

Under

The Resource Management Act 1991 (RMA)

In the matter of

Plan Change 29 to the Mackenzie District Plan

In relation to

The submission of Tekapo Springs Ltd

SUPPLEMENTARY SECTION 32AA RMA ASSESSMENT OF MARK WILLIAM GEDDES

6 June 2025

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PLANNING | DEVELOPMENT | ENVIRONMENT

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INTRODUCTION

1. This is the supplementary Section 32AA RMA assessment for the changes I recommended at the hearing in relation to my evidence for the Tekapo Springs submission on Plan Change 29 (PC29) of the Mackenzie District Plan (MDP) as requested by the Hearings Panel.

BACKGROUND

2. At the hearing of PC29 on 27 May 2025, I suggested some more onerous and additional site-specific controls for the land outlined in yellow in **Figure 1**. The zoning of this land remains in contention as the reporting officer recommends retaining its Open Space Zone (OSZ) as notified in PC29, but I recommend that it is rezoned Sports and Active Recreation Zone (SARZ) on the basis of landscape evidence produced for the submitter.



Figure 1 – The remaining land in contention is outlined in yellow which the reporting planner recommends remains zoned OSZ but I which recommend is zoned SARZ.

3. I recommend the following area-specific standards are applied to the area outlined in yellow in **Figure 1**.
 - a. A maximum building height of 5.5m (down from 7.5m required in the SARZ Tekapo Precinct)
 - a. A building coverage of 30% (down from 40% required in the SARZ Tekapo Precinct).

- b. A landscaping plan that would require 20% of the site to be landscaped. This is a new requirement that is additional to the landscape standard proposed in my evidence in chief. The new standard would read as follows:

 - i. A landscape plan must be prepared for the first new building or building extension on the site to be constructed after the operative date of this standard, with gross floor area of 50m² or more, and must be submitted to Mackenzie District Council for certification. The landscape plan must propose that a minimum of 20% of the total site area is landscaped with indigenous species that will help mitigate the adverse effects of the new built form, assist the integration of building(s) with the landscape and contribute to the amenity values of the area. The landscape plan must be prepared by a Registered Member of the New Zealand Institute of Landscape Architects, or a full member of that institute.
 - ii. The landscape plan must be implemented within the first planting season after the buildings are completed, and thereafter the plantings must be maintained and dead or diseased species replaced.
4. My intention is that these new standards will combine with the standards of the SARZ Tekapo Precinct identified over the area outlined in yellow in **Figure 1** above to successfully mitigate the actual and potential adverse effects of built form on the subject land, and integrate the more sensitive areas of the land with the wider landscape and visual amenity values of the area. Along with other matters, the Tekapo Precinct provides particularly restrictive standards in relation to:

 - a. Building wall length
 - b. Roof design
 - c. Materials
 - d. Colours and light reflectivity.
5. As an alternative, and only out of an abundance of caution, and only if the Hearings Panel are not minded to grant the relief sought, the submitter also offers a restricted discretionary activity status for new buildings in this area, so long as it is zoned SARZ. This will allow a merits-based assessment of any specific buildings proposed. If it would assist the Panel

further in considering this alternative relief, I would be willing to suggest matters of restricted discretion that would be appropriate.

SECTION 32AA RMA ASSESSMENT

15. I now provide a further evaluation of the changes I have recommended to the provisions of PC29 above in accordance with Section 32AA RMA. This assessment supplements the Section 32AA RMA assessment already provided in my evidence in chief. This assessment evaluates the following three options:

- a. Option 1, zone the land SARZ with the new site-specific permitted activity standards
- b. Option 2, zone the land SARZ with a restricted discretionary activity status for new buildings
- c. Option 3, retain the notified zoning of OSZ with no changes to that zone.

16. As I am endeavouring to resolve the appropriate zoning and provisions for the subject land, I have used the relevant strategic directions objectives from the MDP to guide this assessment rather than the objectives of the OSZ or SARZ. This aligns with the requirement of s32(1)(b) RMA in particular.

17. The objectives of the Strategic Directions chapter of the MDP which are most relevant are set out below. As stated in the introduction section of the Strategic Direction chapter these objectives are intended to *“provide direction for the development of the more detailed provisions contained elsewhere in the District Plan”*.

ATC-O1	Live, Work, Play and Visit
The Mackenzie District is a desirable place to live, work, play and visit, where:	
	<ol style="list-style-type: none">1. there are a range of living options, businesses, and recreation activities to meet community needs;2. activities that are important to the community's social, economic and cultural well-being, including appropriate economic development opportunities, are provided for; and3. the anticipated amenity values and character of different areas are maintained or enhanced.
NE-O1	Natural Environment

The values of the natural environment, including those that make the [District](#) unique, contribute to its character, identity and well-being, or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes, but is not limited to, values associated with the following important natural resources:

1. [mahika kai](#) resources;
2. night sky darkness;
3. outstanding natural features and landscapes;
4. significant indigenous biodiversity; and
5. water bodies and their margins.

UFD-O1	Urban Form and Development
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The [District](#)'s townships and settlements grow and develop in a consolidated way that:

1. is integrated into, and respects the values of the surrounding natural and physical environment;
2. achieves good connectivity with other parts of the urban area;
3. is integrated with the provision of infrastructure and facilities which support the functioning of the community;
4. maintains the anticipated character of each township, and its attractiveness to residents, businesses and visitors;
5. responds to the needs of the community, including diversity in housing and business opportunities; and
6. protects highly productive land.

Option 1 - Zone the land SARZ with the new permitted activity standards

18. The evidence from Ms Crawford is that the proposed new permitted activity standards will be effective, when combined with the provisions of the SARZ and Tekapo Precinct, in mitigating any potential landscape and visual effects of new development on the subject land and helping any development on that land integrate with the landscape. This is achieved, along with the landscape mitigation provisions of the Tekapo Precinct, by reducing the height and building coverage permitted on the site and by requiring 20% of the site to be landscaped. This mitigation of landscape and visual effects and the integration of buildings into the landscape will effectively implement Strategic Direction objectives:
 - a. ATC-O1 by maintaining and enhancing the anticipated amenity values and character of different areas.

- b. NE-O1 by protecting and enhancing significant and intrinsic values of outstanding natural landscapes and waterbodies and their margins.
- c. UFD-O1.1 by integrating and respecting the values of the surrounding natural and physical environment.
- d. UFD-O1.4 by maintaining the anticipated character of each township, and its attractiveness to residents, businesses and visitors.

19. By only allowing 30% building coverage and requiring 20% of the site to be landscaped, this option would also be effective in implementing Objective SARZ-O2.3, that now as recommended by the reporting officer, seeks to maintain '*... a balance between open space and built form and are sympathetic to the lakeside landscape setting*'.

20. The enablement of development as a permitted activity would also be effective in implementing Strategic Direction Objective ATC-O1 by ensuring that the district is a desirable place to live, work, play and visit, where:

- a. there are a range of recreation activities to meet community needs; and
- b. activities that are important to the community's social, economic and cultural well-being, including appropriate economic development opportunities, are provided for.

21. The new site-specific permitted activity standards proposed would be efficient in that:

- a. They would enable appropriate development without the costs, delays and uncertainty associated with applying for resource consent. This is an economic benefit within an area that would ensure co-location and integration with existing recreational and tourism development that is recognised as a significant and important contributor to the District's economy.
- b. Provide new recreational resources to the town that would have positive quality of life benefits. This is a social benefit.
- c. Attract more visitors to the town and ensure resiliency for an established tourism and recreational operation. This is an economic benefit.

- d. Make more efficient use of the urban area and consolidate built form within the Tekapo township rather than requiring it to spread into out-of-town locations. This is an economic and environment benefit.
- e. Support the significant investment made in the existing facility and support an existing and successful nationally significant commercial recreation activity to grow. This is an economic benefit.
- f. Ensure that development occurs according to a suite of site-specific provisions which will ensure future built form is sufficiently mitigated and protects and enhances landscape and visual amenity values important to the area. This is an environmental benefit.

22. The only potential cost of this option is that it may not as stringently mitigate the potential landscape and visual effects of new development when compared to the other options. This is potentially an issue as presently there is no specific proposal for development of this land and therefore the Hearings Panel are tasked with considering the potential effects of a hypothetical development according to standards proposed. However, the evidence from Ms Crawford is that she is satisfied that this option will be effective in addressing landscape and visual effects.

23. Accordingly, this option is both effective at implementing higher order objectives and efficient in that its many benefits outweigh any costs.

Option 2 - Zone the land SARZ with a restricted activity status for new buildings

- 24. A restricted discretionary activity status for new buildings in this area would potentially increase the effectiveness in which the above stated strategic objectives that relate to landscape protection would be achieved. The reason for this is that it would require a specific assessment of each development proposal, rather relying on permitted activity standards that collectively would sufficiently mitigate any adverse effects, as per the landscape evidence referred to above.
- 25. However, it would not be effective at implementing strategic objective ATC-O1 in providing for appropriate economic development opportunities and ensuring there are a range of recreation activities to meet community needs, and ensuring existing developed operations continue to be resilient and prosperous.

26. It would also not be as efficient as the permitted activity standards in that the submitter would have to endure the costs of resource consents and the associated time delays, risk and uncertainty. Unfortunately, this can and does scupper many development proposals, stemming from investment uncertainty and hesitation.
27. Accordingly, while Option 2 is the submitter's fall-back position if the Hearings Panel is not satisfied with Option 1 in terms of section 32 RMA. However, it is not as effective or efficient as Option 1.

Option 3 - Zone the land OSZ with no changes to that zone

28. Leaving this land zoned OSZ is also another option as is recommended by the reporting officer. However, this would not be effective in achieving the strategic directions Objective ATC-O1 that seek to ensure the district is a desirable place to live, work, play and visit, where:
 - a. there are a range of recreation activities to meet community needs; and
 - b. activities that are important to the community's social, economic and cultural well-being, including appropriate economic development opportunities, are provided for.
29. The reason why this option will not achieve Strategic Direction Objective ATC-O1 is that the building coverage Standard OSZ-S3 will limit built form to 5% or 100m² (whichever is lesser) and therefore likely present a serious impediment to obtaining resource consent for any development that significantly exceeds that standard. Objective OSZ-O2 reinforces Standard OSZ-S3 by clarifying that the OSZ '*contains limited facilities and structures*'.
30. The zoning of this land OSZ will also limit the effective implementation of the Strategic Direction Objectives that focus on enhancing the environment, including:
 - a. Objective ATC-O1 that seeks not only to protect but to enhance the anticipated amenity values and character of different areas; and
 - b. Objective NE-O1 that seeks not only to maintain but also to enhance significant and intrinsic values of outstanding natural landscapes and waterbodies and their margins.

31. If the land is left vacant due to the development constraints of Standard OSZ-S3, the opportunity to enhance this land to implement these Strategic Direction objectives will be lost. This is probable considering the Council has no stated plans or budget to develop this land and have an extremely small rating base. On the contrary, if the land was zoned SARZ, it would encourage sensitive and appropriate development that with the landscaping standard offered by the submitter, provides a significant opportunity to enhance landscape character and visual amenity values of the area.

32. Leaving the land zoned OSZ would be inefficient in that:

- a. A difficult and costly resource consent would be required, with no certainty that resource consent would be granted. Significant time to process such a consent under the OSZ consenting pathway would be likely, particularly due to a possible public notification requirement. This is an economic cost.
- b. If development was not consented there would be the following opportunity costs:
 - i. A new recreational facility, or expansion and enhancement of existing popular facilities, for the town that would have positive quality of life effects would not be provided. This is a social cost.
 - ii. The opportunity to attract more visitors to the town would be lost. This is an economic cost.
 - iii. The opportunity to make a more efficient use of the urban area and consolidate built form would be lost. This is an economic and environment cost.
 - iv. The opportunity to support the significant investment made in the existing facility would be lost. This is an economic cost.

33. The only possible benefit of retaining the zoning OSZ is that it will keep the land largely free from development and therefore maintain its current landscape and visual values. However, this land is currently developed as a plantation forestry, which at some stage will likely be harvested. Accordingly, the land's current state is by no means guaranteed to continue. The harvesting of the forestry will not maintain its existing amenity values and will likely threaten them. This potential adverse effect should be compared to the

landscape evidence for the Submitter, which finds that some further development within this area will not inappropriately detract from landscape character and visual amenity values and has the ability to be successfully mitigated into the surrounding environment. The landscaping proposed has the potential to improve amenity values.

34. Accordingly, Option 3 is not particularly effective at achieving higher order objectives, will not be efficient and may give rise to adverse visual effects.

CONCLUSION

35. With these matters in mind, I consider that Option 1, zoning the site SARZ with the new site-specific proposed permitted activity standards will be more effective and efficient than applying the OSZ to this land in terms of s32AA RMA. Those new provisions along with the particularly restrictive provisions of the Tekapo Precinct PREC1, will enable development aligned with the strategic intentions of the MDP while collectively ensuring that adverse effects on the environment will be minimal and appropriate in the context.