



**ADDERLEY  
HEAD**

ENVIRONMENTAL LAW SPECIALISTS

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## SUBMISSION ON APPLICATION FOR RESOURCE CONSENT

Section 96 of the Resource Management Act 1991

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**To:** The Mackenzie District Council  
PO Box 52  
Main Street  
Fairlie 7949

**Submitter:** Body Corporate Mantra Lake Tekapo  
  
C/- Adderley Head,  
Attention: Juliette Derry

**Applicant:** Sunshine Housing (2016) Limited

**Consent Type:** Land use

**Proposed Activity:** Visitor accommodation units and associated landscaping and car parking.

**Application Ref:** RM180111



## SUBMISSION ON APPLICATION FOR RESOURCE CONSENT

### Submitter

- 1 We act for the Body Corporate Mantra Lake Tekapo (the **Submitter**). The Submitter (collectively), owns the property at 1 Beauchamp Place, which is referred to in this submission as **Mantra Lake Tekapo**.
- 2 By way of background, Mantra Lake Tekapo was built in 2006. The complex contains 29 units, with visitor accommodation managed by the current operator; the Mantra Group. Currently the complex comprises a mix of visitor accommodation (22 units), private holiday accommodation (4 units) and permanent residences (3).
- 3 The Submitter is opposed to the proposal to which application RM180111 (the **application**) relates given the adverse environmental effects which will directly affect Mantra Lake Tekapo.

### Application to which Submission Relates

- 4 Resource consent to construct, operate and maintain 17 visitor accommodation units, to house up to 85 visitors, with associated landscaping and car parking (the **proposal**) at 5 Pioneer Drive, Tekapo (the **site**), submitted on behalf of Sunshine Housing (2016) Limited (the **applicant**).

### Detail of Submission

- 5 Mantra Lake Tekapo immediately adjoins the site on its southern boundary.
- 6 The Submitter is opposed to the proposal. The overarching concern for the Submitter is the adverse environmental effects resulting from the intensity and scale of the proposal, which is to house 85 guests in 17 units.
- 7 The proposal is a marked departure from the current visitor accommodation located on the Site and out of keeping with both; the existing residential area and what is anticipated within the residential zone.

### Use of Subdivision Example as a "permitted baseline"

- 8 The application refers to the permitted baseline test under sections 95D(b) and s104(2) RMA. While the application correctly acknowledges that the permitted



baseline does not include controlled activities, the application asserts the permitted baseline is:<sup>1</sup>

*...useful for the purposes of acceptability of effects to examine what could readily be established on the site.*

- 9 The assessment of effects provided in the application, and the supporting expert assessments, rely heavily on this premise of being able to disregard effects that could arise in the "permitted baseline/development scenario" outlined in the application. It is wrong in law to use the permitted baseline test in this manner to disregard effects, given the "permitted baseline/development scenario" requires subdivision of the site, which is not permitted in the Mackenzie District Plan (Plan).
- 10 The individual conclusions in the application regarding effects are referenced in the "Effects" section below, including where the incorrect application of the permitted baseline renders these conclusions inaccurate.

## Effects

The adverse effects of the proposal on the Submitter's Property include the following:

### Visual Amenity & Privacy

- 11 The proposal will result in adverse visual amenity effects and privacy effects for the occupants of Mantra Lake Tekapo.
- 12 The Rough and Milne landscape assessment (**landscape assessment**) supporting the application misapplies the permitted baseline test by using a hypothetical "development scenario":<sup>2</sup>

*The following [visual] assessment is undertaken with consideration of the permitted baseline (refer section above) rather than the actual existing environment, which is largely underdeveloped as compared to what could be developed pursuant to the District Plan.*

- 13 As a result the landscape assessment does not properly consider the effects of the proposal.

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<sup>1</sup> At paragraph 42

<sup>2</sup> At page 11, paragraph 7



- 14 Additionally, the AEE and landscape assessment do not assess the potential effects of the proposal on the visual amenity and privacy of users of the Mantra Lake Tekapo property. The landscape assessment explicitly states that:<sup>3</sup>

*In addressing the matter of amenity values, this assessment is confined to those of a visual nature from public places.*

- 15 The proposed changes in the scale and intensity of the buildings on the site will result in adverse visual amenity effects for Mantra Lake Tekapo units, particularly those located adjacent to the shared site boundary.
- 16 There are specific factors which exacerbate the effects of the proposal on the visual amenity enjoyed by the Mantra Lake Tekapo complex, including the topography of the site. In particular, the rear of the site slopes upward away from Mantra Lake Tekapo.
- 17 Currently, properties surrounding the site, and also located within the Residential 1 zone, are low density residential properties, with the site itself containing a dwelling and cottage (used for visitor accommodation), outbuildings and a large area of unoccupied open space, particularly to the rear of the site (boundary with the Mantra Lake Tekapo property).
- 18 The change at the rear of the site from a broad open space to a space dominated by buildings (at least seven of the units will be immediately visible from Mantra Lake Tekapo) will result in adverse visual amenity impacts.
- 19 The privacy experienced at Mantra Lake Tekapo will also be adversely effected. The proposed units are 5.1 metres in height, and have a mezzanine/first floor with clear glass to allow for stargazing. The Submitter is concerned that these stargazing vantage points will look directly into the two levels of the Mantra Lake Tekapo apartments along the site boundary, and down onto the outside seating areas provided for Mantra Lake Tekapo occupants.

#### Character & Amenity Effects

- 20 The Submitter is also concerned about the overall adverse character and amenity impacts resulting from the proposal being approved in this location. The scale and intensity of the proposal is out of keeping with the surrounding low scale residential properties and both the residential and open character of the location.

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<sup>3</sup> At page 11, paragraph 4



- 21 The landscape assessment includes considerations which indicate that the proposal will detract from the character and amenity of the location, which is enjoyed by Mantra Lake Tekapo. In particular the landscape assessment:
- (a) describes the area being characterised by open form and character and being highly sensitive to change and any departure from the standards in the Plan; and
  - (b) considers that "for local residents familiar with Pioneer Drive the visual effects will be immediately obvious"<sup>4</sup>, and that "overall from an immediate close proximity the proposed development will result in moderate adverse effects on amenity".
- 22 Additionally, the AEE and landscape assessment conclusions, regarding the potential visual amenity effects on the public space, are undermined by the limited consideration given to effects over and above those associated with a "development scenario".

#### Noise

- 23 The proposal will result in adverse noise effects for Mantra Lake Tekapo occupants, as a result of the activities and movements of the large number of guests who will be accommodated on the Site.
- 24 The application confirms that predicted noise levels experienced at the Mantra Lake Tekapo boundary exceed the allowances in the Plan for noise emissions from visitor accommodation.
- 25 The Submitter is particularly concerned about night time noise, with the very likely scenario of guests frequently visiting the Mt John observatory at night, involving numerous people and vehicle movements late in the evening.

#### Traffic

- 26 The proposal will result in the increase of traffic movements on the site and on the surrounding roads.
- 27 Mantra Lake Tekapo will experience the adverse effects of increased traffic movement both:



- (a) Onsite - as it is adjacent to Mantra Lake Tekapo and occupants will see and hear on-site traffic and /or headlights (glare); affecting amenity and quiet enjoyment in a negative way; and
- (b) Off-site - as users of the surrounding roads and walkways, the increased car movements on Pioneer Drive, SH 8 and potentially Beauchamp Place will adversely affect the amenity and quiet enjoyment enjoyed by Mantra Lake Tekapo. Safety may also be an issue, with the increased number of cars in this location. Notably the proposal breaches queuing space rules; showing that vehicle congestion on-site will spill onto the road.

28 The Submitter further disagrees that a certain level of traffic can be discounted because of the "baseline development" (the traffic assessment provided in support of the application misapplies the permitted baseline, discounting the effects of the "baseline development").

#### Effects on Infrastructure Network

29 The Submitter is concerned with the potential effects of the proposal on the infrastructure in the area through increased demand or loading on roading, wastewater, telecommunications and power services and consequential adverse impacts this may have for existing properties, such as the Mantra Lake Tekapo.

#### **Consistency with the relevant objectives and policies**

30 As a consequence of the adverse environmental effects of the proposal, the proposal is contrary to a number of objectives and policies of the District Plan, including those outlined below.

#### ***Section 6 – Residential***

##### ***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.*

The proposal is contrary to this objective given the significant adverse amenity (and potentially safety) effects which a proposal of this scale and intensity will have. The proposal will detract from the pleasant residential amenity of this location.

##### ***Policy 1A – Bulk and Location of Building***

The proposal is contrary to this policy. The building design proposed is not consistent with the Lake Tekapo Design Guidelines, and will be



*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.*

noticeably inconsistent with the surrounding residential properties.

***Policy 1B – Density and Scale***

*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.*

The proposal is contrary to this policy. The proposal comprises the construction of 16 additional dwellings, with the overall result on the Site, being one of a large number of buildings as opposed to maintaining open space. The proposal is a substantial departure from the existing scale and density of surrounding land within the Residential 1 zone, and the 'Environmental Results Anticipated' as part of Policy.

***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.*

This policy has little relevance to the proposal, as the Residential 1 zone is the primary zone for consideration.

***Policy 1E – Activities***

*To ensure that activities in residential areas do not adversely affect the natural and physical environment, the safety of residents and the pleasantness and amenity enjoyed in these areas.*

The proposal is contrary to this policy, having regard to the conclusions above regarding the adverse environmental effects of the proposal.

***Residential - Objective 2 - Non***

***Residential***

***Activities***

*Non-residential activities in residential areas which are necessary to meet the*

The proposal is contrary to this objective. The proposal will detract from the amenity (and potentially safety) of the area for the reasons outlined above.



*needs of people and the community but do not detract from the amenity and safety of the area.*

***Policy 2C – Visitor Accommodation***

*To enable the establishment of visitor accommodation activities, particularly in the*

*Residential 2 Zone in a manner that protects and is compatible with the residential character and amenity of the zone, and avoids, remedies or mitigates adverse effects.*

The proposal is contrary to this policy. It will not protect nor is it compatible with the residential character and amenity of the Residential 1 zone. The scale and intensity of this visitor accommodation proposal is a significant departure from that anticipated in the Residential 1 zone.

***Section 14 – Temporary Activities and Buildings and Environmental Noise***

***Objective - Noise Objective***

*To ensure the effects of noise upon people are not adverse to their health.*

The proposal is contrary to this objective. The noise assessment disregards the standards set in the Plan and the application does not provide adequate mitigation for the Mantra Lake Tekapo property.

**Non-Complying Activity Status / Protecting the Environment**

- 35 As the proposal is a non-complying activity, pursuant to section 104D RMA consent may only be granted where either the adverse effects of the proposal on the environment will be minor, or the proposal will not be contrary to objectives and policies of the Plan.
- 36 In this instance, the proposal does not pass the first threshold test of section 104D as a consequence of the adverse effects the proposal will have on the environment. Similarly, and given the objective and policy framework focus on protecting the environment from adverse effects, this proposal does not pass the second threshold test.
- 37 In addition, grant of consent to the proposal would create Plan integrity issues.



### **Decision Sought**

38 The Submitter seeks for the application be declined for reasons including, but not limited to;

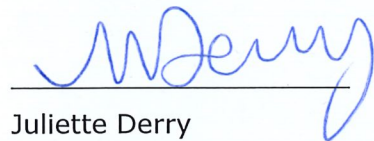
- (a) The proposal will have adverse effects that are more than minor;
- (b) The proposal is contrary to the objectives and policies of the Plan; and
- (c) The grant of consent to the proposal would undermine the integrity of the Plan.

### **Conclusion**

39 The Submitter does wish to be heard in support of this submission.

40 If others make a similar submission, the Submitter will consider presenting a joint case with them at the hearing.

Dated 19 December 2019



Juliette Derry

Counsel for and on behalf of  
Body Corporate Mantra Lake Tekapo

### **Address for service:**

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15 Worcester Boulevard, Christchurch 8013

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Contact person: Juliette Derry

E: [juliette.derryr@adderleyhead.co.nz](mailto:juliette.derryr@adderleyhead.co.nz)



# SUBMISSION FORM

Under the Resource Management Act 1991



## SUBMITTERS DETAILS

**Submitters Full Name/Company/Trust:**  
Margaret Elizabeth Shand

**Contact Name:** ME Shand

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**Postal Address\*:**

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420 Wai-iti Rd.,  
Gleniti  
Timaru 7910

Tick if postal address is preferred  
method of correspondence\*: ☒ yes X

**Phone numbers:** Day 036861703

Mobile

\* Our default method of corresponding with you is by email and phone. Alternatively, if you wish to receive correspondence by post (including any decision) please provide a postal address and tick the relevant box above.

## ADDRESS FOR SERVICE (if different from the submitter's details)

**Company:**

**Contact Name:**

**Email address\*:**

**Postal Address\*:**

Tick if postal address is preferred  
method of correspondence\*: ☐

**Phone numbers:** Day

Mobile

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## DETAILS OF APPLICATION BEING SUBMITTED ON

**APPLICANT'S NAME:** Sunshine Housing (2016) Limited

**RM REFERENCE:** 180111

**DESCRIPTION OF PROPOSED ACTIVITY:** CONSTRUCTION OF 16 VISITOR ACCOMMODATION UNITS IN THE RESIDENTIAL 1 ZONE AND CONVERSION OF AN EXISTING BUILDING TO A SERVICE CENTRE, MANAGERS RESIDENCE AND VISITOR ACCOMMODATION UNIT



## MY SUBMISSION

Please indicate whether you support, oppose or are neutral to the application or specific parts of it (Tick):

OPPOSE -yes

☐☐☐

My submission is (the particular parts of the application I support or are opposed to are):

I am against this proposal in its entirety.

(Attach separate sheet as required)

The reasons for my submission (the reasons I support or oppose the particular parts of the application above):

1. Not suitable for R1 zoning/this area.
2. My husband and I ran a small homestay business on this street and people often commented on how wonderful the area was, and that they hoped it would be protected and stay like this ie. No intensive developments on like front along from the church.

My submission would be met by the Council making the following decision (give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought):

No development breaching R 1.

(Attach separate sheet as required)



## DECLARATIONS

Please indicate whether or not you are a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (tick):

☐ I *am not* a trade competitor ☐

If you are a trade competitor, please indicate whether or not are directly affected by an effect of the subject matter of the submission that

(a) Adversely affects the environment; and

(b) Does not relate to trade competition or the effects of trade competition (tick):

☐ ☐ I *am not* directly affected

Please indicate whether or not you wish to be heard at the hearing in support of your submission (note you will only be notified of a hearing if you have indicated you wish to be heard) (tick):

☐ ☐ I *do not* wish to be heard

If others make a similar submission, I will consider presenting a joint case with them at a hearing (tick):

☐ ☐ No

M E Shand

*Signature of Submitter (or person authorised to sign  
on behalf of the submitter)\**

19/12/19

*Date*

\*If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

\*A signature is not required if you make your submission electronically.



## NOTE TO SUBMITTER

If you are making a submission to the Environment Protection Authority, you should use form 16B. The closing date for serving submissions on the consent authority is the 20<sup>th</sup> working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.

You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.

If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.

If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the hearings commissioner or commissioners.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- ✓ it is frivolous or vexatious:
- ✓ it discloses no reasonable or relevant case:
- ✓ it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- ✓ it contains offensive language:
- ✓ it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.



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# SUBMISSION FORM

Under the Resource Management Act 1991



## SUBMITTERS DETAILS

Submitters Full Name/Company/Trust:

**Tim & Penny Rayward**

Contact Name: **Tim Rayward**

Email address\*: **timrayward@gmail.com**

Postal Address\*:

**P.O. Box 42  
LAKE TEKAPO**

Tick if postal address is preferred  
method of correspondence\*: ☐

Phone numbers: Day **03 6806 597**

Mobile **0210767196**

\* Our default method of corresponding with you is by email and phone. Alternatively, if you wish to receive correspondence by post (including any decision) please provide a postal address and tick the relevant box above.

## ADDRESS FOR SERVICE (if different from the submitter's details)

Company:

Contact Name:

Email address\*:

Postal Address\*:

Tick if postal address is preferred  
method of correspondence\*: ☐

Phone numbers: Day

Mobile

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## DETAILS OF APPLICATION BEING SUBMITTED ON

APPLICANT'S NAME: **Sunshine Housing (2016) Limited**

RM REFERENCE: **180111**

DESCRIPTION OF PROPOSED ACTIVITY: **CONSTRUCTION OF 16 VISITOR ACCOMMODATION UNITS IN THE RESIDENTIAL 1 ZONE AND CONVERSION OF AN EXISTING BUILDING TO A SERVICE CENTRE, MANAGERS RESIDENCE AND VISITOR ACCOMMODATION UNIT**



## MY SUBMISSION

Please indicate whether you support, oppose or are neutral to the application or specific parts of it (Tick):

SUPPORT ☐

OPPOSE ☒

NEUTRAL ☐

My submission is (the particular parts of the application I support or are opposed to are):

See attached letter

(Attach separate sheet as required)

The reasons for my submission (the reasons I support or oppose the particular parts of the application above):

See attached letter

(Attach separate sheet as required)

My submission would be met by the Council making the following decision (give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought):

**Not issue consent.**

(Attach separate sheet as required)



## DECLARATIONS

Please indicate whether or not you are a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (tick):

☐ I am a trade competitor



I am not a trade competitor

If you are a trade competitor, please indicate whether or not are directly affected by an effect of the subject matter of the submission that

(a) Adversely affects the environment; and

(b) Does not relate to trade competition or the effects of trade competition (tick):

☐ I am directly affected



I am not directly affected

Please indicate whether or not you wish to be heard at the hearing in support of your submission (note you will only be notified of a hearing if you have indicated you wish to be heard) (tick):



I wish to be heard



I do not wish to be heard

If others make a similar submission, I will consider presenting a joint case with them at a hearing (tick):



Yes



No



Signature of Submitter (or person authorised to sign  
on behalf of the submitter)\*

19.12.2019

Date

\*If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

\*A signature is not required if you make your submission electronically.



We oppose this application by Sunshine Housing (2016) Limited.

The reasons for opposing the application are:

1. While the design of the units is reasonably attractive the scale and density of the development and proposed maximum occupancy is totally inappropriate in a Residential 1 area even with the proposed mitigations. Already the area around Pioneer Drive is under considerable pressure from tourist traffic, both foot & vehicular. Attempts are being made to address these issues through limiting parking and reducing access around the Church, this proposed commercial development is totally contrary to what is trying to be achieved.

The current level of accommodation/commercial activity on properties within the zone is already causing issues for residents and not meeting the desired outcomes of an area zoned RES 1. We experience constant intrusions from tourists looking for accommodation to the point we have had to construct signage and place road cones to discourage tourists from entering our property. In extreme examples residents have found tourists actually inside their houses unpacking in bedrooms and in at least one case a group stayed overnight in some ones house without their knowledge or permission.

Any further development of this nature can only add to this situation. The whole idea of zoning is to avoid these types of issues.

2. We have serious concerns that the parking provisions on the proposed development are inadequate. There do not appear to be enough parks for the total number of units and likely occupancy, access is also very restricted and doesn't allow for any mini bus / small coach groups. It is likely any service vehicles would need to try and park on the street. Pioneer Drive does not have any room for on street parking and the likely number of movements on the drive way to Pioneer Drive is of serious concern.
3. A large scale development like this will set precedence for allowing future high-density tourist accommodation in RES 1 area's. Once again these areas in Tekapo are already experiencing a real loss of living enjoyment for permanent residents because of the increasing density of visitor accommodation infused in residential areas.
4. The planners have said the site is conveniently close to commercial areas within Tekapo. In fact, for Tekapo, it is not convenient and would add considerable congestion around the Church, bridge intersection and current residential traffic flows around the lakefront.

We request that the MDC reject this application for high density commercial accommodation in an area zoned RES 1.



# SUBMISSION FORM

Under the Resource Management Act 1991



## SUBMITTERS DETAILS

**Submitters Full Name/Company/Trust:**

Walter & Zita Speck

**Contact Name:** Walter & Zita Speck

**Email address\*:** speck@xtra.co.nz

**Postal Address\*:**

P.O. Box 2

Lake Tekapo

Tick if postal address is preferred  
method of correspondence\*: ☐

**Phone numbers:** Day 03 6806 774

Mobile 027 379 89 68

\* Our default method of corresponding with you is by email and phone. Alternatively, if you wish to receive correspondence by post (including any decision) please provide a postal address and tick the relevant box above.

## ADDRESS FOR SERVICE (if different from the submitter's details)

**Company:**

**Contact Name:**

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**Postal Address\*:**

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## MY SUBMISSION

Please indicate whether you support, oppose or are neutral to the application or specific parts of it (Tick):

SUPPORT ☐ **OPPOSE** ☒ NEUTRAL ☐

My submission is (the particular parts of the application I support or are opposed to are):

To accommodate up to 85 persons on this Res 1 section is exaggerated:

- It alters the “appeal” of Pioneer Drive.

The reasons for my submission (the reasons I support or **oppose** the particular parts of the application above):

- The traffic/parking issues are not properly addressed: eg. There is not enough car parking for up to 80 visitors and staff.
- Where is the parking if 80 visitors arrive in 40 cars or in 2 coach buses (where is the on-site car park in this case)?

My submission would be met by the Council making the following decision (give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought):

- Reduction of the number of buildings and max. visitor numbers.
- Have adequate on-site parking for all visitors and staff.

(Attach separate sheet as required)



## DECLARATIONS

Please indicate whether or not you are a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (tick):

☒ **X I am a trade competitor** ☐ I am not a trade competitor

If you are a trade competitor, please indicate whether or not are directly affected by an effect of the subject matter of the submission that

(a) Adversely affects the environment; and

(b) Does not relate to trade competition or the effects of trade competition (tick):

☐ I am directly affected ☒ **X I am not directly affected**

Please indicate whether or not you wish to be heard at the hearing in support of your submission (note you will only be notified of a hearing if you have indicated you wish to be heard) (tick):

☐ I wish to be heard ☐ I do not wish to be heard

If others make a similar submission, I will consider presenting a joint case with them at a hearing (tick):

☒ **Yes** ☐ No

Walter Speck

20.12.2019

*on behalf of the submitter)\**

*Date*

\*If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

\*A signature is not required if you make your submission electronically.



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Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

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- ✓ it discloses no reasonable or relevant case:
- ✓ it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- ✓ it contains offensive language:
- ✓ it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.



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**MACKENZIE DISTRICT COUNCIL**

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[www.mackenzie.govt.nz](http://www.mackenzie.govt.nz)

# RESOURCE CONSENT SUBMISSION FORM

Under the Resource Management Act 1991

## Submitters Details

Submitters Full Name/Company/Trust: Teresa Joy McConchie

Contact Name: Tj McConchie

 Email address\*: [tjmc.tekapo@gmail.com](mailto:tjmc.tekapo@gmail.com)

 Postal Address\*: PO Box 167,  
Lake Tekapo 7945.

 Tick here if postal address is preferred \*: ☐

Phone numbers: Day

Home 036806906 Mob: 0274862489

*\* Our default method of corresponding with you is by email and phone. Alternatively, if you wish to receive correspondence by post (including any decision) please provide a postal address and tick the relevant box above.*

## Address for Service (if different from the submitter's details)

Company:

Contact Name:

Email address\*:

Postal Address\*:

 Tick here if postal address is preferred \*: ☐

Phone numbers: Day

Mobile

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## Details of Application Being Submitted on

Applicant's Name: Sunshine Homes (2016) Ltd

RM Reference: RM 180111

Description of Proposed Activity: To build 17 visitor accommodation units at 5 Pioneer Drive to accommodate a maximum of 85 guests in a Residential 1 zone in Lake Tekapo.



## My Submission

Please indicate whether you support, oppose or are neutral to the application or specific parts of it (Tick):

☐ Support

☒ Oppose

☐ Neutral

My submission is (the particular parts of the application I support or are opposed to are):

(Attach separate sheet as required)

I do not support this application as the intention is to have a high density “village” complex within a Residential 1 zone on Pioneer Drive where there is traditional low density housing is completely out of character and will be a precedent for changing the nature of what residents and tourists alike value. If visitors want high density and busy foreshores they go to Wanaka and Queenstown, but feedback Tekapo accommodation providers consistently get is their guests love Tekapo for the rural, peaceful aspects and wide open spaces. This application does not comply with the Mackenzie District Plan with multiple breaches as described below. If the applicant had applied for a boutique accommodation for up to a maximum of 30 persons in keeping with the character, ambience and other characteristics of Pioneer Drive then this could have been considered subject to remedies for the breaches of the District Plan.

***The name TEKAPO STARRY VILLAGE describes the proposal to have a 17 units plus a managers residence on ONE section in a Residential 1 zone where the District Plan provides for low scale residential development.***

1. SET BACKS are breached.
2. SITE COVERAGE is breached.
3. HEIGHT RULES are breached.
4. PARKING coverage allows for 20 vehicles – or more - on one residential section.
5. THE CONDITION required by MDC if consent were to be granted anticipates problems with noise management; guest awareness that they are in a Residential 1 zone, not a commercial accommodation area and potential guest behaviour issues.
6. THE JUSTIFICATION OF SUBDIVISION OPTION as an alternative is questioned.
7. THE USE OF RESIDENTIAL 2 within the application to imply the land in question is a mix of Residential 1 and 2 zoning cannot be justified.
8. THE ENVIRONMENTAL IMPACTS are substantial rather than “marginal” or “minor”. Stormwater drains able to enter Lake Tekapo carrying contaminants from vehicles are no solution, but carry a precedent for more development on the lakefront which would require more stormwater drains. All over New Zealand we need to protect our waterways, not mitigate after the event for bad decisions. For MDC to make a condition of an Activity Management Plan after the event simply compounds bad decisions made in Lake Tekapo while giving the Applicant expectations that Resource Consent may possibly be granted.
9. THE INTERPRETATION OF POLICY 2C VISITOR ACCOMMODATION to justify high density accommodation in Residential 1 zoning is very questionable. To use the fact that less than 2% of the land area is in Residential 2 is exploiting a loophole to claim the section is a mix of Res 1 and 2, therefore appropriate to build high density accommodation. Sections in Mt John Subdivision are



also a mix of Tourist and Residential. This does not mean a section predominantly Residential 1 can be classed as Tourist Zone so what is the difference? The applicant can build accommodation on the 47 sqm labelled Res 2 only.

10. THE e2ENVIRONMENTAL REPORT has serious flaws.

The reasons for my submission (the reasons I support or oppose the particular parts of the application above):

(Attach separate sheet as required)

**Overview:** The Mackenzie District Council Plan (2004) states the overall purpose of the provision of Residential 1 zoning.

- ***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.***

Application RM180111 is clearly not going to maintain “ample open space and the existing scale and medium density” of Pioneer Drive. While argument could be made that there are already two existing accommodation businesses, namely Parkhead Motels and The Chalet, these businesses would have a maximum of 26 guests each at any one time. The proposed maximum of 85 persons to be accommodated on one residential section in this location is a commercial development suited only to Residential 2 or Tourist zoning.

1. **Breach of setbacks:** The application acknowledges that in order to accommodate the high density of units plus parking, boundary setbacks will be breached. This also means that some of the large and medium size trees (of which there are too few in Tekapo) will be removed changing the ambience and amenity value for those living in this area and changing the amenity value for those visiting and enjoying the sense of space and openness for which this area of Tekapo is renowned. The breach of setbacks cannot be considered as having a “minor” impact if one is an adjacent neighbour where the acoustic fence will not remove the noise effects of having commercial guests right on the fence line.
2. **Site Coverage:** The application seeks to justify the high density impact of 17 accommodation units by stating the unit ground coverage is small and that parking and low level landscaping will mitigate and provide a sense of space. This would be an effective argument if this was a Residential 2 development. 17 units on 4047 sqm is



high density and is substantially different from any other development on Pioneer Drive or any other Residential 1 zone development in Tekapo. If approved this consent would be setting a new precedent for intensive commercial development in Residential 1 zones throughout Tekapo. In effect there would be no areas where residents could feel safe from intensive scale visitor accommodation development.

3. **Height of Units:** The application states the minor residential units “marginally exceed” the permitted height of 4.00m. The breach of the height rule is 1.2m with the height requested being 5.2m to allow for a night sky viewing option. 1.2m is more than a 25% increase on the allowed height. 25% is not marginal and should be considered substantial with 17 units proposed to exceed the height allowed. This is a further breach of the MDC policy for Residential 1 and the accumulation of breaches means the effects are substantial.
4. **Parking and Vehicle Movements:** The application allows for 20 parks, approximately one parking space per unit. Each unit may accommodate 5 persons plus there will be parking required for the manager’s unit. Two persons per vehicle is the most common mode of transport therefore more than 20 parks may be required. Where will the surplus parking be? Other guests will travel in larger people mover vehicles and at times camper vans. Where is the space for larger vehicles to park? Access to the “Glade” is not clear, will camper vans be permitted access down a short steep hillside. Access to the Glade may be very difficult in winter conditions with snow hampering vehicle movements, where will these vehicles park in these circumstances? Any surplus parking on Pioneer Drive would be both dangerous (in winter conditions) and totally against the amenity value of Residential 1. The application is not compliant re mobility parking with no space specifically marked rather relying on the manager to guide a driver requiring a mobility park to a suitable space. This is not acceptable. Mobility parking users need to have a clearly marked space to welcome them.

**p63 Novo Report. “Lastly, it is reiterated that the District Plan anticipates that the site could be developed for seven residential units. An average residential unit generates approximately 10 vehicle movements per day, and as such the 62 trips from the visitor accommodation activity (and resulting amenity effects) will be similar to the approximately 70 trips per day that could be expected from a residential activity.”**

The District Plan does not “anticipate” 7 small residential units. The plan specifically states that Residential 1 areas will be low to medium density with ample open space. The large 4000m sections with other 1000m sections were put in place along Pioneer Drive to deliberately create the open space and special character of Pioneer Drive.



*“An average residential unit generates approximately 10 vehicle movements per day”*. This may be true in a city. In Tekapo two vehicle movements **per week** was common for many residents. Everyone walks and some cycle. Very few locals need to use their vehicles every day. For young families school drop off and pick up with a visit to the supermarket en route would be the norm.

The proposed village complex development with 17 units plus a managers residence could have up to 140 vehicle movements per day with each unit having a departure, and arrival, a visit to the town/supermarket, a meal out, a night sky visit per visitor unit.

This would be the maximum end but over 100 vehicle movements per day would not be uncommon. This is substantially different to the current consent for 12 guests where up to 6 vehicles may create a maximum of 48 vehicle movements per day.

The above is based on local knowledge of Tekapo and visitor guest movements having lived in the Mantra complex for 9 years.

5. **The Condition (p13):** MDC has set out a condition for Sunshine Homes Ltd. In the event of a resource consent being granted the condition is to be met within 3 months. The condition is an Activity Management Plan which seeks to address the impact of adverse effects on adjoining landowners. Clearly MDC and the applicant anticipate issues for neighbours in a Residential 1 zone. The Condition includes a plan for noise management (acoustic fences being insufficient to manage noise levels), a guest awareness information plan to ensure guests know they are in a residential area not a commercial zone, a plan to manage inappropriate behaviour from guests (who are on holiday and may plan to party and/or stay up late to view the stars) and a request for a contact person from adjoining landowners who presumably will be required as part of their enjoyment of their residence to work to mitigate unwelcome noise and behaviour issues arising from the 85 guests staying in the Starry Village complex. This Condition requirement means MDC are fully aware that this application is not appropriate for Residential 1 and Sunshine Homes are aware that there will be issues arising from having a high density accommodation village within a quiet Residential area.

6. **Subdivision:**

**The Permitted Baseline** (p55 Novo Report) “The existing subdivision development pattern in the R1 zone along Pioneer Drive has resulted in a predominance of lots at 800 – 1000 m<sup>2</sup> with several larger lots of approximately 4000 m<sup>2</sup>. Currently there are 18 lots with 15 dwellings fronting Pioneer Drive. **Contrary to the existing development pattern under the MDP, subdivision rules permit lots of 400 m<sup>2</sup> in area along Pioneer Drive, each with one primary residential unit and one minor residential unit up to 50 m<sup>2</sup>.**

In the application by Sunshine Homes in the section **Assessment of Actual or Potential Effects on the Environment** there is example of the potential use of subdivision of the



land into a maximum of 7 individual parcels of land.

The applicant frequently refers to a “permitted baseline” using subdivision rules. This is a nonsense. Any subdivision of a residential 1 zone would be a non-complying activity and require resource consent. There is no guarantee that a subdivision application of the type proposed would be approved and resource consent granted. The argument that there is some kind of “permitted” level of subdivision is erroneous and misleading.

Under the current district plan with the emphasis on open space and a low to medium density environment the proposed subdivision would have a significant and unacceptable impact on the environment as almost all the large trees on the land would be cut down. The density of building proposed would be out of character for Pioneer Drive. The primary purpose of Residential 1 zoning is for residents to live with the open space and low to medium density building.

It should be noted that the Mackenzie District Plan was signed off in 2004 and due for review within 10 years. The District Plan is now indisputably out of date and no longer fit for purpose to provide guidance for the massive changes that have taken place in Tekapo and the Mackenzie District in the past decade. It is imperative the Council provides more protection for Residential 1 zoning in the new District Plan otherwise the whole of Tekapo may be Residential 2 and Tourist. The future of Tekapo must be part of the consideration of this application.

7. **Residential 2:** The application states the land is 4047sqm and a mix of Residential 1 and 2 zoning. This seeks to justify the higher density building and parking required for the development. The parcel of land is 4000 sqm and has always been zoned Residential 1. The previous owner of the land purchased a narrow strip that formed part of a paper road on the southern boundary adjacent to the Mantra fence. This means 47 sqm of the land was previously paper road. It defies logic to consider that this land suddenly became Residential 2 when the Mantra fence line forms the Residential 2 boundary. Why would this small piece of land not be absorbed into the Residential 1 zone to match the remaining 4000 sqm. This application from Sunshine Homes must be assessed entirely on the Residential 1 status of the land.

8. **Environmental Impact:** The application seeks to justify the proposal by stating that the environmental impacts are minor. There are large trees on the property. These would be cut down to allow for the development. This would have an immediate and irreversible visual impact. Large trees are rare in Tekapo and grow slowly. The overall visual scene on Pioneer Drive would change significantly. There is also a large trench to be dug down to the lakeshore with swales to be installed for stormwater overflow. Another irreversible change. Tussocks will eventually grow back over the trench but the swales will remain. Over time the swales will only be checked every 5 years – the



chance of contamination of the lake from oil spill from vehicles being flushed into the stormwater must be high. Vehicle movements in and out of the Starry village complex will substantially change the current pattern of vehicle movements. There are many large buses, campervans and tourist vehicles travelling down Pioneer Drive with acknowledged traffic hazards at the SH8 intersections. Additional tourist traffic from a high density accommodation complex provides another hazard for this area. The overall environmental impacts are substantial and unacceptable changing an “ample open space with medium density” to a high density set of buildings with traffic hazards especially in winter.

#### 9. The Interpretation of Policy 2C:

##### **MDC Policy 2C – Visitor Accommodation**

***To enable the establishment of visitor accommodation activities, particularly in the Residential 2 Zone in a manner that protects and is compatible with the residential character and amenity of the zone, and avoids, remedies or mitigates adverse effects.***

The application notes “that the MDC policy seeks to ‘enable’ visitor accommodation”. Particularly as it relates **to enabling visitor accommodation in the Residential 2 zone** (where the explanation and reasons for the policy note that this zone can more suitably absorb potential adverse effects (e.g. **noise, traffic generation and parking**) than the Residential 1, or 3 zones) it does not preclude establishing visitor accommodation in the Residential 1 zone.”

This submission agrees that Policy 2C does not preclude visitor accommodation in the Residential 1 zone but the permitted maximum number of guests at 6 makes clear the intent is not the same as for Residential 2 and Tourist zoning. There is a clear permitted limit. The purpose and intent of the District Plan is for Residential 1 zone to be a place for residents. The District Plan encourages people to live in the townships with ample space, amenity value and enjoyment of quiet space. Residents may create additional income by having a limited number of guests. The purpose of the District Plan is not for a non-resident owner to put in place a manager and create a high density visitor accommodation village in a Residential 1 zone.

No other developer (and there are many in Tekapo) has sought to use the District Plan and the “rules” in a manner to subvert the clear intent of the Residential 1 zone. Other developers have either applied to rezone an area to achieve their purpose or have purchased land zoned Tourist or Residential 2 to provide commercial level visitor accommodation.

In the Novo Report the applicant continues p 32:

*“The second part of the policy enables visitor accommodation where it ‘protects and is comparable with the residential character and amenity of the zone, and avoids, remedies or mitigates adverse effects’.*

*For the reasons outlined in the AEE (and the supporting traffic, lighting, noise, and visual and landscape assessment), it is considered that the proposal remedies and mitigates adverse effects.*

*As such it is considered that the proposal is consistent with the Policy 2C”.*

This statement would be true if the land in question was zoned Residential 2. It is misleading for this proposal to apply the intent of Policy 2C to Residential 1 zone land.

**“Policy 2C sets out to protect the residential character and amenity of the zone and to avoid, remedy or mitigate adverse effects.”** This statement alone from the Mackenzie District Plan should be sufficient to overturn this proposal. The residential character of Pioneer Drive will be irrevocably changed if this development were to proceed. The compounding effect of environmental changes and breaches of the plan (fewer trees, lakeside swales, possible lake



contamination, traffic hazards, noise effects, vehicle lights disturbance, high density accommodation effects) means that this proposal is not at all consistent with Policy 2C.

## APPENDIX e2ENVIRONMENTAL REPORT:

This report covers a range of important aspects with some positive comments but also with some flaws:

- **4.2.1 Design Discharges:** The report states that the discharges allow for 2.29 persons per large dwelling and 1 person per minor unit. While this may be the standard for city living for Tekapo there is over 85% occupancy of commercial and holiday home visitor accommodation. The whole purpose of this proposal is to maximise the return from visitor numbers. Even if the occupancy rate is nearer 75% the e2 report person allowance per unit is woefully inadequate.
- **The stormwater discharges:** The proposal to dig a deep trench and put pipes down to the lakeside and build swales to clean the storm water before it goes into the lake is of major concern. Is this foreshore area part of the protected heritage that extends from the Church of the Good Shepherd and the Dog Statue? This foreshore is certainly viewed by Tekapo residents as part of the iconic and special area to be preserved as part of old Tekapo and not for commercial development.
- **Water quality:** Water quality sampling will only be done 2 x per year for 2 years and then at 5 yearly intervals. This seems totally inadequate for a lake as pristine as Lake Tekapo that has international status for its blue clear clean water. To have stormwater accessing the lakeshore where run off could include contaminants from 20 vehicles per day x 7 days per week (potentially 500 vehicles per month) is of major concern.
- **Swale siting:** The agreement with Genesis allows the lake level to vary by several metres over the course of the year. Where will the swales be sited to allow for the lake levels to vary. If sited too low they will be flooded and contaminants easily enter the lake. If sited too high they will have seepage across an established walking track.
- **Inspection of Swales:** Inspection is every 6 months presumably by ECAN. If there are problems noted then checking on swales is by complaint. This is of significant concern for such a pristine lake as action by complaint is notably inconsistent.
- **Vehicle lights:** p63 "Annoyance from car headlights is highly unlikely". This is clearly not true for the Mantra units on the south boundary. Headlights from vehicles going down in to the "Glade" will shine directly into the bedrooms of the Mantra units. The "annoyance" factor could be high when cars return from night sky star gazing visits as they frequently do at times between midnight and 3.00am.

## CONCLUSION:

The applicant, Sunshine Homes Ltd, has previously received consent for 12 guests for the site, 5 Pioneer Drive. Serious concerns were raised regarding this application including the lack of building consent for the work done to change the buildings in to 5 apartments.

Despite submissions opposing this consent it was held that the application was within the rules and consent granted. 12 guests in a Residential 1 zone property is not uncommon in Tekapo. 17 units on one residential site is unprecedented. It is of huge concern to residents in Tekapo that this application could open the doors for other developers that Residential 1 zoning has no protection in Tekapo for those planning high density visitor accommodation. The cumulative effects of the stated breaches, the environmental risks to lake quality, the impact on neighbours in terms of noise, traffic, lights, the visual changes to



the landscape means irrevocable changes to the amenity, ambience and iconic nature of Pioneer Drive and to the future of Residential 1 areas in Tekapo.

My submission would be met by the Council making the following decision (give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought):  
(Attach separate sheet as required)

The decision made by Council must be to not approve this application.

To be responsible and committed to its residents the Council should also place a moratorium on any applications for commercial level development in Residential 1 zones in the Mackenzie District until the new/revised District Plan is in place. The current District Plan is now 15 years since sign off. The pressure on land and building zones was not envisaged by planners in 2004. The current plan allows for 6 guests permitted and 12 guests discretionary in Residential 1 zones. There are areas in Tekapo where 12 overnight visitors per house is the norm. An example of this is Andrew Don Drive where mini-motels have been created, and absentee owners have no regard for the visual values of the Mackenzie, and large units leave limited landscaping areas. There are no long term residents living here. It is all visitor accommodation as section prices determined by accommodation providers able to get a return, meant most long-term residents were kept out of the market.

To accept a proposal for 85 guests in a Residential 1 zone would be to ignore the principles upon which the District Plan was based and to open the door for development activities that continue to erode the living space and amenity value for those who live in Tekapo.



## Declarations

Please indicate whether or not you are a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (tick):

☐ I am a trade competitor

☒ I am not a trade competitor

If you are a trade competitor, please indicate whether or not are directly affected by an effect of the subject matter of the submission that:

(a) Adversely affects the environment; and

(b) Does not relate to trade competition or the effects of trade competition (tick):

☐ I am directly affected

☐ I am not directly affected

Please indicate whether or not you wish to be heard at the hearing in support of your submission (*note you will only be notified of a hearing if you have indicated you wish to be heard*) (tick):

☒ I wish to be heard

☐ I do not wish to be heard

If others make a similar submission, I will consider presenting a joint case with them at a hearing (tick):

☐ Yes

☐ No

Tj McConchie

19 December 2019

**Signature of Submitter**

**Date**

**(or person authorised to sign on behalf of the submitter)\***

*\*If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.*

*\*A signature is not required if you make your submission electronically.*

## Note to Submitter

If you are making a submission to the Environment Protection Authority, you should use form 16B.

The closing date for serving submissions on the consent authority is the 20<sup>th</sup> working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.

You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.

If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.

If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the hearings commissioner or commissioners.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.



# SUBMISSION FORM

Under the Resource Management Act 1991



## SUBMITTERS DETAILS

Submitters Full Name/Company/Trust:

DONALD LONDON MCCONCHIE

Contact Name: DON

Email address\*: donmcconchie@gmail.com

Postal Address\*:

Box 167  
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Tick if postal address is preferred  
method of correspondence\*: ☐

Phone numbers: Day

Mobile

\* Our default method of corresponding with you is by email and phone. Alternatively, if you wish to receive correspondence by post (including any decision) please provide a postal address and tick the relevant box above.

## ADDRESS FOR SERVICE (if different from the submitter's details)

Company:

Contact Name:

Email address\*:

Postal Address\*:

Tick if postal address is preferred  
method of correspondence\*: ☐

Phone numbers: Day

Mobile

\* Our default method of corresponding with you is by email and phone. Alternatively, if you wish to receive correspondence by post (including any decision) please provide a postal address and tick the relevant box above.

## DETAILS OF APPLICATION BEING SUBMITTED ON

APPLICANT'S NAME: Sunshine Housing (2016) Limited

RM REFERENCE: 180111

DESCRIPTION OF PROPOSED ACTIVITY: CONSTRUCTION OF 16 VISITOR ACCOMMODATION UNITS IN THE RESIDENTIAL 1 ZONE AND CONVERSION OF AN EXISTING BUILDING TO A SERVICE CENTRE, MANAGERS RESIDENCE AND VISITOR ACCOMMODATION UNIT



## MY SUBMISSION

Please indicate whether you support, oppose or are neutral to the application or specific parts of it (Tick):

SUPPORT ☐ OPPOSE ☒ NEUTRAL ☐

My submission is (the particular parts of the application I support or are opposed to are):

I do not support any part of this application due to its high density nature within a residential 1 zone. It would destroy the character of Pioneer Drive which locals (myself) and visitors appreciate. It also would involve multiple breaches of the Mackenzie District Plan. I am sure others will identify the individual breaches but I am also sure the Council is well aware of them.

(Attach separate sheet as required)

The reasons for my submission (the reasons I support or oppose the particular parts of the application above):

- To ensure the qualities that attract residents and visitors <sup>to Lake Tekapo</sup> are not compromised.
- To ensure rules put in place to protect residents assets and lifestyle are adhered to by those charged with that task.
- To demonstrate that inappropriate development is not allowed to proceed.

(Attach separate sheet as required)

My submission would be met by the Council making the following decision (give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought):

The Council needs to make the applicant quite clear the requirements of Residential 1 and that the current application is totally out of character for that location and without significant modification totally unacceptable. There are too many breaches of the Mackenzie District Plan to mitigate.

(Attach separate sheet as required)



## DECLARATIONS

Please indicate whether or not you are a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (tick):

☐ I am a trade competitor ☒ I am not a trade competitor

If you are a trade competitor, please indicate whether or not are directly affected by an effect of the subject matter of the submission that

- (a) Adversely affects the environment; and  
(b) Does not relate to trade competition or the effects of trade competition (tick):

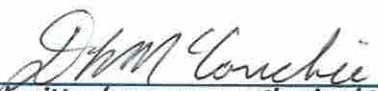
☐ I am directly affected ☐ I am not directly affected

Please indicate whether or not you wish to be heard at the hearing in support of your submission (note you will only be notified of a hearing if you have indicated you wish to be heard) (tick):

☐ I wish to be heard ☒ I do not wish to be heard

If others make a similar submission, I will consider presenting a joint case with them at a hearing (tick):

☐ Yes ☐ No

  
\_\_\_\_\_  
Signature of Submitter (or person authorised to sign  
on behalf of the submitter)\*

17/12/19  
\_\_\_\_\_  
Date

\*If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

\*A signature is not required if you make your submission electronically.



# SUBMISSION FORM

Under the Resource Management Act 1991



## SUBMITTERS DETAILS

**Submitters Full Name/Company/Trust:**  
THE MACKENZIE COOPERATING PARISH

**Contact Name:** REVEREND ANDREW MCDONALD

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\* Our default method of corresponding with you is by email and phone. Alternatively, if you wish to receive correspondence by post (including any decision) please provide a postal address and tick the relevant box above.

## ADDRESS FOR SERVICE (if different from the submitter's details)

**Company:**

**Contact Name:**

**Email address\*:**

**Postal Address\*:**

**Tick if postal address is preferred method of correspondence\*:** ☐

**Phone numbers:** Day

Mobile

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**RM REFERENCE:** 180111

**DESCRIPTION OF PROPOSED ACTIVITY:** CONSTRUCTION OF 16 VISITOR ACCOMMODATION UNITS IN THE RESIDENTIAL 1 ZONE AND CONVERSION OF AN EXISTING BUILDING TO A SERVICE CENTRE, MANAGERS RESIDENCE AND VISITOR ACCOMMODATION UNIT



## MY SUBMISSION

Please indicate whether you support, oppose or are neutral to the application or specific parts of it (Tick):

SUPPORT

☐

OPPOSE

☒

NEUTRAL

☐

My submission opposes the application on the following grounds:

Oppose the applicant's request to intensify the accommodation capacity on the grounds that this development will breach the District Plan's limits of occupancy within a Residential 1 Zone.

Oppose the applicant's request to increase the carparking at 5 Pioneer Drive on the grounds that it will exceed the car parking allowed under the District Plan and increase the traffic movements on Pioneer Drive.

The reasons for my submission and why I oppose the particular parts of the application above:

As custodians of The Church of the Good Shepherd (Category 1 Heritage) we have been working with the Mackenzie District Council since 2016 to ensure that the heritage zone on Pioneer Drive, Lake Tekapo is preserved and enhanced in keeping with the natural landscape and the heritage values first expressed by the builders of The Church of the Good Shepherd, and as expressed in the District Plan.

As current custodians of the church we continue to advocate for the vision of the original church building committee, that the church exists in harmonious relationship with the natural environment. We recognize that the cultural and heritage values of the church are appreciated by many who live in the New Zealand high country and by visitors to our region. It is our concern, therefore, that these same heritage values contribute to environmental and heritage conservation throughout the Mackenzie High Country and the township of Lake Tekapo.

In 2016 the MDC carried out a consultation with the church committee. This included developing a vision for church surrounds which recognized the importance of integration with the Pioneer Drive area as a whole. This consultation became the basis for the MDC's application for funding from the Tourism Infrastructure Fund (TIF). The purpose of the funding was for the "Protection and enhancement of character of Church of the Good Shepherd, Lake Tekapo" by improving "pedestrian access, reduce of impact of vehicle traffic, improve the quality of visitor experiences and protect the character and natural environment surround the Church of the Good Shepherd."

The MDC then contracted landscape architects *Daysbay Design* to develop a landscape plan for the surround of the church and dog statue. The concerns expressed in these designs can be applied to the area and region as a whole and demonstrate the need for wise and sensitive development, "Our beautiful landscape are a beacon for many parts of a high population world. Sites such as these need smart solutions and protections to ensure they continue to be places and experiences we admire and enjoy."

5 Pioneer Drive is of special heritage significance as its construction predates The Church of the Good Shepherd by six years and its distinctive architecture contributes to the special character of Pioneer Drive. This character would be lost if the proposed development were to be approved as outlined in the application.

Much was made within the TIF application of restoring the heritage area from Sealy St, around the Church and down along Pioneer Drive. This is our Golden Precinct and should absolutely be protected. Once it is gone, the exclusive heritage values that tourists apparently value so much and come to Lake Tekapo for will no longer exist. We note furthermore that the Residential 1 Zone was never intended to accommodate significant tourism operations, and the proposal will establish a dangerous precedent for future developments.

Against this background of heritage conservation we are concerned about the increase of vehicle traffic and the intensification of accommodation along Pioneer Drive. With the development of the Lake Tekapo Village in recent years the importance of preserving the lake front and the character of early-mid 20<sup>th</sup> century houses along Pioneer Drive has increased significantly. Would like to see 5 Pioneer Drive retained as a heritage home in the Tekapo area, and would only support resource consent applications that are sensitive to this vision.

In summary: The intensification of building on Pioneer Drive will irreparably devastate the built and natural heritage that contributes to the special character of Lake Tekapo. If this application is approved it will set a precedent for the future intensification of other R1 properties along Pioneer Drive closer to the proximity of the church.

(Attach separate sheet as required)



My submission would be met by the Council making the following decision (give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought):

Turning down the application on the grounds we have outlined above;

That this development will breach the District Plan's limits of occupancy within a Residential 1 Zone  
and,

That it will exceed the car parking allowed under the District Plan and increase the traffic movements on Pioneer Drive.

We would consider supporting any development proposal from the applicant, provided that the development:

1. Guarantees the conservation of 5 Pioneer Drive's original 1929 home,
2. Ensures retention of open space on the lake frontage of the property,
3. Enhances the native planting and regeneration and dark sky status of our high country environment,
4. That includes architecturally sensitive visitor accommodation on the rear of the property with an accommodation capacity in keeping with Residential 1 Zone
5. That proposes carparking in keeping with a Residential 1 Zone.



## DECLARATIONS

Please indicate whether or not you are a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (tick):

☐ I **am** a trade competitor ☒ I **am not** a trade competitor

If you are a trade competitor, please indicate whether or not are directly affected by an effect of the subject matter of the submission that

(a) Adversely affects the environment; and

(b) Does not relate to trade competition or the effects of trade competition (tick):

☒ I **am directly** affected ☐ I **am not** directly affected

Please indicate whether or not you wish to be heard at the hearing in support of your submission (note you will only be notified of a hearing if you have indicated you wish to be heard) (tick):

☒ I **wish** to be heard ☐ I **do not** wish to be heard

If others make a similar submission, I will consider presenting a joint case with them at a hearing (tick):

☒ Yes ☐ No



VICAR OF THE MACKENZIE COOPERATING PARISH

20.12.19

*Signature of Submitter (or person authorised to sign  
on behalf of the submitter)\**

*Date*

\*If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

\*A signature is not required if you make your submission electronically.



## NOTE TO SUBMITTER

If you are making a submission to the Environment Protection Authority, you should use form 16B.

The closing date for serving submissions on the consent authority is the 20<sup>th</sup> working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.

You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.

If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.

If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the hearings commissioner or commissioners.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- ☐ it is frivolous or vexatious:
- ☐ it discloses no reasonable or relevant case:
- ☐ it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- ☐ it contains offensive language:
- ☐ it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.



**MACKENZIE**  
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