

**BEFORE THE MACKENZIE DISTRICT PLAN HEARINGS PANEL**

**UNDER**

**the Resource Management Act 1991**

**AND**

**IN THE MATTER**

**Proposed Plan Changes 28, 29 and 30  
to the Mackenzie District Plan**

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**Statement of Evidence of Kimberley Anne Banks**

**On behalf of Tekapo Landco Limited and Godwit Leisure Limited**

**9 May 2025**

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## **Professional Details**

1. My name is Kimberley Anne Banks. I hold the qualifications of Bachelor of Science (Geography) and Masters in Planning from the University of Otago. I am a full member of the New Zealand Planning Institute | Te Kokiringa Taumata.
2. I have 16 years' experience as a resource management planner. My experience includes resource consenting and policy planning for both local authorities and private practice, in addition to provision of a broad range of feasibility and statutory advice for clients. My policy experience has included the preparation of plan provisions and accompanying s32 and s42A evaluations, as well as preparation of submissions and evidence on behalf of clients.
3. For the past 7 years I have worked as a resource consent planner for Patersons. Patersons is a land development consultancy comprising surveyors, engineers, and planners undertaking a variety of land development, subdivision, resource consenting and plan change work.
4. While this is a Council hearing, I confirm I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014, in addition to the Environment Court Practice Note 2023. This evidence has been prepared in accordance with it and agree to comply with it. I have also read and am familiar with the Resource Management Law Association / New Zealand Planning Institute "Role of Expert Planning Witnesses" paper. I confirm that this evidence is within my area of expertise, except where I state that I have relied on material produced by others, and that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

## **Reference Documents**

5. In preparing this evidence I have reviewed:
  - a) The s32 reports for Plan Change 28, 29 and 30;
  - b) The notified planning maps;
  - c) The notified planning provisions and provisions of the Operative District Plan;
  - d) S42A reports as follows:
    - i. Plan Change 28 – Contaminated Land, Hazardous Substances, Natural Hazards and Hydro Inundation, Variation 1 to Plan Change

26 Variation 1 to Plan Change 27, prepared by Meg Justice and dated 24 April 2025;

- ii. Plan Change 29 (and Variation 1 to Plan Change 23, Variation 2 to Plan Change 26, and Variation 2 to Plan Change 27) - Open Space and Recreation Zones, Noise, Signs and Temporary Activities, prepared by Liz White and dated 24 April 2025;
- iii. Plan Change 30 - Accommodation Special Purpose Zone, Pūkaki Downs Special Purpose Zone and Pūkaki Village Special Purpose Zone, prepared by Emma Spalding, dated April 2025.

e) Ministry for the Environment. November 2019. National Planning Standards.

### **Scope of Evidence**

- 6. My evidence has been prepared in support of the original submission and further submissions of Tekapo Landco Limited and Godwit Leisure Limited. The submitter name is referenced as 'TLGL' within Council's evidence, and as such I have applied the same abbreviation within my evidence.
- 7. TLGL submitted on the provisions and mapping of PC28, 29 and 30. In summary, TLGL's submission sought that part of Lot 401 DP 560853 at Station Bay, Tekapo, be rezoned to a combination of OSZ, SARZ and MRZ. The submission also sought changes to a number of the provisions, rules and definitions of PC28, 29 and 30, with the intent to improve the clarity and useability of the District Plan, as well as to support the rezonings.
- 8. TLGL also made a further submission on the submission of Tekapo Springs and Queenstown Commercial Parapenters Limited (QCP).
- 9. My evidence is structured as follows:
  - a) Background to the submission
  - b) Plan Change 29:
    - i. TLGL's proposed rezoning of Lot 401 DP 560853 at Station Bay, Tekapo and the associated amendments to provisions and mapping.

- ii. Other changes to provisions recommended in response to the submissions of Tekapo Springs and Queenstown Commercial Parapenters.
- c) Plan Change 28 and 30:
  - i. Other amendments to provisions.

10. This evidence statement has the purpose to briefly reiterate the background and purpose to the relief sought, and why I consider it is the most appropriate with regard to s32AA and Part 2 of the RMA. This evidence also responds to the s42A recommendations of Council and identifies areas of support for Councils recommendations and remaining areas of disagreement.
11. Submission points and s42A recommendations that are not expanded on in this evidence are acknowledged and supported by TLGL.

**Background to submission**

12. TLGL owns land at Lakeside Drive, Tekapo that accommodates Lakes Edge Holiday Park and the wider Station Bay residential development. The submitters interests relate to the appropriate zoning and planning framework applicable to this land as well as adjacent areas.
13. In summary, TLGL's original submission seeks the following:
  - a) That part of Lot 401 DP 560853 at Station Bay, Tekapo, be rezoned to a combination of OSZ, SARZ and Medium Density Residential Zone (MRZ)
  - b) That the PC 28 Flood and Liquefaction hazard overlay mapping is removed from Lot 1 DP 455053, being the Lakes Edge Holiday Park.
  - c) That the notified PC30 Accommodation Special Purpose Zone (ASPZ) mapping and provisions are retained as they relate to Lot 1 DP 455053 (the Lakes Edge Holiday Park).
  - d) That some amendments are made to the provisions of PC29 and 30 for efficiency and effectiveness and to give effect to the submission.
14. As outlined in the submission, subdivision consents have been granted over Lot 401 DP560853 which provide for the development of stages 2-6 of the Station Bay residential subdivision, comprising a total of 88 lots extending towards the northern boundary across the area currently zoned MRZ. The rezoning relief sought by the

submitter relates to the balance land of the Station Bay residential development, currently legally described as Lot 401 DP560853.

### **Plan Change 28 – Natural Hazards**

15. The PC28 notified mapping of the Flood Hazard & Liquefaction Overlays extends partially within the boundary of Lot 1 DP 455053 which contains the Lakes Edge Holiday Park. TLGL's submission sought that these overlays be removed from Lot 1 DP 455053 on the basis that no site-specific investigation has been undertaken and that their associated rules may restrict future buildings within the holiday park.
16. Councils s42A reporting officer has reviewed these submissions and recommended that the Flood Hazard Overlay mapping be removed from Lot 1, informed by the input of Mr Nick Griffiths of CRC. Mr Griffiths noted that the mapping is relatively conservative in this location and the site has been raised therefore likelihood of flooding is low<sup>1</sup>. TLGL agrees and supports this recommendation to remove the flood hazard overlay from Lot 1 DP 455053.
17. The Liquefaction Overlay is recommended to be retained over Lot 1, for the reasons outlined at para 323 of the s42A report. TLGL accepts this recommendation, acknowledging that this would require specific geotechnical assessment if a subdivision consent was proposed. No further comment is made on this matter.

### **Plan Change 29 – Open Space & Recreation Zones**

#### (i) Rezoning of Lot 401 DP 560853

18. In relation to the balance land of Lot 401, Councils notified mapping comprised essentially a 'roll over' of the location and extent of the currently operative 'Rec P' Zone, amending this to OSZ under the new zone framework. This did not align with previously approved subdivision consents, nor analyse specifically whether an OSZ was appropriate for the remaining, privately owned, balance land.
19. TLGL's requested rezoning of Lot 401 has three main purposes, being to:
  - a) reflect the outcomes and extent of previous subdivision consent decisions for Station Bay;

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<sup>1</sup> Para 321, s42A Report for Plan Change 28 – Contaminated Land, Hazardous Substances, Natural Hazards and Hydro Inundation, Variation 1 to Plan Change 26 Variation 1 to Plan Change 27, prepared by Meg Justice and dated 24 April 2025

- b) to extend the MRZ zoning by approximately 4800m<sup>2</sup> on the upper terrace adjoining the consented subdivision, to provide opportunities for additional residential development; and
- c) to identify a further area of approximately 3 ha of SARZ on the sloping land between Station Bay and Tekapo Springs, to better align with the private land ownership and enable further opportunities for active and commercial recreation, as compared to the notified OSZ.

20. The proposed rezoning would therefore result in this area of Lot 401 being rezoned a combination of OSZ, SARZ and MRZ. It is noted that a portion of the notified OSZ (approximately 1 ha) would be retained, to the extent that this land is anticipated to vest in Council in future and includes a reserve lot (206) approved under the stage 4-6 subdivision consent.

21. The proposed rezoning map has been updated within **Attachment A** to this evidence, which simply corrects identified discrepancies in the m<sup>2</sup> areas identified of each zone type.

22. The original submission of TLGL outlines in detail the reasoning for the requested zoning. It is considered that the proposed SARZ extension will better align with the private land ownership and enable further opportunities for active and commercial recreation within this area, as compared to the notified OSZ. The SARZ rezoning may enable further commercial recreational activities that may consolidate land use activities within this area and benefit the wider community as well as visitors. The location of the SARZ adjoining the notified SARZ of the Tekapo Springs also supports integrated land use and particularly aligns with the submission of Tekapo Springs (addressed later in this evidence). It is also noted that areas of other SARZ zoning within Tekapo are limited in supply.

23. The extension to the MRZ zone on the upper terrace will be efficient in aligning with the outcomes of previous resource consent decisions, as well as potentially allowing an additional 5-7 lots on the upper terrace adjoining the consented subdivision. This area would also adjoin the area of retained OSZ and consented reserve lot 206.

24. As outlined in the statement of Mr Speedy, TLGL have an interest in activating this part of Tekapo, which they consider to be currently underutilised. They envisage an area with a mix of activities to enhance the vibrancy and quality of this location and to assist in Tekapo becoming a multi-night destination. The proposed rezoning aligns with their aspirations and vision for the area.

25. The submission of TLGL was supported by a landscape assessment provided by Mr Richard Tyler. Mr Tyler has recommended that a more restrictive site coverage of 2700m<sup>2</sup> be applied to the SARZ and on this basis, considers that the proposed rezonings will result in at most *very low* adverse effects on landscape character and visual amenity. This landscape assessment has been peer reviewed by Councils landscape architect Ms Bron Faulkner, who agrees with the findings of the landscape assessment that any adverse effects on visual amenity and landscape character would be low (subject to the recommended reduction for site coverage)<sup>2</sup>;
26. The proposed rezonings have been analysed by Councils s42A reporting officer, Ms Liz White. Ms White accepts the findings of the landscape assessments and recommends the proposed rezoning be accepted as proposed by LTGL. In regard to the SARZ specifically, she discusses at para 59 that the *"there is no guarantee under private ownership that the OSZ would allow for public access and use of the land and there are limited economic uses for the landowner. This differs from the majority of other OSZ are which are publicly owned. I consider that the SARZ would provide a greater opportunity for some economic development and use of the land which could complement the adjoining Tekapo Springs site. I also agree with the submitter that sufficient areas of OSZ-land to allow for passive recreational opportunities are already provided elsewhere in the township"*. I agree with these statements.
27. Ms White recommends that the reduced site coverage of 2700m<sup>2</sup> is adopted for this area but instead incorporated in the plan via the identification of a Specific Control Area (SCA), as this would clearly identify where the limit applies and ensure any future subdivisions or boundary adjustments will not inadvertently alter the effect of the rule<sup>3</sup>. I agree with this analysis and support the proposed SCA.
28. The recommendations of Ms White are supported by TLGL and sought to be made operative. It is noted however that the mapping appended within Appendix 1 of the s42A report did not identify the boundaries of the SCA for this site (as well as the SCA recommended for the adjacent Tekapo Springs site), and it is requested that the SCAs be clarified on the recommended mapping. Additionally, it is questioned whether the proposed Station Bay SCA should also be referenced in the Introduction and Policies to the SARZ, consistent with the approach applied to other SCA's.

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<sup>2</sup> Para 56, s42A report for Plan Change 29 - Open Space and Recreation Zones, Noise, Signs and Temporary Activities, prepared by Liz White and dated 24 April 2025

<sup>3</sup> Para 271, s42A report for Plan Change 29 - Open Space and Recreation Zones, Noise, Signs and Temporary Activities, prepared by Liz White and dated 24 April 2025

29. The original submission provided analysis of the proposal under s32AA. It is my view, that the rezonings sought by TLGL are the most appropriate underlying zone type to meet the purpose of the Act and are efficient and effective. The SARZ may better support utilisation and development of this land through enabling other commercial recreational opportunities and associated built form not possible under the notified OSZ. The MRZ extension will integrate with the consented subdivision and provide additional residential capacity. The landscape effects of the rezonings have been assessed as being low or very low.
30. To assist the panel, a supplementary s32AA analysis is included within **Attachment B**.

ii. Other changes to provisions recommended in response to the submissions of Tekapo Springs and Queenstown Commercial Parapenters

31. TLGL made further submissions to the submissions of Tekapo Springs and Queenstown Commercial Parapenters (QCP) as they relate to the provisions and mapping of the OSZ and SARZ.
32. TLGL's further submission to Tekapo Springs opposed the proposed areas of SARZ rezoning to the east and west of the existing Tekapo Springs site, on the basis that TLGL sought an alternative larger zoning extent within Lot 401. TLGL however noted that the intent of the portion of SARZ proposed within Lot 401 was supported, as well some suggested changes to the SARZ provisions to better support for anticipated commercial recreation and commercial activities and to ease the consenting pathways for established developments. Some other requested changes to provisions were opposed by TLGL.
33. In response to the Tekapo Springs submission, Councils s42A reporting officer has recommended that a separate SCA be applied to the Tekapo Springs site. This approach is supported by TLGL, subject to the SCA being identified and defined on the recommended planning maps and that this be limited to the area of the existing Tekapo Springs site (i.e. Lot 1 DP 49694). The extent of the SCA has not yet been identified on the recommended planning maps appended to the s42A report.
34. It is acknowledged that the rezoning proposed by Tekapo Springs to the east (i.e. over Lot 6 DP 455053) remains subject to a landscape assessment to be provided at the hearing. In relation to this land, I note that this land remains in public ownership, and consistent with the approach and analysis taken by Ms White in relation to Lot

401<sup>4</sup>, it is considered that the notified OSZ may better align with the current land ownership. In my view, if the land to the east is rezoned, similar consideration should be given to the possible landscape effects and whether a reduced zone extent or limited site coverage would be more appropriate. Additionally, if this land is rezoned, it is not considered appropriate for the recommended 'Tekapo Springs SCA' to be applied over Lot 6 DP 455053.

35. TLGL support the s42A recommendations to retain the notified wording of SARZ-R6<sup>5</sup> in relation to visitor accommodation, and retention of the notified height standards, and seek these been accepted.
36. TLGL supported an amendment to SARZ-R10 to provide for ancillary retail activities within the SARZ, however sought that this be applied to the zone generally and not limited to the Tekapo Springs site. The s42A report recommended amendments to SARZ-R10 allow for 100m<sup>2</sup> of ancillary retail, however, limit this provision to the 'Tekapo Springs SCA' only. TLGL disagree with this recommendation, as it is sought that this provision for ancillary retail activities under SARZ-R10 also be applied to the 'Station Bay SCA', or alternatively, to the zone generally. In my view, given the SARZ applies to limited locations within the District only, it is appropriate for SARZ-R10 to be amended to apply generally across the entire zone. A suggested amendment is outlined below:

<b>SARZ-R10</b>	<b>Retail Activity</b>	
<b>Specific Control Area 14 (Ruataniwha)</b>	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. Any retail activity is ancillary to recreational events or activities or training activities; and</li> <li>2. In the Specific Control Area 14 (Ruataniwha), the retail activity is located in the Building Core area shown on the Outline Development Plan contained in</li> </ol>	<p>Activity Status when compliance is not achieved with R10.1 - R10.2: DIS</p>

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<sup>4</sup> Para 59 of the s42A report for Plan Change 29 - Open Space and Recreation Zones, Noise, Signs and Temporary Activities, prepared by Liz White and dated 24 April 2025

<sup>5</sup> Para 277 s42A report for Plan Change 29 - Open Space and Recreation Zones, Noise, Signs and Temporary Activities, prepared by Liz White and dated 24 April 2025

	FIGURE SARZ-1.	
<u>Specific Control Area</u> <u>XX (Tekapo Springs)</u> <u>SARZ (eOutside</u> <u>Specific Control Area</u> <u>14 (Ruataniwha))</u>	Activity Status: PER Where: 1. Any retail activity : a. is ancillary to a commercial recreational activity; and b. does not exceed 100m2 in gross floor area per tenancy	<u>Activity Status when compliance is not achieved: DIS</u>
<u>SARZ (outside Specific Control Area 14 (Ruataniwha))</u>	<u>Activity Status: DIS</u>	

37. TLGL's further submission to QCPs submission (#29.26) opposed all of their the proposed changes to notified OSZ provisions. Councils reporting officer has made recommendations on these provisions.
38. TLGL agree with Councils recommendations made in response to this submission, except for the recommended amendment to OSZ-R6 matter of discretion d. being "*d. consistency with the zones anticipated character and amenity values*". In my view, the character and amenity values of the open space are also experienced from locations outside of the boundaries of the zone, and as such, I consider that matter of discretion d. should be applied more broadly so that it is not limited to internal effects within the zone. This could be achieved by the following further amendment:  
"d. *consistency with the zones anticipated character and amenity values*".
39. In regards to s32AA, I consider this amendment would better achieve the purpose of the RMA and particularly s6(a), s6(b), s7(c), and s7(f) matters.

## **Plan Change 30 – Accommodation Special Purpose Zone**

40. TLGL's submission on PC30 is limited to the ASPZ and provisions applicable to the Lakes Edge Holiday Park at Lot 1 DP 455053. TLGL had the opportunity to be involved in informal consultation on the zoning extent and provisions of the ASPZ prior to notification, to ensure the provisions are efficient and effective in supporting the ongoing use of the holiday park, and do not result in unnecessary complexities. Feedback provided to Council was incorporated as relevant into these provisions, and as such, TLGL are supportive of the zoning and s42A recommendations of the ASPZ, noting that no changes have been recommended to the provisions.
41. However, upon further review of the associated variations to the Subdivision Chapter, I note that rule SUB-R10 proposes to specify an activity status for subdivision within the ASPZ as a DIS activity, whereas SUB-R2 specifies an activity status of RDIS for subdivision within the RESZ, CMUZ, GIZ, GRUZ, RLZ. It is not clear from a review of the s32 report, what the reasoning is for a more stringent DIS status for subdivision in the ASPZ, and why this could not be otherwise RDIS under SUB-R2, particularly given the ASPZ has been applied only to two areas which contain established visitor accommodation activities, and that the Tekapo ASPZ is within an urban area.
42. TLGL did not submit on this specific rule, however general scope for this change may be available within their submission. If scope is available, TLGL would seek that subdivision within the ASPZ be identified as a RDIS activity under SUB-R2 and deleted from reference within SUB-R10. In terms of s32AA, I consider that this amendment would be most appropriate to achieve the objectives of the ASPZ and provide an appropriate consenting pathway for subdivision within an established developed site.

## **Conclusion**

43. This evidence is provided in support of the submission and further submissions of TLGL. TLGL seek the rezoning of a portion of Lot 401 at Station Bay, Tekapo, to a combination of OSZ, SARZ and MRZ. TLGL have also made submissions on provisions of the OSZ and SARZ to give effect to their relief, as well as in response to other submissions made by QCP and Tekapo Springs.
44. With regard to the provisions of PC28, 29 and 30, TLGL support all of Councils recommendations and request these be adopted, except for rules SARZ-R10 (Retail Activity), OSZ-R6 (Commercial Recreation) and SUB-R2 and SUB-R10 which are sought to be amended as outlined in this evidence.

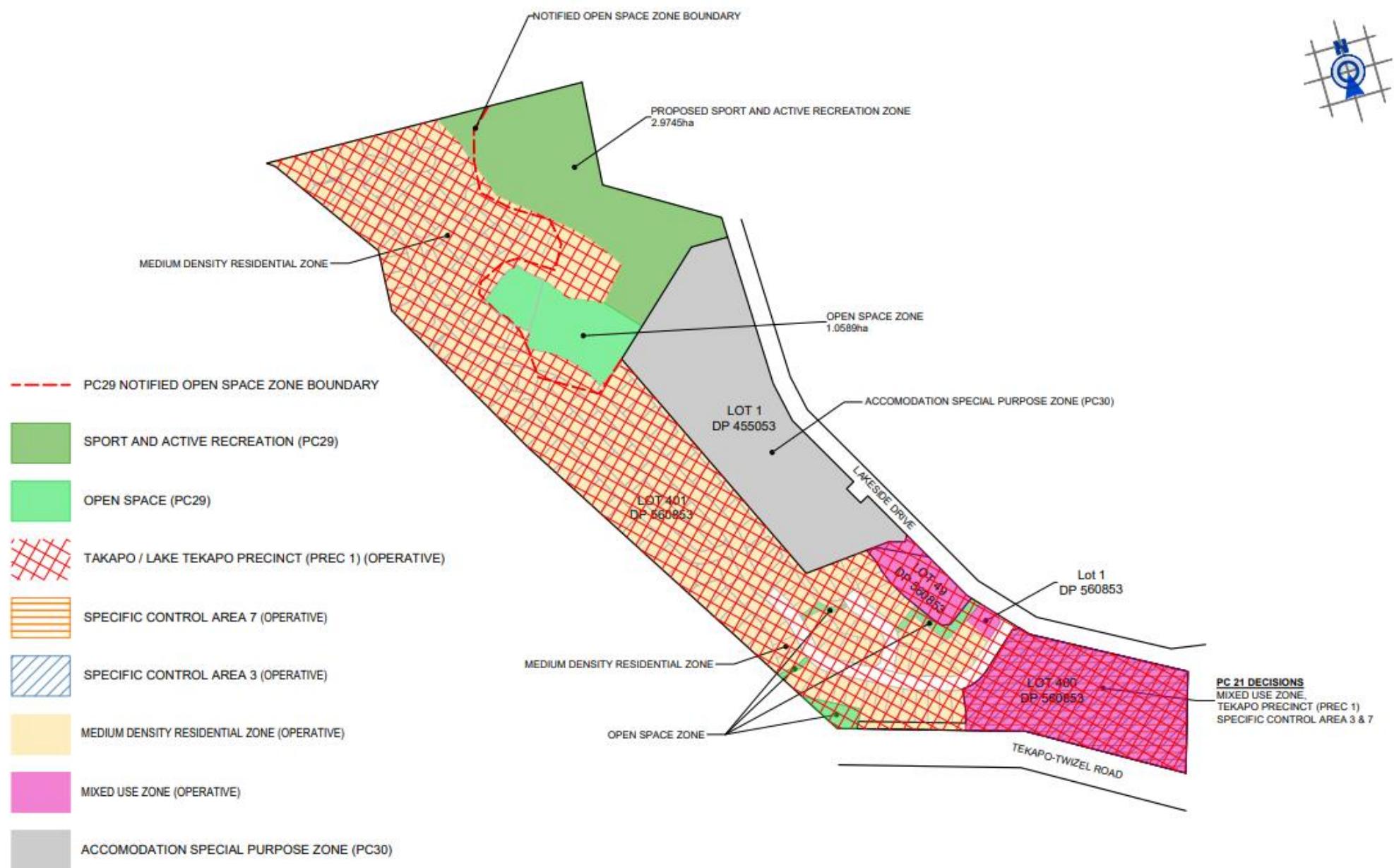
45. The rezoning outcomes sought by TLGL for Lot 401 are considered appropriate for the specific site context and the types of land uses and built form anticipated by these zones. The proposed zonings are considered to be consistent with the Strategic Objective A Thriving Community Live, Work, Play and Visit (ATC-O1), Strategic Objective Urban Form and Development (UFD-01) as they will allow for a range of residential and recreational land uses to meet community needs, in a location integrated with existing compatible activities, and provide for appropriate economic development opportunities.
46. The rezoning proposed by TLGL is supported by landscape analysis and has been recommended to be accepted by Councils s42 reporting officer. I accept the findings of the landscape assessments and agree with the recommendations of the reporting officer.
47. This evidence considers the proposed rezoning against the requirements of Sections 32 and 32AA of the Act. It is considered that the proposed zoning is more appropriate to achieve the sustainable management of natural and physical resources in the submission area than those of the Councils notified zoning.
48. The risks of acting or not acting have also been considered. The risk associated with the zoning sought is low as the MRZ extension adjoins existing approved residential development and zoning, and for the SARZ, a specific limitation on site coverage is proposed to mitigate potential effects of future built form and to ensure sufficient retention of open space. The risk of not acting however, has the potential to create ongoing uncertainty for the submitter and the wider community in relation to ongoing land management of privately owned OSZ; and would not achieve the integrated management of the area which has an important role and value within the Tekapo township.
49. As a result of the above, it is sought that the rezoning be adopted for the subject site and the associated amended provisions. The zonings sought are considered most appropriate for TL&GL land, and are consistent with Part 2, s32 and Sections 74-76 of the RMA.

*KA Banks*

Kimberley Anne Banks

9 May 2025

**Attachment A – TLGL Proposed Zone Map**



## Attachment B - S32AA Assessment

1. Section 32AA of the RMA requires further evaluation of changes made to the proposal since the original evaluation report was completed. This further evaluation must be undertaken in accordance with s32 of the Act, which requires the objectives of proposals to be examined for their appropriateness in achieving the purpose of the Act (s32(1)(a)), and whether the proposed provisions (including methods) are the most appropriate way to achieve the objectives (s32(1)(b), including consideration to other practicable options, and the efficiency and effectiveness of the provisions in achieving the objectives.
2. It is noted that the notified zonings and provisions and have already been considered by Council under s32, and TLGL's submission and rezonings sought have also been considered under s32AA as outlined in the Councils' s42A report.
3. Accordingly, the following provides supplementary analysis of the proposal and proposed methods under S32AA for the proposed rezoning and amendments to provisions sought by TLGL. This assessment is provided at a level of detail that corresponds to the scale and significance of the changes.

### Evaluation of Proposed Objectives – Section 32 (1)(a)

4. TLGL's proposed rezoning relates to a portion of Lot 401 only and seeks rezoning of the identified areas from notified OSZ to MRZ and SARZ.
5. These rezonings are considered to be the most appropriate way to achieve the objectives of the OSZ and SARZ zones, and purpose of the Act, as they will provide for the sustainable management of this land for compatible land use activities that will support the social, economic and cultural wellbeing of the community; and the provisions, including the recommended restricted site coverage for the SARZ will mitigate potential effects on the environment.
6. The proposed zoning of the identified land will also be consistent with the following strategic objectives of the District Plan:
  - *Strategic Objective ATC-O1 (Live, Work, Play and Visit)* as it enables a range of living options, businesses, and recreation activities to meet community needs and provides for appropriate economic development opportunities and the zoning and recommended provisions will ensure the anticipated amenity values and character of different areas are maintained or enhanced.

- *Strategic Objective Urban Form and Development (UFD-01)* as the proposed MRZ and SARZ will allow development of the land in a consolidated way, in a location integrated with existing compatible activities. These zones may also enhance both the residential and visitor experience through enabling a broader range of land use outcomes, as compared to the notified OSZ which is otherwise limited to passive recreation. The locations sought to be rezoned adjoin existing urban areas and integrate with adjacent land use, whilst recognising the character of the surrounding area and its attractiveness to residents, businesses and visitors.

Evaluation of Proposed Provisions - Section 32(1)(b)

7. RMA s32(1)(b) requires an analysis of whether the provisions in the proposal are the most appropriate way to achieve the objectives by—
  - (i) identifying other reasonably practicable options for achieving the objectives; and
  - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives.
8. The provisions of the SARZ and OSZ have been previewed by Council under s32 prior to notification, and under s32AA in response to submissions.
9. No further changes are proposed by TLGL to the MRZ provisions, and this zone is now operative. The proposed area of MRZ will be consistent with the objectives of this zone as it will allow further residential development integrated with the approved Station Bay subdivision, and in a location where potential landscape and traffic effects have been assessed as being low.
10. For the SARZ, an additional method is recommended to limit site coverage to 2700m<sup>2</sup> under SARZ-S4 within 'Station Bay Specific Control Area'. This method has also been analysed by Council under s32 and s32AA. It is considered that this method, and the land subject to be rezoned, are most appropriate to achieve objectives SARZ-01 (Zone Purpose) and SARZ-02 (Zone Character and Amenity Values) as the zoning will provide opportunities for a range of recreational and commercial recreation activities, and the restricted site coverage will ensure built form is consistent with the character and amenity values of surrounding areas.

*Efficiency and effectiveness(s32(b)(ii))*

11. s32(b)(ii)) and s32(2)(a) also require an assessment of the efficiency and effectiveness of the provisions in achieving the objectives, including consideration to the environmental, economic, social, and cultural effects benefits and costs; including opportunities for economic growth.
12. The proposed zoning is considered to be an efficient and effective outcome for the identified land. The proposed SARZ rezoning, with the proposed maximum 2700m<sup>2</sup> site coverage, will retain a predominance of open space whilst providing increased opportunities for commercial and active recreation activities. Provision for SARZ and the activities it enables is otherwise limited within Tekapo, and the inclusion of the proposed area may, therefore, provide positive benefits to the community. The retention of the notified OSZ over Lot 401 is considered to be inappropriate as the zoning is in conflict with the private land ownership and represents a large land area (4.69 ha) that is considered to be excessive recognising the large areas of OSZ already identified within Tekapo, and in higher amenity and more accessible locations for passive recreation.
13. Potential social costs of the rezoning include the reduction in the area of OSZ land. Social benefits may be gained by rezoning to SARZ and better supporting development and enhancement of this land for recreational uses of benefit to the community. If the land remained OSZ, under private ownership, potential social costs may arise through uncertain ongoing access rights and use of this land.
14. Economic benefits may be gained through avoiding the costs associated with maintenance of OSZ land without the ability to obtain any economic return from the land. Additionally, providing for additional commercial recreation opportunities on this land may also support employment during construction and ongoing operation of future developments.
15. The rezonings have been supported by landscape input and as such there are no anticipated environmental costs, subject to the application of a limited site coverage of 2700m<sup>2</sup> being imposed for the Station Bay SCA. Opportunities for environmental benefit may be gained through enabling additional recreational land use on the land and providing greater options to facilitate its enhancement.

*Risk of Acting or Not Acting:*

16. Section 32(2)(c) requires an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.
17. In the case of the rezoning and mapping amendments sought in the TLGL submission area there is very limited uncertainty and sufficient information in order to make a decision on the submissions. The SARZ, MRZ and OSZ provisions have been developed by Council, and as such the zones are defined in scope and purpose. The subject land is located in an area which is anticipated to contain a mixture of residential, recreational and visitor related activities; and the zonings sought are able to be applied to the land utilising predominantly the provisions drafted by Council, with some minor amendments to reflect the specific site context.
18. The rezoning is also supported by a landscape assessment undertaken by TLGL, and peer reviewed by Councils landscape architect, which ensures certainty that potential landscape effects have been suitably considered. Future development of the land will also be required to be considered under the applicable subdivision and land use standards, and resource consent sought in some instances. For these reasons, the risk associated with acting, and accepting the zoning sought, is considered to be low.
19. The risk of not acting, however, has the potential to create ongoing uncertainties and complexities for the submitter and wider community through the retention of a significant area of OSZ that is privately owned with no guarantee of accessibility and no economic incentive for enhancement. Retention of the notified zoning may limit potential opportunities for the commercial and community activities in this area where they could provide economic, cultural and social benefit.