

# Tekapo Landco Limited

To Rezone Land from Special Travellers  
Accommodation Zone to Residential 1 and 2  
and to remove the Camping Ground Sub-  
zone within the Special Travellers  
Accommodation Zone



Lakeside Drive, Tekapo

Plan Change Application to the  
Mackenzie District Council

March 2015

## Planz Consultants

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# PRIVATE PLAN CHANGE REQUEST

## MCKENZIE DISTRICT PLAN

### **REZONE SPECIAL TRAVELLERS ACCOMMODATION ZONE TO RESIDENTIAL 1 AND 2, AND TO REMOVE THE CAMPING GROUND SUB-ZONE WITHIN THE SPECIAL TRAVELLERS ACCOMMODATION ZONE**

#### **Lakeside Drive, Tekapo**

Prepared for

**TEKAPO LANDCO LIMITED**

By

**Planz Consultants Limited**

Planning and Resource Management Consultants

In association with:

TDG

Tonkin and Taylor

Earthworks

March 2015

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**SECTION A**  
**PRIVATE PLAN CHANGE REQUEST**

**Part 1**  
**Plan Change Request**

## Resource Management Act 1991

### Request for a Change to the Operative Mackenzie District Plan

#### Tekapo Landco Limited

Tekapo Landco Limited ("TLL") hereby request a change to the Operative Mackenzie District Plan ("District Plan") in accordance with Clause 21 of Part 2 of the First Schedule to the Resource Management Act 1991 ("the RMA"). **The Proposed Plan Change is referred to as the "PPC".**

The lands subject to the PPC are the properties located at Lakeside Drive, Tekapo as outlined on Figure 1 below.

**Figure 1: Plan Change Site**



The land is held in four separate allotments as described below and as detailed on the Certificates of Title attached in Appendix 1.

Address	Legal Description	CT Reference	Land Area
Lakeside Drive	Lot 1 DP455053	CB31B/1010	4.2530ha
Lakeside Drive	Lot 2 DP455053	CB31B/1010	19.3350ha*
Lakeside Drive	Lot 3 DP455053	CB31B/1010	0.5850ha
Lakeside Drive	Lot 4 DP455053	CB31B/1010	0.0242ha

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\* **Note:** *Approximately 4 ha of Lot 2 DP 455053 is not subject to rezoning through this Plan Change, as it is already zoned Residential 2.*

The total area of land subject to the PPC is approximately 24ha.

## Plan Change Request

The substantial change requested to the District Plan by TLL is as follows:

*An amendment to Planning Map 44 to rezone the land as described and shown above from Special Travellers Accommodation (STA) to Residential 1, Residential 2 and Recreation P and from 'Camping Ground Subzone' to Special Travellers Accommodation Zone (STAZ).*

The objective, policy and rule framework contained in the District Plan for the Residential 1 and 2 zones, the Recreation P Zone, and the STA zone will continue to apply to the rezoned land. However, a number of consequential amendments are required to the zone provisions to guide the development of activities on the land and provide for consistency in approach as outlined below:

1. Amend Planning Map 44 by showing proposed amendments to the zoning, including:
  - (a) Rezoning the majority of the STA Zone to Residential 1 with smaller areas to Residential 2 and Recreation P;
  - (b) Remove the 'Camping Ground Subzone' and apply amended provisions of the existing STA Zone within the subzone.
2. Amend the existing STA Zone provisions to provide for a number of permitted activities and enable visitor accommodation and restaurant or café buildings as a controlled activity.
3. That an existing area at the eastern end of the PPC site retain its Residential 2 zoning
4. Retain control over design and appearance in the balance of the STA Zone and in the Residential 2 Zone (Lake Tekapo Design Guide).
5. Incorporate an exterior colour palette for buildings to be constructed in the proposed Residential 1 Zone.
6. Restrict access directly to State Highway 8

The requested changes to the text and planning maps in the District Plan are attached in **Part 2**.

TLL also request that the Mackenzie District Council make any such consequential changes to the District Plan or the PPC that may be necessary or desirable to ensure continuity of numbering, cross references, sequencing and format of the District Plan.



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## Purpose of Plan Change Request

The overall purpose of the PPC is to rezone the western and higher part of the present STA Zone to Residential 1 to allow for predominantly low density residential development. The steeper area of land adjacent to Tekapo Springs and between the proposed Residential 1 zone and the existing Holiday Park would be incorporated into the Recreation Passive Zone, a zoning which also applies to other land in the district including the foreshore of Lake Tekapo opposite the Holiday Park. It is anticipated that this area of steeper land would retain its forest cover and ultimately could form part of the district's publicly owned recreation estate. A smaller area of approximately 4 ha at the south eastern end of the STA is proposed to be rezoned Residential 2 as an extension to the western end of the existing Residential 2 Zone. The 'Camping Ground Subzone' within the STA Zone would be removed, with the underlying STA Zone being retained, which will have the effect of enabling a wider range of travellers accommodation and some limited additional commercial activities.

It is anticipated that a future spine road would be constructed from Lakeside Drive through the Residential 2 Zone to connect with the existing 'paper road' along the western boundary of the site and serving the future development of the Residential 1 Zone. This would avoid the need for an otherwise unsuitable access point from the paper road directly to State Highway 8 or for direct access to any other property from the highway. The ultimate alignment of this road is yet to be determined as part of the eventual subdivision stage of development, but will be necessitated by a rule forming part of the PPC which will prevent direct access to State Highway 8 from the land to be rezoned. This restriction is necessary to protect the safety and efficiency of the state highway where it passes the plan change site. The PPC would provide for residential accommodation in an area which is currently identified as available for urban purposes in the form of visitor accommodation. Accordingly the proposal is to provide for the development of the site for primarily urban *residential* purposes, instead of primarily urban *travellers accommodation* purposes. However irrespective of whether development was undertaken in accordance with the current zoning or the residential zoning now proposed, the visual appearance of the site (and the extent of tree cover) would change substantially.

It is proposed that the provisions of the Lake Tekapo Design Guide continue to apply to development in the balance of the STA Zone, and within the Residential 2 Zone, along with a colour palette for future buildings and dwellings to be constructed in the Residential 1 zone, as part of ensuring future development does not detract from the visual qualities of this part of Lake Tekapo and its margins. The PPC as outlined above would provide for more efficient development of the land within the current STA Zone. It would still enable sufficient land and scope for the retention of camping facilities and the development of travellers accommodation, the extent of which under the current STA Zone is far in excess of any likely need for this purpose.

## Section 32 Evaluation

A summary of the evaluation completed under Section 32 of the RMA is included in the Statutory Assessment Report contained in **Section B**.

This evaluation has shown that the proposed rezoning:

- Is the most appropriate way to achieve the settled objectives of the District Plan;

- 
- Will continue to assist the Council to carry out its functions under the District Plan in order to achieve the purpose of the RMA;
  - Will be in accordance with the provisions of Part 2 of the RMA; and
  - Will continue to use the existing provisions contained in the District Plan (with minor modifications), which have already been tested and proven to be the most efficient and effective method to achieve the objectives of the District Plan.

## Assessment of Effects on the Environment

An assessment of effects on the environment is included in the Statutory Assessment Report contained in **Section B**. It describes the effects anticipated and takes into account the provisions of Schedule 4 of the RMA in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the PPC.

The assessment of the effects has shown that the potential for adverse effects to occur as a result of the requested extension of the Residential 1 and 2 zones over much of the land subject to the PPC is limited, and that any actual or potential effects can be appropriately avoided, remedied or mitigated through the continued implementation of the existing provisions of the District Plan and through the resource consent processes that will be required for subsequent development of the site.

The policy and rule framework already in place within the District Plan will ensure that any potential for adverse effects associated with subsequent commercial and residential development of the site once rezoned will be minimal.

Dated this 13 day of March 2015



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**Tekapo Landco Limited**

By its planning consultants and duly authorised agents

Planz Consultants Limited

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## Part 2

### Proposed Changes to the Text and Planning Maps of the Mackenzie District Plan

#### Amendments to text of the District Plan

Text proposed to be deleted shown as ~~strikeout~~, and text to be added shown as **bold underlined**

#### Section 9 – Recreation and Open Space Zones

##### Special Travellers Accommodation Zone

##### 1. Amend Rule 8.4.1 (p9-45) as follows:

###### 8.4 Permitted activities

8.4.1 ~~Within the Tekapo-STAZ-Camping Ground Sub-Zone~~ (as defined on planning map 44):

8.4.1.a Camping Activities (including caravans and campervans)

**8.4.1.b Picnic areas in respect of the provision of seating, tables, permanent barbecues and rubbish facilities.**

**8.4.1.c Paths and routes for pedestrians and cyclists.**

**8.4.1.d Retail sales directly associated with and integral to visitor accommodation activity.**

**8.4.1.e Sale of liquor to registered guests of the visitor's accommodation selling the liquor.**

##### 2. Amend Rule 8.5 (Controlled Activities - p9-47 and 9-48) as follows:

###### 8.5 Controlled Activities

The following shall be Controlled Activities **within** ~~outside~~ the Tekapo **STAZ** ~~Camp Ground Sub-Zone at Tekapo:~~

8.5.1 Visitor accommodation activity **excluding camping activities.**

###### **Standards and Terms**

~~Visitor accommodation buildings shall provide for accommodation for no more than eight people.~~

---

**8.5.2 Restaurant or café building**

**8.5.3 The construction of new, or alteration of existing reception, storage, kitchen and ablution facilities associated with the operation of visitor accommodation facilities.**

Matters subject to the Council's control;

- Location
- Compliance with the Lake Tekapo Design Guide
- Landscaping

~~8.5.2 The construction of new, or alteration of existing reception, storage, kitchen and ablution facilities associated with the operation of visitor accommodation facilities.~~

~~**Matters Subject to Council's Control:**~~

- ~~• Location~~
- ~~• Compliance with the Lake Tekapo Design Guide~~
- ~~• Landscaping~~

~~8.5.3 Picnic areas in respect of the provision of seating, tables, permanent barbecues and rubbish facilities. In addition to the matters listed below, control will also be exercised over the number of facilities provided in each picnic area.~~

~~**Matters Subject to Council's Control:**~~

- ~~• Location~~
- ~~• Compliance with the Lake Tekapo Design Guide~~
- ~~• Landscaping~~

~~8.5.4 Paths and routes for pedestrians and cyclists. Matters over which Council has retained control are the route taken, the width and design of the path, and the paving material to be used.~~

~~**Matters Subject to Council's Control:**~~

- ~~• Location~~
- ~~• Compliance with the Lake Tekapo Design Guide~~
- ~~• Landscaping~~

**3. Delete Rule 8.7.1.a (Discretionary Activities - p9/49) as follows:**

8.7.1 Removal of trees

~~8.7.1.a Within the Tekapo STAZ, the felling or removal of trees, other than wild seedling trees for the purpose of clearing a building platform, or the provision of vehicle access. The exercise of Councils discretion shall be limited to the consideration of the size of the area to be cleared, and the method, and the visual effects of the removal of trees.~~

~~8.7.1.b Within the Twizel STAZ, all other felling of trees not permitted by Rule 8.4.2.d~~

**4. Amend Rule 8.7.6 (Discretionary Activities – p9/49) as follows:**

8.7.6 The establishment of visitor accommodation buildings sleeping more than eight people excluding the Tekapo STAZ

**5. Delete Rule 8.7.7 (Discretionary Activities – p9/50) as follows:**

~~8.7.7 Any visitor accommodation, other than that associated with camping, within the Tekapo Camp Ground Sub-Zone.~~

**6. Renumber Rule 8.7 (Non – Complying Activities – p9/50) as Rule 8.8 and Rules 8.7.1 and 8.7.3 as Rules 8.8.1 and 8.8.2 respectively.**

(Note : this results from a numbering error in the District Plan)

**7. Delete Rule 8.7.2 (Non-Complying Activities – p9/50) as follows:**

~~8.7.2 Buildings or activities within the Tekapo Camping Ground Sub-Zone other than camping activities and visitor accommodation.~~

## Section 6 Residential Zone Rules

**8. Add a new Rule 3.1.1.p (Permitted Activities - p 6/15) as follows:**

**3.1.1.p Exterior Colour**

In that part of the Residential 1 Zone contained within Lot 2 DP455053 between Lakeside Drive and State Highway 8, buildings which do not comply with the exterior colours palette set out in clause 4.2.2 vii) of the Lake Tekapo Design Guide contained in Appendix P will be a restricted discretionary activity.

**9. Add a new Rule 7.4.3 as follows:**

**7.4.3 Restriction on direct access to State Highway 8**

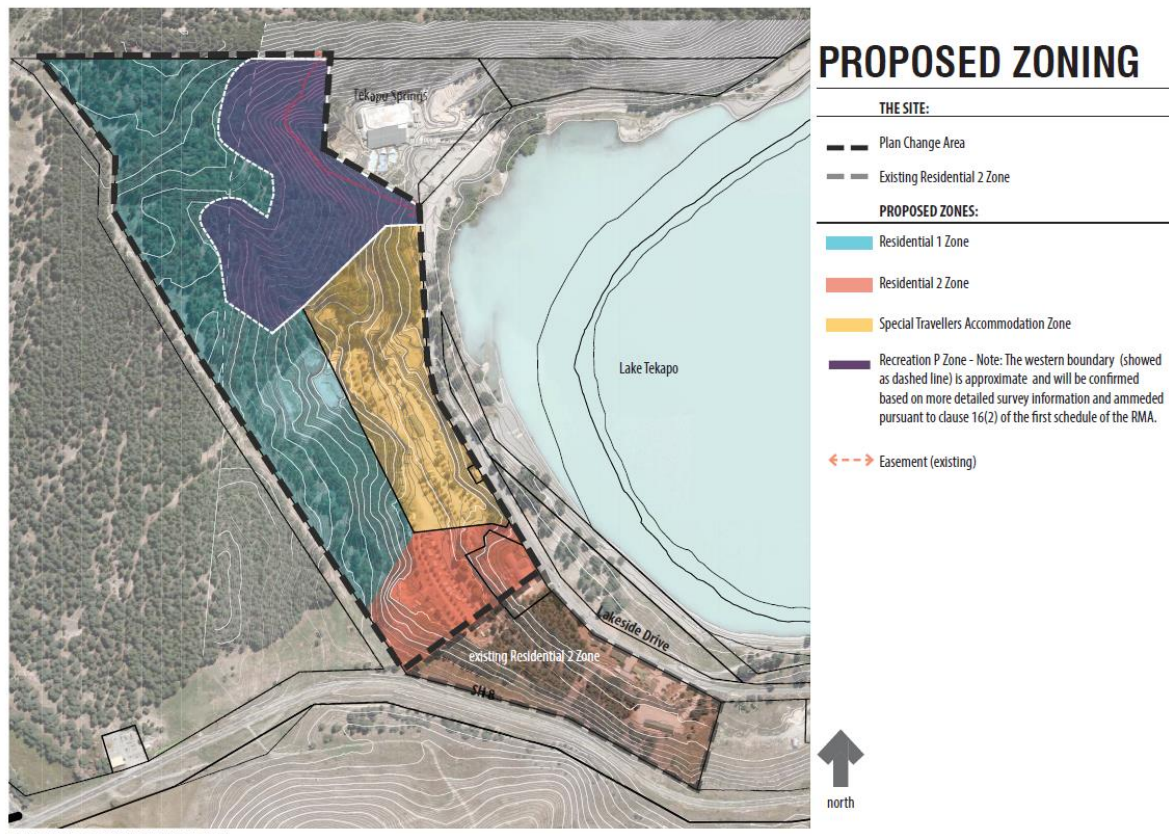
**Any activities within Lot 1 DP455053, Lot 2 DP455053, Lot 3 DP455053 and Lot 4 DP455053 being land west of the intersection of Lakeside Drive with State Highway 8, shall only obtain vehicular access to State Highway 8 from Lakeside Drive; and no direct access shall be permitted from State Highway 8.**

**Amendments to Planning Maps and Appendices of the District Plan**

**1. Amend Planning Map 44 (shown below and contained within the Graphic Attachments in Appendix 2) to:**

- (a) show rezoning of part Special Travellers Accommodation Zone (STAZ) to Residential 1, Residential 2 and Recreation P; and**
- (b) the removal of the 'Tekapo Camping Ground Sub-Zone' and the retention of the STAZ over this area.**

**Figure 2: Proposed Zoning**



**SECTION B**  
**Statutory Assessment**

## 1 INTRODUCTION

### 1.1 OUTLINE OF REQUESTED PLAN CHANGE

Tekapo Landco Limited (TLL), are the owners of the land described as Lot 1 DP455053, Lot 2 DP455053, Lot 3 DP455053 and Lot 4 DP 455053 located on Lakeside Drive, Tekapo at the western end of the township (as described below). The Certificates of Title for the properties subject to the PPC are attached as Appendix 1.

Address	Legal Description	CT Reference	Land Area
Lakeside Drive	Lot 1 DP 455053	CB 31 B/1010	4.2530 ha
Lakeside Drive	Lot 2 DP 455053	CB 31 B/1010	19.3350 ha*
Lakeside Drive	Lot 3 DP 455053	CB 31 B/1010	0.5850 ha
Lakeside Drive	Lot 3 DP 455053	CB 31 B/1010	0.0242ha

*\*Note: Approximately 4 ha of Lot 2 DP 455053 is not subject to rezoning through this Plan Change, as it is already zoned Residential 2.*

In accordance with clause 21 of Schedule 1 to the Resource Management Act 1991 ("the RMA") TLL requests a district plan change to rezone the land subject to the Proposed Plan Change ("**the PPC**"), having the following components:

1. Amend Planning Map 44 by showing proposed amendments to the zoning, including:
  - (a) Rezoning the majority of the STA Zone to Residential 1 with smaller areas to Residential 2 and Recreation P;
  - (b) Remove the 'Camping Ground Subzone' and apply amended provisions of the existing STA Zone within the subzone.
2. Amend the existing STA Zone provisions to provide for a number of permitted activities and enable visitor accommodation and restaurant or café buildings as a controlled activity.
3. That an existing area at the eastern end of the PPC site retain its Residential 2 zoning
4. Retain control over design and appearance in the balance of the STA Zone and in the Residential 2 Zone (Lake Tekapo Design Guide).
5. Incorporate an exterior colour palette for future buildings to be constructed in the proposed Residential 1 Zone.
6. Restrict access directly to State Highway 8



The area subject to the PPC is identified on Figure 1.1 below, and has an area of approximately 24 hectares (of which approximately 4 ha is currently zoned Residential 2) and has frontage to both Lakeside Drive to the north and an unnamed paper road to the south. All of the land subject to the PPC is owned by the applicant, although part of the paper road under the ownership of the Council along the southern boundary is proposed to be formed to allow the development of part of the proposed Residential 1 Zone.

Allowing for topography and the provision of services, it is estimated that approximately 65-70% of the land proposed to be zoned Residential 1 and Residential 2 is or could be developed. Overall, it is estimated that under the rezoning proposed, approximately 90 dwelling units could be constructed on 7.3ha of Residential 1 zoned land, and 92 dwelling units on approximately 4.6ha of Residential 2 zoned land.

**Figure 1.1: Location of the land subject to the PPC**



The amendments to the District Plan set out above are consistent with the existing objectives, policies and (with some minor amendments) the rules of the District Plan and will enable more efficient use of the land resource, while not having any significant adverse effects on the environment.

## 1.2 SCOPE OF REPORT

This report has been prepared to support the PPC and is intended to fulfil the requirements of Section 32 of, and Schedules 1 and 4 to, the RMA. The report:

- further explains the requested rezoning of the site and other matters included in the PPC;
- outlines the intended use of the land to be rezoned;

- sets out the changes required to the operative District Plan to give effect to the intended land uses;
- discusses the statutory requirements for the preparation and consideration of the PPC;
- assesses the effects on the environment of the PPC;
- presents a Section 32 evaluation; and
- outlines the extent of consultation that has been undertaken.

### 1.3 SUPPORTING INFORMATION

Specific investigations and assessments in relation to geotechnical matters, servicing, traffic, landscape and amenity have been commissioned by TLL to support the PPC.

Supporting technical reports are appended to the PPC as **Appendix 2** and are as follows:

1. A Landscape Assessment prepared by Earthworks Ltd
2. A Traffic Assessment prepared by TDG Ltd
3. A Geotechnical and Services Assessment prepared by Tonkin and Taylor Ltd

The supporting technical reports form the basis upon which the PPC is sought, while also satisfying the requirement under clause 22 of Schedule 1 to the RMA for an assessment of the anticipated effects on the environment of implementing the PPC.

The technical reports are referred to as considered appropriate throughout this report to support the basis of the PPC. The technical reports contain the necessary baseline information required to demonstrate the feasibility of the PPC and the appropriateness of the proposed rezoning requests.

### 1.4 SUMMARY

The investigations, analysis and assessments completed to date have shown that the PPC will:

- Satisfy all of the requirements of Section 32 of the RMA and in particular when evaluated in terms of efficiency and effectiveness is the most appropriate way to achieve the purpose of the RMA;
- Ensure that any potential for adverse effects on the environment are appropriately avoided, remedied or mitigated;
- Retain consistency with the wider objective, policy and zoning patterns of the District Plan;
- Provide for residential development that will complement Tekapo Township and will be consistent with the purpose and principles of the RMA.

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## **2 EXISTING ENVIRONMENT**

### **2.1 RESOURCE MANAGEMENT CONTEXT**

#### **2.3.1 Site Description**

The site subject to the PPC is located at the western extremity of Tekapo Township, between Lakeside Drive and the crest of an escarpment rising to a legal ('paper road') extending in a north-westerly direction from State Highway 8. It comprises sloping land with an easterly and north easterly aspect over the lake with a total area of approximately 24 hectares. The site includes the existing Lake Tekapo Motels and Holiday Park. The balance of the land contains areas of well-established exotic trees such as larches and pines, with some more open areas where trees have been removed. Many of these trees have established as wilding trees over many years and are in variable condition and unmaintained.

The Crown owned the land prior to 1986, when it passed into the hands of the Council and was leased from that time until 2012 when it passed on to the ownership of Tekapo Landco Limited.

In terms of zoning, the site is currently zoned STA except for a small portion at the eastern end which is zoned Residential 2. The Lake Tekapo Motels and Holiday Park occupies the existing Camping Ground Subzone, but also extends into a small part of the STAZ and the adjacent Residential 2 Zone along Lakeside Drive. The complex contains 203 accommodation units comprising camping and caravan sites, cabins, backpacker rooms, motel rooms and baches. That part within the Camping Ground Subzone includes two groups of modern cabins and two ablution blocks. These facilities, including ongoing provision for camping, are proposed to be retained within the STA zone.

#### **2.3.2 Surrounding Environment**

Adjoining the Plan Change site to the north is the Tekapo Springs development at the end of Lakeside Drive. Beyond this is initially forested rural land extending up the southern slopes of Mount John. Beyond the paper road forming the western boundary of the site is rural land, which opposite the western end of the paper road comprises a pine forest, while adjacent to the eastern end of the paper road near State Highway 8, the trees have been cleared. This land extends towards Godley Peaks Road. Across State Highway 8 to the southeast is a mix of residential and rural land, while towards the township to the east is an existing Residential 2 zoning between the State Highway and Lakeside Drive. The strip of land between Lakeside Drive and the lakeshore to the north of the site has a zoning of Recreation P and contains a mixture of grass, play equipment, gravel lakeshore, and scattered trees.

### **2.2 RESIDENTIAL 1 AND 2 ZONES**

The Residential 1 Zone is described in the Mackenzie District Plan ("the MDP") as applying to the majority of the residential areas of the district's small townships. The Residential 2 Zone is described as being located on or near main roads, provides for higher density residential development and is seen as particularly suitable for visitor accommodation.

## 2.3 RECREATION P ZONE

The Recreation P Zone is described in the Mackenzie District Plan as being for the protection of areas for passive recreation purposes and the maintenance of the open space or planted character. The incorporation of the steep forested portion of the site between Tekapo Springs and the proposed Residential 1 Zone would be a logical extension of the zone.

## 2.4 SPECIAL TRAVELLERS ACCOMMODATION ZONE

The STA Zone is a specialist zoning which applies to land at Lake Tekapo and Lake Ruataniwha near Twizel. It includes land occupied by the existing camping ground at Lake Tekapo and associated facilities. The 'Zone Purpose' states that it is "*intended that the zone be developed in a manner that provides for the continuing operation of the camping grounds, and the addition of low density tourist accommodation involving cabins, chalets and the like, where appropriate.*"

The implications of the zoning in terms of the effects of the proposed redevelopment of discussed in more detail in Section 5 below.

## 3. PURPOSE OF THE PROPOSED PLAN CHANGE

The purpose of the PPC is to rezone the present STA Zone to allow for low density Residential 1 development over the existing STA Zone, but also to provide for an extension of the higher density Residential 2 zoning over the eastern end of the existing STA Zone, and to apply the provisions of the STA Zone to the present 'Camping Ground Subzone' of the STA, thus allowing a wider range of travellers accommodation activities in the former subzone. The steeper area of land adjacent to the boundary with Tekapo Springs (and containing the DoC walkway to Mt John) would be retained as open space for incorporation into the Recreation P Zone.

The PPC is intended to allow for residential development over a large part of the STA Zone, mostly at a low density, while still making continued provision for travellers accommodation particularly in that part of the STA Zone applying to the former 'Camping Ground Subzone' and in the extension of the Residential 2 zone. It does not have the effect of extending the zoned area of Lake Tekapo Township into the surrounding rural area. Irrespective of whether development was undertaken in accordance with the current zoning, or the residential zoning now proposed, the existing character of the area subject to the PPC would change substantially.

It is considered that the redevelopment of this area for primarily residential purposes while making continued provision for travellers accommodation, would provide greater social and economic benefits to Tekapo Township and the district, and would better achieve the purpose of the Act, than retention of the current zoning.

## 4 STATUTORY FRAMEWORK

### 4.1 INTRODUCTION

This section of the report outlines the statutory documents which must be had regard to in the preparation of changes to district plans. These are as follows:

- Resource Management Act 1991 (specifically the purpose and principles of the RMA as set out in Part 2)

- 
- Canterbury Regional Policy Statement
  - Canterbury Regional Plans; and
  - Operative Mackenzie District Plan

#### 4.2 PROCEDURAL

The functions of the Council for giving effect to the RMA are set out in Section 31, and include those functions that relate to plan development, implementation and review.

Section 73(2) of the RMA allows any person to request a change to a District Plan in accordance with Schedule 1 of the RMA. TLL is promoting the PPC in accordance with Section 73(2) and Clause 21 of Schedule 1 to the RMA.

#### 4.3 MATTERS TO BE CONSIDERED

Section 74 of the RMA provides the statutory framework for assessing the PPC, and sets out those matters the Council must consider. These include:

- The extent to which the PPC is in accordance with the functions of the Council for the purpose of giving effect to the RMA as set out in Section 31;
- The extent to which the PPC achieves the purpose and principles of the RMA as set out in Part 2; and
- The extent to which the PPC is appropriate in terms of Section 32 and is the most effective and efficient means of achieving the purpose of the RMA and the objectives of the District Plan.

Section 74 also requires the Council to have regard to other documents when considering the PPC, which in this case includes the following:

- Any proposed Regional Policy Statement or Regional Plan;
- Management plans and strategies prepared under other Acts; and
- Relevant entries in the Historic Places Register.

Under Section 75 of the RMA the Council is also required to ensure that the PPC gives effect to any national policy statement, the New Zealand Coastal Policy Statement and any regional policy statement.

#### 4.4 PART II – SECTION 5 OF THE RMA

Part II of the RMA sets out the purpose and principles of the Act. Section 5 sets out the purpose of the RMA, being “to promote the sustainable management of natural and physical resources” which is defined to mean:

*“managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while –*

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) Avoiding, remedying or mitigating any adverse effects of activities on the environment.”*

To achieve the purpose of the RMA the proposed rezoning of the site needs to provide for the continued use and development of this land resource in a way that will enable people and the community to provide for their welfare subject to the appropriate management of adverse effects of activities on the environment.

The objectives and policies which set the strategic direction of the District Plan have been formulated to achieve the purpose of the RMA and give effect to the previous Canterbury Regional Policy Statement which became operative in 1998. However the proposal has also been considered in the context of the new RPS which became operative in 2013. The analysis of the relevant planning provisions (refer to Section 4 of this report) has shown that the PPC is consistent with the strategic direction established by the objectives and policies of the new RPS. As such, the PPC will continue to ensure that the sustainable management purpose of the RMA can be achieved through the District Plan.

More specifically, the PPC will allow for the existing range of activities permitted in the STA Zone albeit concentrated in a smaller area where such development currently exists. The social, cultural and economic welfare of the community would be better enabled through the proposed rezoning than the retention of the current zoning, with regard to the range of land uses able to be undertaken.

The site is not known to have any significant value from an ecological perspective. A change in land use at this location will not therefore impact on the life supporting capacity of the air, water, soil and ecological resources found in the area. There will be no adverse effects in terms of the provision of services beyond those which are likely to occur even if the land was developed in accordance with the current zoning. There is no conflict with the provisions of subsections 5 (a) (b) and (c).

As the PPC is not seeking to significantly amend or alter any of the existing objectives, policies or rules of the District Plan any adverse effects associated with the PPC will continue to be managed by the existing zone provisions and the other relevant provisions of the wider District Plan. The assessment of effects has shown that these existing provisions will ensure that any potential for adverse effects on the environment can be appropriately avoided, remedied or mitigated at the time of subdivision or where required resource consent.

Overall, allowing for the proposed rezoning of the site will not compromise the overriding purpose of the RMA, being the sustainable management of natural and physical resources.

#### **4.5 PART II – SECTION 6 OF THE RMA**

Section 6 sets out matters of national importance. Section 6 (b) provides for

*"the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development".*

While much of the Mackenzie basin is recognised as having outstanding landscape character, it is considered that the site subject to the PPC is not protected under section 6, as it forms an urban zoning within the boundaries of Lake Tekapo Township. The effect of the PPC is to exchange one form of urban zoning (travellers accommodation) for another (primarily residential).

Section 6 (c) provides for

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*"the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna".*

There are no known areas which comprise significant ecological habitats on the land subject to the plan change, and while limited protection is provided for the trees present on the site, these are exotic species and do not fall under the protection of this subsection.

There are no sites of historic heritage present on the site with respect to subsection (e). Subsection (d) provides for

*"the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers".*

The PPC does not affect public access to or along the lakeshore as this area is contained within the Recreation (Passive) Zone under the control of the Council. Although not strictly relevant to the subsection, there is an easement protecting the public walkway from Lakeshore Drive through the western end of the site near Tekapo Springs and up onto Mount John.. This would be protected from development through its incorporation into the Recreation P Zone. The proposed rezoning is not contrary to Section 6 of the Act.

#### **4.6 PART II - SECTION 7 OF THE RMA**

Section 7 requires particular regard to be had to 'other matters.' Of relevance to the PPC are:

- (b) the efficient use and development of natural and physical resources;*
- (c) the maintenance and enhancement of amenity values;*
- (f) maintenance and enhancement of the quality of the environment;*

The PPC will result in efficiencies in terms of infrastructure provision given the anticipated urban use of the land. Allowing the PPC will enable the development of this existing land resource for uses that will more appropriately meet the needs of the growing community. TLL are committed to a quality development of the undeveloped areas of site at some time in the future and ensuring that a design approach is taken that will complement the relevant urban design aspirations for the area. The PCC will allow for a wider range of activities and a somewhat more liberal environment for development, and hence be more effective and enabling of the social and economic development of the district. The identification of 24ha of land almost solely for the purposes of travellers accommodation greatly exceeds actual or anticipated demand for that activity and is an inefficient use of the limited land resource available for urban purposes in the Lake Tekapo township.

Both the current zoning and that proposed through the PPC would result in significant changes to the appearance of the environment within the site, specifically in the form of roading infrastructure to provide access, building platforms, and the necessary clearance of trees to provide setback from buildings and roads. While it is anticipated that a significant proportion of the current tree cover would of necessity be removed as a result of the retention of the existing zoning or the substitution of the proposed zoning under the PPC, this represents a change in the character of the environment rather than an adverse effect on the environment. It is proposed to retain the existing trees on the steeper land adjacent to Tekapo Springs as an extension to the recreation

P Zone, and there are significant stands of trees along the foreshore of lake and along the western backdrop to the site. For these reasons it is considered that the PPC is consistent with subsections (c) and (f) of the Act.

It has been established that these areas can be efficiently serviced by roading, water supply, effluent disposal and stormwater infrastructure, which can be upgraded where necessary. Accordingly the development of this land under either of the existing or proposed zoning scenarios can be undertaken without an adverse effect on land and water resources.

Overall, there are no matters under Section 7 of the RMA that would suggest that it is not appropriate to proceed with the requested rezoning over the site.

#### 4.7 PART II - SECTION 8 OF THE RMA

No issues of particular significance to the PPC site have arisen in the course of the preparation of this Plan Change. It is considered that there is no conflict with the provisions of Section 8 of the RMA.

#### 4.8 THE REGIONAL POLICY STATEMENT

The Canterbury Regional Policy Statement ("RPS") sets the overall strategic direction for growth and development within the region by identifying relevant issues for which strategic objectives and policies are detailed. Those objectives and policies of most relevance to the PPC are set out in **Appendix 3**.

In Chapter 5, **Objective 5.2.1** (Location design and function of development) and associated **Policy 5.3.1** (Regional Growth) are both concerned with the form of urban development. Objective 5.2.1 seeks that development be designed and located in a way that *"achieves consolidated, well designed and sustainable growth in and around existing urban areas...."* while Policy 5.3.1 calls for urban growth to *"occur in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development"*.

The PPC will maintain a consolidated and coordinated pattern of development in Tekapo Township, noting that the existing STA zoning also provides for urban development in the form of travellers accommodation, with the PPC continuing to provide for urban development, but with an emphasis on more intensive residential development. The PPC does not require the rezoning of peripheral land adjacent to the township which is currently zoned for rural or open space purposes. The area of steep forested land between Tekapo Springs and the proposed Residential 1 Zone would be retained in perpetuity as open space as an extension to the Recreation P Zone.

**Objective 5.2.1** also promotes consolidated well designed and sustainable growth while making efficient use of infrastructure. More specifically, **Policies 5.3.5 and 5.3.6** concern the provision of potable water, sewage and stormwater disposal. The assessment undertaken by Tonkin and Taylor reveals that such services can be provided to the land subject to the PPC in terms of both capacity and efficiency, and can be upgraded if necessary supported by contributions from the development. Such development is in effect already anticipated under the current zoning.

In Chapter 10, **Objective 10.2.1** (Provision for activities in Beds and Riparian Zones and Protection and Enhancement of Beds and Riparian Zone Values), supported by **Policy**



**10.3.1**, the RPS seeks to protect riparian values which in this case includes part of the southern margin of Lake Tekapo. In this location, the lake margin comprises public open space between Lakeside Drive and the lakeshore. The PPC will not have any adverse effect on the intervening Recreation P Zone which lies between the land subject to the PPC and the foreshore of the Lake, and the inclusion of the steep forested slopes adjacent to Tekapo Springs as an extension to the Recreation P Zone will enhance recreational opportunities.

In Chapter 12, **Objective 12.2.1** calls for the identification and protection of outstanding natural features and landscapes. The Mackenzie Basin is identified as such a landscape under Appendix 4 of the RPS, and this status is consistent with that contained in the Mackenzie District Plan. However these protected landscapes do not include areas contained within the townships of Twizel and Lake Tekapo, albeit that the nature and quality of development in parts of these locations is subject to design control. The PPC is not considered contrary to the RPS with respect to the protection of outstanding landscapes, or of landscape values. The extension to the Recreation P Zone will provide a physical linkage between the lakeshore and the surrounding rural environment to the west including Mt John.

In Chapter 16, **Objective 16.2.1** (Efficient use of Energy) promotes a pattern of urban development which makes efficient use of energy. The PPC does not seek the peripheral rezoning of further rural land for urban purposes on the edge of Tekapo, but rather a change in the nature of urban land use proposed within part of the existing zoned area of the township. The zoned area of the township would remain in a consolidated form and PPC area is within walking distance of the town centre. The PPC is accordingly considered consistent with this objective.

Given the RMA requirement for the District Plan to give effect to the RPS, these regional issues have been given effect to at the district level through the objectives and policies of the District Plan. The operative 2013 version of the RPS contains landscape protection provisions which are much more prescriptive with respect to the identification of outstanding landscapes, which now include the Mackenzie Basin. It also encourages the consolidated development of townships. Although the District Plan predates the operative 2013 version of the RPS, this has no effect on the zoning pattern within Tekapo Township in so far as the STA zone is concerned. The land was and remains part of the township of Lake Tekapo, so its partial rezoning from STA to Residential does not alter the planned urban boundaries of the township. It has been shown in Section 5 below that the proposed zone changes over the site will still meet the overall intent of these objectives and policies. As such, it can reasonably be concluded that the PPC will also give effect to, and be consistent with the relevant objectives and policies of the RPS.

#### **4.9 LAND AND WATER REGIONAL PLAN**

The Land and Water Regional Plan (“LWRP”) identifies the resource management outcomes or goals for managing land and water resources in Canterbury to achieve the purpose of the Resource Management Act 1991 (“RMA”). It identifies the policies and rules needed to achieve the objectives, and provides direction in terms of the processing of resource consent applications. The Plan was prepared under the Environment Canterbury (Temporary Commissioners and Improved Water Management) Act 2010. Decisions which were released on the 5<sup>th</sup> December 2013 are

currently subject to appeal. The Tekapo area falls within the Waitaki and South Coastal Canterbury section (Section 15) of the LWRP.

Should the area subject to the PPC be re-zoned and subsequently developed in the intended manner, then resource consents will be required under the LWRP provisions. Primarily these resource consents will relate to earthworks and discharge of stormwater from the site. The assessment of such applications relies on detailed engineer design at a level far beyond what is required to support a plan change request. All such future applications will be assessed against the LWRP provisions and policy framework applying at the time that any applications are made. It is noted that resource consents under the LWRP would also need to be obtained were the site to be developed for travellers accommodation under the existing zoning framework.

#### **4.10 CANTERBURY REGIONAL LAND TRANSPORT STRATEGY**

The Canterbury Regional Land Transport Strategy (“CRLTS”) is prepared under the requirements of the Land Transport Management Act 2003, as amended by the Land Transport Management Amendment Act 2008. The document covers the period between 2012 and 2042.

Changes introduced in 2008 also saw the implementation of a requirement for the region to develop a Regional Land Transport Programme (“RLTP”) that describes how the region will deliver transport projects and initiatives to achieve the goals and objectives of the CRLTS. The Regional Transport Committee (“RTC”), a standing committee of Environment Canterbury, is responsible for preparing Canterbury’s CRLTS. The overall vision set out in the CRLTS is as follows:

*Canterbury has an accessible, affordable, integrated, safe, resilient and sustainable transport system.*

This vision is supported by objectives to:

- *Ensure a resilient, environmentally sustainable and integrated transport system*
- *Increase transport safety for all users*
- *Protect and promote public health*
- *Assist economic development*
- *Improve levels of accessibility for all.*

The PPC essentially involves expanding the mix of permitted activities within an urban-based zone forming part of the existing zoned Lake Tekapo Township. It would maintain the pattern of urban development within contained boundaries of the township as anticipated through the district plan. The traffic related effects of the PPC are set out below in section 6.2.7. Based on the assessment set out therein, the proposed rezoning in no way detracts from the vision set out in the CRLTS or the supporting objectives.

#### **4.11 CONTEXTUAL SUMMARY**

The PPC is consistent with the planning framework contained in the relevant regional planning instruments.

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## 5 MACKENZIE DISTRICT PLAN

### 5.1 INTRODUCTION

The Mackenzie District Plan is required to be consistent with the purpose and principles of the RMA and to give effect to any national or regional policy statements. It must also not be inconsistent with any operative regional plan, and must have regard to any proposed regional policy statement or plan. Relevantly, the PPC must also be consistent with these requirements.

The purpose of this section of the report is to outline the most relevant parts of the District Plan to the PPC in order to establish the context for the PPC. Specific consideration is given to whether the proposed changes to the District Plan are in keeping with the objective and policy framework that sets the strategic direction for growth in the District.

The objectives and policies of most relevance to the PPC are found in Sections 6 (Residential) and Section 9 (Recreation and Open Space). The relevant objectives and policies, along with the accompanying explanation and reasons are contained in **Appendix 4**.

### 5.2 RESIDENTIAL

The Mackenzie District Plan provides for four residential zones, of which two are directly relevant to the PPC. The residential area of the township is predominantly zoned Residential 1 allowing for generally low density residential development, but with pockets of Residential 2 zoning allowing for higher density residential development and travellers accommodation. This includes an area located between Lakeside Drive and State Highway 8 at the western end of the township, which partly extends into the land subject to the PPC. The Residential 1 Zone provides for typical suburban development at an average density of one dwelling per 400-500m<sup>2</sup>, whereas the higher density Residential 2 zone provides for residential densities at an average of 1 unit per 250m<sup>2</sup>.

Under the PPC, the STA Zone would be rezoned Residential 1 and Residential 2, while the residual STA Zone (comprising the core of the existing holiday park) would remain. The area to be rezoned would potentially provide for up to 90 dwelling units within the Residential 1 Zone, and up to 92 dwelling units in the higher density Residential 2 Zone. This is based on 70% of Residential 1 and 2 zones being developable for residential lots (assuming roads, stormwater retention, topography etc.) at average densities of 350m<sup>2</sup> for Residential 2 and 550m<sup>2</sup> for Residential 1.

Residential Objective 1, 'Amenity' states:

*"Maintenance of the pleasantness, amenity and safety of residential areas and the maintenance and protection of the surrounding natural and physical environment".*

Residential Policy 1A calls for flexibility in building design in terms of bulk and location while not adversely affecting amenity of adjoining properties.

Residential Policy 1B (Density and Scale Residential 1 Zones) states:

*"To enable land in the Residential 1 zone to be used efficiently while maintaining ample open space and the existing scale and medium density of these areas".*

The accompanying 'Environmental Results Anticipated' and the 'Explanation and Reasons' clearly anticipate a preference for the low density 'suburban' style residential environment, with open space between buildings, avoidance of large buildings, and lower building heights. There is also an increased road boundary setback along Lakeside Drive for all development.

Under the PPC, the anticipated environmental outcomes for the Residential 1 and 2 Zones are considered to be appropriate for the majority of the area currently comprising the STA zone. It is noted however that there are no design controls relating to development in the Residential 1 Zone, notwithstanding that large parts of the zone at Tekapo are located in an elevated position above the lake and are clearly visible from State Highway 8.

With respect to the Residential 2 zone, Residential Policy 1C (Density and Scale Residential 2 Zones) states:

*"To provide for higher densities of residential and visitor accommodation development around the periphery of the Lake Tekapo and Twizel town centres and to promote a compact residential form".*

This clearly anticipates an emphasis on both travellers accommodation and higher density residential development. However despite the greater building mass, coverage, and areas of impervious surfaces which are expected as a result of the proposed rezoning, the Residential 2 Zone is accompanied by controls relating to landscaping and urban design and the application of the Lake Tekapo Design Guide. These outcomes are considered consistent with the purpose of the PPC, and will have the effect of concentrating travellers accommodation in close proximity to the town centre and between Lakeside Drive and State Highway 8.

### **5.3 SPECIAL TRAVELLERS ACCOMMODATION ZONE**

Recreation Objective 3 (Special Travellers accommodation Zone -- Lake Tekapo) states:

*"An area of low density visitor accommodation activities including camping grounds, cabins and chalets within walking distance of the Tekapo Village Centre, achieved in a visually recessive manner within the existing forested area".*

The accompanying policies state:

*"1. To provide for a variety of new and existing low density tourist accommodation facilities, while safeguarding the continued operation of the existing camping ground.*

*2. To ensure that new and existing accommodation facilities in this area are visually recessive, and do not impinge on the open space for visual amenity of the Recreation A zone.*

*3. To facilitate the ongoing functioning and retention of existing camping ground as an area where such accommodation is specifically provided for".*

These provisions are also reflected in the "Explanation and Reasons" for the objective and policies. The 'Zone Purpose' makes reference to provision for low density tourist accommodation west of Lake Tekapo township and states that it is *"intended that the zone be developed in a manner that provides for the continuing operation of the camping grounds, and the addition of low density tourist accommodation involving cabins, chalets and the like, where appropriate"*.

The anticipated Environmental Results include an expectation of *"very low density visually recessive development of tourist accommodation"* the development of a variety of accommodation, the *"maintenance and enhancement of the forest area within the zone"* the maintenance and enhancement of the amenity of the adjacent Recreation A and Recreation P Zones and the retention of the existing camping ground.

The PPC would not significantly change these outcomes. Under the rules for the STA Zone, which are analysed in the Section 32 assessment below, it is unlikely that the full development of the zone for tourist accommodation activities would in fact lead to the retention of much of the tree cover within the zone, none of which is listed as protected. This is particularly the case when regard is had to the permitted levels of site coverage for building platforms, the permitted building floorspace for individual buildings of up to 600m<sup>2</sup>, and provision for access, roading and parking.

The rezoning proposed would still allow for camping activities and the development of travellers accommodation within the existing sub zone, within the Residential 2 zone, and to a lesser extent the Residential 1 Zone. The existing forested area to the north and west on the steeper part of the site would remain to retain an element of the treed environment and provide a degree of separation from the adjacent to Tekapo Springs as part of an extension to the Recreation P Zone, while the treed areas within the foreshore area, also zoned Recreation P would also be retained.

#### **5.4 RECREATION A AND RECREATION P ZONES**

The PPC does not propose amendment to the objectives, policies or rules applicable to these two zones. However part of the site is proposed to be zoned Recreation P while the zones also directly adjoin the site.

A key part of the PPC is the retention of the steep forested area between Tekapo Springs and the area to be developed for residential purposes. This area contains the walkway easement to Mt John. Its zoning as Recreation P is consistent with Objective 1 - Recreation, Reserves and Open Space and Policies 1-3 which seek (including as a contribution) convenient and accessible recreational areas and opportunities to meet the diverse needs of residents (i.e. in close proximity to the new residential area) and visitors to the District. It will also complement the lakeshore reserve, and enhance the visual character and recreational opportunities within the area.

The adjoining Tekapo Springs development is zoned The Recreation A (Active). This is one of a number of parcels of land in the district having this zoning, which is described under "Purpose" as providing *"for active recreation and consists mainly of large recreation reserves used for active sports and organised games"*. Despite its prominent location on the western foreshore of Tekapo village, it is noted that the rules framework within the Recreation A Zone are significantly more liberal than those in the adjoining STAZ.

#### **5.5 OTHER RELEVANT OBJECTIVES AND POLICIES**

Section 12, Objective 2 states:

*"Maintenance of the ability to undertake effect of research at the Mount John University Observatory and of the ability to view the night sky"*.

This is supported by Policy 2A and rules in the district plan relating to the design of lighting. The site of the proposed development is at the bottom of the lower slopes at the eastern end of Mount John. Most of the development site is not visible from the Observatory, being screened by intervening hill slopes.

The proposed rezoning will still be in accordance with the objective and policy, and development and associated street and residential lighting undertaken in a manner which accords with the rules restricting light spill, recognising that building development is already anticipated under the existing STA Zone.

Section 6, Policy 1F is the basis for the implementation of "No build zones" on visually sensitive areas north of State Highway 8. Such areas are identified on the Planning Maps as areas protecting scenic views. None of these areas extend over the land subject to the PPC.

## **6 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT**

### **6.1 OVERVIEW**

In accordance with clause 22, Part 2 of the First Schedule, this section of the report provides an assessment of the actual and potential effects on the environment associated with the PPC.

In assessing a plan change request for a rezoning, consideration of adverse effects on the environment is at a broader level than for a specific activity subject to a resource consent application, where the details of a specific building or activity would be provided. The following assessment therefore ascertains the suitability of the land to be rezoned for the type of activities that could occur under the proposed Residential 1 and 2 and STA Zone zonings and the potential for adverse effects on the environment arising from these types of activities. The assessment of effects recognises that should the PPC be approved then a variety of resource consents (both under the District Plan and the Land and Water Regional Plan) will be necessary to enable the development of the site. These resource consent processes will provide decision makers with a further opportunity to assess and manage effects.

### **6.2 PHYSICAL, NATURAL AND CULTURAL EFFECTS**

The Tonkin and Taylor report addresses three issues of (1) ground contamination, (2) geotechnical matters and (3) infrastructure capacity. (Refer 'Lake Tekapo Holiday Park Geotechnical, Ground Contamination, and Services Capacity Assessment') in Appendix 2. These are addressed in turn below.

#### **6.2.1 GEOTECHNICAL**

Tonkin and Taylor Limited undertook a geotechnical investigation and assessment to provide information as the nature of the subsurface conditions on the site, as described in Part 4 of their report.

An earlier geotechnical investigation was undertaken in December 2009 with further site observations in 2014. The site contains a series of gently sloping terraces and slopes ranging from between 8° and 15°. Above the lake there are three terraces at approximate levels of 700mRL, 720mRL, and 740mRL. The material under the PPC site comprises primarily dense moist gravelly silt till materials, with the presence of some

lake silts, beach gravels, sand, and a boulder lag deposit. There was also evidence of a possible kettle hole on the lower slopes north of the camping ground. These base materials have very low permeability and do not contain any significant aquifers.

In terms of potential natural hazards such as landslip, debris flows, erosion, flooding (stormwater) liquefaction and earthquake ground shaking, it was concluded that there was a very low to low risk to future development, such that no particular mitigation measures were required.

It was noted that at the time of development detailed investigation and/or engineering measures would be required for development on slopes steeper than 25°, the development of the area adjacent to the possible kettle hole, and cuts deeper than 3m. There would be design requirements to address (albeit limited) liquefaction potential for structures larger than residential dwellings.

Overall, there are no major geotechnical constraints which make the land unsuitable for the proposed zoning, or for that matter development to its potential under the existing zoning.

### **6.2.2 CONTAMINATED LAND EFFECTS**

Part 3 of the report addressed potential ground contamination. It was noted that in addition to numerous cabins, boat and car storage, there were five drums present on the site, a 2000L above ground diesel storage tank, a pole mounted transformer, some herbicide storage on site, and LPG used for heating water. The ECAN 'Listed Land Use Register' notes that the site is listed for the use of storage tanks and drums for fuel, chemicals or liquid waste. The report concludes that *HAIL* activities were likely to have been undertaken on small parts of the site.

The National Environmental Standard (NES) for 'Assessing and Managing Contaminants in Soil to Protect Human Health' serves to provide a nationally consistent framework to manage the public health risks associated with the use and disturbance of contaminated land.

The nature and scale of potential contaminants used or stored on the site is such that it is unlikely to be a constraint in terms of the land use changes as set out in the PPC, and a resource consent is not expected to be required under the NES for the development of the area subject to the PPC as a whole. At the development stage, there is a possibility of historic activities requiring more detailed investigation at a localised level, and if contamination is evident upon change of use of the site, then consent would be required under the NES and a site management plan required. Any contaminated material would either have to be managed on site or disposed of offsite, depending on contaminant levels and the availability of clean fill. A resource consent may also be required from ECAN for stormwater discharges during or after development.

### **6.2.3 INFRASTRUCTURE CAPACITY**

Tonkin and Taylor undertook an assessment of infrastructure capacity which included a comparison of the requirements under the existing land use on the site, and that anticipated in terms of the accommodation and camping activities expected to be retained plus additional development for residential purposes in the extended Residential 2 Zone and the Residential 1 Zone. The only significant change would likely

be the removal of the long term/semi-permanent caravans within the proposed Residential 2 Zone.

Requirements for waste water are set out in Part 5.1 of the report. Table 5 therein provides estimates based on minimum and maximum generation rates as set out in AS/NZS 1547:2012 and NZS 4404:2010. On this basis the wastewater generation rates, based on equivalent dwelling units (EDU = single family home), would increase from between a range of 234 and 328 EDU to a range between 331 and 417EDU. The Peak Wet Weather Flow Rate would increase from a range of between 5.3 and 6.6L per second to a range between 7.9 and 12L per second. This indicates that the existing 150 mm gravity main would have sufficient capacity to cater for the development expected under the PPC although more detailed assessment is required of the actual diameter and slope of the gravity main and as well as final details of the pump station. It is considered that these issues can be resolved including through the provision of impact fees at the time of subdivision.

Turning to water supply (Part 5.3 of the report), advice from the Council indicates that the water supply has sufficient capacity to accommodate the proposed development. However the existing 100 mm water supply pipe appears inadequate for firefighting demands. It is suggested that this could be addressed by a new 150 mm pipe loop within the development to connections to the 200 mm main in State Highway 8 with the inclusion of a booster pump station. Again, it is considered that these issues could be resolved at the subdivision design stage.

Matters relating to stormwater and flooding are addressed in Part 5.4 and 5.5 of the report. It is noted that the development is contained within a relatively small catchment and there is no evidence of major flows within the two larger gullies on the site. Noting that Lake Tekapo will be the receiving environment for stormwater, it was concluded that low impact stormwater management would be appropriate, similar to that adopted for recent subdivisions in Lochinver Avenue and Sibbald Lane in Lake Tekapo township. Stormwater management (in consultation with the Council and ECAN) can be addressed through good low impact engineering design through integrating the type and nature of the stormwater system with the subdivision layout plan and roading layout plan at the subdivision stage. This would be expected to take the form of a concept design for the stormwater system. Stormwater management is not expected to inhibit the development of land as proposed through the PPC.

There do not appear to be any significant issues with the provision of telecommunications and electricity services to the PPC site.

It is important to acknowledge that the full development of the STA Zone currently provided for under the District Plan would generate most of the same effects and issues as those which arise under the proposed zoning.

### **6.3 CONSTRUCTION EFFECTS**

The excavation and filling of the site likely to be required to provide for the residential activities (or those under the current zoning) have the potential to result in adverse effects on drainage patterns, visual amenity, erosion and dust nuisance. Development of the site that involves substantial filling and excavation activities will require resource consent at the subdivision stage (Mackenzie District Plan, Part 13, clause 3, Subdivision) where any potential for adverse effects associated with such earthworks



can be appropriately managed through the existing provisions of the District Plan and appropriate conditions of consent established at the time the application is granted.

Any construction effects arising from earthworks and physical construction activities at the time the site is developed will be temporary and are able to be appropriately minimised via the preparation of a Construction Management Plan (CMP) prior to the physical works proceeding should that be deemed necessary. The preparation of a CMP for the physical works can be required as a condition of any resource consent required for the future development of the site.

The preparation of a CMP at the time of development will ensure that any potential for adverse effects associated with any relatively substantial future filling and excavation activities can be appropriately mitigated. A CMP could address the following elements as considered appropriate:

- Construction timetable;
- Dust management;
- Vibration of construction equipment;
- Means of compliance with NZS 6803:1999 “Acoustics – Construction Noise” and NZS 6803P:1984 “The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work” in accordance with the District Plan;
- Maintenance of access to immediately adjoining private property;
- Ensuring pedestrian safety along public footpaths;
- Any need for temporary road closures and/or other restrictions on the surrounding road network for the transportation of plant, machinery and materials;
- Site perimeter security;
- Advising adjoining land owners and occupiers of planned construction activities; and
- Handling and addressing of complaints.

#### 6.4 ECOLOGY

There are no Ecological Sites identified on the site that are listed in the District Plan.

The site has been extensively modified over the years as a result of the establishment of exotic trees and development associated with the camping ground. The landscape assessment prepared by Earthworks has identified the presence of specimens of mature matagouri and some natural grasses and shrubs, although none of these form a coherent connection. The site is not therefore expected to be of any significant value from an ecological perspective. Overall, given the area has little known existing ecological value, the potential for impacts on ecological values as a result of providing for the development of accommodation and residential uses on the site are likely to be minimal.

#### 6.5 HERITAGE / ARCHAEOLOGICAL IMPACTS

There are no known recorded heritage or archaeological sites located on the site.

## 6.6 TRANSPORTATION AND TRAFFIC

A traffic assessment has been undertaken by TDG. It is important to note that if the site were developed either to fully give effect to the level of development anticipated under the existing STA Zone, or under the rezoning proposed through the PPC, a roading network would need to be provided to serve the site. While there is a paper road off State Highway 8 at the western edge of the site, this is unsuitable for providing safe access from the highway at that point which has an open road speed limit. Accordingly, access will need to be provided from Lakeside Drive, by a new road ascending in a westerly direction from Lakeside Drive to connect with the central and northern parts of the paper road. This would be formed to provide access to the proposed Residential 1 Zone. Other shorter sections of new road would also be required to service the proposed residential development.

Traffic volumes on Lakeside Drive are currently approximately 590 vehicles per day (VPD) and up to 980 VPD during peak holiday periods. Most of this traffic is generated by Tekapo Springs and the motor camp.

Much of the land adjacent to Lakeside Drive is undeveloped. If the STAZ and the vacant Residential 2 Zone were developed in accordance with the current zoning, the traffic expected to be generated is estimated to reach 2530 VPD. Under the rezoning proposed through the PPC, it is estimated that the volume of traffic would reach 2930 VPD, an increase of 400 VPD over the potential additional traffic that could be expected under the existing zoning. However this is a very conservative calculation based on an average traffic generation from residential units of 8 VPD, a rate of traffic generation which is unlikely in practice given that a mix of permanent and holiday residential units can be expected in Tekapo.

Lakeside Drive has a carriageway width in places of only 5m, which is too narrow particularly for larger vehicles like campervans. It will require upgrading under either the development scenarios that could be expected under the existing or proposed zoning.

With respect to the intersection of Lakeside Drive with State Highway 8, there are good sight distances of greater than 125m in either direction, with this section of highway having a 60 km/h speed limit. Traffic volumes on this section of the State Highway were recorded as ranging from 2853 VPD to 3621 VPD in 2013. The area in the vicinity of the intersection has experienced a low accident rate.

The TDG report notes that there would be significant benefit in providing a direct roading connection between Lakeside Drive and the commercial area to the east without the need to enter and exit State Highway 8 as at present, but that this is a matter for the Council to address.

## 6.7 LANDSCAPE AND VISUAL

Earthworks Limited has assessed the visual character and landscape values of the PPC site and the area within which it is located.

There are a number of key features which define the site. Firstly it is enclosed by the bay at the southern end of the lake and the moraine terrace on which it is located. It is largely obscured and sheltered from the south and from parts of the township to the east. Within the site itself, development is concentrated on the lowest terraces of the moraine wall, with the upper part of the site being largely undeveloped. The area has

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a significant physical connection with the centre of the township, being similarly located on the moraine extending around the southern end of the lake.

The landscape assessment concludes that in addition to these factors, the site has other distinctive characteristics which include its northerly orientation, and a much greater presence of trees than other parts of the township. The trees both provide a distinctive physical feature, and also have the effect of masking the underlying features of the terrain. The lower slopes have more planned plantings with a mix of deciduous trees as well as Corsican and Ponderosa pines. The landscape assessment notes that the upper slopes comprise primarily Douglas Fir, Corsican Pine, Ponderosa Pine and Larch, which even if intentionally planted originally, have largely spread as wilding pines. Some of these trees are in poor condition, and there is evidence of windthrow. There appears little evidence that the trees have been actively managed or maintained. They first became established many years ago when the land was under public ownership, and their establishment was not a result of a conscious policy of landscape enhancement, but a consequence of wilding spread and a lack of any pressure for development of the area in the past.

The northern end of PPC site can be glimpsed from the State Highway 8 approach to Lake Tekapo from the east, and also from State Highway 8 as it enters and leaves the township from the west, albeit those parts of it are masked by trees and the steep slope below the road. It is also readily visible from Lakeside Drive, although again the upper parts of the site are partly obscured by trees, while the existing buildings are readily visible in a ribbon form parallel to the road.

The site is not visible from Mount John, although the southern part of the site is visible from the lookout point on the walkway extending down to Tekapo Springs, with the lower part of the walkway enclosed by forest.

From the town centre, the site is concealed from view. From the lakefront reserve, and the iconic Church of the Good Shepherd, the northern part of the site is visible. The whole site is clearly visible from the surface of Lake Tekapo to the north and in a more distant view from the eastern side of the lake.

Turning to the likely impacts of the development on the landscape, the landscape assessment notes that development undertaken in accordance with the existing zoning would have the inevitable effect of requiring the removal of most of the trees. Quite apart from the anticipated site coverage, and provision for roading access and parking, it is apparent that factors such as vulnerability to windthrow, the need for fire protection, and protection from shading would further diminish the extent of tree cover that could remain if the land were developed.

However there is a steeper area of land adjacent to Tekapo Springs and through which the Mount John walkway passes. This has slopes steeper than 15° which would likely create engineering challenges as identified in the Tonkin and Taylor report. This is proposed to be excluded from development while also enabling the retention of some tree cover as aspired to by the objective and policy framework for the STA zone, even if not the rules. Its permanent protection would be secured through rezoning as Recreation P.

There is a degree of natural separation from State Highway 8 to the south as a consequence of the steep slopes below the highway. The small physical extension to the Residential 2 Zone is seen as a logical extension to an area that already adjoins the

existing town centre, and does not share to the same extent the physical and visual characteristics of the land further to the southwest.

Development within the Residential 1 Zone in terms of the PPC would be to a maximum height of 8m, compared to a maximum permitted height of 10m under the current STA zone. It can be reasonably expected that the visual impact of two-storey buildings rather than a three-storey building as currently provided for will be reduced and will offset the relatively minor increase in site coverage that would follow rezoning the Residential 1. In addition, it is not proposed to apply (with one exception) design controls or the Lake Tekapo Design Guide to development in the proposed Residential 1 zone. This recognises the fact that other parts of the Residential 1 Zone in the township do not have this control, even though parts of the existing Residential 1 Zone are as visible, if not more so, from various public viewpoints, and the reduced building height now proposed compared to the former STA Zone. The design controls and Design Guide would however continue to apply within the balance of the STA Zone to be retained, and within the extended Residential 2 zone, reflecting in (the case of the latter) the existing controls in other parts of that zone, and the high visibility of the lower part of the site from Lakeside Drive and the foreshore of the lake.

Overall the development of the site under either the existing zoning, or the proposed zonings under the PPC would inevitably significantly change the distinctive treed character of this part of Lake Tekapo Township. However in physical terms, its development will complement the development of adjacent parts of the township which are also located on the moraine terraces above the southern end of the lake. The landscape assessment concludes that the steeper area adjacent to Tekapo Springs should be retained as open space with its existing tree cover, which forms part of the proposed plan change, and that consideration needs to be given to supplementary design measures to mitigate the visual impacts of development that will inevitably follow building activity on the site.

It is considered that the development of majority of the land for residential purposes would not have an adverse effect on the landscape of the area.

## **6.8 URBAN DESIGN**

The Ministry for the Environment has a well-established set of urban design principles that are set out in the Urban Design protocol and are commonly referred to as the 'seven Cs'. These criteria establish a useful framework within which to consider the proposal.

### **(a) Context**

The broad context of Tekapo Township is that of a strategically located village at the northern edge of the Mackenzie Basin. It is the first village encountered by drivers travelling south after the village of Farlie and the settlement at Burkes Pass in the Canterbury foothills. The Mackenzie Basin townships are regularly spaced along the State Highway, with Omarama at the southern end, Twizel in the centre, and Tekapo at the northern end. The provision of opportunities for urban development in the Basin can either be via the enlargement of existing townships, intensification within existing townships, or through the creation of new, stand-alone urban areas. Within the Mackenzie Basin, there is a well-established pattern of the three main isolated townships that serve the needs of passing tourists, and the wider farming-based

community. Given the isolated nature of these villages, it is important that their services and facilities are viable so that access to such facilities is able to continue to be provided. As such, within the context of the Mackenzie Basin, it is considered appropriate that new urban growth should occur in the first instance either within, or directly adjacent to these existing principal townships. The proposal is located within the extent of existing urban zoned land that forms the Tekapo village and will enable this urban-zoned land to be more efficiently utilised than the current travellers accommodation zoning permits. The existing zone has been in place for a considerable length of time, yet uptake of the development opportunities enabled by the zoning has been extremely limited. As such the current zoning can be said to be inefficient and ineffective in enabling urban development and providing for the needs of a growing township.

Within the Tekapo village, urban development is located around the village centre by the lake outlet, with commercial businesses on the lake side of the state highway and residential development located predominately on the southern side of the state highway, with a pocket to the north of the state highway and to the east of the lake outlet. The existing township is arranged around the southern end of the lake, with residential development located predominantly on a low terrace above the state highway that provides views out over the lake to the north. This existing residential development forms a backdrop to the commercial centre and lakefront. The proposed development of the subject site for residential activities is consistent with the existing urban form context of the township. New residential development will add to the existing pattern of built development and landscape plantings on the slopes above the southern end of the lake. It does not create a new 'front' of urban development into rural areas to the rear of the township and neither does it create ribbon development along the state highway. The proposal instead enables growth to be accommodated in an area that is already zoned for urban development in a location that is immediately adjacent to the existing built edge of the township and that is enclosed by physical barriers to further growth in the form of the state highway, Mount John, and the lake front.

The higher density Residential 2 zone is located close to the commercial centre and is consistent with the location of this zoning elsewhere in the township where Residential 2 and three storey travellers accommodation is concentrated in close proximity to the centre. The Residential 2 zone that is the subject of this plan change is tucked in below the state highway and generally backs onto a lower terrace such that medium density buildings can be developed in a location where their visual impact is able to be managed.

The plan change site does not include any areas of significant ecological or heritage value or other natural or human-made features of particular significance that need to be recognised in the development. The key features in the wider area are the lakefront and the backdrop provided by Mount John. As such it is important that the plan change does not include built development immediately along the lake front, and likewise has been designed to avoid the most visible lower slopes of Mount John and the key public accessway up the mountain. The retention of the treed nature of this existing walkway is important in retaining the amenity and character of this portion of the site. Its incorporation into the Recreation P Zone would provide for the long-term protection and enhancement of these values. Over the balance of the site the existing trees are likely to be extensively thinned, although as noted elsewhere in this report,

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such an outcome is also likely to occur under the existing zone framework. To this end it is noted that the well-established existing Residential 1 zoned areas of the township include extensive garden planting and mature vegetation that provides an attractive living environment that is not out of keeping with the context of a rural township. It can likewise be anticipated that the proposed residential 1 Zone will develop over time to deliver a similar good quality living environment.

**(b) Character**

The existing built form of Tekapo Township is characterised by single or two storey detached residential dwellings with established garden plantings. As noted above, there are two –three storey medium density travellers accommodation buildings clustered around the town centre. The existing buildings include a wide range of styles and materials that reflect the architectural fashions of the decades in which the buildings were constructed. Newer dwellings are increasingly drawing on a ‘central high country’ palette of materials and vegetation such as the use of linear weatherboard, corrugated iron, and schist stone as a feature (despite such stone being representative more of Central Otago than the McKenzie Basin). Whilst the choice of cladding and building style will be a matter that is considered when dwellings are built, rather than at plan change stage, the proposed rule package is the same as that which applies to the balance of the township’s residential areas and therefore the resultant built outcomes can be anticipated to likewise be compatible with the existing high amenity built outcomes experienced in the township.

In terms of building design, it is important to emphasise that development in the STA and Residential 2 Zones is subject to an assessment of building design and landscaping under the existing rule package. These existing controls will help ensure that the resultant built outcomes meet acceptable levels of urban design and are consistent with the outcomes realised in the existing township. The Plan Change will result in the reduction of design control over the Residential 1 portion of the site, relative to the existing STA Zoning. The Residential 1 zone rule package has however been considered to deliver acceptable outcomes through the balance of the township over a number of years, with these other Residential 1 Zones in more prominent locations visually compared with the proposed site. The Residential 1 rule package is therefore considered to be appropriate for delivering a good quality living environment, albeit that compliance with an exterior colour palette will assist in ensuring that new development is sympathetic to the wider landscape. It is also noted that the District Plan in the District Wide Rules for the Residential Zones encourages the finishing and painting of all new and existing buildings in a colour or colours set out in the colour palette. Together these provisions give recognition that the existing STA zone that is being replaced provided a level of control on design.

It is also noted that development in the more recent Residential 1 Zones are subject to private covenants between the developers and future residents to ensure that new buildings are of an acceptable standard. Whilst private covenants are outside the scope of the District Plan, they are nonetheless an ‘other matter’ that can be taken into account as an effective tool for managing environmental effects. The details of any covenants are usually resolved at the time of subdivision, with the covenants typically attaching to individual property titles.

Whilst the older parts of the township display a wide range of tree species and garden plantings, the newer urban areas draw heavily on native species endemic to the

Mackenzie Basin such as tussocks and beech trees. The treatment of the road reserves is likewise commensurate with the level of services anticipated in a small rural township with limited traffic flows. The roadway widths and any associated street tree planting is a matter that will be resolved at the time of subdivision; however there is the potential for such roads to be relatively narrow to promote slow vehicle speeds. The need to contain light spill in relation to the Mount John observatory likewise means that street lighting is low level which helps to again reinforce the rural village qualities of the township and assists in drawing attention to the world-recognised qualities of the Tekapo night sky and stars as a unique characteristic of the township.

The principal feature of the township that drives its character is the township's location adjacent to Lake Tekapo, the provision of easy, unobstructed pedestrian access to the lake edge, and the opportunity for the majority of dwellings to obtain views of the lake. The plan change is consistent with these key character drivers as it will not obstruct access to the lake front or result in buildings adjacent to the frontage. Future dwellings will be located on a north-facing slope with views down the lake in a manner that is consistent with the locational characteristics of the existing residential areas and that will assist in reinforcing the character of Tekapo village as a township that is physically and visually connected to the lake and alpine backdrop.

**(c) Choice**

For townships to meet the diverse needs of their community, it is important that there is the opportunity for a range of housing types, sizes, and layouts. The proposed plan change will enable the provision of both medium density housing and travellers accommodation in the Residential 2 Zone and lower density housing in the Residential 1 Zone. The proposal will likewise continue to provide for the existing camping ground and the mix of accommodation options provided therein, which range from tent and campervan sites through to cabins, self-contained motel style units, and a backpacker lodge.

**(d) Connections**

The site is well-located in close proximity to both the existing town centre and the Lake edge which is the primary passive and active recreational opportunity in Tekapo. The site is located approximately 600m from the western edge of town centre with a flat, well-formed pedestrian and cycle link to the centre. The plan change area is therefore located in a location where the township amenities and facilities are a convenient and safe walk away.

The need for restrictions on direct access to State Highway 8 will have the result that the main vehicle road into the site will need to take the form of a long no-exit road which is not ideal; however there are limited alternatives for providing alternative access routes given the topographical edges provided by Mount John and the lake front and the physical difficulties of safely accessing the state highway. The relatively low volume of vehicles and the lack of a through-route does mean that vehicle speeds are low and that the access will provide adequate vehicle connectivity between the plan change area and the state highway and the town centre.

The Plan Change proposal retains the existing walking route from the western edge of the camping ground up Mount John within part of an extension to the Recreation P Zone, with this route providing an attractive recreational option for future residents. At the time of subdivision it would be beneficial if any small cul-de-sacs running off

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the main access road provided pedestrian walkway routes to the lake front so that residents can easily access the lake and adjacent walkway into the town centre. The ability to ‘leave your car at home’ is a key defining feature of Tekapo Township’s existing compact urban form where residents or visitors can easily and safely walk through the township and to the key amenities.

**(e) Creativity**

The plan change creates the opportunity for a high amenity residential and traveller accommodation environment adjacent to the existing urban area and with clearly identifiable physical boundaries. The plan change has been carefully designed to maintain easy access to the key recreational features of Mount John and the lake front and to enable a diversity of living and accommodation options. The principle of creativity, the provision of public art works, and unique place-making building designs are most appropriately realised through the subsequent subdivision and building design phases of development.

**(f) Custodianship**

Sustainable urban growth occurs as close as possible to existing infrastructure and in locations where residents can readily access services and facilities whilst minimising the need for vehicle travel. The plan change site is well located in terms of its consolidation of the urban form and extent of Tekapo Township. As discussed in the section on infrastructure, the site is able to be serviced by existing reticulated services, with relatively modest network upgrades that can be readily undertaken through the subdivision process. The management of stormwater through low environmental impact techniques likewise assists in contributing towards environmental custodianship of the proposal. The proposal will not result in the development of land that is at risk from flooding or other natural hazards and therefore will not expose future residents and associated dwellings and infrastructure to an unacceptable level of risk.

**(g) Collaboration**

In developing the plan change the applicant has drawn on the knowledge and experience of a wide number of technical experts to ensure that the plan change is robust and able to be safely and efficiently implemented. The applicant has been involved in discussions with Council staff on the proposal and the form that any future development might take. The RMA plan change process is likewise inherently collaborative in that it provides for the input of the community through the submission and hearing process. The plan change enables the sustainable extension of the Tekapo community in a manner that will enable future residents to easily engage with the existing community and use and support community facilities. The provision of a road link between Lakeside Drive and the ‘paper road’ at the top of the PPC area will make this area available for public access.

**Summary**

This plan change proposal addresses all of the ‘Seven C’s’ identified by the New Zealand Urban Design Protocol. The site is an ideal location for accommodating urban growth in the McKenzie Basin and within the Tekapo Township. The proposal will provide easy and safe pedestrian, cycle, and vehicle access to the existing town centre and recreational opportunities and will assist in supporting the use and viability of existing commercial businesses and community facilities. The plan change provides for



a mix of housing densities and travellers accommodation options to meet the needs of both the community and visitors and utilises a well-established rule package and zoning framework to ensure that the built outcomes are consistent with the existing high amenity living environments in the town.

## 6.9 OTHER AMENITY ISSUES

### **Noise**

The management of noise contained in the District Plan is subject to rules specified under each activity section (e.g. noise standards in Residential Zones). No activities are anticipated which are likely to breach the required noise standards, nor are any changes considered necessary to the standards. If the situation did arise with an activity generating noise above the specified standards in the future, a resource consent would be applied for separately.

### **Glare and Lighting**

The District Plan contains unique provisions designed to protect the night sky around Tekapo, and specifically the observatory on nearby Mount John. It contains rules in Section 12, clause 12 relating to the management of outdoor lighting. These include requirements for shielding, filtration (with specified technical standards) and restrictions on the elimination of particular kinds of outdoor advertising after 11 PM at night. These rules apply across all zones, and any development within the area subject to the PPC will be required to comply with these provisions.

### **Signage**

Any sign, even assuming that might be required in the future, will if necessary be subject to separate consent under Section 12, Clause 14 of the District Plan.

## 6.10 POSITIVE EFFECTS

It is legitimate to consider the positive effects of the proposed rezoning since the definition of 'effect' contained in the RMA includes positive effects, and the purpose of the RMA includes enabling "*people and communities to provide for their social, economic and cultural wellbeing and for their health and safety*".

The current STA Zone over the land subject to the PPC clearly forms part of Lake Tekapo township and is effectively an urban zoning, albeit one which seeks to achieve low density outcomes. The PPC is seeking to provide for an alternative urban zoning which provides for a more flexible range of land uses. Under the rules in the District Plan, either the current zoning or that proposed through the PPC will have broadly similar effects on the environment. However the PPC offers a more flexible range of land uses, and will make more efficient use of the land resource, and accordingly better achieve the purpose of the Act. The PPC will still enable the camping ground and accommodation facilities to be retained, while providing the opportunity for medium and low density residential development for either permanent residents or holiday homes.

In addition, the protection of the area of steep forested land adjacent to Tekapo Springs through its incorporation into an extended Recreation P Zone, and potential inclusion in the public domain is a significant long-term benefit for the local and tourist community.

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## 6.11 CONCLUSION

The above assessment of the effects demonstrates that the potential for adverse effects to occur as a result of the requested rezonings over the site is limited and can be largely mitigated through the existing rules framework. Furthermore any such effects are similar to those which could be expected under the current more restrictive zoning. Where necessary, actual or potential effects can be further addressed through the resource consent process, such as servicing requirements through the subdivision consent procedures.

## 7 SECTION 32 EVALUATION

### 7.1 OVERVIEW

The change being requested to the District Plan is effectively a simple rezoning of the area subject to the PPC from STA Zone to Residential 1, Residential 2, and Recreation P; and of the removal of the Camping Ground Subzone which would revert to the underlying STA Zone. Under the current zoning, the land is proposed to be used for urban purposes, but in the form of low density travellers accommodation. Under the PPC it is still proposed to be used for urban purposes, albeit for primarily residential instead of travellers accommodation activities. This is distinguishable from situations where land proposed to be retained for rural or open space purposes is sought to be urbanised.

As such, only relatively minor changes to the existing provisions contained in the District Plan are required as a consequence of the rezoning. The rezoning will facilitate development of the major proportion of the site for residential purposes in accordance with the direction provided by the existing policy framework for residential development. There will be continued provision for travellers accommodation based on the existing Tekapo Motels and Holiday Park facility, and the ability for further development in accordance with the incorporation of a STA zoning over site and Residential 2 zoning.

Analysis of the effects on the environment, the relationship of the PPC, the relevant objectives and policies of the District Plan and the wider strategic direction for the region have already been addressed in this plan change proposal. This assessment has been set out in detail and the supporting technical reports will not be specifically repeated again as part of this summary of the Section 32 evaluation, but are relied upon to demonstrate that the PPC is founded on sound resource management principles and thereby satisfies all of the relevant statutory requirements for changes to district plans.

The Section 32 evaluation is therefore focused on whether this method (extension of the Residential 1 and 2 zones over the STA Zone land, and STA Zone over the Camping Ground Subzone) is the most appropriate way of achieving the objectives of the District Plan, and whether this method better assists the Council to carry out its functions in order to achieve the purpose of the RMA.

The most recent amendments to Section 32 came into effect on 3 December 2013. Subsections 32(1) and (2) require that an evaluation report required under this Act must:

(1) (a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and

(b) examine whether the provisions of the proposal are the most appropriate way to achieve the objectives by -

(i) identifying other reasonably practicable options for achieving the objectives; and

(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and

(iii) summarising the reasons for deciding on the provisions; and

(c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

(2) an assessment under subsection (1)(b)(ii) must -

(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for -

(i) economic growth that are anticipated to be provided or reduced; and

(ii) employment that are anticipated to be provided or reduced; and

(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and

(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

(3) If the proposal (an **amending proposal**) will amend a standard, statement, regulation, plan, or change that is already proposed or that already exists (an **existing proposal**) the examination under subsection (1) (b) must relate to -

(a) the provisions and objectives of the amending proposal; and

(b) the objectives of the existing proposal to the extent that those objectives -

(i) are relevant to the objectives of the amending proposal; and

(ii) would remain at the amending proposal was to take effect.

(4) .....

(5) .....

(6) In this section, -

**objectives** means, -

(a) for a proposal that contains or states objectives, those objectives:

(b) for all other proposals, the purpose of the proposal

**proposal** means a proposed standard, statement, regulation, plan or change for which an evaluation report must be prepared under this Act

**provisions** means, -

*(a) for a proposed plan or change, the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change:*

*(b) for all other proposals, the policies or provisions of the proposal that implement, or give effect to, the objectives of the proposal.*

The provisions of Section 32 as amended in December 2013 are relatively complex and are dependent on the context of each particular plan change. This Section 32 assessment is undertaken in accordance with the December 2013 amendments made to Section 32, and has taken consideration of the 'Interim Guidance' provided by the Ministry for the Environment entitled "*A guide to Section 32 of the Resource Management Act 1991 - Incorporating changes as a result of the Resource Management Amendment Act 2013*".

In terms of amendments to the District Plan, the PPC makes only minor changes to the content of the plan. The STA Zone has a "Zone Purpose" and "Anticipated Environmental Results", and there is an objective and three policies which are relevant to the zone. There are also objectives and policies which are relevant to the Residential 1 and Residential 2 Zones, but it is not proposed (or is it necessary) to amend any of these existing objectives and policies, or to add any new ones.

Section 32 (1) (a) requires an examination of the extent to which the objectives *of the proposal being evaluated* are the most appropriate way to achieve the purpose of this Act. In terms of the meaning of "objectives", subsection (6) is therefore relevant. This requires an evaluation to be assessed in terms of the *purpose* of the proposal. The purpose of the proposal is set out under **Part 3** of this Plan Change request.

Section 32(1)(b) requires an examination as to whether the provisions *of the proposal* are the most appropriate way to achieve the objectives (i.e., the purpose of the proposal). Under Section 32(1)(b), subclauses (i) and (ii), this requires consideration of other reasonably practicable options for achieving the purpose of the proposal, assessing the efficiency and effectiveness of these provisions, and a summary of the reasons for deciding on the provisions as proposed through the PPC.

In terms of subsections 32(3) and 32(6), the PPC is an **amending proposal** as it amends an operative district plan that already exists. Accordingly, the examination under subsection (1) (b) must relate to the provisions and objectives (the purpose) of the amending proposal, and the objectives of the existing proposal (the operative district plan) to the extent that these are relevant to the PPC and would be able to remain if the amending proposal was to take effect. In other words, the PPC must not have the effect of creating inconsistencies or conflict with the existing objectives of the operative district plan.

Section 32(1)(c) requires that the evaluation contain a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.

## **7.2 APPLICATION OF S32 TO THE PPC**

***Section 32 (1) (a) - the extent to which the objectives of the proposal (the purpose of the PPC) is the most appropriate way to achieve the purpose of the Act.***

The purpose of the Act (Section 5) and the provisions of Part 2 of the Act were described earlier in **Part 4** of this Plan Change Request.

The purpose of the Act (as quoted earlier in Part 4 of this assessment) is to provide for people's social, economic, and cultural wellbeing, and their health and safety while (at the same time) satisfying the requirements of subsections (a) to (c). This PPC is essentially liberal - or permissive - in character - that is, it expands the range of activities which are permitted within the current STA Zone, and to a lesser but still significant extent, the intensity of development permitted within it. To that extent, it can be considered consistent with improving social and economic welfare. It also somewhat simplifies what are presently quite complex provisions within the area subject to the PPC, particularly in terms of the layers of permitted, controlled, discretionary and noncomplying activities.

It does not impose any additional restrictions on activities which would have the effect of imposing additional economic costs, or reducing employment, with the exception of an explicit exclusion of direct vehicular access to State Highway 8. However, even under the existing zoning such access would be physically difficult and potentially unsafe.

The next issue to be considered is whether the PPC would sustain the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations and safeguard the life supporting capacity of air, water, soil and ecosystems.

The STA Zone is essentially zoned at present to provide for urban development, and the issue raised by the PPC is whether this should take the form of a zone providing for travellers accommodation and limited ancillary activities, or a wider range of activities, specifically residential development, at a higher level of built intensity. It is not a change from a low intensity use such as rural, to higher density use such as urban. The provision of a wider range of urban uses is not considered to conflict with sustaining the potential of natural and physical resources, or the life supporting capacity of air water, soil and ecosystems, as addresses earlier.

Subclause (c) of Section 5 requires that the adverse effects of activities be avoided remedied or mitigated. Reports accompanying this proposal show that it is possible to service the activities under the amended zoning (if necessary through upgrading) for roading, water, effluent disposal, and stormwater.

A notable feature of the STA Zone is the discretionary activity status associated with the removal of the exotic trees that have established on the site of the PPC. However this restriction specifically excludes land required for a building platform, roading, and any parking and access. The area permitted to be taken up under the STA Zone for building coverage is 25%, with an additional 15% allowed for access and parking arrangements. Beyond this, provision will also have to be made for roading. Consequently, it is reasonable to expect that in areas developed in accordance with the existing zoning that at least 50% of the existing tree cover would be lost. However even this does not take into account that it would be impractical to retain existing trees where, for example, they directly adjoin a building platform or vehicular access. On this basis, it would be reasonable to expect that development under the STA Zone as currently provided for in the rules, would still require the removal of well in excess of 50% of the existing tree cover, even assuming all of the specimens were in a condition physically suitable for retention. An inevitable consequence of the development anticipated under the current zoning would be a substantial reduction in tree cover.

By contrast, the combined coverage anticipated under the rules for buildings and impervious surfaces under the Residential 1 zone is 50% (compared to 40% in the STA Zone) plus roading. Under either zoning scenario however, and recognising the topography of the site, it can be expected that significant area of land would remain in the form of 'open space' for the purpose of providing green linkages and reserves.

#### *Effect on Lake frontage*

The proposed development permissible under the existing zoning as described above would not be materially different than that which could be expected to occur under the proposed zoning pattern. Accordingly, as seen from the lake frontage, the intensity of urban development would not be dissimilar under the proposed zoning, and in any case there is no intention to alter the lake frontage (zoned Recreation P) on Council land between Lakeside Drive and the edge of the lake. It would be possible under the proposed zoning for more intensive building development to take place within the current STA Camping Ground Subzone, but this land is at a lower level, would not be so visible from a wider area and would be subject to the design guideline provisions of the District Plan. Additionally, there is already significant building development within the sub zone.

#### *Effect on Mount John Observatory*

The area subject to rezoning is not visible from the Observatory, but will be visible from the southern lookout and lower portions of the track connecting Lakeside Drive adjacent to Tekapo Springs with the Observatory. The track is protected by an easement and it is proposed that the steeper land alongside it be retained in open space with its existing tree cover. It would be protected in perpetuity by its incorporation into the Recreation P Zone. The effect of development under either the existing or proposed zoning would be broadly similar with respect to building cover, and would be subject to the same requirements under the District Plan for the management of light spill.

The PPC could have the indirect effect of reducing the scope for developing travellers accommodation or maintaining camping as an activity, not through further regulation, but rather through competition from 'higher order' residential activities or more intensive travellers accommodation development.

The PPC request seeks a change in zoning to provide for a different urban use of the site. There are no additional objectives proposed to be added to the District Plan.

The objectives contained in the District Plan have been found to be the most appropriate way to promote the sustainable management of natural and physical resources in this part of the township. The analysis and evaluation contained in this report has shown that the rezoning of the site will be consistent with the strategic direction for growth and development that has been established by the objectives of the District Plan.

The rezoning of the site will not therefore compromise the strategic growth direction of the District Plan and therefore can be considered to be an appropriate way to achieve the purpose of the RMA (as concluded in Section 7 above).

***(Section 32(1)(b)(i) - whether the provisions of the proposal are the most appropriate way to achieve the objectives (the purpose of the proposed plan change) in terms of other reasonably practicable options for achieving the objectives.***

As an amending proposal, which does not propose significant additional regulation (i.e., having the effect of restricting the range of land uses or their intensity) or which proposes to add additional objectives or policies, the analysis was confined to assessing alternative means of achieving the purpose of the PPC. In this context, the do nothing option is not relevant, as it would not achieve the purpose of the PPC.

Accordingly, the alternatives are as follows:

- (1) to provide for residential development by way of resource consent application;
- (2) to provide for a smaller area of residential development, including retaining the Lake Tekapo Holiday Park sub zone for camping activities only, and retaining part of the balance of the STA Zone exclusively for travellers accommodation.

#### Alternative (1)

A resource consent application for the STA Zone would arguably create a conflict in terms of the objectives and policies, because it is based on a zoning framework which does not provide for residential development within it or for accommodation in the form of buildings and ancillary retail purposes within the Camping Ground Subzone. Residential development as proposed through the PPC would be a noncomplying activity under the STA Zone, and is not anticipated by the current zoning framework when regard is had to the 'purpose' of the STA Zone.

Furthermore, the area subject to the PPC is reasonably substantial in area, and the wider public have a legitimate expectation that the land use pattern expressed through zoning is accurately reflected 'on the ground'. The maintenance of the existing STA Zone over the site, would be incongruous with large-scale residential development should a resource consent be granted, and would potentially raise issues with the integrity of the District Plan.

For these reasons, proceeding with development by way of a resource consent application is considered to be inappropriate.

#### Alternative (2)

The second alternative, of maintaining the Lake Tekapo Holiday Park sub zone in part is also not considered to be as efficient and effective as the rezoning proposed through the PPC, and it would not confer any beneficial outcome in terms of the effects of the development on the land and water resources of the area, or would it be necessary to provide for ongoing demand for camping and travellers accommodation in the township. The quantum of land available for these purposes would still be more than adequate should the PPC proceed, and the market demand for urban use of the STA Zone would be better achieved by making greater provision for residential development than confining it to travellers accommodation. Moreover, the latter activity can still be provided for under both the rules of the Residential 1 zone (homestays) and as a restricted discretionary activity in the Residential 2 zone subject to design controls.

***Section 32(1)(b)(ii) - whether the provisions of the proposal (the proposed plan change) are the most appropriate way to achieve the objectives in terms of the efficiency and effectiveness of the provisions in achieving the objectives.***

The requirements of this subclause are further subject to the following subclause of Section 32;

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***(2) an assessment under subsection (1)(b)(ii) must -***

*(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for -*

*(i) economic growth that are anticipated to be provided or reduced; and*

*(ii) employment that are anticipated to be provided or reduced; and*

*(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and*

*(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

To determine potential effects in terms of social, cultural, economic and employment issues, it is necessary to contrast the nature and intensity of development that could occur under the current zoning with that it could occur under the PPC. While not necessarily to compare the status of activities under each and every rule, this can be best illustrated by comparison between the status of various activities and certain key rules such as site coverage.

By contrast with the provisions of the STA Zone within the District Plan at present, the effect of the PPC would be to concentrate the provision of travellers accommodation within what is currently a sub zone providing only for camping ground activities. The area containing the balance of the STA Zone would provide for residential development for temporary or permanent residents as of right, in contrast to the provisions of the STA Zone which provide for camping and associated activities as permitted activities, but with building activities as a controlled activity subject to design assessment.

Within the Camping Ground Subzone, the effect of removing the sub zone and replacing it with the rules applicable to the STA Zone would in summary be as follows:

- Camping activities would remain a permitted activity on the basis that they appear to fall within the definition of visitor accommodation.
- Visitor accommodation for up to 8 persons (status unclear with respect to the sub zone) would change from being a discretionary activity to a permitted activity. The provision of visitor accommodation for more than eight people would change from noncomplying to a controlled activity for all visitor accommodation buildings. All buildings would remain controlled with respect to location, the Lake Tekapo Design Guide, and landscaping. Retail activity associated with visitor accommodation, would be permitted activities, vehicle access and car parks not associated with visitor accommodation, the sale of liquor from visitor accommodation other than to guests of the accommodation, and general retail activities would remain a discretionary activity, recognising the role of the commercial centre of the village to the west.
- Site coverage over the whole zone would increase from 25%, plus a further 15% for impervious surfaces (40%), to 50% in the Residential 1 Zone, and 65% in the much smaller Residential 2 Zone. Permitted building height would decrease from 10m in the STA Zone to 8m in the Residential 1 Zone. For the a large proportion of the site subject to this PPC, which would be zoned



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Residential 1, residential units would change from being a noncomplying activity to a permitted activity, to a density of one unit per 400m<sup>2</sup> (front lots) and 500m<sup>2</sup> (rear lots) subject to reticulated services being available. Visitor accommodation for up to 6 people would be a permitted activity, and between 7 and 12 people a discretionary activity.

- There would however, be no rules restricting tree removal, or subjecting buildings to controlled activity status for the purpose of location, or for landscaping in the Residential 1 zone. For that small component (4ha) at the eastern end of the PPC site which is intended to be rezoned Residential 2, there would be considerably greater scope for the development of medium density residential accommodation and travellers accommodation, albeit subject to the Lake Tekapo Design Guide provisions as a controlled activity.
- A direct comparison of the potential change in the intensity of development on the site of the PPC is difficult, but it is apparent that a change to Residential 1 and Residential 2 zoning would significantly expand the range of potential uses, and to a lesser extent, the intensity of development that would otherwise occur under the STA Zone. There would be some associated simplification of the rather complex layers of rules currently applying to the PPC site. Building structures would require resource consent, and even then as a controlled activity with respect to design and appearance matters. There would be scope under the PPC for visitor accommodation in the form of buildings within the existing Camping Ground Subzone which although currently containing some buildings, only provides for camping and caravanning as of right. Overall, visitor accommodation would face greater competition from residential development as an activity over the current STA Zone.
- One important factor is that under the STA Zone, the buildings can be erected to a height of 10 m (three stories) compared to only 8m under the proposed Residential 1 zoning. To this extent, the current zoning would allow at least in that respect, buildings having higher visual impact than would occur under the proposed rezoning through the PPC.

***Section 32 (1) (b) (iii) - summary of the reasons for deciding on the provisions (in the PPC).***

In summary, the reasons for deciding on the provisions of the PPC are as follows:

- (1) in terms of demand for both permanent and holiday accommodation in Tekapo, the rezoning of the STA Zone to allow residential development would better provide for the social and economic welfare of the district.
- (2) the PPC would still enable liberalised provision for the visitor accommodation and camping activities within the current STA Camping Ground Subzone, and for associated activities. It would continue to provide for visitor accommodation in the Residential 2 Zone and to some extent, the Residential 1 Zone.
- (3) the development of the site for primarily residential purposes, including ongoing provision of travellers accommodation and its ancillary activities, can be undertaken in a manner which will not have an adverse effect on the roading network, or on soil and water qualities of the area.

- (4) under either the current STA Zone or the PPC, there will inevitably be a significant loss of the current exotic tree cover such that the visual appearance of the area will inevitably change to one where buildings are more prominent feature. However building development will not intrude the skyline and impede views of Lake Tekapo or of the surrounding area.
- (5) it would not be at a significantly greater visual impact as seen from some important public viewpoints (State Highway 8, Mount John, or the Church of the Good Shepherd) than would be the case with development under the current zoning. Building height in the Residential 1 Zone would be lower than that permitted under the STAZ and hence have reduced visual impact.
- (6) the area covered by the PPC can be adequately serviced in terms of stormwater effluent disposal water supply and other services, and the additional intensity of development would only be relatively minor compared to that which could occur under the current zoning.

The summary contained in this part of the report fulfils the requirements of Section 32(1)(d) of the RMA, which requires an applicant for a plan change to carry out an evaluation prior to public notification. The Council is also required to undertake a further Section 32 evaluation before making a decision on the PPC.

***Section 32(3) (where) the (amending) proposal will amend a standard, statement, regulation, plan, or change that is already proposed or that already exists (an existing proposal) the examination under subsection (1) (b) must relate to -***

***(a) the provisions and objectives of the amending proposal; and***

***(b) the objectives of the existing proposal to the extent that those objectives -***

***(i) are relevant to the objectives of the amending proposal; and***

***(ii) would remain at the amending proposal was to take effect.***

It would appear that there are two matters to be considered under this clause of Section 32 - firstly, whether the provisions contained in the PPC are appropriate or necessary to achieve the objectives of the amending proposal (refer to Part 3 of this assessment), and secondly - whether the approval of the PPC would enable the objectives of the District Plan to remain without change.

Turning to the first matter, the PPC seeks to provide for higher density residential development over a small area at the eastern end of the site. Over most of the balance of the site, residential development would be more intensive than the STA Zone (in comparative terms using a potential number of residential units as a yardstick) over the larger south western part of the site. However development would still be at a relatively low density, and a significant area would be permanently set aside as open space and retained in tree cover within an extension to the Recreation P Zone. The PPC also provides greater flexibility within what is the current STA Zone for visitor accommodation and associated activities, as well as ongoing provision for camping and caravans, within a simplified rules framework.

The amendments proposed with the PPC essentially require that the zoning maps be changed in order that the objectives of the plan change are achieved - and ensuring that the environmental outcomes expected (residential development) accurately reflect the intent of the zoning. This would not be the case if the STA Zone, with its emphasis on travellers accommodation were to be retained. Similarly, to achieve the

flexibility to enable built travellers accommodation including buildings within what is currently the Camping Ground Subzone necessitates the removal of the subzone, as it currently only provides for camping and caravan activities. Amendments are also required to provide for a wider range of ancillary retail services within what is currently the Camping Ground Subzone, and which is now intended to form a consolidated STA Zone. Only minor technical changes are required to the details of the rules.

The relevant objective for the STA zone is as follows:

*"An area of low density visitor accommodation activities including camping grounds, cabins and chalets within walking distance of the Tekapo Village Centre, achieved in a visually recessive manner within the existing forested area".*

This raises three possible issues. The first is whether a reduction in the size of the STA Zone, such that it remains a residual zoning only over the existing Camping Ground Subzone within the STA, is consistent with the objective, and the three supporting policies. The second issue is whether an area of low density visitor accommodation including camping grounds cabins and chalets would remain within walking distance of the village centre. The third issue is whether development would be achieved in a visually recessive manner within the existing forested area.

The current objective does not specify the boundaries or extent of the STA Zone, which would remain, albeit on a smaller but still substantial scale, within the site subject to the PPC. Consequently, no change is considered necessary to the objective for this reason as a consequence of the rezoning.

The current objective seeks to retain a variety of travellers accommodation activities within walking distance of the village centre - that is, focused on the existing motor camp. The consolidated STA Zone will retain these activities in their current location and would accordingly be consistent with this aspect of the objective. On balance, it may achieve the objective more effectively than the current zoning, by consolidating higher density development within the Residential 2 Zone at the eastern end of the PPC site, in close proximity the village centre, while concentrating travellers accommodation along Lakeside Drive rather than potentially extending it up the hillside and further to the southwest. No change is considered necessary with respect to this thrust of the objective.

The final issue is whether the visual appearance of the development will be visually recessive and at low density. As discussed earlier in this assessment, whether development proceeds as permitted under the current STA Zone or under the proposed Residential zoning proposed under the PPC over the higher parts of the site, it is inevitable that a significant part of the tree cover will be lost. There is an element of tension between the objective which is more restrictive, and the accompanying rules which are more liberal. A further factor is that the rezoning will be more 'recessive' to the extent that building heights would be more restricted if the PPC were to proceed, as the maximum permitted building height would then be 8m (two stories) rather than 10m (three stories) as at present.

Accordingly, recognising that the outcome between the existing and proposed zonings would be very similar in terms of servicing requirements such as effluent disposal, water supply, stormwater and roading, and in terms of visual impacts, no change is considered necessary to the objective. However the objective and three policies

would still apply for the residual STA Zone, and would be consistent with the outcomes expected there.

### **7.3 CONCLUSIONS WITH RESPECT TO S32 EVALUATION**

As the proposal is essentially a simple rezoning of the site from STA Zone to Residential and from Camping Ground Subzone to STA Zone to facilitate the development of this land for residential and accommodation purposes the PPC does not seek any substantial inclusion, amendment or deletion of the policies or rules. Alternatives to the rezoning proposal are therefore limited. In essence, would the purpose of the Act be better achieved by retaining the current zoning, or replacing it with a zoning proposed through the PPC?

As such, in respect to the PPC, consideration needs to be given to whether the rezoning over the site is 'better' or more likely to be effective in achieving the objectives of sustainable management than retaining the existing STA Zone/Camping Ground Subzone. If the retention of the STA Zone is considered to be 'less appropriate' it should not be adopted.

It has been concluded that as the site is no longer performing to its zoned function over such a large area, and the use of the site for alternative purposes that are more aligned with the changes that are now occurring in the surrounding environment is the more appropriate means of achieving the sustainable management purpose of the RMA. In this respect, the 'better' use of the site is now for residential development consistent with the area in the eastern part of the township and to concentrate travellers accommodation where it can be developed efficiently within a consolidated area comprising the sub-zone, and a small extension to the Residential 2 Zone. The development of the site for such purposes will provide for the establishment of an enhanced urban form at this location.

The assessment completed in Section 5 above has highlighted that the STA Zone anticipates environmental outcomes which are now quite different from those observed on the site at present. The current use of the site means that the policy direction for this land is only partially being realised at present despite the zone framework being in place for over 10 years. The change to Residential 1 and 2 over the STA Zone area of the site is therefore likely to be more efficient and effective in achieving the overall direction of the District Plan than retaining the existing zone. The regulatory framework proposed with the PPC area would also be better aligned with that in the adjoining Recreation Zone already applying over the Tekapo Springs development.

In one respect there is no particular risk of acting or not acting, because this is not a plan change promulgated on the basis of regulating a perceived environmental issue which may have the effect of increasing transaction costs and administration and compliance costs. The PPC will efficiently continue to provide for the current range of uses as well as for residential development within this large area of land. The risk of not 'acting' - in the sense of not proceeding with the PPC - is that the area will remain underutilised over a prolonged or even indefinite period, which is an adverse outcome given that the area of land available in Lake Tekapo village for future urban development is constrained by the fact that the surrounding rural area forms part of the Mackenzie Basin Outstanding Landscape Area as defined in the Operative Regional Plan. This assessment, based on reports dealing with servicing and landscape matters,

and by comparison with the effects of development under the current zoning, reveals that there is little likelihood of adverse effects as a result of 'acting' - that is, proceeding with the PPC. It is considered that there are no potential adverse effects associated with the potential to provide for various forms of travellers accommodation (ranging from camping to cabins and motels) given the area of land that will still be available for these activities.

When the benefits and costs of the PPC are evaluated, that in terms of efficiency and effectiveness, the most appropriate method of achieving the settled objectives of the District Plan is to rezone the STA zoned area of the site to Residential 1 and Residential 2 to enable its development and to consolidate the full STA Zone over the Camping Ground sub-zone to provide for potential future development. The most likely outcome if the PPC is not allowed will be that the land remains undeveloped despite its urban zoning. This is seen as an inefficient use of the land resource and clearly will not achieve the sustainable management purpose of the RMA. Overall, allowing the rezoning (including the consequential changes that are required to facilitate this rezoning) will enable a more sustainable form of urban development at this location over the long term.

This evaluation has shown that the proposed rezoning of the site:

- Is the most appropriate way to achieve the settled objectives of the District Plan;
- Will continue to assist the Council to carry out its functions under the District Plan in order to achieve the purpose of the RMA;
- Will be in accordance with the provisions of Part 2 of the RMA; and
- Will continue to use the existing provisions contained in the District Plan (with minor modifications), which have already been tested and proven to be the most efficient and effective method to achieve the objectives of the District Plan.

## **8 CONSULTATION**

### **8.1 OVERVIEW**

Consultation with key stakeholders has been undertaken over a number of months with the following responses:

### **8.2 CONSULTATION WITH MCKENZIE DISTRICT COUNCIL**

A draft copy of the Plan Change was forward to the Council planning staff in September 2014 and as a result of preliminary discussions a number of amendments were made to the Plan Change and reports updated.

Council also identified parties with whom they considered preliminary consultation should be undertaken.

### **8.3 CONSULTATION WITH ADJACENT LANDOWNERS**

Consultation has been undertaken with adjoining land owners Tekapo Springs and Andrew Simpson. Letters were sent to both parties explaining the purpose of the Plan Change and attaching a copy of the main body of the Plan Change documentation.

The response from Karl Burtscher of Tekapo Springs was supportive. Mr Burtscher considered the proposal plan change was *“news to hear of further potential accommodation growth and opportunities”*. He supported the proposed rezoning plan presented and appreciated the open space zone on the Tekapo Springs south-west boundary.

The response from Andrew Simpson was also positive. He had no concerns with the plan change proposed but wished to ensure that the deer fence along the boundary between the two properties was appropriately relocated.

#### **8.4 CONSULTATION WITH CANTERBURY REGIONAL COUNCIL**

A letter was sent to Canterbury Regional Council on 19<sup>th</sup> December 2014 which outlined the proposed Plan Change and incorporated the Plan Change document itself.

A response from Principal Planner Diana Worthy was received via email on the 9<sup>th</sup> February 2015. The response included general comments to think about as follows:

1. The current district plan zoning allows for small-scale development associated with tourism accommodation/facilities, and the proposal would be a significant change of use in terms of intensification of development. The proposed site is located in a sensitive location, on the fringe of the lake shore - does the policy framework support this type of development, of this scale, at this location?
2. The proposal requires significant removal of trees on the site – what’s the ecological impact, and impact on landscape/amenity (including from key viewpoints)? I note that the site is adjacent to areas of land designated as ‘scenic viewing areas’ and ‘lake side protection areas’ in the District Plan which highlights the sensitivity of the wider township landscape setting (although the RPS is does not cover such detail).
3. Development adjacent to the lake – are there ecological considerations, potential discharge issues or flood risk (although more likely surface water rather than lake shore)? Consideration should be given to provisions for the treatment/discharge of wastewater/storm water as part of a holistic site assessment (although I appreciate that this level of detail is not necessary at this stage, but worthwhile considering up front anyhow).
4. Are there any cultural values associated with the site?

The following response was provided to Diana Worthy in the same order:

1. The current scale of development permitted is not particularly small scale. The Plan (STA zone) currently allows for single building footprints up to 600m<sup>2</sup> in area with the combined total of all buildings within the zone not exceeding 25% of the total zone area. In addition the present rules allow a further up to 15% of the site to be covered by impervious surfaces, excluding any area covered by sealed public road. The Plan Change would end up similar to this in terms of site coverage by putting a large area into a recreation zone which under the current regime could be counted in the 25%. It is also doubtful any residence would be built up to 600m<sup>2</sup>.

The maximum building and hard surface coverage of the net area of any Residential 1 site is 50%, while the Residential 2 zone is 65%. Height is reduced from 10m to 8m.

2. Most of the trees would need to be removed – except in the recreation zone. They're a mixture of wilding conifers, being mainly Douglas fir, Corsican pine, Ponderosa pine and larch. Many of them are wind damaged and there is little evidence of indigenous ecology on the site. The reality is that despite the policy context which suggests their retention they would need to be removed to facilitate development allowed for under the existing zone. The attached landscape assessment addresses this in detail.
3. Stormwater discharge is covered in the services report – basically it would need to be addressed at the subdivision stage.
4. No cultural values have been identified – this question has been asked of three local rununga.

No further correspondence was received.

## 8.5 CONSULTATION WITH IWI

Letters were sent to Te Runanga o Arowhenua, Te Rūnanga o Moeraki and Te Rūnanga o Waihao on the 19<sup>th</sup> December 2014 which outlined the proposed Plan Change and incorporated the Plan Change document itself.

A letter was received from Te Rūnanga o Moeraki on the 27<sup>th</sup> of February 2015 advising that the rununga would not provide comments but would support Te Runanga o Arowhenua in their feedback on the proposal.

A response from Te Runanga o Arowhenua is anticipated and will be forward if and when received.

No response was received from Te Rūnanga o Waihao.

## 8.6 CONSULTATION WITH OTHERS

Letters were sent to New Zealand Transport Authority (NZTA) and the University of Canterbury on the 19<sup>th</sup> December 2014 which outlined the proposed Plan Change and incorporated the Plan Change document itself. The responses were as follows:

### NZTA

A response via email was received from James Coutts, Planning Advisor on the 5<sup>th</sup> February 2015 indicating that NZTA did not have any major concerns with the proposed Plan Change. They were however interested in the formation of the Lakeside Drive / SH8 intersection, and sought a copy of the TDG assessment.

A copy of the TDG assessment was forwarded on the 5 February 2015 and a follow up email made however no further response has been received.

### University of Canterbury

Jenny Ladley, Field Services Manager, Engineering Services, responded on behalf of University of Canterbury in relating to the Mt John observatory. A response was received from Jenny via email on 26<sup>th</sup> February indicating that the Plan Change had been shown to interested parties at the University of Canterbury and all agreed that

the plan would not impact upon the operation of the Mt John Observatory. As such they had no comments or objections to the proposed Plan Change.

## 9 CONCLUSIONS

TLL is seeking a change to the District Plan to rezone the properties on Lakeside Drive, Tekapo from Special Travellers Accommodation to Residential 1, Residential 2, and Recreation P, and to remove the Camping Ground Subzone enabling the full scope of development under the STA Zone. The overall purpose of the PPC is to facilitate the future development of this land for residential and accommodation purposes.

The assessment and evaluation outlined in this report has demonstrated that the PPC is founded on sound resource management principles and satisfies all of the requirements for changes to District Plan as set out in the RMA. In particular,

- The PPC will continue to provide for the integrated management of the effects of the use and development of the site consistent with the overall strategy for growth and development in the district;
- The PPC is efficient and effective when measured against the requirements of Section 32 of the RMA;
- The rezoning is consistent with the objective and policy framework in the District Plan;
- The rezoning will essentially result in substituting more a liberal form of urban zoning in place of the more restrictive (land use terms) STA zoning currently in place, and will on balance have effects on the environment which are broadly similar;
- The potential for adverse effects on the environment associated with the rezoning of the site will be negligible given existing anticipated zoning, the character and amenity values that are currently attributed to the area and the controls that will continue to be provided by the existing District Plan provisions;
- The rezoning will allow for the site to be used and developed in a way that will enable people and communities to better provide for their social, economic and cultural wellbeing;
- The rezoning of the site consistent with the existing district wide and zone specific provisions of the District Plan will ensure that the overriding purpose of the RMA to promote the sustainable management of natural and physical resources will continue to be achieved.

It is considered that the PPC will provide for a wider range of activities and accordingly make more efficient use and development of the land resource. The effects on the environment of developing the land under the present zoning and under the proposed zoning are broadly similar, except that the current zoning substantially restricts the range of activities that can be undertaken.

On the basis that the effects of development under either of the current rules framework within the STA Zone or the predominantly residential zoning proposed would be similar, any significant adverse effects of the development of the site can be mitigated through the existing rules applicable for residential development. This would ensure that physical development of necessary roading, buildings and access



would be complemented by the area proposed to be set aside for retention as open space on the steeper land adjacent to Tekapo Springs, and by preventing the erection of structures using colours which would have an intrusive visual impact.

The traffic assessment accompanying the PPC confirms that with upgrading, Lakeside Drive and its connection to State Highway 8 can accommodate additional traffic generation resulting from the development of the subject land without compromising the safety or efficiency of the roading network.

The assessment undertaken of ground contamination, geotechnical factors and infrastructure capacity reveals that the land is suitable for development in accordance with the proposed rezoning. It can also be noted that if the area were developed to its full capacity under the current zoning, many of the issues identified above would also be applicable.

The effect of the proposed rezoning on landscape values can be expected to be similar to those that would occur under the current zoning, and any increase in the intensity of development on-site will be offset by reduced height limits, the retention of a substantial area of open space over the steeper land adjacent to Tekapo Springs, and a restriction on colours which would otherwise have a significant visual impact on the upper levels of the site and the retention of the Lake Tekapo Design Guideline on the lower levels.

The PPC will allow for the land to continue to be used and developed in a way that will better enable people and communities to provide for their social, economic and cultural wellbeing while still ensuring the appropriate management of effects on the environment.

Overall, it is considered that the extension of the Residential 1 and 2 zones over the former STA Zone land, the incorporation of part of the land within the Recreation P Zone, and the direct application of the STA Zone to the Camping Ground Subzone will more appropriately give effect to the established objective and policy framework of the District Plan, thereby ensuring that the overriding purpose of the RMA to promote the sustainable management of natural and physical resources continues to be achieved. On this basis, it is concluded that the purpose of the Act under this Section 5 would be better achieved by the Plan Change proceeding.

## **Appendices**

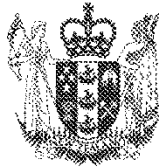
**Appendix 1:** Certificates of Title

**Appendix 2:** Technical Reports

**Appendix 3:** Objectives and Policies – Canterbury Regional Plan

**Appendix 4:** Objectives and Policies –Mackenzie District Plan

# Appendix 1



**COMPUTER FREEHOLD REGISTER  
UNDER LAND TRANSFER ACT 1952**

Search Copy



**Identifier** 584956  
**Land Registration District** Canterbury  
**Date Issued** 30 January 2013

**Prior References**  
CB31B/1010

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**Estate** Fee Simple  
**Area** 4.2530 hectares more or less  
**Legal Description** Lot 1 Deposited Plan 455053

**Proprietors**  
Tekapo Landco Limited

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**Interests**

669015.1 Lease Term 33 years from 21.12.1984 CT 42058 issued - 10.3.1987 at 9:45 am  
9107948.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - 29.6.2012 at 11:37 am  
Appurtenant hereto is a right of way and a right to drain sewage created by Easement Instrument 9226934.5 - 30.1.2013 at 3:13 pm  
The easements created by Easement Instrument 9226934.5 are subject to Section 243 (a) Resource Management Act 1991  
Subject to a right to form slope or batter over part marked G on DP 455053 created by Easement Instrument 9226934.6 - 30.1.2013 at 3:13 pm  
The easements created by Easement Instrument 9226934.6 are subject to Section 243 (a) Resource Management Act 1991  
Land Covenant in Easement Instrument 9226934.8 - 30.1.2013 at 3:13 pm  
Land Covenant in Easement Instrument 9226934.10 - 30.1.2013 at 3:13 pm  
9327775.2 Mortgage to Westpac New Zealand Limited - 8.3.2013 at 4:28 pm



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**Identifier** 584957  
**Land Registration District** Canterbury  
**Date Issued** 30 January 2013

**Prior References**  
CB31B/1010

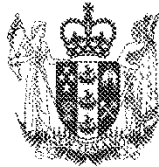
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**Estate** Fee Simple  
**Area** 19.3350 hectares more or less  
**Legal Description** Lot 2 Deposited Plan 455053

**Proprietors**  
Tekapo Landco Limited

**Interests**

669015.1 Lease Term 33 years from 21.12.1984 CT 42058 issued - 10.3.1987 at 9:45 am  
9107948.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - 29.6.2012 at 11:37 am  
Subject to a right to convey electricity (in gross) over part marked C on DP 455053 in favour of Alpine Energy Limited created by Easement Instrument 9226934.3 - 30.1.2013 at 3:13 pm  
The easements created by Easement Instrument 9226934.3 are subject to Section 243 (a) Resource Management Act 1991  
Subject to a right to convey water (in gross) over part marked D on DP 455053 in favour of the Mackenzie District Council created by Easement Instrument 9226934.4 - 30.1.2013 at 3:13 pm  
The easements created by Easement Instrument 9226934.4 are subject to Section 243 (a) Resource Management Act 1991  
Subject to a right of way and a right to drain sewage over part marked P on DP 455053 created by Easement Instrument 9226934.5 - 30.1.2013 at 3:13 pm  
Appurtenant hereto is a right to drain water created by Easement Instrument 9226934.5 - 30.1.2013 at 3:13 pm  
The easements created by Easement Instrument 9226934.5 are subject to Section 243 (a) Resource Management Act 1991  
Appurtenant hereto is a right to form slope or batter created by Easement Instrument 9226934.6 - 30.1.2013 at 3:13 pm  
The easements created by Easement Instrument 9226934.6 are subject to Section 243 (a) Resource Management Act 1991  
Subject to a right of way (Walkway) (in gross) over part marked Z on DP 455053 in favour of Her Majesty the Queen created by Easement Instrument 9226934.7 - 30.1.2013 at 3:13 pm  
The easements created by Easement Instrument 9226934.7 are subject to Section 243 (a) Resource Management Act 1991  
Land Covenant in Easement Instrument 9226934.8 - 30.1.2013 at 3:13 pm  
Land Covenant in Easement Instrument 9226934.9 - 30.1.2013 at 3:13 pm  
9327775.2 Mortgage to Westpac New Zealand Limited - 8.3.2013 at 4:28 pm



**COMPUTER FREEHOLD REGISTER  
UNDER LAND TRANSFER ACT 1952**



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**Date Issued** 30 January 2013

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CB31B/1010

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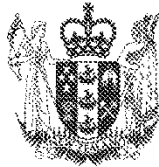
**Estate** Fee Simple  
**Area** 5850 square metres more or less  
**Legal Description** Lot 3 Deposited Plan 455053

**Proprietors**  
Tekapo Landco Limited

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**Interests**

669015.1 Lease Term 33 years from 21.12.1984 CT 42058 issued - 10.3.1987 at 9:45 am  
9107948.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - 29.6.2012 at 11:37 am  
Subject to a right to convey electricity (in gross) over part marked B on DP 455053 in favour of Alpine Energy Limited created by Easement Instrument 9226934.3 - 30.1.2013 at 3:13 pm  
The easements created by Easement Instrument 9226934.3 are subject to Section 243 (a) Resource Management Act 1991  
Subject to a right to form slope or batter over part marked H on DP 455053 created by Easement Instrument 9226934.6 - 30.1.2013 at 3:13 pm  
The easements created by Easement Instrument 9226934.6 are subject to Section 243 (a) Resource Management Act 1991  
9327775.2 Mortgage to Westpac New Zealand Limited - 8.3.2013 at 4:28 pm



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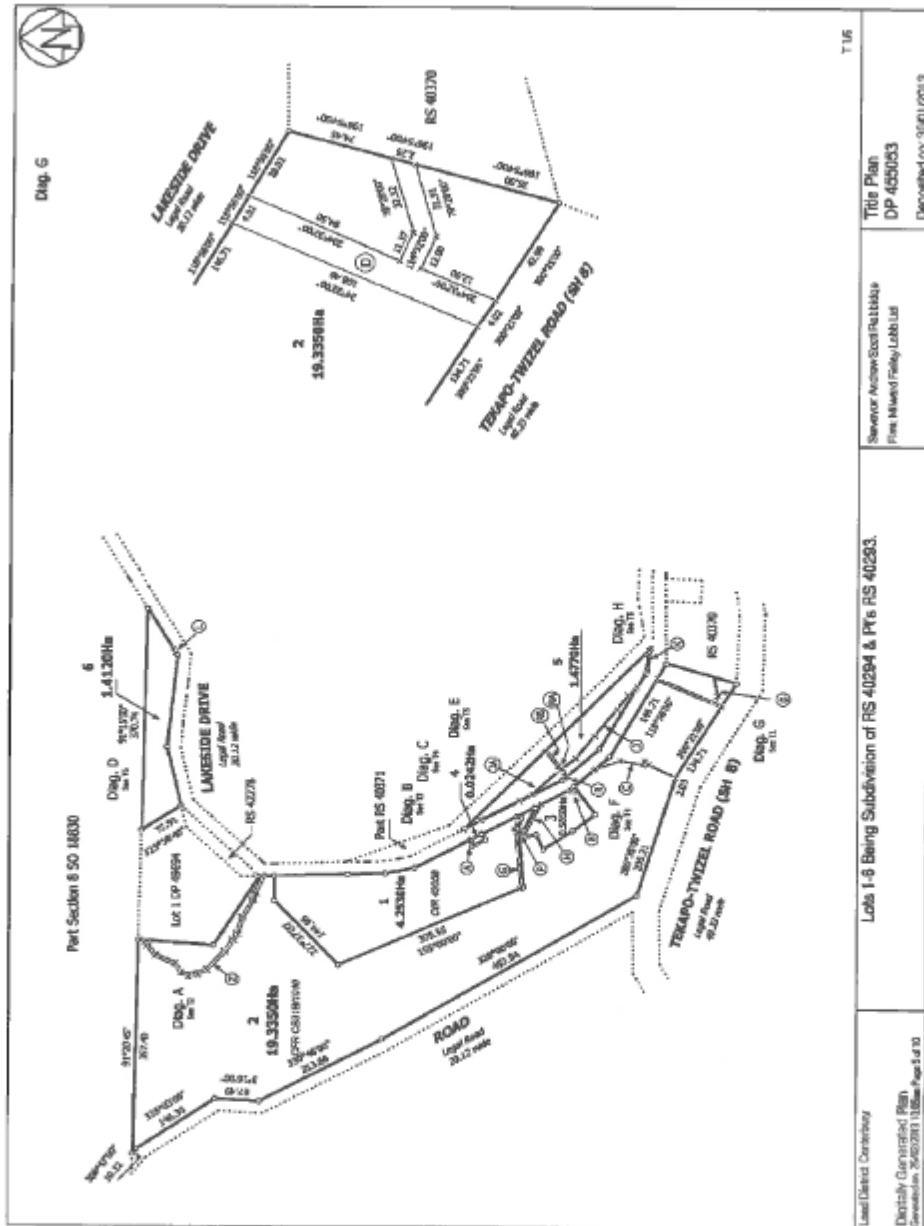
**Estate** Fee Simple  
**Area** 242 square metres more or less  
**Legal Description** Lot 4 Deposited Plan 455053

**Proprietors**  
Tekapo Landco Limited

**Interests**

669015.1 Lease Term 33 years from 21.12.1984 CT 42058 issued - 10.3.1987 at 9:45 am  
9107948.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - 29.6.2012 at 11:37 am  
Subject to a right to convey electricity (in gross) over part marked A on DP 455053 in favour of Alpine Energy Limited created by Easement Instrument 9226934.3 - 30.1.2013 at 3:13 pm  
The easements created by Easement Instrument 9226934.3 are subject to Section 243 (a) Resource Management Act 1991  
9327775.2 Mortgage to Westpac New Zealand Limited - 8.3.2013 at 4:28 pm

Identifier 584956





## Appendix 2

**Landscape Assessment**

**Landscape Graphic Attachment**

**Traffic Assessment**

**Services Report**

## Appendix 3

### Regional Policy Statement

#### Objective 5.2.1 – Location, design and function of development

Development is located and designed so that it functions in a way that:

- (1) achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region's growth; and
- (2) enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which:
  - (a) maintains, and where appropriate, enhances the overall quality of the natural environment of the Canterbury region, including its coastal environment, outstanding natural features and landscapes, and natural values;
  - (b) provides sufficient housing choice to meet the region's housing needs;
  - (c) encourages sustainable economic development by enabling business activities in appropriate locations;
  - (d) minimises energy use and/or improves energy efficiency;
  - (e) enables rural activities that support the rural environment including primary production;
  - (f) is compatible with, and will result in the continued safe, efficient and effective use of regionally significant infrastructure;
  - (g) avoids adverse effects on significant natural and physical resources including regionally significant infrastructure, and where avoidance is impracticable, remedies or mitigates those effects on those resources and infrastructure;
  - (h) facilitates the establishment of papakāinga and marae; and
  - (i) avoids conflicts between incompatible activities.

#### Policy 5.3.1 – Regional growth

To provide, as the primary focus for meeting the wider region's growth needs, sustainable development patterns that:

- (1) that any
  - (a) urban growth; and
  - (b) limited rural residential development occur in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development;
- (2) encourage within urban areas, housing choice recreation and community facilities, and business opportunities of a character and form that supports urban consolidation;
- (3) promote energy efficiency in urban forms, transport patterns, site location and subdivision layout;
- (4) maintain and enhance the sense of identity and character of the region's urban areas; and

- 
- (5) encourage high quality urban design, including the maintenance and enhancement of amenity values.

**Policy 5.3.5 – Servicing development for potable water, and sewage and stormwater disposal**

Within the wider region, ensure development is appropriately and efficiently served for the collection, treatment, disposal or re-use of sewage and stormwater, and the provision of potable water, by:

- (1) avoiding development which will not be served in a timely manner to avoid or mitigate adverse effects on the environment and human health; and
- (2) requiring these services to be designed, built, managed or upgraded to maximise their ongoing effectiveness.

**Policy 5.3.6 – Sewerage, stormwater and potable water infrastructure**

Within the wider region:

- (1) Avoid development which constrains the ongoing ability of the existing sewerage, stormwater and potable water supply infrastructure to be developed and used.
- (2) Enable sewerage, stormwater and potable water infrastructure to be developed and used, provided that, as a result of its location and design:
  - (a) the adverse effects on significant natural and physical resources are avoided, or where this is not practicable, mitigated; and
  - (b) other adverse effects on the environment are appropriately controlled.
- (3) Discourage sewerage, stormwater and potable water supply infrastructure which will promote development in locations which do not meet Policy 5.3.1.

**Objective 10.2.1 – Provision for activities in beds and riparian zones and protection and enhancement of bed and riparian zone values**

Enable subdivision, use and development of river and lake beds and their riparian zones while protecting all significant values of those areas, and enhancing those values in appropriate locations.

**Policy 10.3.1 – Activities in river and lake beds and their riparian zones**

To provide for activities in river and lake beds and their riparian zones, including the planting and removal of vegetation and the removal of bed material, while:

- (1) recognising the implications of the activity on the whole catchment;
- (2) ensuring that significant bed and riparian zone values are maintained or enhanced; or
- (3) avoiding significant adverse effects on the values of those beds and their riparian zones, unless they are necessary for the maintenance, operation, upgrade, and repair of essential structures, or for the prevention of losses from floods, in which case significant adverse effects should be mitigated or remedied.

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**Objective 12.2.1 – Identification and protection of outstanding natural features and landscapes**

Outstanding natural features and landscapes within the Canterbury region are identified and their values are specifically recognised and protected from inappropriate subdivision, use, and development.

**Objective 16.2.1 – Efficient use of energy**

Development is located and designed to enable the efficient use of energy, including:

- (1) maintaining an urban form that shortens trip distances
- (2) planning for efficient transport, including freight
- (3) encouraging energy-efficient urban design principles
- (4) reduction of energy waste
- (5) avoiding impacts on the ability to operate energy infrastructure efficiently.

## Appendix 4

### **Residential - Objectives And Policies**

#### **Residential - Objective 1 Amenity**

Maintenance of the pleasantness, amenity and safety of residential areas and maintenance and protection of the surrounding natural and physical environment.

##### Reasons

- There is a community expectation that areas in which people live will be pleasant and possess a reasonable standard of amenity.

#### **Residential Policy 1A - Bulk And Location Of Buildings**

To permit flexibility in building design while ensuring that buildings on sites in residential areas do not adversely affect the pleasantness and amenity enjoyed on neighbouring sites.

##### Explanation and Reasons

- Buildings on sites in residential areas may adversely affect sunlight admission, privacy, spaciousness, views and outlook, pleasantness and visual amenity and consequently these effects need to be considered.
- An increased road boundary setback along Pioneer Drive and Lakeside Drive in Lake Tekapo is intended to minimise the degree to which future buildings encroach upon the open space beside the lakeshore. This setback is greater here than elsewhere in the Residential Zone to assist in maintaining the important visual amenity of the Lake Tekapo lakeside.
- The building height limit is reduced in the Residential Zone west of the Lake Tekapo Village Centre between State Highway 8 and Lakeside Drive. This area is sensitive to building development in that it is highly visible from Lake Tekapo, and from the State Highway and township to the south. As it is located between a large area of the town, the State Highway and the main views to the north, sensitive development that minimises disruption to the north is appropriate.
- An increased setback is provided for residential buildings in the Residential 3 and 4 Zones where property boundaries are adjacent to an Industrial Zone. This setback is intended to protect the amenity of those zones and minimise reverse sensitivity issues arising from permitted activities within the Industrial Zone.

#### **Residential Policy 1B - Density And Scale: Residential 1 Zones**

To enable land in Residential 1 Zones to be used efficiently while maintaining ample open space and the existing scale and medium density of these areas.

##### Explanation and Reasons

- The activities and buildings occurring on individual sites in an area contribute to the general amenity of the area. Generally, people living in residential areas in Mackenzie District wish to maintain the current medium density and scale of the residential areas, with ample open space around buildings.

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## **Residential Policy 1C – Density And Scale: Residential 2 Zones**

To provide for higher densities of residential and visitor accommodation development around the periphery of the Lake Tekapo and Twizel town centres and to promote a compact residential form.

### Explanation and Reasons

- Dense residential development can more readily be absorbed into the built and physical environment where it is located near to the centre of the urban area, whilst providing a contrast to the centre itself. Such residential development is efficient in that the type of activity provided for is dense and compact, and within walking distance of the town centre. Consequently pedestrian activity in the town centre will increase, adding vitality and activity while minimising the need for motorised transport. In addition, the increased amount of accommodation available can offset the pressure on towns to grow outwards, minimising the incidence of urban expansion into the surrounding rural areas.

## **Recreation and Open Space**

### **Objective 1 - Recreation , Reserves And Open Space**

A conveniently distributed and accessible range of public open space, community facilities and recreational areas and facilities to meet the diverse needs of residents and visitors to the District.

### **Policies**

- 1 To encourage, and where possible, provide for a range of recreation opportunities and community facilities within the District.
- 2 To ensure the provision of open spaces and recreational areas within or in reasonable proximity to new residential subdivisions to meet the needs of the future community.
- 3 To require contributions towards public open space and recreation areas from residential subdivision and from any major residential, business or community development to provide for:
  - i. Additional parks, walkways and cycleways needed as a result of additional household and/or visitor growth.
  - ii. Additional open space needed for visual relief or enhancement.
  - iii. Development and maintenance of neighbourhood parks and local open space to a level at which they are useable and enjoyable.

### Explanation and Reasons

The use of contributions by way of land or cash at the time of subdivision or development will assist the Council in acquiring further reserves to improve the availability of these or to improve and maintain the quality and facilities of existing recreation and open space areas. These new or improved recreation areas and facilities will serve the people who will be housed or work in the new subdivisions or developments.

The basis for the reserve contribution is the additional, actual or potential demand anticipated for recreational and open space land consequent to subdivision and development - that is, its "effects" in terms of land and use intensification. Contributions are not imposed as a tax on development, but can be in the form of land (where provision is practicable such as from larger "green field" sites) or cash.

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### **Recreation Objective 3 – Special Travellers Accommodation Zone – Lake Tekapo**

An area of low-density visitor accommodation activity including camping grounds, cabins and chalets within walking distance of the Tekapo Village Centre, achieved in a visually recessive manner within the existing forested area.

#### **Policies**

- 1 To provide for a variety of new and existing low density tourist accommodation facilities, while safeguarding the continued operation of the existing camping ground.
- 2 To ensure that new and existing accommodation facilities in this area are visually recessive, and do not impinge on the open space or visual amenity of the Recreation A zone.
- 3 To facilitate the ongoing functioning and retention of the existing camping ground as an area where such accommodation is specifically provided for.

#### Explanation and Reasons

The forested area to the west of the Lake Tekapo township provides an opportunity for the development of a Special Travellers Accommodation Zone removed from the village centre, but still within walking distance of it. This zone is intended to allow for an area of low-density visitor accommodation developed around the existing camping ground, and consisting of open space for tents, and the development of cabins and chalets within the forest plantation. The setting allows for such development to have a very low visual impact if appropriate guidelines are applied, such that there is minimal adverse visual effect when viewed from off site, and particularly from the town.

It is also important that the zone has little impact on the lakeside Recreation P Zone adjacent, leaving this area as open space that is accessible to the public as part of the extensive lakeside zone along the southern boundary of the lake.

It is important to provide an area where camping is permitted within close proximity to the Village Centre, and in an appropriate location. The existing camping ground is well established in this location and camping activities are an anticipated part of the travellers accommodation provided in the town.

## **Signs, Aerial Distractions And Outdoor Lighting - Objectives And Policies**

### **Objective 2 - Viewing Of The Night Sky**

Maintenance of the ability to undertake effective research at the Mt John University Observatory and of the ability to view the night sky.

#### Reasons

- Mt John is a unique facility of local, national and international level and needs to be protected to ensure effective astronomical, astrophysical and atmospheric research can continue.
- The ability to view the night sky is a valuable amenity of the District and it is appropriate that this is maintained.

#### **Policy 2A**

To avoid unnecessary light pollution of the night time sky in the Mackenzie Basin area, so as not to adversely affect the astronomical, astrophysical and atmospheric research at Mt John University Observatory or people's ability to view the night sky.

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Explanation and Reasons

- As for Objective 2
- An increase in the amount of unnecessary outdoor lighting will adversely affect the ability for effective research to be undertaken at the Mt John University Observatory and the ability to view the night sky.