

**BEFORE THE COMMISSIONERS APPOINTED BY
THE MACKENZIE DISTRICT COUNCIL**

UNDER

the Resource Management Act 1991

IN THE MATTER

of RM230149 an application for land use consent to establish and operate a commercial tree-climb ropes course and picnic facilities at Lakeside Drive, Takapō/Lake Tekapo

BETWEEN

**QUEENSTOWN COMMERCIAL
PARAPENTERS LIMITED**

Applicant

SUMMARY STATEMENT OF MARK WILLIAM GEDDES

Dated: 27 August 2025

Summary Statement of Mark William Geddes

Introduction

- [1] My name is Mark William Geddes. I prepared planning evidence dated 13 August 2025 for the applicant in respect of their land use consent application to establish a ropes course at Lakeside Drive, Tekapo.
- [2] This summary statement provides a synopsis of my evidence and focuses on the key matters in contention, which include:
- (a) Potential effects on:
 - (i) amenity and natural character
 - (ii) recreation and open space values
 - (iii) public access
 - (b) Alignment with the statutory policy framework and Part 2 RMA.
- [3] I have also provided a revised set of conditions in **Appendix 2**, while **Appendix 3** provides the elevation plans of the base building and **Appendix 4** provides a site plan illustrating the 25m lake setback, and the base building with the deck and ramp.

Amenity and Character

Natural Character

- [4] The conclusion of the s.42A report uses natural character as a reason to justify the recommendation to decline consent¹. This is based on Ms Faulkner's findings that the natural character effects of the proposal will likely be minor² and that commercial activities are inappropriate in the context of s.6(a) RMA.
- [5] S.6(a) RMA provides for the preservation of natural character of a lake margin and is subject to the qualification of protection from 'inappropriate development'. What constitutes 'inappropriate development' is particularised in the relevant district plan provisions.

¹ Paragraph 201 of the S.42A Report

² See Section 5, paragraph 5 of the Bron Faulker Report dated 2 August 2025

- [6] An assessment of the spatial extent of the lake margin is required as a starting point to an assessment of natural character. The lake margin is not the district plans natural character setback. The latter is an arbitrary standard designed to assess a proposal's impact on the natural character values of a margin. I understand the lake margin is the ecological or physical space, relating to the land/water interface and is located where most people would observe it to be.
- [7] Mr Craig's evidence states that the site is not located in the lake margin. I agree and this means that s.6(a) matters do not arise with this application. However, out of abundance of caution I have commented on how the proposal's potential natural character effects should be assessed.
- [8] Any potential effects of the proposal on natural character must be closely considered against the receiving environment, including the environment as it currently exists and as it is modified by consented activities likely to be implemented, and permitted activities. The effects then must be considered in the context of the relevant statutory policy documents, with the most pertinent provisions in this case being Policy NATC-P2³ and the Assessment Matters under Standard NATC-S1. However, the Council assessment does not provide a detailed assessment of those provisions. It also does not acknowledge the site's existing natural character is influenced by active recreation activities that are likely to continue to occur in the future as a permitted activity.
- [9] The s.42A report's conclusion regarding natural character seems to rely heavily on by Ms Faulkner's finding that commercial activities are inappropriate in a lake margin⁴ in the context of s.6(a) RMA. In my opinion, I find that conclusion contradictory to Ms Faulkner's finding that natural character effects will be minor.
- [10] I also cannot find any statutory planning policy that supports the notion that commercial activities are inappropriate *per se* in lake margins. Rather, the relevant statutory planning documents focus on considering the impact of a proposal on the biophysical elements and processes and experiential attributes that contribute to natural character⁵. I therefore consider that the suggestion that commercial activities are inappropriate in lake margins *per se* lacks support by the applicable statutory planning documents.

³ Natural Character Chapter approved under Plan Change 23 to the MDP.

⁴ Paragraph 5, section 5, page 5 of Bron Faulkner's Report

⁵ See Policy 13.2 of the NZ Coastal Policy Statement, NATC-P1, MDC Natural Character Chapter. While the NZCPS is not relevant as the site is not located in a coastal environment, its definition of natural character is relevant as it provides the only definition of natural character in national statutory planning documents.

- [11] Another matter that appears to have influenced the s.42A report's position on natural character is Ms Faulkner's suggestion⁶ that activity does not have a functional or operational need to locate in the lake margin. However, notably, she does not provide any assessment of functional or operational need.
- [12] Along with several other matters, functional or operational need is referred to in Assessment Matter under Standards NATC-S1(f) of the Natural Character Chapter⁷, stating:
- “The extent to which **alternative practicable options** have been considered and their **feasibility**, including the **functional need and operational need** for the activity to locate in a riparian margin.”* [Emphasis added]
- [13] Functional and operational need therefore is one component of a wide assessment that focuses on the practicability and feasibility of alternative options, rather than a determinative component of the assessment. This is supported by the fact that functional and operation need are not referred to in the objectives and policies of the Natural Character Chapter, which focuses on managing the potential effects on natural character values. Accordingly, while functional or operational needs are relevant, they should not be considered as substantive matters.
- [14] In any case, Mr McMurtrie's evidence establishes that the applicant closely considered the feasibility of several alternative sites and found that the subject site was the only site that could practicably and feasibly meet their needs. Therefore, my view is the proposal has a functional and operational need to locate on the site. The site is also located in a zone, the function of which is to enable active recreation activities. Accordingly, the proposal provides an appropriate assessment of alternative sites and establishes a functional and operational need to locate in this environment.
- [15] I now turn to the other relevant provisions of the Natural Character Chapter.
- [16] The Natural Character Chapter intends to implement Council's statutory functions under s.6(a) RMA and provides for buildings and structures within riparian setbacks as a restricted discretionary activity. It also provides some limited buildings and structures as exempt from these requirements. Therefore, it is important to note that the Natural Character Chapter does not provide for a no effects approach. Rather it provides a suitable

⁶ Paragraph 7 of Ms Faulkner's report

⁷ Assessment matter f. of NATC-S1 Natural Chapter, Plan Change 23 to the MDP

means to judge what is an appropriate use and development in lake margins by way of the assessment matters under its Standard NATC-S6.

- [17] An important provision of the Natural Character Chapter is Standard NATC-S1 as it defines spatially the area to which the provisions apply, being 25m from the maximum operating level of the lake. As a result, the base building is not located within the lake margin, nor is approximately 50% of the course. This means that if the proposal was found to be within the 'lake margin', any assessment of the proposal's potential effects on natural character can only assess that part of the course in the 25m setback.
- [18] Mr Craig's evidence closely considers these assessment matters and finds that "*the proposal will have a negligible effect on the surface water body and its riparian margin*"⁸. He also finds that the proposal aligns with the outcomes expected in the zone⁹.
- [19] In summary, Mr Craig finds that the site is not located in the lake margin and therefore does not give rise to s.6(a) RMA matters. Even if it was, he finds that it would have negligible effects. Therefore, my evidence finds that any potential effects on natural character values are acceptable in the context of the Natural Character Chapter.

Visual Amenity and Landscape Effects

- [20] Ms Faulkner's report suggests that the proposal's greatest visual impacts would be experienced in the area under the trees¹⁰. Her report goes on to conclude that landscape effects will range from moderate to moderate to high¹¹. However, her report does not consider:
- (a) The adverse effects of the proposal against the adverse visual effects of existing recreation activities in the receiving environment.
 - (b) The adverse effects of buildings and structures that can be established on the site as a permitted activity.
 - (c) That the low levels of public use of the area under the trees (as evidenced by the time lapse photographs) will reduce the exposure of people to those effects.

⁸ Paragraph 237 of Mr Craig's evidence

⁹ Paragraph 249 of Mr Craig's evidence

¹⁰ Paragraph 3, Section 5, Bron Faulkner's report

¹¹ Note, it appears she is using the landscape parlance for scale of effects, rather than the RMAs.

- (d) The proposal's potential effects in the context of the Open Space Zone assessment matters.

[21] In contrast, Mr Craig's evidence closely considers all these matters and concludes that adverse effects on visual amenity will be less than minor and acceptable in the context of the statutory planning documents.

[22] Given the timelapse evidence and Mr Craig's comprehensive assessment, my evidence concludes that adverse effect on landscape values will be acceptable.

Noise Amenity Effects

[23] Ms Faulkner's report states that noise generated by clients enjoying the ropes course will inevitably impact on the open space amenity and passive qualities of the lakeshore¹². However, and as she notes, she is not a noise expert. The evidence from Mr Hay is that the noise generated by the activity is within the district plan limits¹³, will be lower than ambient noise environment¹⁴ and will mostly have the same character of noise as the existing noise in the receiving environment¹⁵. As my evidence demonstrated that there is a permitted baseline for noise from recreation activities¹⁶, I agree with Mr Hay that noise from the course will have a less than minor effect on the amenity of the area.

[24] Ms Faulkner's finding regarding noise making the area under the trees unsuitable for passive recreation also does not appear to consider that:

- (a) The area under the trees is seldom used for passive recreation as evidenced by the timelapse photographs and Ms Strong's evidence.
- (b) The ambient noise already exceeds district plan standards, while the proposal will comply with those standards.
- (c) The Open Space Zone seeks to provide for active recreation and complementary commercial recreation, not just passive recreation.

¹² Paragraph 4, Section 5 Bron Faulker's report

¹³ Both the Operative MDP and the Noise Chapter proposed under Plan Change 29

¹⁴ Paragraph 48 of the Mr. Hay's evidence

¹⁵ Paragraph 48 of the Mr. Hay's evidence

¹⁶ Paragraph 83 of my evidence

- [25] Given these issues with Council's evidence, I prefer to rely on Mr Hay's evidence in coming to my conclusion that the adverse noise effects on amenity values will be less than minor and therefore acceptable.

Recreation Effects

- [26] The s.42A report suggests that the proposal will adversely affect passive recreation values by affecting the amenity of users of the area and by exclusively occupying the space. Amenity has already been addressed above.
- [27] To address the concerns about potential recreation effects, the applicant engaged Ms Strong, who is a recreation and open space expert. Her evidence concludes that proposal will:
- (a) have an overall minor impact on the experience of most users
 - (b) continue to allow for current and future recreation to occur
 - (c) activate a previously under-utilised space
 - (d) align with the existing tourism context of Tekapo
 - (e) enhance the recreational options available.
- [28] As such and as there is no other specialist recreation evidence to the contrary, I agree with Ms Strong's evidence and consider that potential recreation effects will be less than minor.

Public Access Effects

- [29] The s.42A report concludes that the proposal relates to matters of national importance under s.6(d) RMA in terms of public access to the lake. However, this conclusion seems to be based on Ms Faulkner's evidence and submitters concerns about the proposal's effects on amenity and character values, rather than any evidence that the proposal will physically or legally prevent access to the foreshore.
- [30] The s.42A report also makes a suggestion that the incompatibility of the proposal is indicated by the proposed public space signage.
- [31] However, the recreational evidence from Ms Strong establishes that the activity is unlikely:

- (a) To adversely affect other recreation users
- (b) Exclusively occupy the space
- (c) Cause any issues with public access to the foreshore.

[32] On the contrary her evidence states that the proposal will have positive effects by encouraging the use of a public space (in and under trees) which is largely dormant. This will increase the utility and amenity that the public obtains from this space. The evidence from Mr Hay and Mr Craig supports Ms Strong's conclusion.

[33] While I consider the signage is unnecessary, it was proposed in response to the Council concern that the space under the trees will not be perceived as public. It is therefore somewhat of a paradox that the remedy proposed by the applicant to address the Council concern is used as a reason to recommend the refusal of the application. While the applicant is happy to not erect the signage, it is my view that the signage will serve to mitigate any possible perception that the space is not public.

[34] Plan Change 27 introduced a new public access chapter into the MDP, which intends to implement s.6(d) RMA. Notably it only applies to subdivisions and therefore does address land use activities.

[35] In summary, the expert evidence is that the proposal will encourage public access into the site and will not negatively affect public access to the lake and foreshore.

Policy Framework

Operative Mackenzie District Plan (MDP)

[36] My evidence found that the activity is not inconsistent with the Passive Recreation Zone of the Operative MDP.

[37] The operative MDP focuses on protecting passive recreation activities in the zone but does not exclude active recreation activities. Rather, its Policy 1 expressly seeks to encourage opportunities for a large range of active recreation activities in close proximity to the Lake Tekapo.

Open Space Zone

- [38] Plan Change 29 zones the site Open Space Zone, the purpose of which is to provide for passive and active recreation. Decisions have now been made on the Open Space Zone under Plan Change 29. However, the s.42A report did not consider that version of the Open Space Zone, which in my view is a clear deficiency in that assessment.
- [39] While Ms Faulkner acknowledges that decisions have been made on the Open Space Zone, she concludes that its provisions are largely consistent with Operative MDP's Passive Recreation Zone provisions. I disagree as active recreation is given equal importance in the purpose of the Open Space zone, whereas it is more subservient in the Passive Recreational Zone. This is a significant and deliberate change in emphasis.
- [40] The key provisions of the Open Space Zone are Policy OSZ-P2 and the Assessment Matters under OSZ-R6 which focus on the whether commercial recreation activities will:
- (a) Be complementary with the purpose of the zone
 - (b) Compatible with recreation activities
 - (c) Appropriately manage impacts on other users.
- [41] Given the evidence of Ms Strong, Mr Craig and Mr. Hay, my evidence found that the proposal aligns with these and the other provisions of the Open Space Zone.

Plan Weighting

- [42] Given that decisions have been made on the Plan Change 29, it is my view that significant weight should be given to the Open Space Zone provisions over the operative Passive Recreation Zone provisions.
- [43] The decision version of Plan Change 29's Open Space zone reflects the national planning standards, that includes active recreation in the description of that zone. The provisions have also been developed through a robust statutory process consisting of consultation, submissions, further submission, hearings and decisions and reflect an intentional policy shift from the Council.

Part 2 RMA

- [44] I consider that the s.42A report has undertaken a narrow assessment of Part 2 RMA only considering the provisions the proposal is potentially inconsistent with rather than considering the other relevant sections of Part 2 RMA that the proposal is consistent with. Key provisions of Part 2 RMA not considered includes that the proposal:

- (a) Provides for social and economic wellbeing and health and safety.
- (b) Includes a suite of conditions that seeks to avoid remedy or mitigate adverse effects on the environment
- (c) Is located outside an outstanding natural landscape and other sensitive landscapes including the riparian margin.

Submitter evidence

- [45] I have reviewed the evidence from Ms Banks and Mr Smith on behalf of Tekapo Landco & Godwit Leisure Ltd. I disagree with the substantive conclusions of Ms Banks evidence. Given her evidence raises numerous concerns about the proposal, I have addressed those concerns individually in **Appendix 1** of this document.

Conditions

- [46] To address the issues raised by Council staff and submitters, I have made several amendments to the proposed conditions of consent in **Appendix 2**. The most significant amendments:
- (a) Require a report from a registered landscape architect to confirm that the course design meets certain objectives and requires subsequent certification of the same by Council prior to operations.
 - (b) Narrows the instances the course could be changed.
 - (c) Requires redundant equipment to be removed.
 - (d) Requires a certification process for the pruning of trees with input from an arborist and a landscape architect.
 - (e) Requires that the course must be well maintained and kept in a tidy state.
 - (f) Requires that all buildings and structures to be removed upon closure of the course.
 - (g) Provides for a review of the consent conditions

Conclusion

- [47] Overall, my evidence suggests that the proposal will likely result in a positive and sustainable outcome by:

- (a) Utilising a public open space that is not currently used (i.e. the trees)
- (b) Activating an underutilised public space (below the trees)
- (c) Complementing other recreational activities in the area
- (d) Not compromising the experience of existing users of the area
- (e) Not being located in the lake margin
- (f) Having minor or less than minor adverse effects on the environment
- (g) Providing a new high quality visitor attraction that will:
 - (i) Increase local expenditure
 - (ii) Create diversity in visitor attractions
 - (iii) Encourage people to stay in Tekapo longer
 - (iv) Support expenditure across all seasons
 - (v) Increase employment
 - (vi) Provide attractive landscaping
 - (vii) Potentially, upgrade the carpark, depending on Council initiatives.

[48] My evidence concludes that the proposal's will be consistent with the statutory planning documents and in particular the new Open Space Zone, which should be given weight to over the operative district plan.

[49] Accordingly, I consider the application passes:

- (a) The gateway test provided by s.104D of the RMA
- (b) Is acceptable in terms of the matters under s.104 RMA and
- (c) Therefore, should be granted consent subject to conditions.

Dated: 27 August 2025

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Mark William Geddes

APPENDIX 1 – RESPONSE TO SUBMITTERS EVIDENCE

I have provided a response to the issues raised in Ms Banks in the table below.

Topic	Issue	Response
Course detail	There is limited detail regarding the appearance of the ropes course.	While I accept that full details of the course have not been provided, I consider that condition 10 and the plans sufficiently prescribe and illustrate the key spatial and appearance parameters of the course. The amendments I have made to condition 10 will ensure that a landscape architect certifies that that course meets several objectives that are designed to protect the visual amenity of the area.
Wide flexibility	The conditions provide wide flexibility to change the course	<p>The amendments I have made to Condition 13 limits the consent holder's ability to change the course only to:</p> <ul style="list-style-type: none"> • Address any tree(s) that is/are damaged, dying, fallen, diseased or has otherwise become unsafe. • Further reduce the potential for adverse effects on the activity. • Create positive effects on the environment. • Repair, replace, alter or remove any defective or redundant equipment or structures. • Change challenging points or obstacles. <p>Therefore, I consider the flexibility to change the course is relatively limited, is appropriate and that there is sufficient information to assess the effects of change to the proposal.</p>
Limbing of trees	The limbing of trees was not proposed in the application and requires consent	The trimming (not limbing) of trees is proposed in paragraph 18 of the DWG landscape assessment submitted with the application. Accordingly, while the consent did not identify the trimming of trees as a specific consent requirement, I consider that the comments in

		<p>the DWG ensure that it was clear that it was part of the activity for which consent was sought. The trimming of trees would require a non-complying consent under the operative MDP under Rule 4.7.1. However, resource consent is not required for trimming of trees in the Open Space Zone as conservation activity is listed is permitted activity under Rule OSZ-R3. The definition of conservation includes the use of land for any activity undertaken for the purposes of the preservation of natural resources for the purpose of providing for their appreciation and recreational enjoyment. Notwithstanding, I consider that it would be appropriate to manage the trimming of trees to ensure that it is necessary, not detrimental to the health of the tree or significantly affect the natural character of the site. A condition is proposed to address this matter.</p>
No other examples	<p>There are no other examples of ropes course within the foreground of an ONL and on the margins of lake or close to residential area.</p>	<p>I note that Ms Banks has not provided any examples or details to support this suggestion. In any case, being within the foreground of an ONL, adjacent to the margin of a lake or close to residential area does not make the proposal inappropriate, particularly considering the urban fringe location of the course and its location with an area characterised by active recreation. Further, the proposed development has been designed to avoid, remedy, and mitigate adverse effects on these areas.</p>
Misrepresentation	<p>The visual and landscape impressions provided include only a single line span</p>	<p>Appendix 1 of Mr McMurtrie's evidence provides photos of similar ropes courses. Several different courses are shown to provide representative examples of the appearance of ropes courses. Images have been chosen to</p>

	between trees and appear to be misrepresentative.	best reflect the appearance of the proposed course. The photos include several different obstacles to provide an understanding of the different appearance of these structures. The photos have also been taken from different perspectives to provide an understanding as to how the course will appear from different viewpoints. Accordingly, I consider that the photos provide a realistic and representative example of ropes courses.
Height	There is no condition regarding the proposed 10 m height limit of the course.	A new condition has been proposed to address this matter.
Base Building Size	Clarification is sought regarding the size of the base building.	<p>The plans of the base building attached to my evidence illustrate a building with a 61m² floor area, opposed to a 56m² base building originally proposed in the application. The change in size was a result of the applicant deciding not to use shipping containers to create a better visual outcome. However, it should be noted that the deck and ramp would likely bring it to approximately 125m².</p> <p>The base building has also been moved down slope to reduce its prominence. This has necessitated a wheelchair ramp for accessibility and a deck to address the fact that the land in the curtilage of the building is not level.</p> <p>The application did not provide any detail plans of the proposed building other than one render image. Elevation plans of the base building are provided in Appendix 3.</p> <p>While the base building now proposed is marginally larger than the base building</p>

		originally proposed and includes a deck and ramp, it is considered that it is within the scope of the application, as effects are overall decreased through its more recessive siting and bespoke design.
Lighting	There will need to be lighting for the course given is opening hours and also security lighting. This has not been considered in the applicant's assessment.	The ropes course will not be operated during the hours of darkness and therefore exterior lighting is not proposed, except permitted security lighting on the base building. I have amended the conditions to clarify that the course will not operate during the hours of darkness. As noted by Ms Banks, security lighting is classified as a permitted activity under Rule LIGHT-R2.
Adult Ropes Course	Clarification is requested whether an alternative adult course ropes is proposed.	The rope course includes a different course for adults.
Public access after hours	If public exclusion is required to prevent access and potential risk of injury outside of the stated operating hours, then this may further exacerbate effects of the proposal on public access.	The public will be free to circulate under the course at any time of day or night.
Removal of the base building	There is no proposal to remove the base building if the activity ceases.	A new condition is proposed to ensure that all buildings and structures are removed from site if the activity does not operate for more than six months. This includes reinstatement of any earthworks.
Location and extent of occupation	The location and the extent of occupation is inappropriate, and the site and surrounding	The statement implies that the activity will occupy the land under the ropes course. The reality is that most of the land will not be altered

	environment cannot absorb the development without resulting in adverse effects.	as result of the development. The evidence from Mr Craig is that the adverse visual and natural character effects of the proposal will range from less than minor to minor, but the proposal is acceptable in the context of the receiving environment and statutory planning policy. The evidence from Ms Strong is that proposal will enhance public access.
Advice from Ecan	The applicant does not provide written confirmation from Ecan that the trees in the dog park or near Tekapo springs will be removed.	While no written confirmation from Ecan has been provided, it should be noted that the trees around Tekapo Springs have been removed. As pointed in out in Ms Banks evidence, the Ecan website states that the pines in the dog park will progressively removed over the next 10 years. Further, the Canterbury Regional Pest Management Plan ¹⁷ states that is a goal of securing clearance of wilding conifers within Wilding Conifer Containment Area within the first 10 years of the Plan, which include the Mackenzie Basin.
Natural character	<p>Natural character should include amenity.</p> <p>Commercial development is inappropriate in a lake margin under s.6(a) RMA.</p>	<p>The site is not located in the margin of the lake and therefore s.6(a) matters do not arise. While the site is not located in the coastal marine environment the NZCPS provides the only national policy definition of natural character. Its Policy 13.2 recognises that natural character is not the same as natural features and landscapes or amenity values.</p> <p>There is no statutory basis that commercial development is inappropriate <i>per se</i> in a lake margin under s.6(a) RMA. The protection of natural character focuses on addressing</p>

¹⁷ Page 39 the Canterbury Regional Pest Management Plan 2018-2038

	<p>There are additional effects of people constantly being on the course</p>	<p>adverse effects on natural elements and processes rather than certain activities.</p> <p>Mr Craig considers that additional effects of people being on the course will be less than minor and it is evident that a diverse range of activity occurs in the vicinity of the site as it does in the wider setting of the receiving environment.</p>
Views	<p>The proposal will interrupt views to the lake.</p> <p>The present view from the highway demonstrates that the proposed course, obstacles and people within the course would likely be visible in this view.</p> <p>The proposal's impact on views is contrary to statutory planning policy.</p>	<p>I consider the photo provided under paragraph 60 of Ms Banks evidence illustrates that obstacles and people would not be visible from the State Highway. For instance, I cannot make out any people in the camping ground or on lakeside drive or the foreshore. Further, vehicles are only just perceptible. In any case, this view of the site is fleeting and on a state highway that has a 80km speed limit. I also consider the photo illustrates that the dominant element in this vista is the broad view of the lake and mountains, not the trees and urban area. I note that there is no information with the photo regarding what type of lens the camera uses and therefore whether it depicts the site as the human eye would.</p> <p>While I agree with Ms Banks that the statutory planning provisions she mentions under her paragraph 58 are all relevant, I disagree that the proposal is contrary to those policies. As stated in my evidence, the proposal will be visually integrated within the trees, will not be visually prominent, will not interrupt views that are not currently interrupted and will retain a clear predominance of open space. The proposal therefore aligns with these policies. It also</p>

		should be noted that the applicant intends to appeal that part of Policy OSC-P4 that seeks to maintain interrupted views.
Use of the site	The site has several features which contribute to it increasingly being one of the more accessible and frequented locations for experiencing the lake. Such features include its width, gentle grade, opportunity for parking with orientation to views of the lake, the location immediately opposite and accessible to visitors within the holiday park, the presence of the trees which provide valued shade in summer, in addition to the playground and pathway amenities.	This statement is contrary to our photographic evidence that suggests that the area under the trees is seldom used. It is also contrary to the fact that the area under the trees has a reasonable gradient, which when combined with the stoney ground, pine needles and sticks make this area generally unsuitable and certainly unpopular for sitting. As such people generally do not use the area under the ropes course for shade. The trees which are used for shade are on the edge of the course immediately adjacent to the lake. However, I do not dispute that the areas beside the site on the foreshore of Lake Tekapo and the carpark are heavily used at times.
Parking	The proposal to utilise the existing street parking will potentially reduce accessibility for other vehicles seeking to access the site.	The transport evidence from Mr Leckie is that there is adequate carparking available.
Picnic tables	The picnic tables will likely be used by users of the activity, and may discourage people from walking or cycling	The recreation evidence from Ms Strong is that the picnic table will encourage public utilisation of the site. The picnic tables will be available to the public and incorporate a sign saying that they are publicly available. A condition of consent has been proposed to allow Council

	<p>through the site along the public walkway.</p> <p>The position of the tables should be agreed with Council and that these should be above the maximum operating level of the lake.</p>	<p>input in the picnic table locations. They have all been proposed above the operating level of the lake.</p>
Minimum Course Height	<p>The proposed minimum course height of 3m, would not leave sufficient height separation to encourage use of the space underneath and may have adverse effects on the user of the walkway.</p>	<p>The recreation evidence from Ms Strong is that 3m height of the course will not affect people using the area under the trees.</p>
Outstanding Natural Landscape	<p>The objectives and policies of the Natural Features and Landscape Chapter are not limited in their application to the mapped overlays and are a relevant consideration to the proposal.</p>	<p>The Natural Features and Landscapes chapter specifically states that the chapter “<i>contains provisions that relate to the Outstanding Natural Features, Outstanding Natural Landscapes, Lakeside Protection Areas and Forestry Management Areas, which are identified as overlays on the Planning Maps</i>”. There is no indication in the plan that the provisions should apply outside of those overlays. However, the Applicant’s landscape evidence has considered adjacent effects on section 6b values, concluding those to be minor (at the low end).</p>
Commercial activity	<p>The proposal is inconsistent with Objective OSZ-O1 as active recreation does not extend to commercial activity or associated built elements, with these buildings and structures being addressed by</p>	<p>I consider that commercial active recreation is subset of active recreation and is specifically provided for under Policy OSZ-P2. While buildings and structures which are not associated with a permitted activity, default to discretionary activity under Rule OSZ-R5, I suspect this was an error as it seems nonsensical on the one hand to list commercial</p>

	other provisions and having a DIS status under OSZ-R5.	recreation activities as a restricted discretionary activity with wide matters of discretion, but to require consent for any associated buildings or structures as a discretionary activity. Further support for this suggestion is gained from Rule OSZ-R7 that lists community facilities as restricted discretionary (implying buildings and structures), but which is contradicted by rule OSZ-R5 that would also require consent any buildings or structures associated with community facilities.
OSZ-O2	The activity is inconsistent with Objective OSZ-O2 as it occupies a significant length of the site such that it would alter the perception of the function of the land and detract from the predominance of open space between and under the trees.	I agree with Mr Smith and Mr Craig that the proposal will physically maintain a predominance of open space. I also agree with Ms Strong that the proposal will not deter the public from spending time under the trees, and in fact will activate the space and attract people. I also consider that the proposal is consistent with Objective OSZ-O2 by having limited structures that support the purpose for the zone that includes active recreation. Therefore, I disagree with Ms Banks and consider that the proposal squarely aligns with this Objective OSZ-O2.
OSZ-P2	The commercial element of the activity introduces the need for extensive additional built elements and structures.	Extensive built elements and structures are not proposed. The base building is only 61m ² (or 0.8% of the site area) with a small deck and ramp. The platforms on the trees are limited to 2m ² .

	<p>The activity is not complementary to the existing values of the site and the effects of this 'busyness', noise and visual effects associated with the scale of built form and lines proposed within the trees is not anticipated by this policy.</p>	<p>Policy OSZ-P2 does not refer to the existing values of the site. It refers to the recreational focus of the zone, which includes active recreation. As the proposed activity is for active recreation activity, it is considered that the proposal aligns with Policy OSZ-P2. Hypothetically, even if the policy did refer to the existing values of the site, I consider that it would align with such a policy as the existing environment and is characterised by a mixture of active and passive recreation activities.</p>
	<p>The activity will decrease the site's existing passive recreation and natural values and instead result in a shift to 'active' and unnatural human elements being more predominant.</p>	<p>I disagree with the suggestion that the proposal will result in a shift from passive to active and unnatural human elements. As stated, the receiving environment is characterised by active recreation and therefore the proposal will be consistent with that. I do not understand how a ropes course is an unnatural human element when the course is for the use and enjoyment of humans. The purpose of the Open Space Zone is for humans to passive and active recreation. It is not a natural open space zone.</p>
OSZ-P4	<p>The built form and resulting busyness within these trees will interrupt and detract from the current views gained to Takapō / Lake Tekapo from the Station Bay Development and therefore not align with Policy OSZ-P4.</p>	<p>It should be noted that the applicant is appealing that part of Policy OSZ-P4 that pertains to maintaining uninterrupted views from urban areas to any lake and therefore full weight cannot be given to this policy.</p> <p>Notwithstanding, it is considered that the proposal aligns with Policy OSZ-P4 by limiting its built form and maintaining a predominance of open space. I consider that any views of the lake from the Station Bay development are already significantly interrupted by the trees on the site. The evidence from Mr Craig is that any</p>

		view of the lake from the Station Bay Development will be maintained and indeed enhanced.
Tekapo Lakefront Development Plan	The potential for the proposal to reduce or deter accessibility and therefore undermine the objectives of the Tekapo Lakefront Development Plan	Ms Strong's evidence is that the proposal will not reduce or deter accessibility of the footpath that runs through the site.

APPENDIX 2 – REVISED CONDITIONS

Amendments to the conditions of consent proposed in the application are shown as ~~strikeout~~ (for deletions) or red underlined (for additions). Amendments to the conditions of consent since my evidence in chief are shown as blue ~~strikeout~~ (for deletions) and in blue underlined (for additions).

General

1. The development shall be carried out in general accordance with the application as submitted under reference number RM230149 and the Site Plan stamped as approved on [date], unless otherwise amended by the conditions of consent.

Arborist Assessment

2. Prior to the commencement of earthworks and construction, each tree which forms part of the approved ropes course must be assessed and confirmed as being structurally sound and capable to appropriately support the ropes course. The assessment and confirmation must be carried out by a suitably qualified arborist and be provided to Mackenzie District Council's Parks and Recreation Manager.

Earthworks

3. Earthworks, excluding the establishment of the landscaping, shall only be undertaken in association with formation of the accessway and the footing of the base station building and deck. The maximum area of disturbed ground shall be 100 ~~60~~m², the maximum volume of earthworks shall be 30m³, while the ~~to a~~ maximum depth of earthworks shall be ~~0.5m~~ 1m.

Construction

4. During the construction period, noise shall comply with NZS 6803:1999 for Construction Noise.
5. During the earthworks period, erosion and sediment control measures shall be implemented by the Contractor.

Accidental Discovery Protocol

6. Should an accidental discovery of any archaeological material (including oven stones, charcoal, shell middens, ditches, banks and pits, building foundations, artefacts of Māori and Non-Māori origin or human burials) occur during the undertaking of any earthworks:
 - (a) Earthmoving operations in the affected area shall cease immediately, and the affected area shall be secured to ensure the archaeological material is left undisturbed;

- (b) Heritage New Zealand Pouhere Taonga and Te Rūnanga o Arowhenua shall be advised of the disturbance and provided access to the affected area to enable appropriate procedures and tikanga to be undertaken;
- (c) If the material is confirmed by Heritage New Zealand Pouhere Taonga as being archaeological, under the terms of the Heritage New Zealand Taonga Act 2014, an archaeological assessment shall be carried out by a qualified archaeologist, and if appropriate, an archaeological authority shall be obtained from Heritage New Zealand Pouhere Taonga before earthworks resume;
- (d) If there is evidence of burials or human (kōiwi tangata) having been uncovered, the New Zealand Police shall be contacted immediately;
- (e) Such earthworks shall not recommence until an archaeological assessment has been made, all archaeological material has been dealt with appropriately, and approval to recommence has been given by Heritage New Zealand Pouhere Taonga, and if human remains are involved, the New Zealand Police.

Landscaping

- 7. Prior to the commencement of the activity (following the construction phase), a 2m wide landscaping area shall be established around the perimeter of the base station building in accordance with the plan attached to this consent and stamped as approved. The landscaping strip shall be planted with *Festuca novae-zelandiae* (tussock) with 700mm spacings and planted immediately following the installation of the base building.
- 8. The landscaping required by Condition 7 shall be regularly watered and weeded for at least 2 years from the date of planting, and shall be appropriately maintained. If any of the landscaping required by Condition 7 is diseased or dying, the species shall be removed and then replaced in the following planting season with the same species.
- 9. In a timeframe agreed with Mackenzie District Council, the consent holder must install landscaping around the carparking area adjoining the site having regard to any Mackenzie District Council landscaping guideline or master plan for the area. The landscaping must be mutually agreed with the consent holder and the Mackenzie District Council.

Ropes Course

- 10. At least 20 working days prior to development commencing, the consent holder must submit plans detailing the proposed alignment and configuration of the ropes course to the consent authority for certification that the ropes course meets the following requirements:
 - a. The ropes course must be located within the site boundary as indicated on the plan attached to this consent and stamped as approved.

- b. The ropes course must be located no less than 3m above ground level and no higher than 10m above ground level, except for course entry and exits points that can be located a ground level.
- c. Zip lines must not finish at ground level and must finish a minimum of 3m above ground level.
- d. The ropes course can consist of 1 to 5 support wires on each span between trees.
- e. Each group of support wires can include challenging points or obstacles, which the consent holder may change periodically.
- f. The ropes course can include any wires, ropes, structures and equipment required to secure the platforms and lines to the trees while ensuring health and safety outcomes are achieved.
- g. All structures associated with the ropes course, except the base building, deck, ramp and picnic tables must be attached to a tree.
- h. Only zip lines or platforms can span the central gap between trees as illustrated on the ropes course conceptual layout plan stamped as approved and attached to this consent;
- i. Each tree in the course can have up to 3 platforms which may include ladders, devices or structures to ascend or descend the tree. Individual timber platforms must not exceed 2m² in area measured horizontally.
- j. All timber platforms ~~must~~ shall be constructed predominantly of Macrocarpa timber and shall be left to silver off naturally.
- k. A report from a full member of the New Zealand Landscape Institute is provided to the Consent Authority that confirms that the course alignment, configuration and obstacles meet the following objectives:
 - i. Obstacles with potentially more visual prominence are located internally within the course and are minimised where possible at more visible locations including where the course is visible from the lake shore, the walkway that runs through the site, Lakeside Drive and urban zoned land on the southern side of the Lakeside Drive.
 - ii. Where practicable, the materials and equipment are a colour that is visually recessive, has low reflectivity and helps materials and equipment blend in with the trees.
 - iii. There is a strong visual continuity and coherence in the design of the course.
 - iv. As far as practicable, the design of the course integrates with the natural structure, colours and patterns of the trees.

- 11. The activity must not commence until the details of the ropes course required in Condition 10 have been certified by the Consent Authority as implementing the requirements of that condition.

12. The consent holder may amend the ropes course alignment and configuration at any time to:
- a. address any tree(s) that is/are in the written opinion of a qualified arborist, damaged, dying, fallen, diseased or has otherwise become unsafe
 - b. Te further reduce the potential for adverse effects on the activity
 - c. Te create positive effects on the environment
 - d. address health and safety matters
 - e. repair, replace, alter or remove any defective or redundant equipment or structures
 - f. change challenging points or obstacles.
 - g. address any operational requirements.
13. Within 10 working days of any changes to the ropes being made under Condition 12, a plan detailing any changes must be provided to the Consent Authority for recertification in accordance with Condition 10. The ropes course must not be amended in a manner that contravenes the requirements set out in the conditions of this resource consent.
14. Any redundant equipment or structures must be removed within 1 week of that equipment or structure ceasing to be used.
15. At least 20 working days prior to any pruning of trees in the ropes course commencing, the consent holder must submit details to the Consent Authority in writing for certification that the pruning:
- a. is essential for the operation of the ropes course, or to meet health and safety requirements
 - b. will be carried out by a qualified and experienced arborist
 - c. is confirmed by an arborist in writing that it will not significantly affect the tree(s) health
 - d. is confirmed in a report by a full member of the New Zealand Institute of Landscape Architects that it will maintain a consistent and coherent natural vegetation pattern through the trees within the site
16. The activity must not commence until the details required in Condition 15 have been certified by the Consent Authority as implementing the requirements of that condition.

Base Station Building

16. The ground floor exterior cladding of the base station building must ~~shall be either~~ cedar timber stained with a natural hue or dark charcoal, browns, greys, or left to silver naturally, and ~~for~~ Corten steel and glazing. The roof of base station building must have a glazed balustrade supported by steel posts and rails that are painted or powder coated with a

matt or powder finish. Paint colours shall have a Light Reflectivity Value of between 5 - 30% and shall have natural hues comprising greens, greys and black.

17. Any visible foundations shall concealed with a finish that is and either painted or finished in a dark colour with a light reflectivity value of not exceeding 10% black or the same colour as the wall cladding.
18. A timber deck is permitted around the base station building but must not be more than 50m².
19. All parts of the ropes course, the base building and the deck must be well maintained and kept in a tidy state.

Land Transport

20. Prior to the commencement of the activity, an accessible parking space shall be established, as shown on the approved plan that is stamped as approved and attached to this consent, and shall be formed and marked in accordance with an approved service consent, or to a standard otherwise approved by Mackenzie District Council's Roading Manager.
21. Prior to the commencement of the activity, 12 cycle parks shall be established, as shown on the approved plan that is stamped as approved and attached to this consent, ~~Concept MasterPlan dated XXXX~~ and shall be formed and marked in accordance with an approved service consent, or to a standard otherwise approved by Mackenzie District Council's Roading Manager.
22. The consent holder is to provide travel demand management information on their website to encourage other travel modes to the ropes course. This will include a warning that car parking can be in short supply at busy times of year, and that walking and cycling from the village centre is viable for most people. It will also include a simple map highlighting the location of the site relative to the lakeside walking / cycling path and information on the cycle parking available.
23. The consent holder is to provide a travel plan to Mackenzie District Council with measures to minimise staff parking in the area.
24. The consent holder must pay up to \$8,000 to Mackenzie District Council for the cost of the gravel to resurface the carpark adjacent to the site within six months of confirmation from Mackenzie District Council that the carpark will be upgraded.

Noise

25. Following the commencement of the activity, noise levels shall not exceed ~~50dBA_{Leq} at the notional boundary of any residential activity between 7am and 10pm, and 40dBA_{Leq} and 70dBA_{Lmax} at all other time~~ the following noise levels at any point within the boundary of another site

- 50 dB L_{Aeq} (15 min) between 0700 and 2200
- 40 dB L_{Aeq} (15 min) between 2200 and 0700
- 70 dB L_{AFmax} at any time

Noise shall be measured in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sound and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise.

26. The ropes course may operate 7 days a week, 365 days a year but only between 9am and 7pm and not during the hours of darkness.

Course Users

27. There shall be no more than 60 users on the course at any one time.

Sign

28. A 2.5m² sign may be attached to the southern exterior façade of the base station building and must sit below the roof profile. The sign shall ~~state “Tree Climb Lake Tekapo” and have a maximum~~ minimum lettering height of 1500mm. The sign shall have a Light Reflectivity Value of between 5-30% and must not be illuminated.
29. Signs indicating that the area under the site’s trees is a public open space shall be located as at the locations indicated on the plan attached to this consent and stamped as approved.

Hours of Operation

30. The activity may operate between the hours of 9am and 7pm, 365 days of the year.

Picnic Tables

31. Prior to the activity commencing, six timber picnic tables must be located at the site at locations indicated on the plans stamped as approved and attached to this consent or as otherwise agreed in writing with Mackenzie District Council. Each picnic table must have a small sign indicating they are available for public use.

Lighting

32. There shall be no exterior lighting incorporated into the ropes course or on the base building.

Stormwater

33. Stormwater from the base building must be collected and stored and used to irrigate landscaping on the site.

Electricity Supply

34. The electricity supply must be provided underground to the base building.

Closure

35. Unless as agreed by the consent authority, if the activity ceases to operate for a period of more than 6 months:
- a. all structures and buildings associated with the course are removed.
 - b. any earthworks conducted as part of the ropes course are reinstated so that the ground level was consistent with the original ground of the site prior to the development.

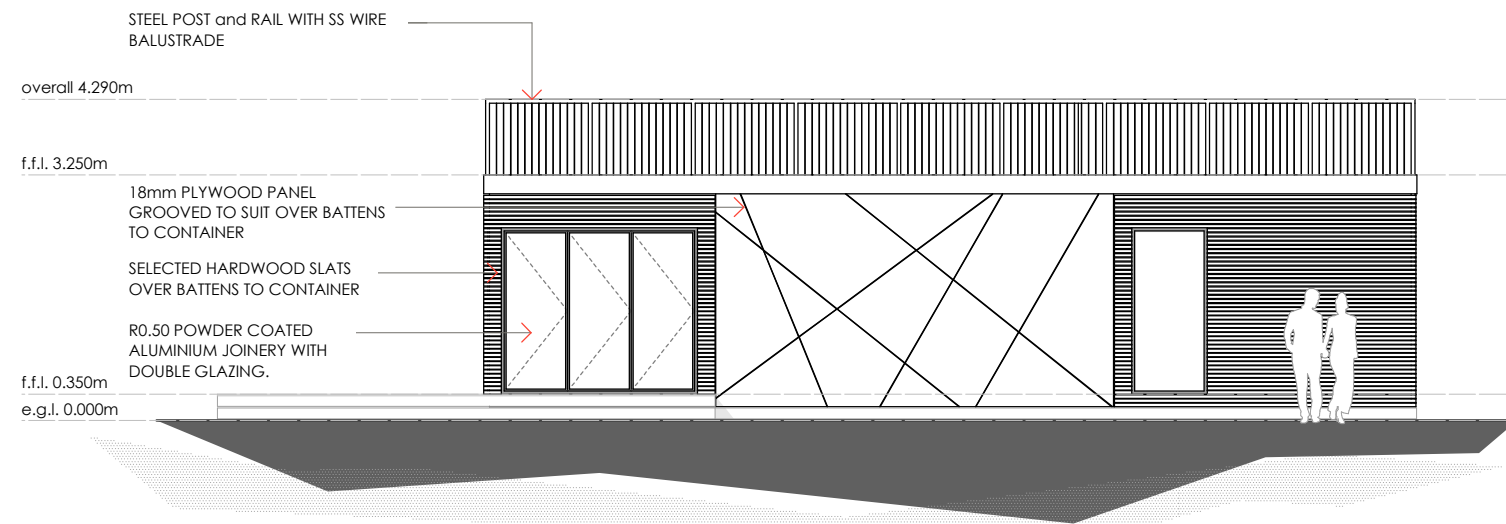
Review

36. In accordance with Sections 128 and 129 of the Resource Management Act 1991, the Consent Authority may review any of the conditions of this consent by serving notice on the Consent Holder within a period of 60 working days, commencing on each anniversary of the date of commencement of this consent for any of the following purposes:
- a. To deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage.
 - b. If the information made available to the consent authority by the applicant for the consent for the purposes of the application contained inaccuracies which materially influenced the decision made on the application and the effects of the exercise of the consent are such that it is necessary to apply more appropriate conditions.

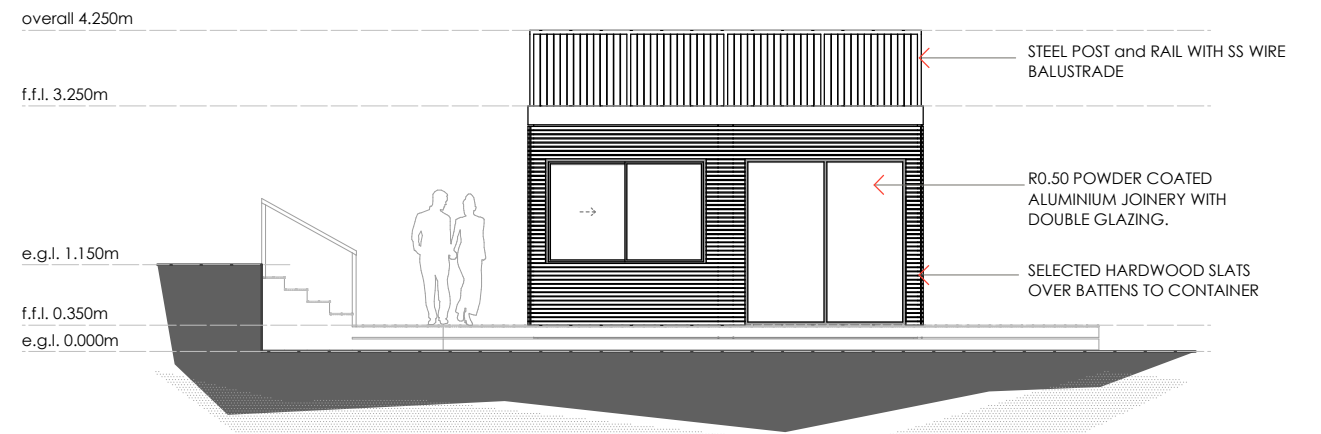
Advice Note:

1. This resource consent authorises the activity under the Resource Management Act 1991 and does not authorise it under any other statute. Accordingly, other consents, approvals, licences or authorisations may be required under other statutes. In this instance, a licence to occupy must be obtained from the landowner of the site.

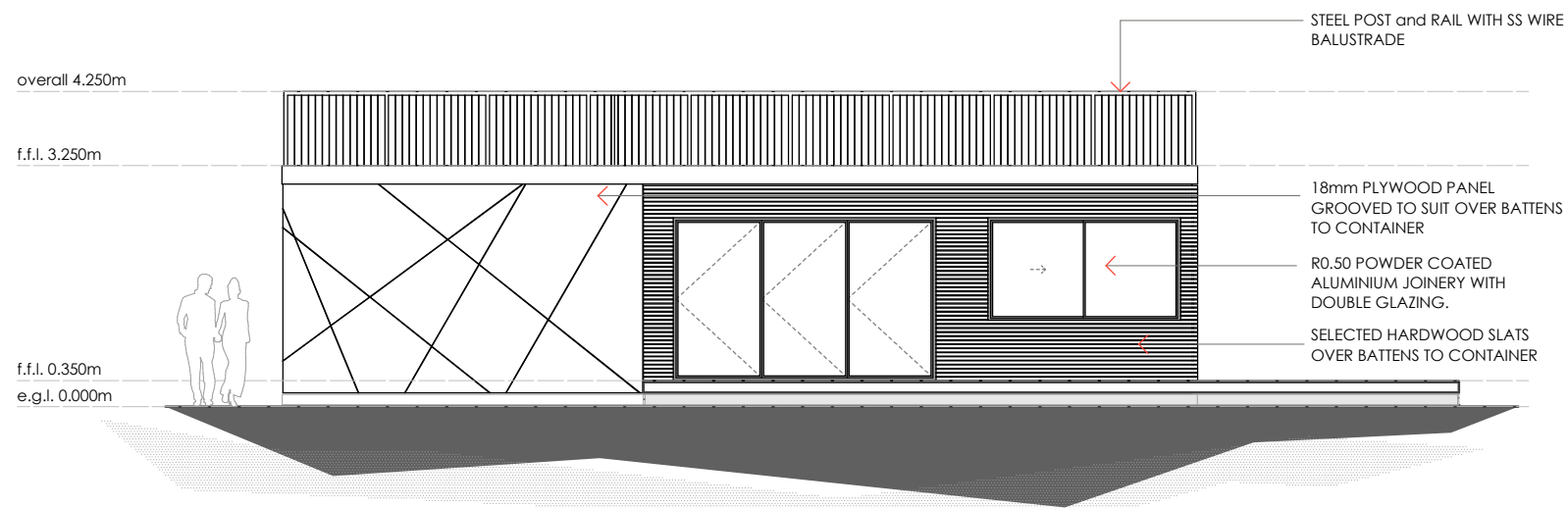
APPENDIX 3 – BASE BUILDING PLANS



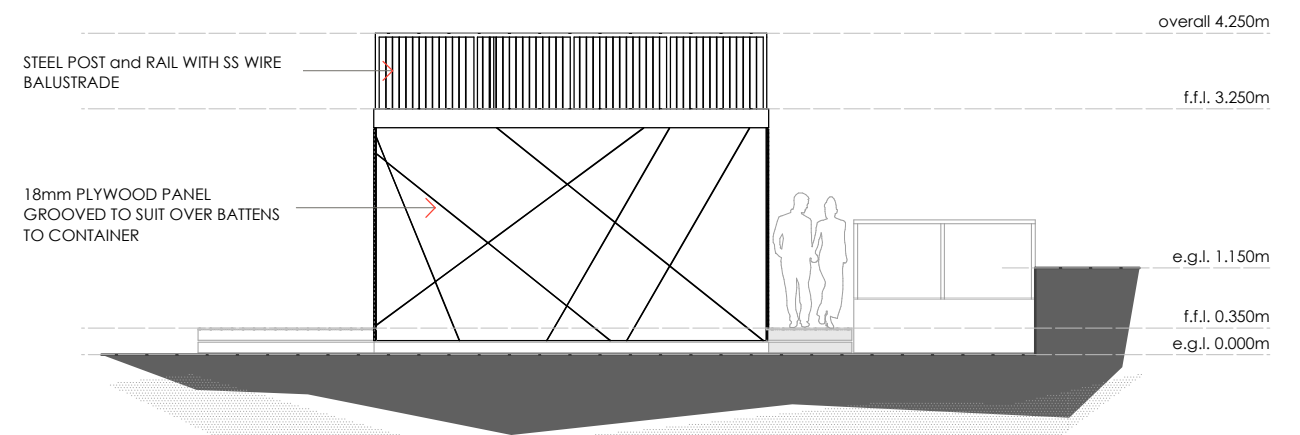
Elevation 1.
Scale 1:100



Elevation 2.
Scale 1:100



Elevation 3.
Scale 1:100



Elevation 4.
Scale 1:100



LDSGN
architecture

Proposed New Building

Ropes Course, LAKE TEKAPO

drawing

Proposed Elevations

scale

As shown.
Sheet size A3.

file

25.023
26.08.25.

sheet

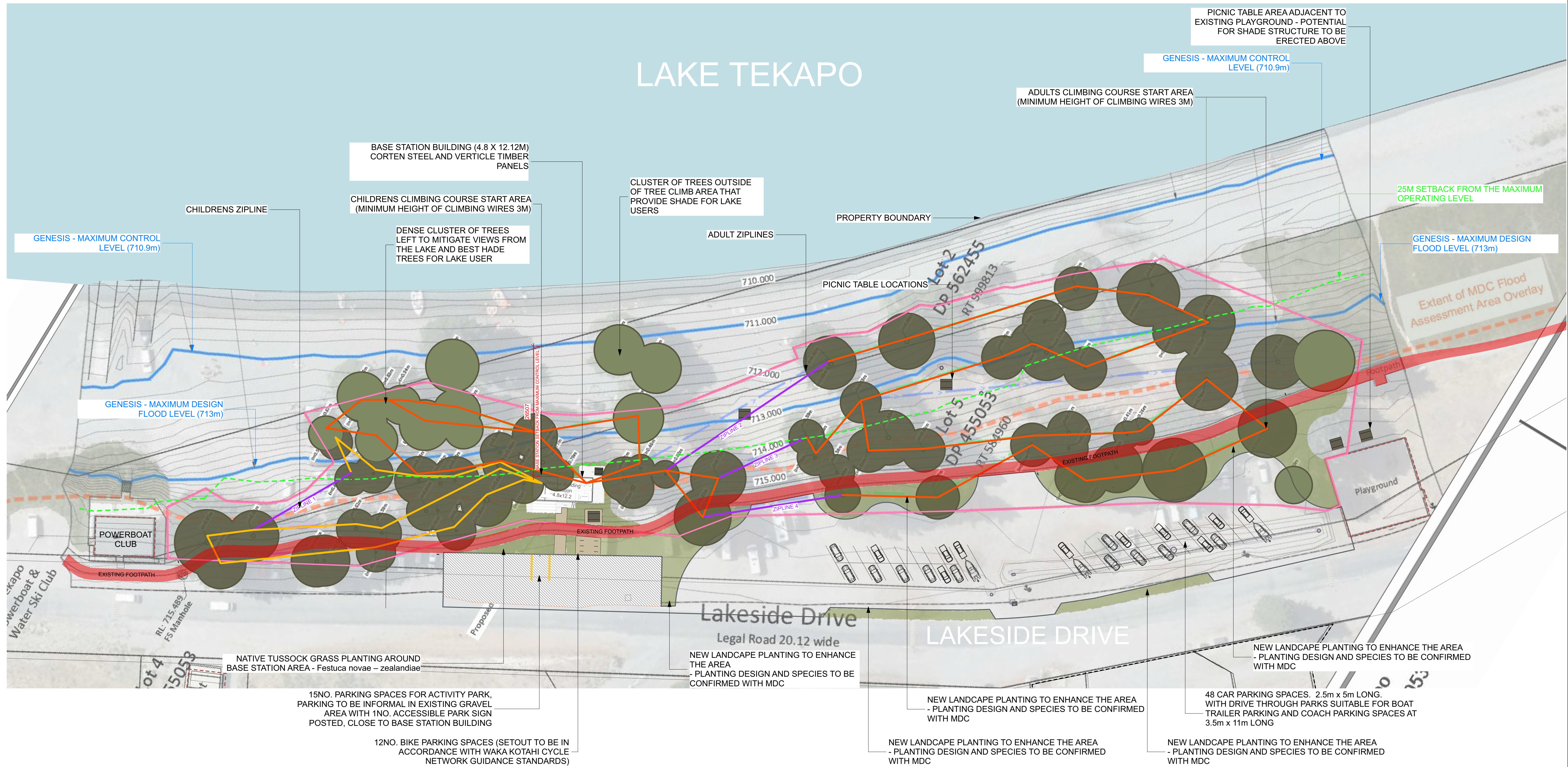
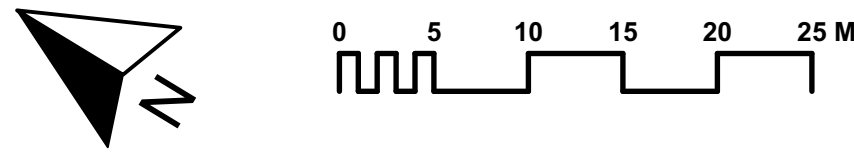
C1.2

Issue

Conceptual
Issue

ALL MEASUREMENTS TO BE CONFIRMED ON SITE BEFORE COMMENCING ANY CONSTRUCTION .

APPENDIX 4 – REVISED SITE PLAN



LANDSCAPE KEY



Landscape Design &
Construction

t 022 199 1944
w www.dwg.co.nz
p 2/14 Gerald Street, Lincoln

REVISIONS

DATE	REV	DESCRIPTION

PROJECT TITLE

Lake Tekapo Tree Climb
Lake Tekapo

DRAWING TITLE

Ropes Course Conceptual Layout

SCALE

1:400 @ A1 & 1:800 @ A3

STAGE

Concept

DATE

25.08.2025

JOB NO.

2308

DWG NO.

SIT_002

DESIGNED

CS / JW

DRAWN

CS

REV

C

DWG
LANDSCAPE ARCHITECTURE &
OUTDOOR KITCHENS