assessment of Environmental Effects**

Residential redevelopment of 74 Buckingham Street, Arrowtown

October 2026

## EXECUTIVE SUMMARY OF PROPOSAL

**Anne-Marie and Clark Abel** (the applicant) seek the necessary resource consents to allow for the redevelopment of 74 Buckingham Street and to complete landscaping and earthworks.

| | |
|---|---|
| **Location:** | 74 Buckingham Street, Arrowtown |
| **Legal Description:** | Lot 2 DP 9914 held in Record of Title OT6A/132 |
| **Territorial Authority:** | Queenstown Lakes District Council |
| **Plan:** | PDP – Proposed District Plan |
| **Zoning:** | Arrowtown Residential Historic Management Zone |
| **Natural Hazards:** | Liquefaction A Domain – Low to none |
| **Activity Status:** | Non - Complying |

## APPENDICES

| | |
|---|---|
| **Appendix A -** | Record of Title |
| **Appendix B -** | Architectural Plans |
| **Appendix C -** | Environmental Management Plan |

## TABLE OF CONTENTS


1 INTRODUCTION ..... 4
2 Description of the Environment ..... 4

*2.1 Site Description* ..... *4*
*2.2 Legal Description* ..... *5*
*2.3 Arrowtown Design Guidelines 2016* ..... *5*

3 DESCRIPTION OF PROPOSAL ..... 5

*3.1 Proposed Redevelopment* ..... *5*
3.1.1 Building Height ..... 6
3.1.2 Setback Breaches ..... 7

*3.2 Landscaping* ..... *7*
*3.3 Earthworks* ..... *7*

4 DISTRICT PLAN PROVISIONS ..... 8

*4.1 Proposed District Plan* ..... *8*

5 ASSESSMENT OF ENVIRONMENTAL EFFECTS ..... 9

*5.1 If it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity.* ..... *9*
*5.2 An assessment of the actual or potential effect on the environment of the activity.* ..... *9*
5.2.1 Proposed Residential Development ..... 10
5.2.2 Earthworks ..... 11
5.2.3 ARHMZ and Arrowtown Design Guidelines ..... 12
5.2.4 Summary of Effects on the Environment ..... 13

*5.3 If the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use.* ..... *13*
*5.4 If the activity includes the discharge of any contaminant, a description of –* ..... *13*
*5.5 A description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect.* ..... *13*
*5.6 Identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted.* ..... *13*
5.6.1 Effects on 72 Buckingham Street ..... 13
5.6.2 Effects on 76 Buckingham Street ..... 15
5.6.3 Effects on 4 Cardigan Street ..... 16
5.6.4 Affected Persons Summary ..... 17

*5.7 If the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:* ..... *17*
*5.8 If the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).* ..... *17*

6 NOTIFICATION SUMMARY ..... 17

*6.1 Public notification* ..... *17*
*6.2 Limited notification* ..... *17*

7 CONSIDERATIONS ..... 17
8 OBJECTIVES AND POLICIES ASSESSMENT ..... 18
9 REGULATIONS ..... 18
10 Section 106A for Land Use Consents ..... 18
11 104D CONSIDERATIONS ..... 19
12 PART 2 OF THE RESOURCE MANAGEMENT ACT (1991) ..... 19
13 CONCLUSION ..... 19

## 1 INTRODUCTION

This Assessment of Effects on the Environment (AEE), inclusive of appendices, has been prepared in accordance with Schedule 4 of the Resource Management Act (RMA). Together these documents provide:

- A description of the application site and surrounding environment;
- A description of the proposal;
- A description of the consents sought;
- An assessment of environmental effects;
- Identification and assessment of relevant objectives and policies of the Operative and Proposed District Plan; and
- A conclusion.

Resource consent is sought to provide for the residential redevelopment of 74 Buckingham Street, Arrowtown. The proposal will demolish the existing dwelling on the site and redevelop the property to provide for a new residential dwelling, flat and garage. The site is zoned Arrowtown Residential Historic Management Zone under the Proposed District Plan.

## 2 DESCRIPTION OF THE ENVIRONMENT

### 2.1 Site Description

The site is located at 74 Buckingham Street, Arrowtown. The site is rectangular in shape and has a total area of 673m$^2$. The street frontage is relatively level but generally rises from the east to the west of the site. An existing three-bedroom two level dwelling is located to the rear of the property.

The site has been outlined in red in **Figure 1** below.




***Figure 1:*** *Aerial view of the site (outlined in red)*

Access to the site is obtained from an existing vehicle crossing at the northeastern corner of the site. No formal driveway has been established but informal access to the existing dwelling exists across the front lawn.

There are several established trees located upon the site. These include two walnut trees and a tree stump positioned within the central portion of the site, and two conifer trees adjacent to the Buckingham Street boundary of the site.

The site is located at the eastern end of Buckingham Street, along the main avenue of Arrowtown. There are several protected trees running within the Buckingham Street road reserve. Within the road reserve immediately in front of the site is Protected Tree 268: Fraxinus excelsior.

### 2.2 Legal Description

The site is legally described as Lot 2 Deposited Plan 9914 and held on the Record of Title as OT6A/132 (attached as **Appendix A**). There are no interests listed on the Record of Title that are of relevance to the current proposal.

### 2.3 Arrowtown Design Guidelines 2016

The site is located within Old Town Residential area of Arrowtown Residential Historic Management Zone (ARHMZ). Arrowtown is divided into separate, distinguishable neighbourhoods within the Arrowtown Design Guidelines (ADG). The Old Town residential area is described in the ADG as:

> *"…the first residential area developed to support the establishment of Arrowtown as an early mining town. The historic layout and a large number of heritage buildings, features and plantings remain within this area. Change has occurred, however the historic fabric is sufficiently intact that the essence of early Arrowtown heritage remains. Old Town provides context for Arrowtown's Town Centre and comprises six identified neighbourhoods that are expanded upon at section 2.5 of the guidelines."*

The site is located within Neighbourhood 3 – Avenue of the Old Town Residential area. This neighbourhood is described as follows:

> *"The Avenue Neighbourhood has its own overlay of distinctive features, which includes the Buckingham Street Avenue of trees, the miner's cottages, the Arrowtown Village Green, cribs and houses with hedges, grass verges and swales (The Arrowtown Village Green is discussed with the public open spaces of the Town Centre). The terrace face south of the Town Centre swings southwest providing containment to this neighbourhood. To the northeast the 'backyard' of the neighbourhood relates to the Arrow River and environs.*
>
> *The simplicity and strength of the Avenue with the combination of grass and woodland of sycamore trees surrounding the library give presence to this neighbourhood and 'lends' trees of stature to the building dominated Town Centre. The miners' cottages on the north side of the street, between Merioneth Street and Wiltshire Street, are distinctive and highly significant. They come to the street edge, or close to, and are set close together. These cottages are smaller in scale than the traditional Arrowtown cottage.*
>
> *This neighbourhood has an important relationship with the Town Centre but is distinctly different and should remain so.*
>
> *The District Plan also introduces the Town Centre Transition Overlay which provides for limited expansion of commercial activities in the 'Avenue' Neighbourhood 3."*

The ADG outline threats associated with developments located within Neighbourhood 3. These threats include;

a) Commercial development.
b) Pressure for redevelopment or larger buildings.
c) Development that does not reflect the scale of traditional cottages.
d) Increased parking and loss of grass verges and swales.
e) Inappropriate landscape details and signage.
f) Loss of trees in particular the avenue. The replacement tree nursery which was established in 1997/98 near Wilcox Green needs to be revitalized.
g) Owners not looking after heritage buildings.
h) Loss of heritage buildings.

## 3 DESCRIPTION OF PROPOSAL

The applicant seeks the necessary resource consents to allow for the residential redevelopment of 74 Buckingham Street, Arrowtown. Architectural plans have been produced by CKA Architects and are attached as **Appendix B**.

### 3.1 Proposed Redevelopment

The proposal seeks to provide for the redevelopment of the site to provide for a new residential dwelling and garage/studio building. The proposed development will provide for a total building area of 202m$^2$ across the site comprising the following:

- Demolition of existing dwelling.
- Construction of a 56m$^2$ garage/studio building.

- Construction of a two storey 142m$^2$ main residential unit at the rear.

The proposed development will utilise the exterior colours and materials outlined in *Table 1* below.

*Table 1: Schedule of Exterior Colours and Materials*

| ***New House*** |
|---|
| Corrugate Roofing |
| Stone Veneer Cladding |
| Timber Fascia |
| Timber Window Joinery |
| Horizontal Timber Cladding with Vertical Battens |
| Aluminium Skylights |
| ***Garage/Studio*** |
| Corrugate Roofing |
| Rolled Flashing |
| Timber Fascia |
| Multi-Pane Timber Joinery |

The proposed development will require resource consent for breaches to the following bulk and location standards prescribed for the Arrowtown Residential Historic Management Zone.

### *3.1.1 Building Height*

The main residential unit proposed at the rear of the site will exceed the permitted 5.0 metre height limit. The apex of the gable within two portions of the development will exceed the permitted 5m height limit by up to 1.53m. An excerpt of the building infringement envelope has been included as **Figure 2** below.

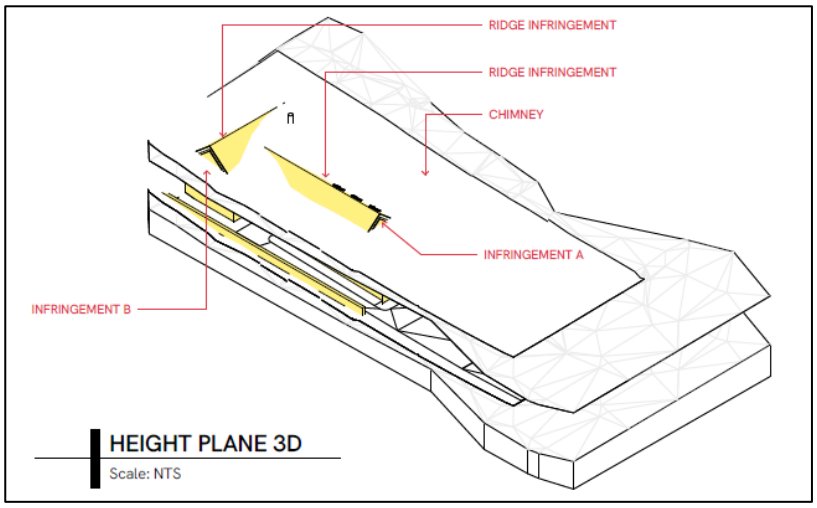



***Figure 2:*** *Height Plane Envelope*

The height breaches identified in **Figure 2** above have been described in the *Table 2* below:

Table 2: Description of Height Infringements

| **Infringement A** | |
|---|---|
| Maximum Height of Breach | 1100mm |
| Maximum Length of Building Height Exceedance | 13710mm |

| | |
|---|---|
| Maximum Width of Building Height Exceedance | 2600mm |
| **Infringement B** | |
| Maximum Height of Breach | 1530mm |
| Maximum Length of building exceeding height limit | 8000mm |
| Maximum Width of Building Height Exceedance | 3720mm |

#### *3.1.2 Setback Breaches*

Portions of the studio/garage and the main dwelling will breach the permitted setbacks from both the western and eastern internal boundaries. Sheet RC0-12 of **Appendix 2** has outlined identified the portions of the proposed development that will be located within the permitted setbacks. These breaches have been described in detail below.

*Western Boundary Setback*

The Garage and Studio building is located within the permitted setback from the western boundary along its length. This building is a single storey structure that is located 1000mm from the shared boundary.

The western façade of the southern portion of the main dwelling is also located within the western internal setback. The dwelling will encroach into the western setback by 800mm being located 2200mm from the boundary.

*Southern Boundary Setback*

The southern façade of the dwelling is located 500mm into the internal setback along its 11250mm width.

*Eastern Boundary Setback*

The southeastern section of the dwelling is located 997mm into the 3m setback along its 5800mm width.

### 3.2 Landscaping

A landscape plan has been produced by CKA Architects and is included as Sheet RC0-30 within **Appendix B**. The proposed planting palette has been informed by the Arrowtown Design Guidelines with species chosen from the approved lists outlined.

The landscape plan includes boundary hedging along the western, southern and eastern boundaries of the site, mainly providing cover of the main residential dwelling. Two deciduous trees are to be located within the street frontage of the development in between the garage and studio building.

The existing post and wire fencing located along the street frontage is also to be replaced, providing for an 800mm schist wall. This will adjoin the existing schist wall positioned along the street frontage of 72 Buckingham Street.

As part of the proposal, one Walnut tree, the tree stump and two Port Orford Cedars will be removed. These trees are not listed as protected under Schedule 32.7, located within any street or public areas nor listed as character trees within the Arrowtown Residential Historic Management Zone.

### 3.3 Earthworks

Earthworks are proposed to be undertaken at the rear of the site to provide for an appropriate area for the proposed development. An earthworks plan has been included within the architectural plan set attached as **Appendix B.**

The following earthworks are proposed:

*Earthworks Volume*

- Maximum Volume of Cut = 191m$^3$
- Maximum Volume of Fill = 89m$^3$
- Earthworks Volume Total = 280m$^3$

*Maximum Depths*

- Maximum Cut Depth = 1.7m

- Maximum Fill Height = 0.88mm

Resource consent will also be required to provide for cut and fill that are supported by retaining walls in a proximity to the western and eastern boundaries. The maximum exceedances have been outlined below.

- Retaining of cut of a depth of 850mm setback from the western boundary by 500mm
- Retaining of fill at the height of 760mm setback from the eastern boundary by 500mm

These earthworks are shown on the Sections 2 and 3 of Sheet EC0-20 of **Appendix B**.

## 4 DISTRICT PLAN PROVISIONS

### 4.1 Proposed District Plan

The site is zoned as Arrowtown Residential Historic Management Zone (ARHMZ). The purpose of the Zone is to:

> *"allow for the continued sensitive development of the historic area of residential Arrowtown in a way that will protect and enhance those characteristics that make it a valuable part of the town for local residents and for visitors attracted to the town by its historic associations and unique character.*
>
> *In particular the zone seeks to retain the early subdivision pattern and streetscape, and ensure future development is of a scale and design sympathetic to the present character.*
>
> *Unlike other residential zones, infill housing is not anticipated. However, as with the remainder of the District's residential zones, Residential Flats are provided for as a fundamental part of a standard residential unit to increase the diversity of residential accommodation in the zone as well as recognise the diverse household types and preferences within the District.*

In summary, under the PDP, Resource Consent is sought for the following:

<u>Chapter 10 – Arrowtown Residential Historic Management Zone</u>

- A **Restricted Discretionary** Activity under Rule 10.4.6 with regards to the construction and external alteration to any building. Discretion is restriction to the following with the Arrowtown Design guidelines 2016 being the principal tool to be used in considering the merit of proposals (within the restrictions of discretion):
  - *how new or altered buildings make a positive contribution to the heritage character of the zone;*
  - *building form, appearance, scale and layout including the height to the eaves, ridge, roof shape and pitch;*
  - *exterior materials and colour;*
  - *landscaping and fencing;*
  - *where a site is subject to any natural hazard and the proposal results in an increase in gross floor area:*
    - *the nature and degree of risk the hazard(s) pose to people and property:*
    - *whether the proposal will alter the risk to any site; and*
    - *the extent to which such risk can be avoided or sufficiently mitigated.*
- A **Non – Complying** Activity under Rule 10.5.1 with regards to the proposed dwelling breaching the permitted 5m building height. The proposed dwelling will exceed the permitted height limit by a maximum of 1530mm.
- A **Non – Complying** Activity under Rule 10.5.3 as the proposed development will exceed the permitted building coverage of 30% net site area. The proposed development will result in a building coverage of 31%.
- A **Non – Complying** Activity under Rule 10.5.4 as the total area covered by building coverage and impervious surfaces will exceed 35% of the net site area. The combined impervious area of the development is 37%.
- A **Restricted Discretionary** Activity under Rule 10.5.6 with regards to the proposal breaching;
  - Permitted setbacks of 3m from both of the side and rear boundaries.

- The garage/studio which exceeds the permitted exceptions for accessory buildings is to be located within the side minimum setback. The garage is proposed to be 10.5m in length exceeding the permitted exemptions for accessory buildings within the setback of 7.5m.

Discretion is restricted to the following with the Arrowtown Design guidelines 2016 being the principal tool to be used in considering the merit of proposals (within the matters of discretion):

- *effects on open space, privacy sunlight access and amenity values of neighbouring properties;*
- *building dominance.*

Chapter 25 - Earthworks

- A **Restricted Discretionary** Activity under Rule 26.5.7 with regards to earthworks that exceed 100m$^3$ within the Arrowtown Residential Historic Management Zone. A maximum volume of 280m$^3$ of earthworks is proposed.

- A **Restricted Discretionary** Activity under Rule 25.5.18.2(a) with regards to earthworks supported by retaining walls that are not setback the distance from the boundary at least a distance equal to the height of the cut and fill. The areas of cut and fill that exceed these requirements have been outlined in Earthworks Sections 2 and 3 on RC 0-20 of **Appendix B**.

  The matters of discretion for breaches to earthworks standards are listed under Rule 25.7.1 and are listed below:

  - *Soil erosion, generation and run-off of sediment.*
  - *Landscape and visual amenity values.*
  - *Effects on infrastructure, adjacent sites and public roads.*
  - *Land stability.*
  - *Effects on water bodies, ecosystem services and biodiversity.*
  - *Cultural, heritage and archaeological sites.*
  - *Nuisance effects.*
  - *Natural Hazards.*
  - *Functional aspects and positive effects.*

Overall, resource consent is required for a **Non – Complying** Activity.

## 5 ASSESSMENT OF ENVIRONMENTAL EFFECTS

Clauses 6 and 7 of Schedule 4 of the Resource Management Act 1991 outline the matters that must be addressed within an assessment of environmental effects. These matters have been outlined below:

### 5.1 If it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity.

The proposed development will not result in any significant adverse effects on the environment. Any adverse effects associated with the proposed development are less than minor on the environment and no alternative locations for the development have been considered.

### 5.2 An assessment of the actual or potential effect on the environment of the activity.

When considering an application under section 104 of the RMA, subject to Part 2 of the Resource Management Act 1991 (RMA), the Council must have regard to the actual and potential effects on the environment of allowing the proposed development.

In assessing these effects, the matters set out in clause 7(1) of Schedule 4 of the RMA are required to be addressed, as relevant to the proposal. These have been outlined below:

*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 hazardous installations.*

The actual and potential effects relevant to the proposal are assessed as follows:

### *5.2.1 Proposed Residential Development*

The PDP prescribes that within the Arrowtown Residential Historic Management Zone the Arrowtown Design Guidelines 2016 are the principal tool to be used in considering the merit of proposals. For the purpose of this assessment the guidelines have been assessed in the context of the matters of discretion prescribed under Rule 10.4.6.

*How new or altered buildings make a positive contribution to the heritage character of the zone*

The proposal will provide for the redevelopment of the site with a design and built form that responds positively to the established heritage character of Arrowtown's historic precinct. The development incorporates a traditional gabled roof form and a material palette that are prevalent throughout the ARHMZ and consistent with the design principles outlined under the ADGs.

While the proposed buildings are new, their scale, form and layout have been designed to sit comfortably within the established pattern of residential development. In particular, the proposal avoids introducing a built form that would detract from the historic qualities of the surrounding streetscape known as "The Avenue". Rather than seeking to replicate historic buildings, the development provides a contemporary residential response that draws upon the characteristic forms and materials of Arrowtown.

Overall, the proposal is considered to make a positive contribution to the heritage character of the zone by maintaining the established scale, form and architectural qualities of the surrounding environment. The development will reinforce the heritage character of the precinct and is consistent with the design outcomes anticipated by the ADGs.

*Building Form, Appearance and Layout*

The proposed built form is broken up through both its layout and architectural form, comprising a new main dwelling and a separate garage/studio. The only two-storey component of the dwelling is appropriately positioned towards the rear of the site, consistent with the guidance contained in Section 4.5 of the Arrowtown Design Guidelines. This approach ensures that the greater areas of building bulk are set back from the street frontage, thereby reducing visual dominance and maintaining the established character and scale of the surrounding built environment.

The breach of the permitted building height standard is also limited to the apex of the gable forms associated with the two wings of the dwelling. Accordingly, the additional height is confined to relatively small portions of the roof form and will not result in a material increase in the perceived bulk or dominance of the dwelling.

Although the proposed development will exceed the permitted building coverage standard by 1% and the combined building coverage and impervious surface standard by 2%, these infringements are minor in scale. The overall built form remains generally consistent with the scale and intensity of residential development anticipated within the ARHMZ. The limited exceedances to coverage standards will not materially increase the perceived scale of development on the site, particularly given the separation of built form, building design, and landscaping both existing and proposed. Accordingly, the additional coverage is not considered to give rise to adverse effects beyond those anticipated for the zone.

Overall, it is considered that the proposed building form, appearance and layout are characteristic of the zone and any actual or potential adverse effects on the environment and people are less than minor.

*Exterior Materials and Colour*

The proposed development has included a material palette that is consistent with materials recommended through Section 4.27 of the ADG. The proposed colours and materials are all appropriate within the Arrowtown Residential Historic Management Zone, providing for a built form that is consistent with the character of this zone.

*Landscaping and Fencing*

The proposed landscaping design will be appropriate within the receiving environment and will contribute positively to the streetscape. An existing walnut tree will be retained, with two additional deciduous trees established within the road frontage. Existing fencing along the street boundary will also be replaced with an 800 mm-high schist wall, consistent with the established streetscape character immediately to the west.

When viewed from the road, the proposed landscaping and boundary treatment will assist in softening the built form, providing visual interest and softening built form when viewed from the street.

The landscaping proposed will meet all planting recommendations prescribed through the Arrowtown Design Guidelines. Hedging has been included along all boundaries, providing visual relief of built form and a soft landscaped boundary.

Overall, the proposed landscaping and fencing are in accordance with the Arrowtown Design Guidelines and will be appropriate within the site environment.

*Natural Hazards*

The Otago Natural Hazards portal has identified a liquefaction risk that is low to none across the site. This risk profile has been confirmed through several recent developments in the surrounding area, which reiterated the minimal natural hazard risk associated with the site.

### *5.2.2 Earthworks*

Resource consent is sought for volume of earthworks, height of cut and earthworks in proximity to boundaries. The matters of discretion are restricted to those prescribed under Rule 22.3.2.3(b). Those standards have been reproduced and assessed below:

*Soil Erosion, generation and run-off of sediment*

Standard conditions of consent requiring a low-risk Environmental Management Plan to be submitted and implemented during the earthworks process is anticipated. These measures will appropriately avoid or mitigate actual or potential effects relating to soil erosion, generation or run-off of sediment.

*Landscape and visual amenity*

The bulk of earthworks required will be located within areas where built form is proposed and will not be visible following the development of the site. The proposed retaining will be typical of development throughout the receiving environment and will be limited to areas at the rear of the site to provide a level building platform.

*Effects on infrastructure, adjacent sites and public roads*

The earthworks required onsite are relatively minor, with minimal cleanfill required to be moved offsite via public roads. Any cleanfill transported from the site will meet permitted volumes prescribed under the PDP.

*Land stability*

The proposal provides for cut and fill in proximity to the eastern and western boundaries of the site. These areas will be appropriately retained providing for cut and fill along both the eastern and western boundaries that exceed permitted standards. The exceedance to the proximity to boundary standards will be appropriately managed through detailed design of earthworks and retaining.

The main areas of cut are located internally within the site. The largest cut will provide for an appropriate building platform. The proposal will have no effect on the stability of land on the neighbouring properties adjoining the site.

Any effects of the earthworks on the stability of the site and any adjoining properties are considered to be less than minor.

*Effects on water bodies, ecosystem services and biodiversity*

The proposal will have no effect on water bodies, ecosystem services or biodiversity.

*Cultural, heritage and archaeological sites.*

There are no known cultural, heritage or archaeological sites associated with the site. The property is however located within a heritage precinct. Although there are no known features, standard conditions surrounding archaeological discovery will appropriately address any cultural, heritage or archaeological effects.

*Nuisance effects*

Standard conditions of consent regarding hours of operation for machinery and site management will ensure that all earthworks are undertaken appropriately. Site management techniques are utilised throughout the earthworks to reduce nuisance effects on the surrounding environment.

*Natural Hazards*

The site has a little to no risk of liquefaction. The proposed earthworks will not exacerbate any natural hazards associated with the site.

*Functional aspects and positive effects*

The proposed earthworks will provide for a suitable building area for the proposed development. All areas of earthworks will be rehabilitated and developed in a timely manner following completion.

### *5.2.3 ARHMZ and Arrowtown Design Guidelines*

The Arrowtown Design Guidelines 2016 identify possible threats to Neighbourhood 3 (The Avenue). These are identified under Section 2.5.4 of the ADG. An analysis of these threats in relation to the proposed development has been considered below in *Table 3.*

*Table 3: Threats to Neighbourhood 3 – The Avenue*

| Threats | Analysis |
|---|---|
| a) Commercial Development. | The proposal does not involve any commercial development. |
| b) Pressure for redevelopment or larger buildings. | The proposal will provide for the redevelopment of the existing dwelling onsite. Although the proposal will result in an increase in built form across the site, the proposed development is of a scale that is largely consistent with development throughout the zone. |
| c) Development that does not reflect the scale of traditional cottages. | The proposed development has been designed to reflect the design of traditional cottages throughout the Arrowtown Residential Historic Management Zone. Although slightly increased in scale, the overall building coverage is comparable to the anticipated building bulk upon the site. |
| d) Increased parking and loss of grass verges and swales. | The proposed development will not result in any reduction to grass verges, and swales as a result of increased parking. The vehicle crossing will be retained in its existing location. |
| e) Inappropriate landscape details and signage. | The proposed landscaping is appropriate in scale and consistent with the Arrowtown Design Guidelines. No inappropriate landscape elements will be included upon the site.<br>No signage is proposed as part of the current application. |
| f) Loss of trees in particular the avenue. The replacement tree nursery which was established in 1997/98 near Wilcox Green needs to be revitalized. | No protected trees are located upon the site, nor will the protected Fraxinus Excelsior within the road reserve adjacent to the site be impacted by the current application. |
| g) Owners not looking after heritage buildings. | There are no heritage buildings located on the site, nor will the proposal affect any surrounding heritage buildings. |
| h) Loss of heritage buildings. | |

### *5.2.4 Summary of Effects on the Environment*

Overall, it is considered that the actual or potential effects of the proposal on the environment will be less than minor.

**5.3 If the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use.**

The proposal does not involve any use of hazardous installation.

**5.4 If the activity includes the discharge of any contaminant, a description of –**

**(i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and**

**(ii) any possible alternative methods of discharge, including discharge into any other receiving environment.**

No discharge of any contaminants is proposed as part of the current application.

**5.5 A description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect.**

The proposal has been appropriately designed within the receiving environment. This in addition to appropriate conditions of consent during earthworks will avoid and mitigate the actual or potential adverse effects of the proposal.

**5.6 Identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted.**

The site adjoins three residential properties to the east, south and west. The following assessment is focussed on these properties. The three adjoining neighbouring allotments have been outlined in **Figure 3** below.




***Figure 3:*** *Aerial view of the site and adjoining neighbours*

The effects of the proposed development onto these neighbours have been assessed below.

### *5.6.1 Effects on 72 Buckingham Street*

72 Buckingham Street (highlighted in yellow in **Figure 3**) is located to the immediate west of the site. This property has a main two-bedroom residential unit located within the southern portion and separately, a studio is located near the street frontage of the property. A detached building has been located to the immediate south of this studio.

A section of the southern portion of the dwelling will extend into the permitted 3m setback from the western boundary. It is noted that this elevation fully complies with the permitted height limit. The portion of the building within this setback has been identified in **Figure 4** below.

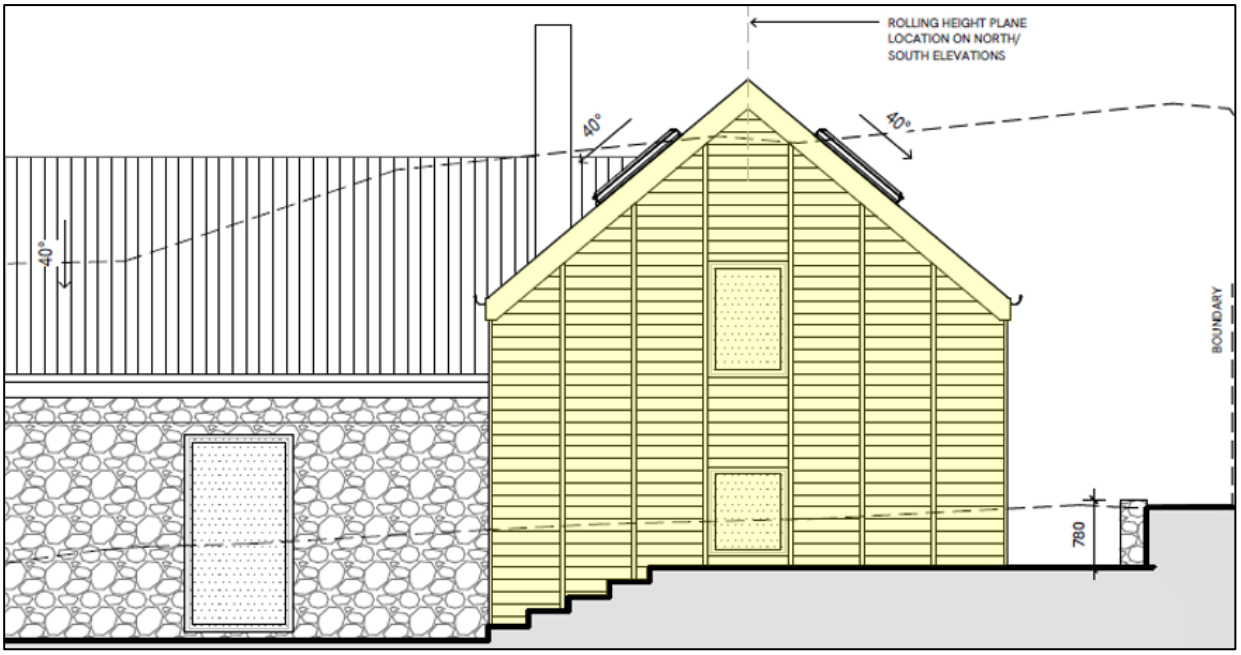



**Figure 4:** Western elevation of dwelling with area of building within permitted setback outlined in yellow

The built form will present as a single-storey dwelling when viewed from this property, with the scale and massing of the development remaining residential in character. A hedge will be established along the length of the shared boundary, providing a soft landscaped buffer between the adjoining allotments and assisting in reducing the visual prominence of the building when viewed from the neighbouring property.

While the building will extend into the prescribed setback, it will remain approximately 2.2 m from the boundary. Given the single-storey presentation, separation from the boundary, and proposed landscaping, the building will not introduce an inappropriate level of building dominance or visual bulk when viewed from the adjoining property or the street. The adverse visual and amenity effects of the proposed setback infringement are considered less than minor.

*Garage/Studio Setback Encroachment*

The garage/studio will result in breaches to setback provisions relating to permitted length of an accessory building within the internal setback from 72 Buckingham Street, Arrowtown. The proposed building will be located 1m from the western boundary and is over the permitted 7.5m exemption length of buildings within the setback, providing for a building length of 10.5m over the permitted length.

The proposed garage has been located adjacent to the existing building constructed on 72 Buckingham Street, Arrowtown. As can be seen in **Figure 5** below, the ground level of the site is lower than the adjoining property to the west. The built form is sunk into the site and fully meets all height and recession pane standards.



***Figure 5:*** *Photo of existing building on 72 Buckingham Street, Arrowtown taken from the site.*

The proposed garage will run adjacent to the established buildings shown in **Figure 5** above. The lean-to on this building is constructed up to 0.5m from the neighbouring boundary, while the main dwelling is setback back 3m from this boundary. A detached building is constructed to the immediate south of this building with the building constructed up to the boundary of the site.

The proposed garage will be on a lower level than the adjoining property boundary. There are no openings on the eastern façade of the neighbouring building that directly overlook the site. The proposed garage meets all recession plane requirements and complies with permitted height limits. The building will not result in any diminishment to privacy, nor will there be any reduction in access to sunlight or increased shading on this property from the proposed development.

*Summary of Effects on 72 Buckingham Street*

Overall, any adverse effects of the proposed development on 72 Buckingham Street are considered less than minor.

### *5.6.2 Effects on 76 Buckingham Street*

76 Buckingham Street (highlighted in blue in **Figure 3**) is located to the immediate east of the site. There is a three-bedroom home that is located within the southern portion of the property. The existing dwelling is located 3m from this shared boundary and provides for a 17m long building.

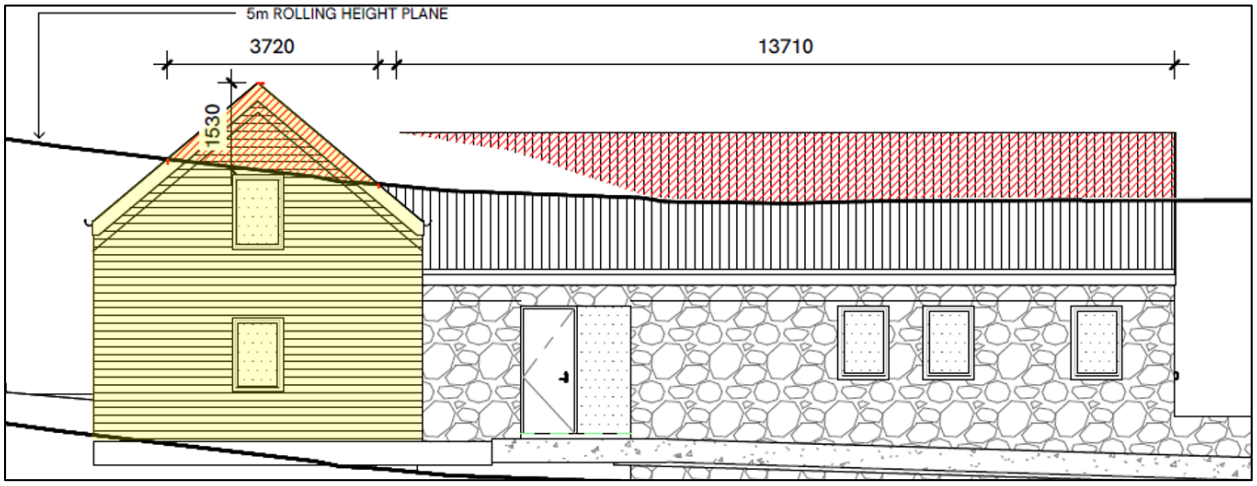



***Figure 6****: Eastern elevation of proposed dwelling. The area of building within permitted setback highlighted in yellow, and the exceedance to height limit in red hash.*

Infringement A is located along the eastern wing of the proposed dwelling. When viewed from 76 Buckingham Street, the roof form slopes away from the shared boundary, with the exceedance of the permitted 5 m height limit occurring toward the centre of the site separated from the boundary. This roof form assists in reducing the perceived height and bulk of the dwelling when viewed from the adjoining property.

The height encroachment associated with Infringement B is primarily attributable to the change in original ground level as the site slopes from west to east. The extent of the encroachment is limited by the gabled roof form, which reduces the overall volume and visual prominence of built form extending above the permitted height plane.

The setback infringement is similarly limited to the southern portion of the dwelling. In relation to the boundary with 76 Buckingham Street, the infringement extends for approximately 5.8 m and therefore affects only a limited portion of the overall building elevation.

While a portion of the dwelling exceeds the permitted height within the setback area, the gabled roof form assists in reducing the resulting building bulk and perceived dominance. The infringement is largely a consequence of the sloping topography of the site and the intention to maintain a coherent and unified roof form across the dwelling.

Overall, any adverse effects of the proposed development on 76 Buckingham Street are considered less than minor.

### *5.6.3 Effects on 4 Cardigan Street*

4 Cardigan Street (highlighted in purple in **Figure 3**) is located to the immediate south of the site. This property has recently been redeveloped into a new residential building. The area of 4 Cardigan Street that adjoins the site is the outdoor living area and swimming pool.

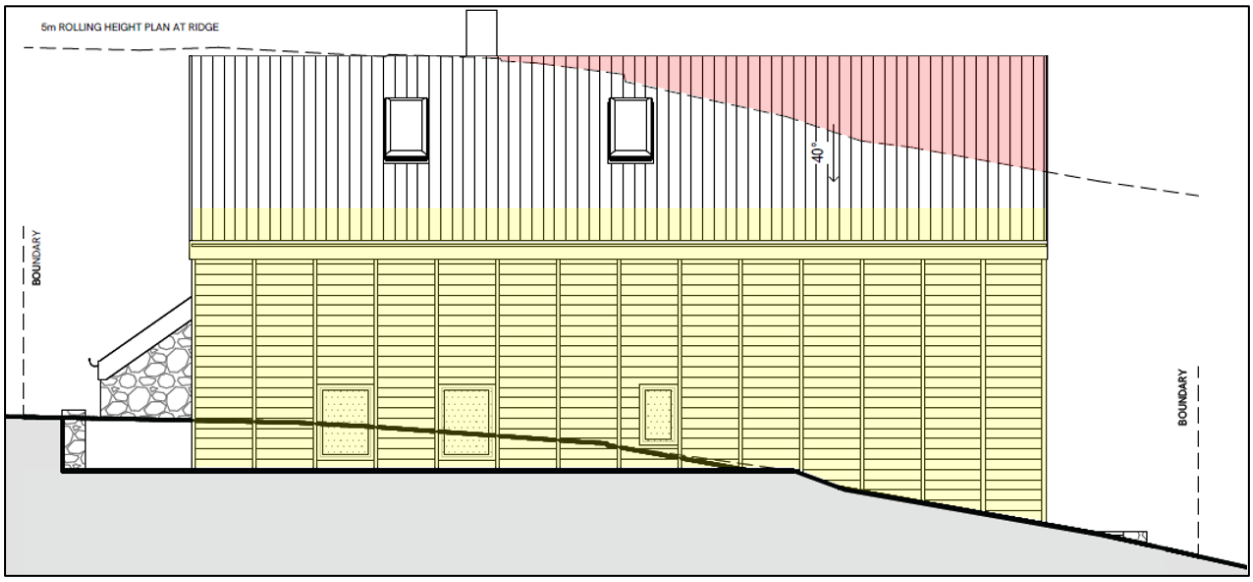



***Figure 7:*** *Southern Elevation of Development (building within setback highlighted in yellow and height encroachment highlighted in red).*

The proposal introduces a two-storey building setback 2.1 m from the southern internal boundary. The roof form slopes away from this boundary, with only the southeastern corner of the gabled roof form exceeding the permitted height limit for the site.

When viewed from the adjoining property, the perceived building bulk will be relatively contained. The setback from the shared boundary, together with the gabled roof form sloping away from the boundary, assists in reducing the apparent scale and dominance of the building. Existing boundary treatment extends along much of the shared boundary and will provide further screening and separation between the two properties.

It is considered that the combination of the building setback, roof form and existing and proposed boundary treatment will reduce any perceived effect on dominance when viewed from the adjoining property.

Overall, any adverse effects of the proposed development, including breaches to the permitted height and setback requirements, onto the dwelling at 4 Cardigan Street are considered less than minor.

### *5.6.4 Affected Persons Summary*

Following assessment, no persons are considered adversely affected by the proposal, nor is any consultation deemed necessary. Any adverse effects on persons outside of the site are less than minor.

**5.7 If the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:**

The proposed development will not be of a scale or significance that monitoring is required other than conditions of consent.

**5.8 If the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).**

The proposal will not have an effect on any customary rights.

## 6 NOTIFICATION SUMMARY

### 6.1 Public notification

Having undertaken the s95A public notification tests, the following conclusions are reached:

Under step 1, public notification is not mandatory.

Under step 2, there is no rule or NES that specifically precludes public notification of the activities, and the application is for activities other than those specified in s95A(5)(b).

Under step 3, public notification is not required as the application is for activities that are not subject to a rule that specifically requires it, and it is considered that the activities will not have adverse effects on the environment that are more than minor.

Under step 4, there are no special circumstances that warrant the application being publicly notified.

It is therefore recommended that this application be processed without public notification.

### 6.2 Limited notification

Having undertaken the s95B limited notification tests, the following conclusions are reached:

Under step 1, limited notification is not mandatory.

Under step 2, there is no rule or NES that specifically precludes limited notification of the activities, and the application is for activities other than that specified in s95B(6)(b).

Under step 3, limited notification is not required as it is considered that the activities will not result in any adversely affected persons.

Under step 4, there are no special circumstances that warrant the application being limited notified to any other persons.

It is therefore recommended that this application be processed without limited notification.

## 7 CONSIDERATIONS

Sections 104, 104B, and 104D set out the relevant assessment matters for resource consent applications carrying the Non - Complying activity status:

***104 Consideration of applications***

*(1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to–*

*(a) any actual or potential effects on the environment of allowing the activity; and*

*(b) any relevant provisions of—*

*(i) a national environmental standard:*

*(ii) other regulations:*

*(iii) a national policy statement:*

*(iv) a New Zealand coastal policy statement:*
*(v) a regional policy statement or proposed regional policy statement:*
*(vi) a plan or proposed plan; and*

*(c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.*

***104B Determination of applications for discretionary or non-complying activities***

*After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority -*

*(1) may grant or refuse the application; and*
*(2) if it grants the application, may impose conditions under section 108.*

***104D Particular restrictions for non-complying activities***

*(1) Despite any decision made for the purpose of notification in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either -*

*(a) the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*
*(b) the application is for an activity that will not be contrary to the objectives and policies of -*
*(i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or*
*(ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
*(iii) both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*

*(2) To avoid doubt, section 104(2) applies to the determination of an application for a non-complying activity.*

## 8 OBJECTIVES AND POLICIES ASSESSMENT

An assessment of the relevant Objectives and Policies from the Proposed District Plan has been attached to this application as **Annexure 1**. In summary, it is considered that the proposal is consistent with the overall objectives and policy direction provided for in the Proposed District Plan.

## 9 REGULATIONS

### 9.1 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (the NES) apply to activities if the land is covered by the NES, i.e. if any activity or industry on the Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken, or is more likely than not to have been undertaken on the piece of land.

The method outlined in Section 6(2) of the regulations has been used to determine whether or not the piece of land is covered by the NES. This involves a review of the information held about the site by the Queenstown Lake District Council (QLDC) and Otago Regional Council. The NES does not apply to this application.

## 10 SECTION 106A FOR LAND USE CONSENTS

Section 106A requires the consent authority to refuse consent where there is a significant risk from natural hazards, or where sufficient provision has not been made for legal and physical access.

As outlined in the AEE above, the site is located within an area identified as having little to no liquefaction risk. This is also supported by the assessment undertaken for surrounding resource consent applications, including RM210767 at 4 Cardigan Street, which considered the natural hazard risk associated with the adjoining property.

The proposal will not result in any significant natural hazard risk, and appropriate legal and physical access to the site will be maintained. Accordingly, there are no matters arising under s106A that would require the refusal of consent.

## 11 104D CONSIDERATIONS

Under Section 104D, non-complying activities can only be granted where the consent authority is satisfied that either the adverse effects of the activity will be no more than minor, or it will not be contrary to the objectives and policies of the relevant plan.

The non-compliances proposed are in relation to an exceedance to the permitted height, coverage and combined impervious surfaces standards. The exceedances to the permitted coverage and combined impervious surfaces standards are minimal, being 1% and 2% breach respectively. These exceedances are small and would not be overtly noticeable, or result in cumulative effects in terms of bulk and scale.

The height breaches are located along the eastern side of the site, where the topography of the site slopes down. Both Infringement A and Infringement B are restricted to the apex of the gable for each roof form and as assessed in section 5 of this application, will have a less than minor effect on the environment and persons.

As outlined in this AEE, the proposed development will have a less than minor effect on the environment and is consistent with the objectives and policies of the PDP. The proposal therefore meets both gateway tests under the RMA and can be granted under s104D.

## 12 PART 2 OF THE RESOURCE MANAGEMENT ACT (1991)

The purpose of the Act is set out in Section 5 and concerns the sustainable management of natural and physical resources. This application will enable the efficient use and development of the land, while maintaining the existing amenity and historic values of the site and surrounding zone. The proposal will benefit the property owners' social and economic well-being, while providing for residential redevelopment of the site that is consistent with the historic character of the Arrowtown area. As such, it is considered that the proposal will be consistent with Part 2 of the Act.

## 13 CONCLUSION

Resource consent is sought to allow for the residential redevelopment of 74 Buckingham Street, Arrowtown. Overall, it is considered that the proposal will have a less than minor effect on the environment and on people. Additionally, the proposal is considered consistent with overall policy direction prescribed within the Proposed District Plan and is largely in accordance with the Arrowtown Design Guidelines. As such, it is considered appropriate to process this application on a non-notified basis.

JOHN EDMONDS & ASSOCIATES

## ANNEXURE 1: ASSESMENT OF OBJECTIVES AND POLICIES OF THE PROPOSED DISTRICT PLAN

| Clause | Provision | Comment |
|---|---|---|
| **Chapter 10 – Arrowtown Residential Historic Management Zone – Objectives and Policies** | | |
| ***Objective 10.2.1*** | ***Development retains or enhances the historic character and amenity values of the zone, which is characterised by larger sites, low scale and single storey buildings, the presence of trees and vegetation and limited hard paving.*** | The proposed development has been designed with particular regard to the established character and amenity values of the ARHMZ. The building layout, form and architectural treatment have been developed in accordance with the Arrowtown Design Guidelines (ADG), with the design process being informed by the principles and outcomes anticipated by these guidelines.<br>Although breaches of the permitted bulk and location standards are sought, these are limited in their extent and are sought to allow for a unified design theme across the site.<br>For these reasons, and those discussed within section 5 of this report, the proposal is considered consistent with Objective 10.2.1 and subsequent policies. |
| *Policy 10.2.1.1* | *Apply development controls around building location, scale and appearance, and landscaped areas, to ensure the special character of the area is retained or enhanced.* | |
| *Policy 10.2.1.2* | *Encourage buildings to be located and designed in a manner that complements the character of the area guided by the Arrowtown Design Guidelines 2016.* | |
| ***Objective 10.2.3*** | ***Development efficiently utilises existing infrastructure and otherwise minimises impacts on infrastructure and road networks.*** | The development will redevelop and existing residential dwelling on the site. Existing infrastructure will be utilised by the new dwelling, and the established vehicle crossing location will remain unchanged. |
| *Policy 10.2.3.1* | *Ensure vehicle access and parking is located and designed to optimise efficiency and safety, and designed in sympathy with the character of the area.* | |
| *Policy 10.2.2* | *Encourage low impact approaches to stormwater management.* | |
| **Chapter 25 – Earthworks – Objectives and Policies** | | |
| ***Objective 25.2.1*** | ***Earthworks are undertaken in a manner that minimises adverse effects on the environment, including through mitigation or remediation, and protects people and communities.*** | As outlined in the AEE above earthworks will avoid and mitigate effects to ensure that any effect will be less than minor on the environment and people. The proposal is considered consistent with Objective 25.2.1. |
| *Policy 25.2.1.1* | *Ensure earthworks minimise erosion, land instability, and sediment generation and off-site discharge during construction activities associated with subdivision and development.* | Although small breaches to permitted earthworks near boundaries standard are proposed, these are slight and can be appropriately |

| | | |
|---|---|---|
| | | managed through appropriate retaining design and implementation. |
| *Policy 25.2.1.2* | *Manage the adverse effects of earthworks to avoid inappropriate adverse effects and minimise other adverse effects, in a way that:*<br>*a. Protects the values of Outstanding Natural Features and Landscapes;*<br>*b. Maintains the amenity values of Rural Character Landscapes;*<br>*c. Protects the values of Significant Natural Areas and the margins of lakes, rivers and wetlands;*<br>*d. Minimises the exposure of aquifers, in particular the Wakatipu Basin, Hāwea Basin, Wānaka Basin and Cardrona alluvial ribbon aquifers;*<br>*e. Note: These aquifers are identified in the Otago Regional Plan: Water for Otago 2004.*<br>*f. Protects Māori cultural values, including wāhi tapu and wāhi tūpuna and other sites of significance to Māori;*<br>*g. Protects the values of heritage sites, precincts and landscape overlays from inappropriate subdivision, use and development; and*<br>*h. Maintains public access to and along lakes and rivers.* | The proposal will not affect any ONFs, ONLs, RCLs, SNAs, aquifers, Maori cultural values or public access.<br>The site is located within a heritage precinct. However, the earthworks will not result in any adverse effect on the heritage values of the site and surrounding environment. |
| *Policy 25.2.1.3* | *Avoid, where practicable, or remedy or mitigate adverse visual effects of earthworks on visually prominent slopes, natural landforms and ridgelines.* | No earthworks are proposed on visually prominent slopes, natural landforms or ridgelines. |
| *Policy 25.2.1.4* | *Manage the scale and extent of earthworks to maintain the amenity values and quality of rural and urban areas.* | The proposed earthworks are largely contained to provide for an appropriate area for development. All areas of earthworks will be either developed or landscaped at the completion of works. |
| *Policy 25.2.1.5* | *Design earthworks to recognise the constraints and opportunities of the site and environment.* | The earthworks will allow for the dwelling to be cut into the site allowing for a buildable area within the existing site topography.<br>The proposed earthworks will require limited areas of earthworks that breach boundary standards, however these are small in nature and will not materially impact the stability of neighbouring allotments. |
| *Policy 25.2.1.6* | *Ensure that earthworks are designed and undertaken in a manner that does not adversely affect infrastructure, buildings and the stability of adjoining sites.* | |
| *Policy 25.2.1.7* | *Encourage limiting the area and volume of earthworks being undertaken on a site at any one time to minimise adverse effects on water bodies and nuisance effects of adverse construction noise, vibration, odour, dust and traffic effects.* | The proposed earthworks are relatively limited in scale and will only occur to provide a buildable area for the development. |

| | | |
|---|---|---|
| | | Standard operational conditions of consent around earthworks will appropriately mitigate adverse effects of noise and traffic effects. |
| *Policy 25.2.1.9* | *Manage the potential adverse effects arising from exposing or disturbing accidentally discovered material by following the Accidental Discovery Protocol in Schedule 25.10.* | Standard conditions of consent around Accidental Discovery Protocol are volunteered as part of this consent. |
| *Policy 25.2.1.10* | *Ensure that earthworks that generate traffic movements maintain the safety of roads and accesses, and do not degrade the amenity and quality of surrounding land.* | The proposal will not result in traffic movements from the site that will degrade the safety and amenity of Buckingham Street environment. |
| *Policy 25.2.1.11* | *Ensure that earthworks minimise natural hazard risk to people, communities and property, in particular earthworks undertaken to facilitate land development or natural hazard mitigation.* | The proposal will not exacerbate any natural hazards risk applicable to the site. |