

**SUMBIMMISION ON A PLAN CHANGE TO THE MACKENZIE DISTRICT
PLAN**

UNDER the Resource Management Act 1991

IN THE MATTER of a submission on Plan Change 29 and 30 to the Mackenzie District Plan

BY **TEKAPO SPRINGS LIMITED**

Submitter

**SUBMISSION OF TEKAPO SPRINGS LIMITED ON PLAN CHANGE 29 AND
30 TO THE MACKENZIE DISTRICT PLAN**

Dated: 22 January 2025

TODD & WALKER law
LAWYERS | NOTARY PUBLIC

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Introduction

- [1] This is a submission on behalf of Tekapo Springs Limited (**Submitter**) on the Mackenzie District Plan (**District Plan**) Plan Change 29 and 30 as part of stage four of the District Plan Review, as notified on 5 November 2024 (**Plan Change**).
- [2] The Submitter could not gain an advantage in trade competition through this submission.
- [3] The Submitter wishes to be heard in support of this submission.
- [4] If others make a similar submission, the Submitter will consider presenting a joint case with them at the hearing.

Background

- [5] The Submitter owns and operates the land and business known as Tekapo Springs, located at 300 Lakeside Drive, Takapō / Lake Tekapo, legally described as Lot 1 DP 49694 and RS 42278 (**Property**).
- [6] Tekapo Springs is a nationally renowned, multi-attraction business offering relaxation and outdoor adventure. It features hot pools, a day spa, and sauna facilities for wellness, alongside family-friendly activities like an ice skating rink, snow tubing, and a summer waterslide.
- [7] The Property is affected by the Plan Change in that it is proposed to be designated as Sport and Active Recreation Zone, and surrounded by proposed Open Space Zoning to the south, west, and east.
- [8] Relevant neighbouring properties, legally described as Lot 6 DP 455053 and Lot 401 DP 560853 are wholly or partially planned to be designated as Open Space Zone (**Neighbouring Properties**).
- [9] A map showing the Submitter Property and the Neighbouring Properties is attached as **Appendix 1**.
- [10] The Submitter opposes in part the Plan Change in relation to the Submitter Property and the Neighbouring Properties and seeks the relief as set out in the below submission for the following reasons.

Specific submissions and relief

- [11] In general, the Submitter considers the proposed Plan Change does not adequately address nor make allowance for commercial and tourism-related development, redevelopment, expansion, operation, and futureproofing for the Tekapo Springs, including within the Sport and Active Recreation Zone (**SARZ**) and the Open Space Zone (**OSZ**). The Submitter seeks to preserve the opportunity for further expansion of its business operations.
- [12] To achieve this, the Submitter considers that the proposed Plan Change provisions and zoning locations regarding SARZ and OSZ, and the chapter on Natural Character (**NATC**) should be amended to better enable commercial and tourism-related development.

Rezoning sought

- [13] The Submitter makes the following submissions in relation to the Plan Change:
 - (a) that those areas of the identified Neighbouring Properties shown as areas 'A' and 'B' in **Appendix 2** be rezoned as SARZ, to ensure consistent zoning with the Submitter Property; and / or
 - (b) the wording of the SARZ provisions should be amended to better provide for anticipated commercial recreation and commercial activities to ease the consenting pathways for future expansion of the Submitter's site and business, as set out further below:
 - (i) Include a new specific control area over the Submitter's Tekapo Springs facility to support the use of the site for commercial land-based recreation activities.
 - (ii) SARZ-O1 – include commercial activities and ancillary supporting commercial / retail uses as a key purpose of the Zone.
 - (iii) SARZ-O2 – include a Tekapo Springs specific control area as SARZ-O2(3) to ensure buildings and commercial recreation facilities and structures are designed to a high-

quality standard, reflective of the purpose of the overlay and existing tourism infrastructure.

- (iv) SARZ-P1 – include supporting and ancillary commercial and retail activities associated with commercial recreation facilities.
- (v) SARZ-P6 – (new policy specific control area Tekapo Springs) enable activities that support and relate to the continue use, development, expansion and operation of the Tekapo Springs site.
- (vi) SARZ-R6 – include specific control area Tekapo Springs in SARZ-R6 to ensure visitor accommodation is permitted subject to similar standards as those for Area 14 (Ruataniwha).
- (vii) SARZ-R9 – expand food and beverage outlets to 200m² in the Tekapo Springs specific control area.
- (viii) SARZ-R10 – include ancillary and supporting retail activities for commercial recreation activities in the Tekapo Springs specific control area.
- (ix) Standards – amend height standards in relation to the Tekapo Site to exclude commercial recreation structures such as slides, lifts, sledding and tubing courses, and other similar and related structures.

[14] In the alternative to the above primary relief sought, the Submitter seeks:

- (a) a new ‘Tekapo Tourism Overlay / Precinct’ or ‘Tekapo Springs Special Purpose Zone’ (**TSSPZ**) should be included in the Plan Change and identified over the Submitter Property, with this overlay providing for anticipated commercial recreation and commercial activities through realistic consenting pathways for future expansion of the Submitter’s site and business; and / or

- (b) those areas of the identified Neighbouring Properties shown as areas 'A' and 'B' in **Appendix 2**, be designated a similar zoning or overlay to provide for anticipated commercial recreation and related commercial activities across these areas.

[15] A table of suggested planning provisions to be included for the new special zone TSSPZ or precinct / overlay are set out in the below table of secondary relief sought.

Amended planning provisions for OSZ – commercial recreation

[16] If those areas of the identified Neighbouring Properties as shown as areas 'A' and 'B' in **Appendix 2** are not rezoned, the wording of the OSZ provisions should be amended to better provide for anticipated commercial recreation and commercial activities, as set out further below:

- (a) OSZ-O1 – Zone Purpose – ensure the purpose of the zone provides for a predominance of passive recreation activities as well as appropriate other recreation and commercial recreation activities.
- (b) OSZ-P2 – remove the wording 'does not detract from' OSZ-P2 in relation to commercial recreation activities.
- (c) OSZ-P3 – allow other supporting activities such as commercial recreation, or ancillary commercial activities where those are an extension or continuation of existing commercial recreation facilities.
- (d) OSZ-R6 – refine the listed matters of discretion in relation to commercial recreation activities to remove compatibility with passive recreational users and maintenance of visual amenity.
- (e) OSZ – New Rule – to allow for the maintenance, operation, replacement, upgrade or minor extension of existing commercial recreation facilities.

General submissions

[17] The Submitter seeks such other relief as may be required to give effect to this submission, including alternative, consequential or necessary amendments to the Variation that address the matters raised by the Submitters, and to:

- (a) promote the sustainable management of resources and achieve the purpose of the Act;
- (b) meet the reasonably foreseeable needs of future generations;
- (c) enable social, economic, and cultural wellbeing;
- (d) avoid, remedy, or mitigate the adverse effects of the activities enabled by the Variation; and
- (e) represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of other means available in terms of s 32 and other provisions of the Act.

[18] The above general relief should not derogate from the specificity of the above relief sought. A more refined suite of amendments may be provided in any expert planning evidence.

Dated 22 January 2025



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R E M Hill / B A G Russell
Counsel for the Submitter

Table of secondary relief sought

Proposed Tekapo Springs Special Purpose Zone (TSSPZ)	
Introduction	
<p>The TSSPZ covers the area of land established as the Tekapo Springs facility, including a multi-attraction relaxation and outdoor adventure development. It features hot pools, a day spa, and sauna facilities for wellness, alongside family-friendly activities like an ice skating rink, snow tubing, and a summer waterslide. Adjacent land to the current established Tekapo Springs facility is included in the zoning for potential associated operational areas and facilities, administrative, commercial activities and other supporting activities.</p> <p>The purpose of the TSSPZ is to provide for a range of commercial recreation and related activities to recognise the role of Tekapo Springs as a nationally renowned attraction and its provision for the social and economic well-being of Te Manahuna/the Mackenzie District.</p> <p>Land use is managed to address adverse effects on the wider landscape values.</p>	
TSSPZ-O1 Zone purpose	
The efficient use and development of Tekapo Springs zoned land and facilities to support the economic and social well-being of Te Manahuna/the Mackenzie District.	
TSSPZ-O2 Zone character and amenity values	
<p>The use of land within the TSSPZ is managed in a way that:</p> <ol style="list-style-type: none">1. Provides for economic and social benefits to the region;2. Recognises the functional needs and operational needs of commercial recreation, tourism, and supporting activities; and3. Achieves a high standard of amenity reflective of the role and function of the TSSPZ.	

Policies	
<p>Provide for Tekapo Springs activity to operate in a safe and efficient manner, while maintaining the function, character and amenity of the surrounding environment, by:</p> <ol style="list-style-type: none"> 1. Enabling future development, redevelopment, maintenance, and expansion of existing commercial recreation facilities and activities; and 2. Ensuring further expansion of the Tekapo Springs Facility for commercial recreation and tourism activities which achieve a cohesive and high amenity design outcome, reflective of the character of the zoning. 	
Rules	
<p>TSSPZ-R1 Commercial recreation activity Activity status: PER where: The activity involves the extension, redevelopment, maintenance, or replacement of existing commercial recreation activities and facilities within the TSSPZ.</p>	
<p>TSSPZ-R2 Buildings for Commercial Recreation activity Activity status: RDIS</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The location, design, scale and appearance of the building or structure. b. The extent to which the building is compatible with the character, amenity values and purpose of the zone.
<p>TSSPZ-R3 Ancillary commercial and retail activity Activity status: CON where: The activity is ancillary to, or supporting, commercial recreation activity for existing commercial recreation activities and facilities within the TSSPZ.</p>	
<p>TSSPZ-R4 Commercial activity, retail activity, and visitor accommodation Activity status: RDIS where: The maximum gross floor area of any single tenancy does not exceed 200m².</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The location, design, scale and appearance of the building or structure. b. The extent to which the building is compatible with the character, amenity values and purpose of the zone.

Standards <i>(Further standards are to be included insofar as necessary to maintain amenity values for the Site consistent with the surrounding zoning and amenity including in relation to setbacks, building height, servicing and earthworks)</i>	
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Appendix 1



Map Prepared



Submission Properties

1:5000 @ A4

January 21, 2025

DISCLAIMER: This map/plan is illustrative only and all information should be independently verified on site before taking any action. Whilst due care has been taken, Grip gives no warranty as to the accuracy and plan completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information.

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Appendix 2

