

S35 Monitoring Report

Meadow Park

Special Zone

2024

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Executive Summary

This report assesses the efficiency and effectiveness of the objectives, policies and rules of the Meadow Park Special Zone in the Queenstown Lakes Operative District Plan (ODP) in accordance with s35(2)(b) of the Resource Management Act 1991 (RMA). The findings of this report are intended to inform future amendments to the Meadow Park Special Zone provisions as part of the review of the special zones of the ODP. The findings of this report are based on available building consent and resource consents that have been lodged within the Zone to date.

The building consent data for the Zone includes building consents issued between 2002 and 2023. A total of 112 building consents were lodged, with 19 alterations to dwellings, 74 new or relocated dwellings, 4 multi-unit dwellings, and 15 grouped under other.

The resource consent data included resource consents issued between 2002 and 2022. There were a total of 92 resource consents issued within the Zone. The most common types of consents were controlled activities (36), followed by non-complying (29), discretionary (21) and restricted discretionary (5). There was also one Certificate of Compliance (s139) which resulted in one permitted activity being recorded within the Zone.

Of the 92 resource consents issued there were approximately 184 breaches. The most common breaches were controlled (75), followed by discretionary (39), non-complying (37), and restricted discretionary (32), with one permitted activity (for the Code of Compliance certificate).

The data for costs and processing time for resource consents was based on a different data source containing data between 2017 and 2022. Based on the available data, the average consenting cost within the Zone was approximately \$3,390.39 with most consents being issued within the 20 working day timeframe.

Development of the Zone has largely occurred in accordance with the Structure Plan, with residential development occurring within the residential activity areas and open space activity areas having largely been retained. However, while the OS-IND open space area had been retained, there has been some development that has occurred directly adjacent to the OS-IND activity area. This established some access close to and within the OS-IND area.

The Zone also maintained control over the external appearance, design and colour of buildings within the Zone through the controlled activity rule. This has helped to limit the visual impact of development within the Zone on the foreground to Feehly's Hill and the entrance to Arrowtown.

Overall, it was found that the Objectives and policies for the Zone had been moderately effective and generally resulted in the outcomes anticipated by the objectives.

Introduction

This report monitors the effectiveness and efficiency of the Meadow Park Special Zone (the Zone) in the Operative District Plan (ODP). The focus of this report is to determine whether the ODP provisions for the Zone are efficient and effective, whether the objectives and policies are being achieved, and to help identify any resource management issues that have emerged. The findings of this report will help to inform the review of the Meadow Park Special Zone, and the wider review of the special zones of the ODP. This report fulfils the requirements of section 35(2)(b) in relation to the Meadow Park Special Zone

The RMA requires that the effectiveness and efficiency of a plan are assessed, with the findings then used to inform the review of a plan. This is focused on the efficiency and effectiveness of the plans objectives, policies or methods (i.e., rules).

District plan effectiveness monitoring requires the Council to compare what is actually occurring under the district plan provisions with the intentions of the plan (as expressed through its objectives). This involves first identifying what the plan is trying to achieve for the zone, and to then track how well it is achieving these objectives. Once an understanding of how well the objectives are being met, the next consideration is identify to what extent this can be attributed to the District Plan policies and rules and to what extent 'outside' influences may be affecting the ability of the Plan to achieve its objectives.

Plan Efficiency monitoring refers to comparing the costs of administering the plans provisions incurred by applicants, the Council and other parties compared to the outcomes or benefits achieved. It is noted here that determining what level of costs are acceptable is generally a subjective judgement and, as such, it is difficult to reach definitive conclusions. It is also considered that if development can be undertaken with no resource consent fees then that improves the efficiency of the Plan.

Requirements of the Resource Management Act (1991)

Section 35 of the Resource Management Act 1991 (RMA) states that:

(2) Every local authority shall monitor –

...

(b) the efficiency and effectiveness of policies, rules or other methods in its policy statement or plan;

...

and take appropriate action (having regard to the methods available to it under this Act) where this is shown to be necessary.

What is the Meadow Park Special Zone?

The Meadow Park Special Zone is an established residential zone which covers approximately 42.5 hectares and is located to the west of Arrowtown, north of the Millbrook resort on the corner of Manse Road and Malaghans Road.

The Zone includes part of Feehley's Hill (an Outstanding Natural Feature) and adjoins an area of industrial land in Arrowtown which is zoned as General Industrial Zone in the Proposed District Plan (PDP). The introduction to the Chapter states that it is a 'mixed use zone' that provides a significant opportunity to develop a strong western edge while enabling access to Arrowtown, protection of scenic and natural values, contribution to the housing stock of Arrowtown, and development of recreational facilities.



Figure 1: The Meadow Park Special Zone

How was the Meadow Park Special Zone Created?

The Zone was created in two parts:

1. The land west of Manse Road (now called Butel Park); and
2. The land east of Manse Road, including Feehly's Hill.

West of Manse Road part of the Meadow Park Special Zone

The land west of Manse Road was formerly zoned 'Rural Downlands' with a Landscape Importance' overlay under the 1995 Proposed District Plan. Once notified, Vivid Holdings Limited lodged a submission seeking a new Rural Residential – Arrowtown zone with a minimum lot size of 3000m² that would enable approximately 100 residential units. Following a hearing on rural residential issues, the Council released its decision which accepted the Vivid Holdings Limited submission in part by deleting the Rural Downlands zoning and rezoning it to Rural Lifestyle¹.

In October 1998 the Environment Court received appeals from Vivid Holdings Limited (RMA 1380/98) and WESI (RMA 1394/98) seeking entirely different relief from each other. In summary, the Vivid Holdings Limited appeal (RMA 1380/98) sought to rezone property on the corner of Malaghan's Road and Manse roads from Rural Lifestyle to Rural Residential. The WESI appeal sought that the Court make an interim decision referring the entire plan back to Council to give better effect to the purpose of the Act or alternative reinstate the rural residential provisions or delete all rural living zones and replace them with rural general zoning².

While this was happening, Vivid Holdings had applied to the Council for subdivision and land use consents to develop an equestrian centre and 30 lot residential subdivision on the land (RM960699). The consent was granted in part, with the equestrian centre being approved and the subdivision and land use consents declined. Vivid Holdings appealed this decision with the relief sought to grant consent for the subdivision of the 30 allotments and construction of a dwelling house on each (RMA 508/98).

Following mediation, the parties resolved issues and agreed to file a heads of agreement with the Court, that RMA 508/98 would be withdrawn and that a memorandum be filed seeking an order from the Court to grant the relief sought by Vivid Holdings Limited (RMA 1380/99) and dismiss the reference by Wakatipu Environment Society (RMA 1394/98) by adopting the Meadow Park Zone. Agreement was then reached to adopt the Meadow Park Zone as a Special Zone and to rezone the land to adopt the structure plan to achieve the purpose of the new zone³.

East of Manse Road part of Meadow Park Special Zone

The 1995 Proposed District Plan also zoned the land east of Manse Road including Feehly's Hill as 'Rural Downlands', with a 'Landscape Importance' overlay. After hearing submissions, the Council rezoned the land 'Rural Lifestyle'.

This decision was appealed by WESI, who sought that the Rural Lifestyle zone between Arrowtown and Millbrook be deleted. As a result of further discussions between the parties, the parties came to the view that the development of the Meadow Park zone opposite (i.e. Butel Park) had changed the character of the surrounding land such that a higher density of housing could be absorbed. Following a section 293 application, the Council sought to incorporate the area east of Manse Road into an enlarged Meadow Park

¹ C182/2001

² At [7]

³ At [13] and [17]

Zone by use of a structure plan. The Meadow Park Special Zone was finalised in August 2005 by Environment Court decisions C107/2005 and C159/2006.

What is the Zone trying to achieve?

Comprehensively designed and integrated development that:

- a. enhances the western entrance to Arrowtown; and
- b. becomes an integral part of Arrowtown's urban fabric;

whilst having regard to:

- Surrounding landscape values including the landscape values of Feehly's Hill;
- Arrowtown heritage resources and character;
- Indigenous ecology of surrounding mountains and Feehly's Hill;
- Air quality.

In addition to the Objective, the Zone also sets out the environmental results that are anticipated. These are:

- An extension to the urban fabric of Arrowtown;
- The development of limited residential activities within a geographically confined area within the Zone;
- Retainment of open space adjoining Malaghans Road;
- An appropriately designed urban edge between open space and urban activities;
- Retainment of the openness and ecology of the upper slopes of the zone;
- Mitigation of reverse sensitivity issues; and
- Improvement of public access and ecological values of Feehly's Hill.

Relevant Resource Management Issues

The Zone also identifies a number of resource management issues. This includes creating a comprehensive and integrated development that creates a strong western edge and entrance to Arrowtown. This is proposed to be done by ensuring the development of Meadow Park provides an opportunity to integrate urban activities. The Zone also identifies the provision of essential services as a key resource management issue.

How much development does the Zone enable?

The residential areas of the Zone have largely been developed meaning that there is limited capacity for any further development of the Zone. The Residential West (RES-W) area had capacity for approximately 100 units with 51 residential units being developed. The Residential East (RES-E) area had 24 lots approved

under RM070943. The Design Urban Edge West (DUE-W) had 13 allotments consented under RM020538 and there is some development capacity remaining in the Design Urban Edge East (DUE-E) activity area.

Infrastructure Considerations

The Meadow Park area is supplied with water from the Arrowtown scheme that also supplies the wider township as well as Milbrook Resort. This system is reaching capacity with previous assessments of proposed developments within Arrowtown South concluding that there is insufficient storage volume at the reservoir. Arrowtown South is an area that would also need further reservoir storage within the Arrowtown scheme, any further storage upgrade should look to accommodate both areas.

Wastewater from The Meadow Park area is primarily drained via gravity south along Malaghans Road before connecting to the wider Arrowtown network, the wastewater then travels through a series of pumps and pipes before reaching the Shotover Wastewater Treatment Plant.

The ‘State’ of the Special Zone

To determine the state of the Meadow Park Special Zone Council has used available building and resource consent data sourced from its TechnologyOne (TechOne) programme. This has helped to provide a clear overview of development activity within the Zone and determine the efficiency of the Zone provisions. An assessment of the findings of the building consent and resource consent data is outlined below.

Building Consents

The building consent data for the Zone includes building consents issued between 2002 and 2023 (excluding amendments to building consents). This includes building consents that have been issued, including those which have not yet received a Code of Compliance Certificate but does not include any building consents that have been withdrawn, cancelled, rejected or otherwise declined. Building Consents have been categorised into new or relocated dwellings, alterations to dwellings, multi-use dwellings, and commercial. Building consents for heating appliances, ancillary buildings, outbuildings and demolition have been grouped into ‘other’.

A total of 112 building consents have been issued, or are close to being issued, within the Meadow Park Special Zone. As shown in Table 1 below, most processed were for new or relocated dwellings (66.1%), alterations to dwellings (17%) and other (13.4%) with a smaller number for multi-unit dwellings (3.6%). This indicates that most building consents are primarily being issued for new residential development and alterations to existing dwellings within the Zone. No commercial building consents have been processed within the Zone.

Table 1: Building Consents processed within the Meadow Park Special Zone

Building Consent Type	Count	Percentage
Alteration to dwelling	19	17.0
New or relocated dwellings	74	66.1
Multi-unit dwelling	4	3.6

Other	15	13.4
Total	112	100

Resource Consents

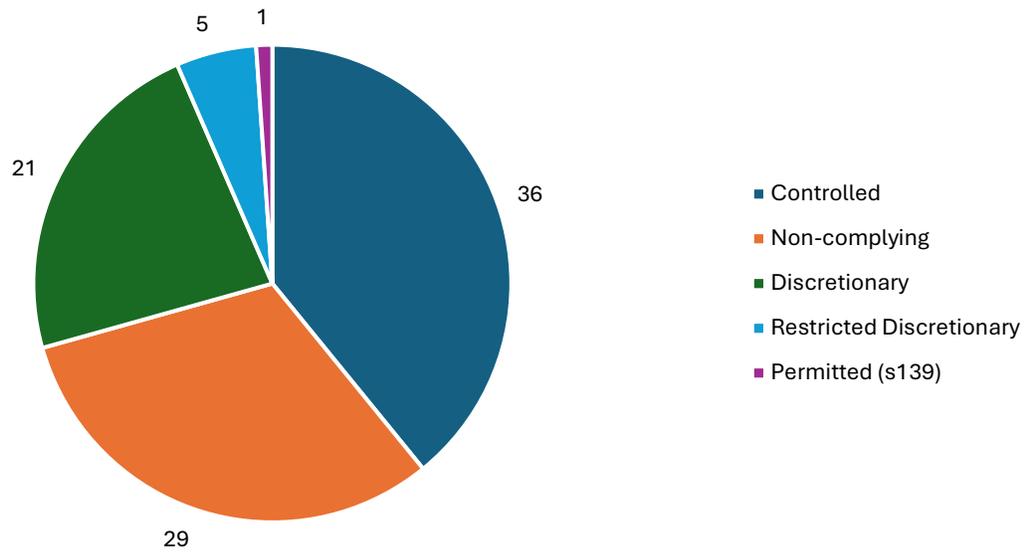
The resource consent data for the Zone includes resource consents issued between 2002 and 2022. This includes resource consents that have been issued but does not include resource consents that have been withdrawn or declined. There have been a total of 92 resource consents issued within the Zone, with approximately 184 breaches (to activity rules, site or zone standards) recorded. An assessment of these activities, including the relevant breaches is outlined below.

Activity status of Resource Consents

There have been 36 controlled activity resource consents issued within the Zone, which was the most common type of resource consent issued. This was followed by 29 non-complying activity resource consents, 21 discretionary activity resource consents and 5 restricted discretionary activity consents. One resource consent was lodged for a Certificate of Compliance (i.e., a s139) which resulted in one permitted activity being recorded within the Zone. The proportion of the different resource consents is shown in Figure 2 below.

The Meadow Park Special Zone data includes resource consents that were issued at a time when the Council had a Transitional District Plan (TDP) and a proposed district plan (which later became the current Operative District Plan). This resulted in approximately nine resource consents being classified as a non-complying under the TDP but not under the proposed plan. This resulted in eight resource consents being classified as non-complying activities despite being controlled activities in the Meadow Park Special Zone (because they were non-complying in the TDP). Further, one discretionary resource consent issued for a s127 was also classified as non-complying.

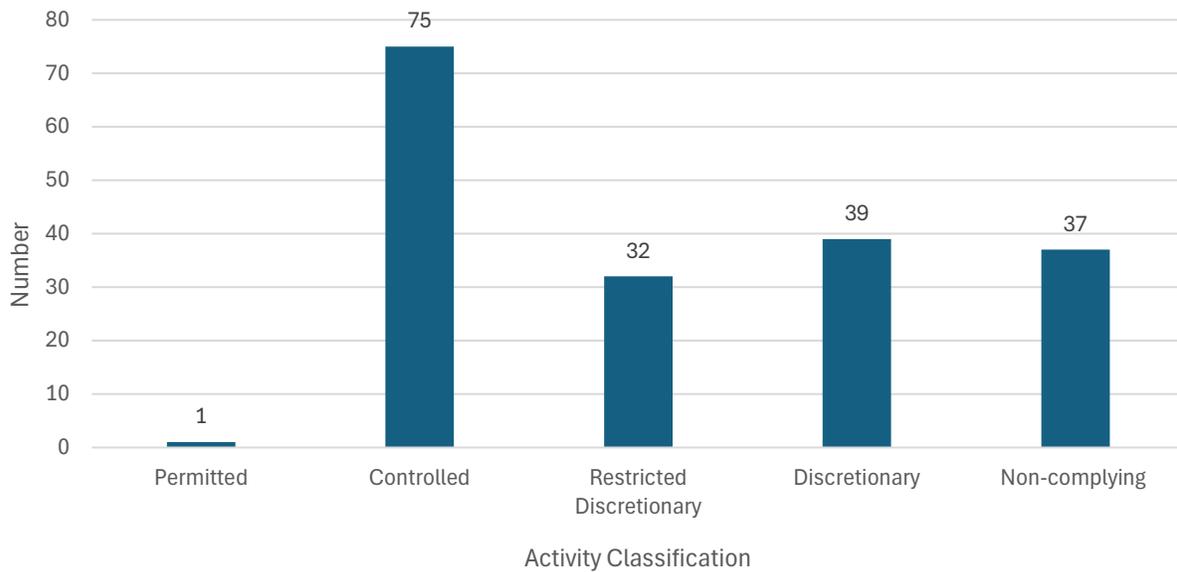
Figure 2: Number of Resource Consents by Activity Status



Breaches by Activity Status

Figure 3 shows the number and percentage of breaches and their activity status. As noted above, of the 92 resource consents issued within the Zone, there have been approximately 184 breaches (to activity rules, site or zone standards). The most common have been for controlled activities, where there were approximately 75 breaches. This was followed by discretionary (39), non-complying (37) and restricted discretionary activity breaches (32). The one permitted activity consent recorded within the Zone was for a Certificate of Compliance (s139).

Figure 3: Breaches by Activity Status



Controlled Activity Breaches

Table 2 shows the types of controlled activity breaches which have occurred within the Zone. Overall, buildings have accounted for the highest number of controlled activities. This is anticipated as every building within the Zone requires a controlled activity resource consent in accordance with Rule 12.17.3.2(i). This rule manages the location, external appearance of buildings and associated earthworks, access and landscaping. This also includes the provision of infrastructure services such as water supply, sewerage and disposal, electricity and communication services.

The next most common breaches were for subdivision activities (7) and ecological restoration (6). This is anticipated as ecological restoration requires a controlled activity resource consent within Structure Plan Area OS-HL(W) in accordance with rule 12.17.3.2(iii). This rule manages the species and planting, and long term management of the OS-HL area.

Restricted Discretionary Activity Breaches

Site Standard 12.17.5.1(i)(a-g) sets out a range of setback rules for internal boundaries and road boundaries. Breaches to these standards have accounted for the highest number of restricted discretionary activity breaches, with nine recorded breaches for internal setbacks and five for road boundary setbacks. This was followed by earthwork activities which accounted for 6 restricted discretionary activity breaches. These breaches mostly related to exceeding the 100m³ site standard for earthworks. Four restricted discretionary activity breaches were also recorded for Chapter 14 rules relating to vehicle crossings and carparking. Restricted discretionary activity breaches were also recorded for rules and standards relating to landscaping, continuous building length, chimney setback, ecological restoration, density, minimum site distance, public walking tracks and buildings and landscaping which each recorded one breach.

Discretionary Activity Breaches

As shown in Table 2, there have been 39 discretionary rule breaches recorded in the Zone. The majority of these breaches have been for a change or cancellation of consent notice conditions (19) known as a section 221. Further, the second most common discretionary rule trigger was for changes or cancellation to resource consent conditions (15) known as a section 127. Both of these activities automatically trigger a discretionary resource consent. There were otherwise very few discretionary rule breaches recorded within the zone, with four breaches recorded for buildings and landscaping, and one breach recorded for landscaping.

Non-complying Activity Breaches

The most common non-complying activity breach recorded was for consent seeking to exceed building height rules. This related to breaches to Rule 12.17.5.2(ii)(a-c) which contains three height limit rules which limit building heights in the different activity areas. In most cases these breaches were recorded for heights greater than 4.5m in the DUE(E) Activity Area, and the 6m height limit which applies outside of the DUE(E) and the RES activity areas.

Six non-complying activity breaches were recorded for breaches to the floor area within the Zone, which related to buildings that exceeded the 160m² Zone Standard for building coverage rule 12.17.5.2(vi)(c). Five resource consents were also sought for non-open space activities within the Open Space Activity Area. This included resource consents for dwellings that may be partially located within the Open Space Activity Area but not located within the Activity Area entirely. Eight breaches were also recorded for the Zone Standards for Residential Units. Other non-complying activity rule breaches included earthworks (3), visitor accommodation (2) and building coverage, internal setback, subdivision and landscaping which all recorded one non-complying rule breach.

Table 2: Activity Breaches

Activity Classification	Activity	Number
Permitted	Certificate of Compliance	1
Controlled	Buildings	60
Controlled	Subdivision	7
Controlled	Ecological restoration (in OS-HL)	6
Controlled	Access	1
Controlled	Landscaping	1
Restricted discretionary	Internal setback	9
Restricted discretionary	Earthworks	6
Restricted discretionary	Road setback	5
Restricted discretionary	Vehicle crossing and car parking (Ch 14)	4
Restricted discretionary	Landscaping	1
Restricted discretionary	Continuous building length	1

Restricted discretionary	Chimney setback	1
Restricted discretionary	Ecological restoration	1
Restricted discretionary	Density	1
Restricted discretionary	Minimum site distance	1
Restricted discretionary	Public walking track	1
Restricted discretionary	Buildings and landscaping	1
Discretionary	Change or cancellation of consent notice conditions (s221)	19
Discretionary	Change or cancellation of consent conditions (s127)	15
Discretionary	Buildings and landscaping	4
Discretionary	Landscaping	1
Non-complying	Building height	9
Non-complying	Zone standard for Residential units	8
Non-complying	Floor area	6
Non-complying	Non-open space activities	5
Non-complying	Earthworks	3
Non-complying	Visitor Accommodation	2
Non-complying	Building coverage	1
Non-complying	Internal setback	1
Non-complying	Subdivision	1
Non-complying	Zone standard: Landscaping	1

Average cost of processing resource consents

The data for costs and processing time of resource consents is sourced from TechOne and is dated between 2017 and 2022. This data was prepared to meet Councils reporting requirements to the Ministry for the Environment and is based on a different dataset than the resource consent data analysed above. There were 20 resource consents within this dataset that were issued in the Meadow Park Special Zone. While this data is not based on the total number of resources consents issued, it is intended to provide approximate costs and processing times of some resource consents issued within the Zone.

Costs

Based on the data available, the average consenting cost within the Zone was approximately \$3,390.39. The highest cost recorded for a resource consent was \$7,706.03 and the lowest cost recorded was \$1,199.99.

Processing time

The available resource consent data indicates that most resource consents were processed on time, with only one resource consent exceeding the 20 working day timeframe. The shortest processing time recorded was two days with the longest time recorded being 37 days. However, given the limited data

available there may have been other resource consents that exceed the 20 working day timeframe or had longer processing times.

Conclusions on costs and processing time for resource consents issued

Based on the data available, the information suggests that the Zone provisions are largely efficient in terms of processing time with most resource consents being processed within the statutory timeframe. Further, the average consenting costs are similar to other Zones such as Arrowtown South (recorded at approximately \$3,951).

Overview of Regulatory Complaints within the Zone

There have been approximately five complaints within the Zone within the period between September 2022 and August 2024 . Two of these complaints were relevant to the Zone provisions which included complaints regarding a structure within an open space activity area, and commercial activities being undertaken on non-commercial land. Both of these activities are non-complying in the Zone rules.

How Effective are the Special Zone Objectives, Policies and Rules?

Table 3 outlines the Objective and supporting policies of the Zone. This is followed by an assessment of the effectiveness of the objectives and policies.

Table 3: Objectives and Policies of the Meadow Park Special Zone

Objective	Policies
<p>Objective 1</p> <p>Comprehensively designed and integrated development that:</p> <ul style="list-style-type: none"> a. enhances the western entrance to Arrowtown; and b. becomes an integral part of Arrowtown’s urban fabric; <p>whilst having regard to:</p> <ul style="list-style-type: none"> • surrounding landscape values, including the landscape values of Feehly’s Hill; • Arrowtown heritage resources and character; • Indigenous ecology of surrounding mountains and Feehly’s Hill; and • Air quality 	<p>Policy 1</p> <p>To ensure that development of the zone is comprehensively designed and integrated through the adoption of a structure plan which in conjunction with zone rules:</p> <ul style="list-style-type: none"> • Enables limited and geographically contained residential development; and • Retains significant open space adjoining Malaghans Road; and • Prohibits additional accesses onto Malaghans Road; and • Improved amenity of existing access onto Malaghans Road; and • Retains control over the interface between residential activities and open space through Designed Urban Edge; and • Retains the openness and restores the ecology of the upper slopes of the zone (which is recognised as forming part of the wider Outstanding Natural Landscape); and • Adequately deals with reverse sensitivity issues between existing residential and industrial activities.
	<p>Policy 2</p> <p>To discourage development inconsistent with the structure plan for the Zone.</p>
	<p>Policy 3</p>

	To retain control over the external appearance, design and colour of all buildings within the Meadow Park Zone.
	<p>Policy 4</p> <p>To recognise the sensitivity of the zone on the eastern side of Manse Road and avoid any development that compromises the foreground to Feehly’s Hill or the entrance to Arrowtown.</p>

This section assesses the effectiveness of the Special Zone objectives and policies based on the available resource consent data and site visits undertaken within the Zone. The Objective for the Meadow Park Special Zone sets out what the Zone is trying to achieve, with its implementation supported by a suite of policies, activity rules, site standards and zone standards.

Effectiveness of the Objective

Objective 1 seeks comprehensively designed and integrated development that enhances the western entrance to Arrowtown. The western entrance to Arrowtown has been retained through large open space areas and enhancement plantings which confirms that this has been effective.

This Objective also seeks comprehensively designed and integrated development that becomes an integral part of Arrowtown’s urban fabric. However, it is difficult to determine the extent to which this has been effective.

The Arrowtown Design Guidelines 2016 (ADG) note that Butel Park (which is the name of the subdivision in the Zone) is characterised by large houses on large sections with rural fencing and includes a line-up of two storey apartments next to Bush Creek Industrial (the Arrowtown Industrial Area adjoining the Zone boundary to the north). It notes that this area appears as an urban extension to Arrowtown, despite being detached in nature and presentation with little similarity or connection to the rest of Arrowtown. Further, there is no clear nexus between this part of the Objective and the supporting policies which makes it difficult to determine whether the objective has resulted in an integrated development that is an integral part of Arrowtown’s urban fabric. This makes it difficult to determine the extent to which this part of the Objective has been effective.

In achieving these two components (noted above) the Objective for the Zone requires that regard be had to specific criteria. This includes having regard to surrounding landscape values, including the landscape values of Feehly’s Hill which is identified as an Outstanding Natural Feature. It is considered that this has been effective, as the landscape values of Feehly’s Hill and other surrounding landscape values have been retained. This is discussed in more detail below alongside analysis of the supporting policies.

This Objective also requires that regard is had to Arrowtown heritage resources and character. However, it is difficult to determine the effectiveness of this part of the Objective.. This is because buildings within the Zone are not subject to the Arrowtown Design Guidelines 2016 and there is therefore is no requirement to integrate with Arrowtown’s heritage resources and character. The Objective also requires that regard be had to the indigenous ecology of surrounding mountains and Feehly’s Hill. There have been

resource consents granted for ecological restoration and this part of the Objective is considered effective. This is discussed in more detail below, alongside the supporting policies.

Lastly, Objective 1 also requires that regard be had to air quality within the Zone. Zone Standard xiii requires that 'the best practical means shall be adopted to minimise the emissions of smoke, smell and other air pollutants from the premises.' While there is no supporting policy in the Chapter there is a zone standard for atmospheric emissions (see 12.17.5.2xiii). No resource consents were sought for breaches to this standard which are non-complying activities in the Zone. This suggests that this part of the Objective has been effective.

Effectiveness of the Policies

Policy 1 requires that the development within the Zone is comprehensively designed and integrated through the adoption of a structure plan which (amongst other requirements) enables limited and geographically contained residential development and retains the significant open space adjoining Malaghans Road. Appendix 3a and 3b show the open space activity areas OS-MR(W) and OS-MR(E) which adjoin Malaghans Road have been retained. This has helped to maintain a compact urban form and avoid the appearance of Arrowtown sprawling along Malaghans Road. This is a direct result of development only being located within the residential activity areas.

Policy 1 prohibits additional accesses onto Malaghans Road (through limb c) and seeks improved amenity of existing access onto Malaghans Road (through limb d). There is one existing house with access to Malaghans Road that is located in the OS-MR(W) activity area that was established before the Zone was created. However, no additional accesses onto Malaghans Road have been established since. Further, in terms of improved amenity of existing access, the one residential access to a private dwelling on Malaghans Road was curved and landscaped to reduce the visual effect of the driveway which was previously straight. It is therefore determined that limbs (c) and (d) of Policy 1 have been effective.

Policy 1 controls the interface between residential activities and open space through a Designed Urban Edge. The Structure Plan and zone rules have helped to retain control over the interface between residential activities and open space through Design Urban Edge-related rules. While not specifically addressed in the resource consent data above, buildings within the DUE activity area require a consent in accordance with 12.17.3.2(i). This has meant that the interface between residential and open space activities has been implemented through the controlled activity rule and has been effective.

Policy 1 seeks to retain the openness and restore the ecology of the upper slopes of the Zone which is recognised as forming part of the wider Outstanding Natural Landscape. Seven resource consents have been granted for ecological restoration across both the open space activity areas for OS-HL(E) and OS-HL(W) which has led to the establishment and planting of native species (see for example RM120440). Further, development has been kept off the upper slopes of the adjacent Outstanding Natural Landscapes and Features. This component of the policy has therefore determined to be effective.

Policy 1 requires that reverse sensitivity issues between existing residential and industrial activities are adequately managed by the Zone. In doing so, the Structure plan establishes a buffer of open space through activity area OS-IND between the Meadow Park Special Zone and the Arrowtown Industrial Area (zoned as General Industrial & Service Zone under the Proposed District Plan).

The OS-IND activity area has largely been retained. However, there have been some residential units that have established in the RES(W) residential activity area directly adjacent to the OS-IND activity area. RM040230 established 22 residential units, with access to these units provided at the rear of the site through the OS-IND activity area. This cut through some existing mounds and trees which were required to be replaced.

While the open space activity area has been retained, this development is directly adjacent to the OS-IND, with access to these sites being developed in some cases through the OS-IND activity area. As the Zone attempts to buffer residential activities from industrial activities, it could be argued that this policy has not been as effective as anticipated. A larger setback between the industrial and residential activities could have also been investigated at the time the zone was established (such as a setback similar or more comparable to the Malaghans Road setback. However, there is no enforcement data to date to suggest that there have been any complaints.

Policy 2

Policy 2 requires that development that is inconsistent with the Structure Plan be discouraged. Figure 2 (below) shows aerial imagery of the Zone compared with the Structure Plan. This shows that residential development has occurred within residential activity areas with development in open space activity areas having largely been avoided. While five resource consents were sought for development in open space activity areas, these primarily related to lots or dwellings partially, but not entirely located within open space activity areas. Policy 2 is therefore determined to have been effective.

Policy 3

Policy 3 seeks to retain control over the external appearance, design and colour of buildings. This policy is implemented by Rule 12.17.3.2 which lists all buildings as a controlled activity. This rule then manages the location and external appearance of buildings and associated earthworks, and the provision of infrastructure (i.e., water supply, sewerage treatment and disposal, electricity and communication services). As noted above, there have been 60 controlled activities relating to buildings within the Zone which relate directly to this rule. This accounted for the highest number of breaches overall suggesting that this has been effective in achieving this policy direction.

Policy 4

Policy 4 seeks to recognise the sensitivity of the Zone on the eastern side of Manse Road and avoid any development that compromises the foreground to Feehly Hill and the entrance to Arrowtown. Development on the eastern side of Manse Road has largely corresponded to the Structure Plan, with the OS-MR(E) open space activity area which provides the foreground to Feehly Hill having been retained. It is therefore determined that Policy 4 has been effective.

Effectiveness of the Rules

Overall, the rules are considered to have been moderately effective in achieving the Objective and policies of the Zone. The rules have supported the implementation of specific policies by managing development inconsistent with the Structure Plan and have helped to prevent development compromising the landscape values of the Zone (as assessed above). However, it is not clear how the rules have supported the implementation of the Objective relating to Arrowtown's heritage resources and character. Further, there are no heritage items listed in the ODP or the PDP that are located within the Meadow Park Zone.

This means that there are no s6 matters that trigger consideration of heritage values. This means that it is unclear how regard should be had to Arrowtown's heritage resources and character.

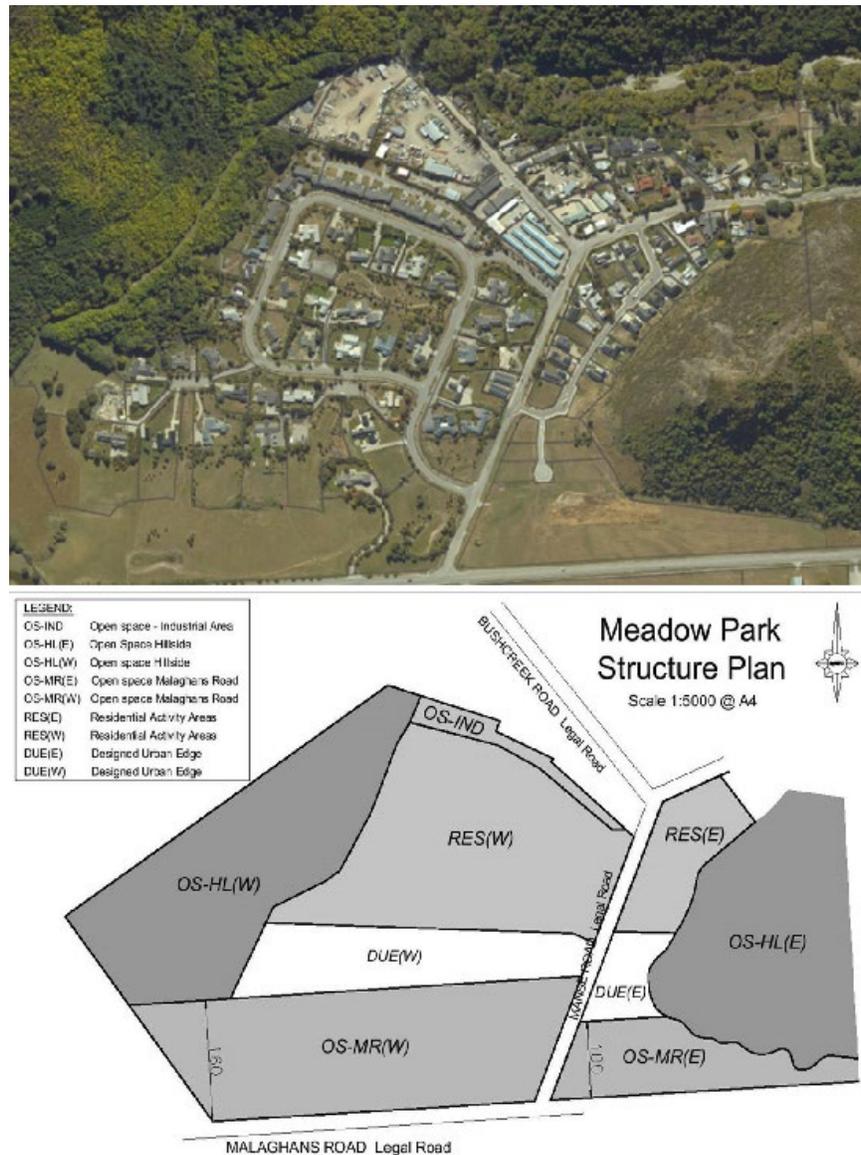


Figure 2: The Meadow Park Special Zone and Structure Plan

Declined Resource Consents

In addition to the assessment above, one resource consent application was declined on the basis that it was inconsistent with the policies of the Zone and that it would have more than minor effects. RM221002 sought to undertake a two-lot subdivision and construct a residential unit on a site within the OS-MR(E) Structure Plan activity area. This application was a non-complying activity as no residential activities are provided for within OS-MR(E) or OS-HL(E).

This resource consent application was declined by the Commissioners who heard the application. In making their decision, the Commissioners agreed that the proposal would be contrary to the policies of the Zone, including that it would adversely affect the landscape values of Feehly Hill and would have more than minor adverse effects. The Commissioners therefore noted that the application failed both thresholds under s104D of the RMA. This suggests that the objectives and policies of the Zone have largely been effective in achieving the Structure Plan and policies of the Zone by preventing use and development which is inconsistent with the Structure Plan.

Findings

The above assessment indicates that Objectives and Policies of the Meadow Park Special Zone have been moderately effective and have generally resulted in the outcomes anticipated by the Objectives. The Zone has developed in accordance with the Structure Plan which has resulted in a contained and geographically limited area of residential development. Further, open space activity areas have been retained with a limited number of resource consents sought for non-open space activities within these activity areas.

The Zone provisions have maintained control over the external appearance, design and colour of buildings within the Zone through the controlled activity rule for buildings which was the most common rule breach recorded for the Zone. Development has also been contained to the residential area and Designed Urban Edge. This has helped to limit the visual impact of development within the Zone on the foreground to Feehly's Hill and the entrance to Arrowtown.

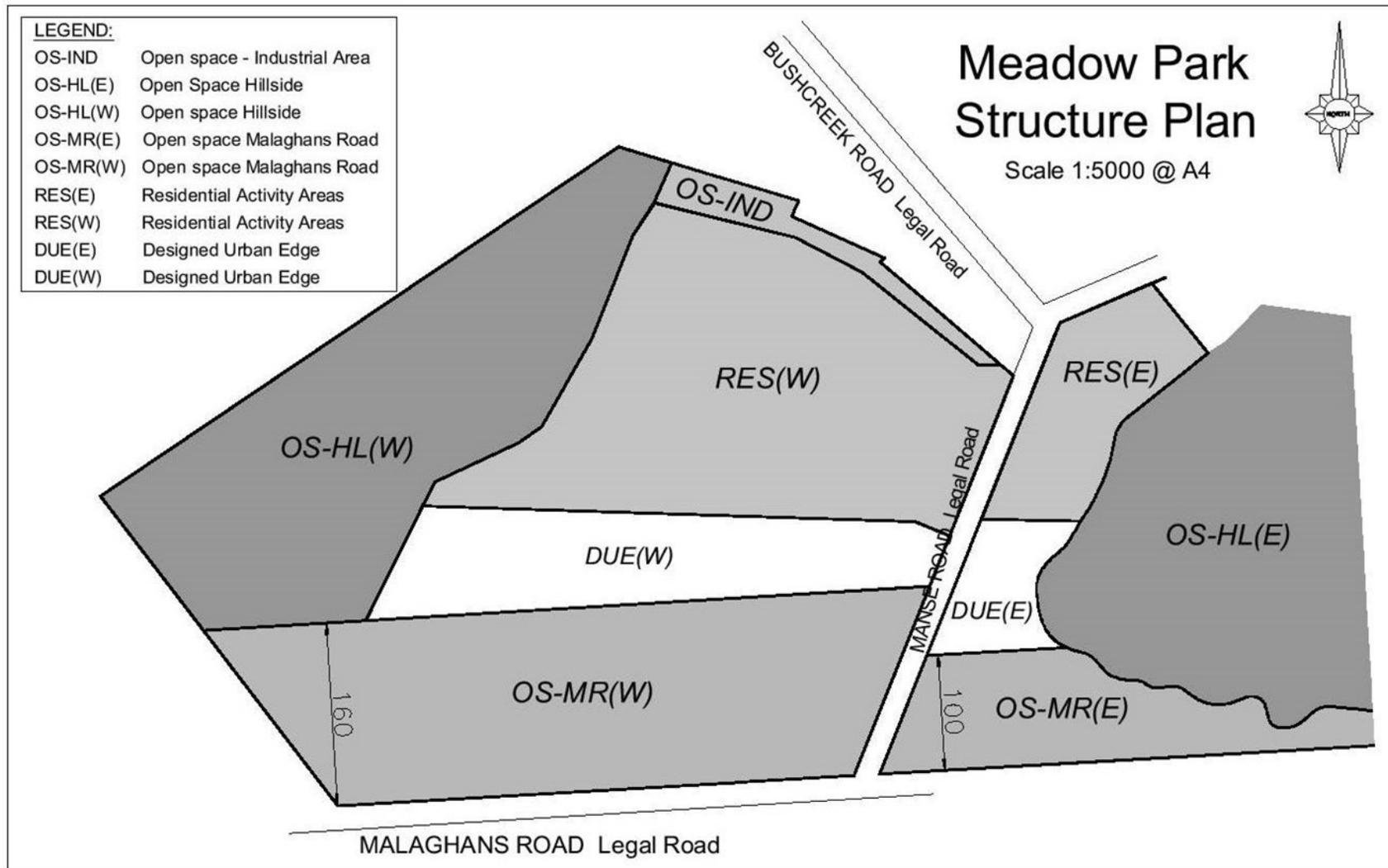
It is unclear the extent to which the Zone provisions have had regard to Arrowtown's heritage and character. The Arrowtown Design Guidelines note that the Butel Park Neighbourhood (or the Meadow Park Special Zone) appears as an urban extension to Arrowtown despite being detached in nature and presentation with little connection or similarity to the rest of Arrowtown. Further, the provisions do not specifically reference Arrowtown's heritage or character (or any design guidelines) instead relying on the site and zone standards. This makes it difficult to determine the overall effectiveness of this part of the Objective. An urban design assessment would be required to determine the extent to which the development of the Zone has had regard to Arrowtown's heritage and character.

The findings of this report indicate that the suite of policies and methods for the Zone have been moderately effective in achieving the Objective for the Zone.

Appendix 1 – Extent of the Meadow Park Special Zone



Appendix 2 - Meadow Park Special Zone Structure Plan



Appendix 3 – Photographs from site visits undertaken in the Meadow Park Special Zone

Appendix 3a – Photographs from OS-MR(E)



Appendix 3b – Photographs from OS-MR(W)



Appendix 3c – Photographs from OS-IND

