

From: MDCSendmail@mackenzie.govt.nz
Sent: Wed, 23 Nov 2022 13:55:15 +1100 (AEDT)
To: District Plan
Subject: Mackenzie District Council - Submission on Proposed Plan Change to the Mackenzie District Plan
Attachments: Tekapo-Landco-Ltd-and-Gotwit-Leisure-Ltd-MDC-Stage-2-DP-review-Submission-.pdf

A new Submission on Proposed Plan Change to the Mackenzie District Plan has been received.

Plan Change Number

Which Plan Change number?: 21

Details of Applicant

First Name: Tekapo Landco Limited and Godwit Leisure Limited
Last Name: Tekapo Landco Limited and Godwit Leisure Limited
Postal Address: PO Box 43, Lake Tekapo 7990
Email: kim.banks@ppgroup.co.nz
Telephone No: 021 034 4903
Fax:
Date: 2022-11-23 00:00:00
Customer number (if known):
Contact person: Jonathan Speedy
Contact person Telephone No: 021 234 4132

Submission Details

The specific provisions of the Proposal my submission relates to are as follows: Whole of plan change 21 and 22
I support / oppose these provisions: I oppose in full
The reason(s) for my submission are: See attached document.
I seek the following decision from the Mackenzie District Council: See attached document.
I do or do not wish to be heard in support of my submission: I do
If others make a similar submission I would or would not be prepared to consider presenting a joint case with them at any hearing: I would

Additional information for this submission:

Attachment provides detailed submission points and information.

Attach a supporting document:

Tekapo-Landco-Ltd-and-Gotwit-Leisure-Ltd-MDC-Stage-2-DP-review-Submission-.pdf, type application/pdf, 1.2 MB

FORM 5

SUBMISSION ON A PUBLICLY NOTIFIED PLAN CHANGE/ VARIATION

CLAUSE 6 OF FIRST SCHEDULE

RESOURCE MANAGEMENT ACT 1991

To: Mackenzie District Council, PO Box 52 FAIRLIE 7949

Full name of Submitter: Tekapo Landco Limited and Godwit Leisure Limited

Address for service: Tekapo Landco Limited and Godwit Leisure Limited
PO Box 43, Lake Tekapo

c/o: Paterson Pitts Group
email: kim.banks@ppgroup.co.nz
Ph: 021 034 4903

DATE: 23 November 2022

SUBJECT: Submission on Mackenzie District Plan Review Stage Two - Spatial Plans Implementation (Plan Change 21 (PC21)) & Light (Plan Change 22 (PC22))

Background

This is a submission on Stage 2 of the Mackenzie District Plan Review – PC 21 and PC 22. The submitter owns land at Lakeside Drive, Tekapo that accommodates Lakes Edge (the Tekapo Holiday Park) and the wider Station Bay development. The submitters properties are illustrated in Figure 1 below and includes sites that are currently owned by or have been developed by the submitter. Some of these sites are part of the wider Station Bay residential development that are in the process of being sold to private buyers for the purpose of residential development.

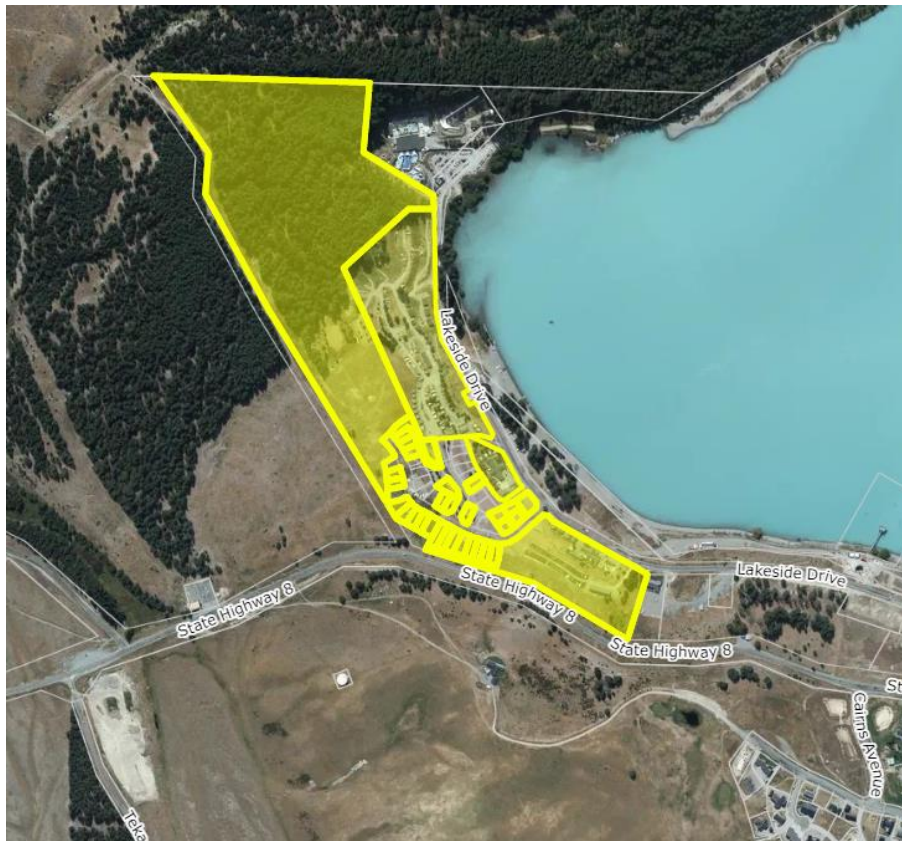


Figure 1: Submitters properties

MDC Adopted Spatial Plan

The Tekapo Spatial Plan adopted by Council in June 2021 is illustrated in Figure 2 below. This identifies the submitters land as High Density Residential/Mixed Use, Medium Density Residential, Visitor Accommodation, and Open Space.



Figure 2: Tekapo Spatial Plan, adopted June 2021.

PC21 Notified Zoning and Scope of the submission

The notified zoning of the site under PC21 is shown in *Figure 3* below.



Figure 3: Notified zoning of submitters land in Tekapo, Plan Change 21 – Spatial Plan Implementation. Source <https://mackenzie.isoplan.co.nz/review/property/0/0/35>

The notified zoning map identifies the submitters land being zoned as ‘Medium Density Residential Zone’ (MRZ) and the ‘Takapō / Lake Tekapo Precinct’. A Tekapo ‘No Build Area’ has been included over one corner of the property near the State Highway 8 and ‘Specific Control Area 3’ identified over the southern portion of the property with a small corner also included within ‘Specific Control Area 7’.

The submitters interest applies to their land identified in Figure 1, in addition to provisions applicable to adjacent land, or that may affect future development of the submitters land.

Parts of the property owned by the submitter have not yet had the zoning reviewed by council (for example a part of Lot 401 DP 560853 which is currently un-zoned and to be considered as part of a future plan change). It is considered that areas of un-zoned land are within the available scope of the plan change and have been included as part of this submission as the zone (and related provisions) the submitter seeks for this land has been notified within the currently notified stage/plan changes. If this were not included as part of this stage, there is a risk that it could result in site specific provisions later on in the process which is not the most effective way to do plan writing. This is because a future plan change notifying the land could have limited scope to change the provisions if there are decisions already on the provisions for that zone.

This submission relates to the following provisions of the Mackenzie District Council’s District Plan – Plan Change 21 and Plan Change 22:

PC 21 – Spatial Plans Implementation

- Mapping
- Definitions
- Part 3 – Area Specific Matters – Residential Zones – MRZ - Objectives, Policies, Rules, Standards and Matters of Discretion
- Design Guidelines

Plan Change 22 (PC22) - Lighting

- Part 2 - General District Wide Matters - Light – Objectives, Policies, and Rules

The Tekapo Landco & Godwit Leisure submission is that they:

- Oppose PC21 and PC22 insofar as they relate to the land in Tekapo as shown in **Appendix A** (including Lot 401 DP 560853, Lot 1 DP 455053, Lots 1 - 48 DP 560853, Lot 400 DP 560853) and land adjacent to the land identified in **Appendix A**.
- Oppose the zoning of Lot 400 DP 560853, Lots 1 DP 455053, Lot 49 and 50 DP 560853, and Lot 1 560853.
- Support the MDZ zoning of Lot 401 DP 560853.
- Seek the zoning as shown on the sought zoning in **Appendix B**.
- Seek amendments to the specific provisions of PC21 and PC22 as detailed below in *Table 1*.

The submitter seeks the following decision from the Mackenzie District Council:

- That the zoning of the Spatial Plan (adopted by Council in June 2021) is more accurately reflected in the proposed zoning. Specifically, that the portion of un-zoned land within Lot 401 DP 560853 is also zoned as Medium Density Residential and that Lot 400 DP 560853, Lot 49, 50 DP 560853, and Lot 1 560853 are zoned Mixed Use Zone.
- That the provisions are effective and efficient to operate under and provide for the activities that submitter is currently undertaking and intends to undertake in the future.
- Detailed relief as set out below in *Table 1*.

The submitter also seeks such further or consequential or alternative amendments necessary to give effect to this submission, and to:

- Promote the sustainable management of resources and achieve the purpose of the Resource Management Act 1991;
- Meet the reasonably foreseeable needs of future generations;
- Enable social, economic, and cultural wellbeing;
- Avoid, remedy, or mitigate the adverse effects of the activities enabled by the Variation; and
- Represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of other means available in terms of section 32 and other provisions of the Act.

The submitter could not gain an advantage in trade competition through this submission.

The submitter wishes to be heard in support of their submission.

If others make a similar submission the submitter would consider presenting a joint case at a hearing.

Table 1: Detailed relief sought on the Mackenzie District Plan PC21 and PC22.

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason						
Whole of PC21	All	Oppose the whole plan change as it applies to properties shown in Appendix A and adjacent properties.	As notified is inconsistent with the Spatial Plan direction.						
Whole of PC22	All	Oppose the whole plan change as it applies to properties shown in Appendix A and adjacent properties.	Should be amended to improve plan clarity and result in better environmental, social, and economic outcomes.						
Eplan	Internal links	Some entries for internal referencing are not linked. Amend so that all internal references are linked.	Plan user friendliness.						
Rules Structure		<p>Oppose the style/format that rules are written in the whole plan.</p> <p>Rule format for activity status tables should be simplified to remove 'where' criteria and only reference standards. Where criteria moved to standards where appropriate.</p> <p>Example below:</p> <table border="1" data-bbox="869 895 1610 1337"> <thead> <tr> <th data-bbox="869 895 1023 930">Rule Ref</th> <th data-bbox="1023 895 1305 930">Rule and activity status</th> <th data-bbox="1305 895 1610 930">Non-compliance notes</th> </tr> </thead> <tbody> <tr> <td data-bbox="869 930 1023 1337">LIGHT-R1</td> <td data-bbox="1023 930 1305 1337"> <p>Outdoor Lighting</p> <p>Activity Status: PER</p> <p>Where this activity complies with the following standards:</p> <p>...</p> </td> <td data-bbox="1305 930 1610 1337"> <p>Activity status when compliance is not achieved: RDIS</p> <p>Matters of discretion are restricted to: LIGHT-MD1</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p> </td> </tr> </tbody> </table>	Rule Ref	Rule and activity status	Non-compliance notes	LIGHT-R1	<p>Outdoor Lighting</p> <p>Activity Status: PER</p> <p>Where this activity complies with the following standards:</p> <p>...</p>	<p>Activity status when compliance is not achieved: RDIS</p> <p>Matters of discretion are restricted to: LIGHT-MD1</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>	The notified style/format results in the rules being more confusing as the "where" criteria appear to create standards within the activity rule.
Rule Ref	Rule and activity status	Non-compliance notes							
LIGHT-R1	<p>Outdoor Lighting</p> <p>Activity Status: PER</p> <p>Where this activity complies with the following standards:</p> <p>...</p>	<p>Activity status when compliance is not achieved: RDIS</p> <p>Matters of discretion are restricted to: LIGHT-MD1</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>							
Mapping									
General		Oppose the mapping.	The mapping as notified does not follow the spatial plan zoning.						

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
General		That the accuracy of mapping is improved such that zoning/overlay/precinct should not go over State Highway Boundaries. These features should also snap to boundaries where this is intended and not leave small slivers along property boundaries.	Accuracy of mapping while not needed to be survey accuracy should be snapped to boundaries where intended so that it is clear the whole property is included as that zone. Where small slivers near property boundaries are left out it increases the uncertainty to what zoning applies.
General	Zoning of roads	Oppose Remove roads from being within the zone or precinct extent. In particular, remove the paper road (parcel ID 3568134) from being located within the boundaries of the Takapō / Lake Tekapo West Future Development Area.	Approach to the zoning of roads should be clarified. The paper road (parcel ID 3568134) should not be included within the boundaries of the Takapō / Lake Tekapo West Future Development Area to align with the adopted Tekapo spatial plan.
Zoning	Tekapo High Density Residential/Mixed Use Area	That the High Density Residential or Mixed Use Zone is identified in Tekapo as per the Spatial Plan. As shown in Appendix B of the submission.	The mapping as notified does not follow the spatial plan zoning. There is currently no High Density Zone notified and no Mixed Use Zoning used in Tekapo.
No Build Area	Tekapo No Build Area	Correct zoom extent so that this overlay and the extent of it is not lost when zooming in. Amend the extent to be over council property and not over private land.	Disappears off the map when zoomed in. The no build area should reflect the boundaries of the open space/reserve lot only.
Site Specific Mapping	Mapping of Lot 401 DP 560853 and Lots 1-50 DP 560853	Support the MRZ where this is shown for these properties.	Zoning is consistent with the spatial plan where the MRZ
Site Specific Mapping	Mapping of Lot 401 DP 560853	That the mapping is amended so that the boundaries of the MRZ are redrawn to match the spatial plan for Lot 401 DP 560853. This is indicated on the submitters proposed rezoning map in Appendix B .	The intent of PC21 was to give effect to the Spatial Plan. With this not being achieved on the site the applicant seeks the boundaries of the MRZ are redrawn to match the adopted spatial plan.

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
Site Specific Mapping	Mapping of Lot 1 DP 455053, Lot 400 DP 560853, Lots 49 and 50 DP 560853, Lot 1 DP 560853	<p>That the site is zoned Mixed Use Zone with a new precinct 'Tekapo Mixed Use Precinct' created over these Lots which allows for campground activities and a greater level of built form in this precinct. And that the Lake Tekapo Precinct is removed from the areas where the 'Tekapo Mixed Use Precinct' is requested.</p> <p>Alternatively, that these Lots are zoned MRZ with the Commercial Visitor Accommodation Precinct.</p>	<p>The adopted Tekapo spatial plan identifies Lot 1 DP 455053 (the existing holiday park) as Visitor Accommodation.</p> <p>The Spatial Plan identifies the other properties as being a High Density/Mixed Use area. The notified zoning does not reflect this. A Mixed Use Zone with a Tekapo Mixed Use Precinct better gives effect to the spatial plan.</p> <p>In the alternative, the Commercial Visitor Accommodation Precinct provides for Spatial Plan Visitor Accommodation area in the National Planning Standards format.</p>
Site Specific Mapping	Mapping of Lot 301, 304, and 303 DP 560853	That reserve land is not zoned a residential zone and instead zoned open space.	It is understood that the open space zones are in the next stage of the district plan review. Therefore, it is better for the reserve land within the station bay development to not be zoned a residential zone and instead be zoned an open space zone when this is available in later stages of the district plan review.
Site Specific Mapping	Specific Control Area 7	That Specific Control Area 7 is extended over Lot 400 DP 560853.	Specific Control Area 7 allows for greater height limits which is also appropriate for this site.

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
Site specific mapping	Lake Tekapo West Future Development Area	Remove the paper road (parcel ID 3568134) from being located within the boundaries of the Takapō / Lake Tekapo West Future Development Area.	The paper road (parcel ID 3568134) should not be included within the boundaries of the Takapō / Lake Tekapo West Future Development Area to align with the adopted Tekapo spatial plan.
Part 1 – Introduction and General Provisions			
Statutory context Legal Effect of Provisions		Revise this section of the plan to write out RMA parts in full and/or include references to the RMA where this is used.	Parts are almost copied from the RMA, however, does not include every aspect. This section should either be complete and reference the part of the act, just include a reference to the RMA, or remove entirely.
Definitions			
General		That the definitions link between each other.	Looks as though the intension is to link definitions, however, some are not linked.
General		Support inclusion of national planning standards definitions.	National Direction
General		Oppose Include subcategories for clarity when using national planning standards definitions.	The National Planning Standards allow for the use of subcategories of defined definitions. In many cases, further explanation (in the way of subcategories) of definitions would provide additional clarity to the effect of a provision.
Boundary	Means any boundary of the net area of a site and includes any road boundary, side or internal boundary. Site boundary shall have the same meaning as boundary. Internal Boundary: means any boundary of the net area of a site other than a road boundary and includes a side boundary.	It would be clearer to have this definition as a nested rule included in the first table with each defined separately in the definitions or subcategories	To improve plan clarity.

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
	<p>Road Boundary: means any boundary of a site abutting a legal road (other than an accessway or service lane) or contiguous to a boundary of a road designation. Frontage or road frontage shall have the same meaning as road boundary.</p> <p>Side Boundary: means any boundary of a site generally at right angles to a road boundary.</p>		
<p>Building New subcategory: <i>'Sheds and shelters' or 'small scale buildings'</i></p>		<p>That a subcategory of building is created to exclude smaller constructions such as pergolas, dog houses, woodsheds, outdoor storage bins, and playhouses.</p> <p><u>Sheds and Shelters/Small scale buildings - means structures less than 10m² in area and in addition less than 2m in height above ground level. Note: these types of buildings are excluded from the rules associated with 'buildings'</u></p>	<p>The National Planning Standards definition of building is very broad and could capture things such as pergolas, dog houses, woodsheds, outdoor storage bins, and playhouses which seems unanticipated. The RMA/National PS definition of structure does not result in these smaller constructions being excluded. Therefore, a subcategory of building/structure should be included to improve clarity.</p>
<p>Commercial visitor accommodation</p>	<p>means land and buildings used for any form of visitor accommodation that is not defined as residential visitor accommodation, including:</p> <ul style="list-style-type: none"> a. backpackers; b. camping grounds; c. hostels; d. hotels; e. motels; f. motor inns; g. tourist lodges; and 	<p>Oppose</p> <p>Remove self-contained units and bedsits from being commercial visitor accommodation and amend the definition as follows:</p> <p>means land and buildings used for any form of visitor accommodation that is not defined as residential visitor accommodation, including:</p> <ul style="list-style-type: none"> a. backpackers; b. camping grounds; c. hostels; 	<p>Campgrounds are a different form of commercial visitor accommodation better provided for as a subset activity definition as below.</p> <p>As currently defined this definition could capture people's individually owned holiday homes or minor residential unit which should not be considered commercial visitor accommodation. Some residential units may be rented as visitor</p>

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
	h. self-contained units and bedsits.	d. hotels; e. motels; f. motor inns; g. tourist lodges; and h. self-contained units and bedsits. And define the bullet points as subset definitions of commercial visitor accommodation e.g. 'campground and holiday park activities', and 'hostels, hotels, motels, and motor inns'.	accommodation/holiday homes for the entire year and never used for residential activity, although being a residential unit. The submitter seeks that the definitions and/or rules applicable to Residential Visitor Accommodation allow for use of a residential holiday home without requiring consent for 'Commercial Visitor Accommodation'.
New subset activity definition of commercial visitor accommodation - 'Campground and Holiday Park Activities'		New subset activity definition: <u>Means land and building used for visitor accommodation that is not defined as residential visitor accommodation or commercial visitor accommodation. This includes a range of short-term accommodation provided as campgrounds, cabins, backpackers, and associated facilities where they operate together either on one site or as one operation.</u>	A separate subset activity definition is suitable as campground and holiday park activities are quite different from other commercial visitor accommodation activities.
Ground level	means: a. the actual finished surface level of the ground after the most recent subdivision that created at least one additional allotment was completed (when the record of title is created); b. if the ground level cannot be identified under paragraph (a), the existing surface level of the ground; c. if, in any case under paragraph (a) or (b), a retaining wall or retaining structure is located on the boundary, the level on the	Oppose Definition should exclude the ability to undertake earthworks to alter the ground level. For example, could include " <i>Means.... The surface of the ground prior to any earthworks on the site...</i> "	To improve plan clarity

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
	exterior surface of the retaining wall or structure where it intersects the boundary. (National Planning Standard definition)		
Residential Visitor Accommodation	means the use of a residential unit for visitor accommodation.	<p>Oppose</p> <p>The submitter seeks that the definitions and/or rules applicable to Residential Visitor Accommodation allow for use of a residential holiday home without requiring consent for 'Commercial Visitor Accommodation'.</p>	Some residential units may be rented as visitor accommodation/holiday homes for the entire year and never used for residential activity, although being a residential unit. The current inclusion in the definition of 'residential unit' within Residential Visitor Accommodation may not apply in these circumstances as the use of the building for the entire year as short term accommodation would not meet the definition of 'residential unit' (below).
Residential Unit	means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities. (National Planning Standard definition)	<p>Oppose</p> <p>The submitter seeks that the definitions and/or rules applicable to Residential Visitor Accommodation allow for use of a residential holiday home – without requiring consent for "Commercial Visitor Accommodation"</p>	Some residential units may be rented as visitor accommodation/holiday homes for the entire year and never used for residential activity, although being a residential unit. The current inclusion in the definition of "residential unit" within Residential Visitor Accommodation may not apply in these circumstances as the use of the building for the entire year as short-term accommodation would not meet the definition of "residential unit" (below).
Part 2 – District – Wide Matters			
General District-Wide Matters			
Light			

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
LIGHT-P1	Manage the location, design and operation of outdoor lighting to ensure: 1. it does not distract or interfere with traffic; and 2. it is compatible with the zone in which any light spill or glare is received	Oppose Include reference to skylights which are not 'outdoor lighting'.	To improve plan clarity
LIGHT-P2	Require outdoor lighting to minimise, as far as practicable, the potential for upward light spill that would adversely affect the ability to view the night sky.	Oppose Include reference to skylights which are not 'outdoor lighting'.	To improve plan clarity
Rules			
General	Format of rules	Oppose Remove the 'where' criteria for permitted rules and only link to standards. Where appropriate add 'where' criteria as standards.	The 'where' part of the rule creates standards within the rule.
General	Format of rules	Oppose Remove bullet point 1. On all rules where there is no point 2.	It is unnecessary and makes it unclear what to refer to a rule as.
LIGHT-R1	<p>Outdoor Lighting</p> <p>Activity Status: <u>PER</u></p> <p>Where:</p> <ol style="list-style-type: none"> 1. The following outdoor lighting may not be used between 10.00pm and 6.00am: <ol style="list-style-type: none"> a. searchlights b. floodlighting of an area that is not in use or of an activity that is not in operation. c. outdoor illumination of any public recreational facility 	Oppose. Include link to LIGHT-MD1, currently not linked in ePlan	'Where' criteria should be deleted from the activity status and otherwise included as standards.

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
	<p>d. outside illumination of any building for aesthetic purposes by floodlight</p> <p>e. any outdoor illumination in which light is produced by metal halide, mercury vapour or fluorescent lighting, unless these lamps were installed prior to 1 January 1979 in any Commercial or Residential Zone in Takapō / Lake Tekapo or 1 March 1986 in all other zones.</p>		
Standards			
LIGHT-S1	<p>Direction</p> <p>1. All fixed exterior lighting shall be directed away any adjacent roads, residential properties and lakes.</p>	<p>Oppose - Amend</p> <p>All fixed exterior lighting shall be directed <u>downwards</u>, away from any adjacent roads, residential properties and lakes.</p>	To improve plan clarity
LIGHT-S2	<p>Shielding</p> <p>1. All outdoor lighting shall be shielded from above in such a manner that the edge of the shield shall be below the whole of the light source, so that all the light shines below the horizontal.</p>	<p>Oppose - Amend</p> <p>All outdoor lighting shall be shielded from above in such a manner that the edge of the shield shall be below the whole of the light source, so that all the light shines below the horizontal.</p>	To improve plan clarity
LIGHT-S3	<p>Colour Temperature</p> <p>1. The correlated colour temperature of outdoor lighting shall not exceed 2500 K.</p>	<p>Amend</p> <p>The correlated colour temperature of outdoor lighting shall not exceed 2500 <u>3000</u>K.</p> <p>Or alternatively <u>2700</u>K</p>	Outdoor lighting 2500K is difficult to find, increasing the CCT to 3000K provides greater range for people while still managing the effect.
LIGHT-S4	Lamp Types	Amend	Use of acronym LED as more familiar term for people.

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
	1. Only light-emitting diode, low pressure sodium and high pressure sodium lamps shall be used.	Only light-emitting diode (<u>LED</u>), low pressure sodium and high pressure sodium lamps shall be used. Consequential change, add LED to acronyms table and link.	
Matters of discretion			
LIGHT-MD1	<ul style="list-style-type: none"> a. The individual and cumulative effects on the ability to view the night sky. b. The effectiveness and practicality of any measures proposed to mitigate the effects of light spill. c. Whether the lighting is necessary for operational or functional purposes. 	Oppose - Amend to include <ul style="list-style-type: none"> d. Positive contribution of lighting 	Lighting has the ability to contribute positively which should be recognised.
LIGHT-MD2	<ul style="list-style-type: none"> a. Whether the lighting is necessary for operational or functional purposes. b. Adverse effects on: <ul style="list-style-type: none"> i. the amenity anticipated in the receiving zone; ii. the well-being, health and safety of people; and iii. traffic safety. c. The extent to which light spill or glare may impact on activities occurring on an adjoining property. 	Oppose - Amend to include <ul style="list-style-type: none"> d. Positive contribution of lighting 	Lighting has the ability to contribute positively which should be recognised.
Part 3 – Area- Specific Matters			
Zones			
Residential Zones			

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
MRZ – Medium Density Residential Zone			
General		Oppose the provisions	Should be amended to improve plan clarity and result in better environmental, social, and economic outcomes.
Introduction	<p>The Medium Density Residential Zone is located in Fairlie, Takapō / Lake Tekapo and Twizel.</p> <p>The purpose of the Medium Density Residential Zone is to provide higher density residential living opportunities close to town centres and main roads. The typical housing types include semi-detached, terraced housing and low-rise apartments.</p> <p>Buildings within the Medium Density Residential Zone are expected to be well-designed to ensure that they integrate with the surrounding area, minimise the effects of development on adjoining sites and provide a high-quality living environment for residents.</p> <p>Other non-residential activities are anticipated where they support the local population and are compatible with the character and amenity values of the zone.</p>	Support inclusion of “Other non-residential activities are anticipated where they support the local population and are compatible with the character and amenity values of the zone.”	Acknowledge the role non-residential activities have in creating a well-functioning residential area.
Objectives			

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
MRZ – O1	The Medium Density Residential Zone provides primarily for higher density residential living opportunities, and other compatible activities that support and are consistent with the character and amenity values of the zone.	Support	Addresses other compatible activities.
MRZ – O1	The Medium Density Residential Zone is a desirable, higher density, residential living environment, which: <ol style="list-style-type: none"> 1. contains a range of housing typologies including semi-detached, terraced housing and low rise apartments; 2. is well designed with good design outcomes; and 3. provides on-site amenity and maintains the amenity values of adjacent sites. 	Oppose – amend The Medium Density Residential Zone is a desirable, higher density, residential living environment, which: <ol style="list-style-type: none"> 1. contains a range of housing typologies including <u>detached</u>, semi-detached, terraced housing and low rise apartments; 	Residential units within the zone may also be smaller detached housing.
Policies			
MRZ – P1	Residential Activities Enable residential activities within a range of residential unit types and sizes.	Support	
MRZ – P2	Compatible Activities Provide for activities other than residential activities, where: <ol style="list-style-type: none"> 1. they are ancillary to a residential activity or are consistent with the character, amenity values and purpose of the zone; 2. they service the local community and do not detract from the character, 	Support	Addresses other compatible activities.

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
	<p>amenity values or purpose of the Neighbourhood Centre and Town Centre Zones; and</p> <p>3. the effects of the activity, including its scale, hours of operation, parking and vehicle manoeuvring are compatible with the amenity values of adjoining sites.</p>		
MRZ – P4	<p>Other Non-Residential Activities</p> <p>Avoid non-residential activities and buildings not provided for in MRZ-P2 or MRZ-P3, unless:</p> <ol style="list-style-type: none"> 1. the activity is an expansion of an existing activity; and/or 2. any adverse effects of the activity do not compromise the amenity values of the surrounding area; and 3. the nature, scale and intensity of the activity is compatible with the character and purpose of the zone. 	Oppose	This policy repeats in part and achieves the same function as P2. P2 could be amended to include expansion of existing activities. P4 could specify specific activities desired to be avoided e.g., industrial. Use of “avoid” in this policy does not align with the Discretionary status of R-13.
MRZ – P5	Adverse effects	<p>Oppose</p> <p>Amend to include reference to the Tekapo Character Design Guide for non-residential activities in the zone.</p> <p>Clarify how the design guides will be used in the assessment of resource consents.</p>	
MRZ – New Policy	Residential Visitor Accommodation	Add new policy:	To specifically provide for residential visitor accommodation to allow for more flexible use of properties.

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason			
		<u>Provide for residential visitor accommodation at a scale and character that is compatible with the surrounding residential character.</u>				
Rules						
General	Format of rules	<p>Oppose</p> <p>Remove the 'where' criteria for permitted rules and only link to standards. Where appropriate add 'where' criteria as standards.</p> <p>Remove 'Medium Density Residential Zone' from first column of the Rules table.</p> <p>Instead of using titles and box below just have rule reference, rule and activity status, and non-compliance notes.</p> <table border="1" data-bbox="869 783 1610 868"> <tr> <td data-bbox="869 783 1086 868">Rule Ref</td> <td data-bbox="1086 783 1303 868">Rule and activity status</td> <td data-bbox="1303 783 1610 868">Non-compliance notes</td> </tr> </table>	Rule Ref	Rule and activity status	Non-compliance notes	<p>The 'where' part of the rule creates standards within the rule.</p> <p>There is no need to have Medium Density Residential Zone written below every rule as it is clear which provisions are being addressed as the section is called Medium Density Residential Zone and the code MRZ is sufficient.</p>
Rule Ref	Rule and activity status	Non-compliance notes				
General		Support a range of activities having a permitted activity status.				
MRZ – R1	<p>Residential Units</p> <p>Activity Status: PER</p> <p>Where:</p> <p>There is a maximum of one residential unit per site; and</p> <p>The site has a minimum site area of 400m².</p> <p>And the activity complies with the following standards:</p> <p>MRZ-S2 Height</p> <p>MRZ-S3 Height in Relation to Boundary</p>	<p>Oppose.</p> <p>Remove 'where' criteria and convert to rules.</p> <p>Remove the 400m² minimum site area as it is a subdivision/lot size standard rather than a zone standard.</p> <p>400m² does not align with the density standard MRZ-S1 which enables a minimum site area per residential unit of 200m². Therefore, if the rule is to remain in the zone chapter then it should be amended to be 200m².</p>	<p>'Where' criteria are density standards. The 400m² minimum site area does not align with the density standard MRZ-S1 which enables a minimum site area per residential unit of 200m². The 400m² within this rule appears to be a subdivision/lot size standard and if so, should be removed from this rule and instead included in the future subdivision chapter.</p>			

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
	MRZ-S4 Setbacks MRZ-S5 Coverage MRZ-S6 Landscaping MRZ-S7 Outdoor Living Space MRZ-S8 Minimum Outlook Space MRZ-S9 Fencing MRZ-S10 Access	Amend as below: Residential Units Activity Status: PER Where: There is a maximum of one residential unit per site ; and The site has a minimum site area of 400m² <u>200m²</u>	
MRZ – R1 and MRZ – R2		Combine R1 and R2 together just as ‘Buildings and Structures’	They are both permitted, with R2 being a catch all rule so there is no benefit in having them as separate rules. Particularly as R3 allows for residential activity as a permitted activity.
MRZ – R4	Residential Visitor Accommodation Activity Status: PER Where: 1. No more than one residential unit on a site is used for residential visitor accommodation; and 2. The maximum occupancy of a site used for residential visitor accommodation does not exceed six guests per night.	Support being a permitted activity Oppose and amend the ‘where’ criteria as below: 1. No more than one residential unit on a site is used for residential visitor accommodation; and 2. The maximum occupancy of a <u>site residential unit</u> used for residential visitor accommodation does not exceed six guests per night.	Using ‘site’ in the rule does not allow for unit title development due to how the definition of ‘site’ applies to unit title developments.
MRZ-R11	Commercial Visitor Accommodation	Support	Support inclusion of Commercial Visitor Accommodation as a Discretionary Activity within the zone.

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
MRZ-R12	Commercial Activities not provided in MRZ-R5	Support	Support inclusion of other Commercial Activities as a Discretionary Activity within the zone.
MRZ-S1	Density The minimum site area per residential unit is 200m ² .	Support That the minimum site area per residential unit should remain as notified as 200m ² .	
MRZ-S2	Height 1. The maximum height of any building or structure shall not exceed 10m above ground level except a gable roof may exceed the maximum height by no more than 1m. 2. All floors shall have a minimum ceiling height of 2.7m	Oppose. Amend as below. 1. The maximum height of any building or structure shall not exceed 10m above ground level except a gable roof may exceed the maximum height by no more than 1m. 2. All floors shall have a minimum ceiling height of 2.7m	Clause 2. is not a planning or urban design matter.
MRZ-S3	Height in Relation to Boundary	Oppose. Amend to include height to boundary requirements within the standard. Exclude adjoining boundary walls (e.g., duplex) from needing to comply with this rule.	Amend to include height to boundary requirements within the standard to improve clarity/useability.
MRZ-S4	Setbacks 1. Any building or structure shall be setback a minimum of 2m from any road, shared accessway or reserve. Except any site with road frontage to Lakeside Drive, Takapō / Lake Tekapo shall have	Oppose. Amend as follows 1. Any building or structure shall be setback a minimum of 2m from any road, shared accessway or reserve. Except any site with road frontage to Lakeside Drive, Takapō / Lake Tekapo shall have any building or structure setback a minimum of 4.5m.	To ensure duplex designs and smaller residential structures do not trigger setback breaches. Setback for garage doors allows space for a car to park in front of the garage providing for increased onsite parking provision.

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
	<p>any building or structure setback a minimum of 4.5m.</p> <p>2. Any building or structure shall be setback a minimum of 2m from any internal boundary.</p> <p>3. Any building or structure on the true right bank of the Tekapo River shall be setback a minimum of 6m from the edge of the upper terrace.</p>	<p>2. Any building or structure shall be setback a minimum of 2m from any internal boundary.</p> <p>3. Any building or structure on the true right bank of the Tekapo River shall be setback a minimum of 6m from the edge of the upper terrace.</p> <p>4. <u>Garage doors facing the road shall be set back a minimum of 4.5m.</u></p> <p>5. <u>Setbacks shall not apply to buildings adjoining a common boundary or to sheds and shelters/Small scale buildings.</u></p>	<p>Smaller structures often have very little effect on the amenity of neighbouring properties due to their size therefore should be exempt from setback rules. Use new defined term as above.</p>
MRZ-S8	Minimum Outlook Space	<p>Oppose.</p> <p>Amend to include '<u>Outlook spaces may be within the site, over a public street or other public space</u>'.</p>	<p>To allow outlook spaces to extend over public spaces where relevant.</p>
MRZ-S9	Fencing	<p>Oppose.</p> <p>1. All fencing along the road boundary shall be:</p> <p>a. No higher than 1.8m <u>1.2m</u> above ground level and</p> <p>b. Any part of the fence higher than 1.2m above ground level shall be visually permeable, excluding support structures.</p>	<p>Rule as notified does not support good urban design outcomes and does not align with the Medium Density Residential Design Guide.</p>
Commercial and Mixed Use Zones			
Mixed Use Zone			
Whole		<p>That the Mixed Use Zone is revised to be a more intensive high density/mixed use zone and the current areas and provisions are recategorized as Settlement Zone.</p>	<p>Mixed Use Zones are commonly used as a transitional zone between a town/metropolitan centre and a residential area. This is not how MDC has applied the Mixed Use Zone. The national</p>

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
			planning standards provides for Settlement Zone which would be a better fit for the notified locations zoned and the notified provisions.
Introduction		That Tekapo is included within the Introduction.	Consequential amendment to zoning relief.
MUZ - O1	The Mixed Use Zone contains residential activities, along with a range of primarily small-scale commercial and community activities that serve the convenience needs of the surrounding residential and rural neighbourhood or visitors.	Support	
MUZ – O2	The Mixed Use Zone contains built form of a scale that reflects the character of the surrounding residential neighbourhood, and which maintains the amenity values anticipated within and beyond the zone.	Oppose	The Mixed Use Zone should not necessarily have built form of a scale that reflects the surrounding zoning as it is its own zone with its own provisions in relation to built form.
MUZ – P1	Enable a wide range of small-scale commercial activities, community facilities and residential activities to establish and operate within the Mixed Use Zone.	Support	
MUZ – P2	<p>Provide for activities that are not enabled by MUZ-P1 to establish and operate within the Mixed Use Zone where they:</p> <ol style="list-style-type: none"> 1. are not of a scale or nature which detracts from the character, amenity values or purpose of the Town Centre Zone; and 2. are compatible with the scale and nature of activities permitted 	<p>Oppose</p> <p>Amend as follows:</p> <p>Provide for activities that are not enabled by MUZ-P1 to establish and operate within the Mixed Use Zone where they:</p> <ol style="list-style-type: none"> 1. are not of a scale or nature which detracts from the character, amenity values or purpose of the Town Centre Zone; and 	<p>Unclear what the relevance of the character and amenity values of the Town Centre Zone have to do with the Mixed Use Zone.</p> <p>Activities within the Mixed Use Zone should not necessarily reflect compatibility with the surrounding zoning as it is its own zone with its own provisions in relation to</p>

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
	within the zone and the amenity values of the surrounding residential area.	2. are compatible with the scale and nature of activities permitted within the zone. and the amenity values of the surrounding residential area.	built form and an activity might be in the middle of the zone rather than adjoining a residential zone.
MUZ – P3	Manage development within the Mixed Use Zone to ensure that it: <ol style="list-style-type: none"> provides a high-quality pedestrian environment; is well-integrated with roads and public areas and positively contributes to their vibrancy; provides a good level of amenity for residents, workers and visitors; and is compatible with its residential setting and maintains the anticipated amenity values of any adjoining residential zone. 	Manage development within the Mixed Use Zone to ensure that it: <ol style="list-style-type: none"> provides a high-quality pedestrian environment; is well-integrated with roads and public areas and positively contributes to their vibrancy; provides a good level of amenity for residents, workers and visitors; and is compatible with its residential setting and maintains the anticipated amenity values of any adjoining residential zone. 	Activities within the Mixed Use Zone should not necessarily reflect compatibility with the surrounding zoning as it is its own zone with its own provisions in relation to built form and an activity might be in the middle of the zone rather than adjoining a residential zone.
New Rule	Campground and Holiday Park Activities = PER	That within the proposed 'Tekapo Mixed Use Precinct' of the Mixed Use Zone Holiday Park Activities are a permitted activity.	
New Rule	Backpackers Accommodation = PER	That within the proposed 'Tekapo Mixed Use Precinct' of the Mixed Use Zone Backpackers Activities are a permitted activity.	
MUZ – R1		Support	
MUZ – R2		Support	
MUZ – R3		Combine R2 and R3 together just as 'Buildings and Structures'	They are both permitted, with R3 being a catch all rule so there is no benefit in having them as separate rules. Particularly as R4 allows for residential activity as a permitted activity.
MUZ – R5	Residential Visitor Accommodation Activity Status: PER	Support being permitted activity	Using 'site' in the rule does not allow for unit title development due to how the

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
	<p>Where:</p> <ol style="list-style-type: none"> 3. No more than one residential unit on a site is used for residential visitor accommodation; and 4. The maximum occupancy of a site used for residential visitor accommodation does not exceed six guests per night. 	<p>Oppose and amend the 'where' criteria as below:</p> <p>3. No more than one residential unit on a site is used for residential visitor accommodation; and</p> <p>The maximum occupancy of a <u>site residential unit</u> used for residential visitor accommodation does not exceed six guests per night.</p>	<p>definition of 'site' applies to unit title developments.</p>
MUZ – R6		Support	
MUZ – R7		Support	
MUZ Standards	General	<p>Oppose</p> <p>Amend to allow for built development similar to the MRZ standards.</p>	<p>Allowing development similar to the MRZ standards provides for more comprehensive mixed use development.</p>
MUZ – S4	<p>Setbacks</p> <ol style="list-style-type: none"> 1. Any building or structure shall be setback a minimum of 2m from any internal boundary. 2. Any building or structure shall be set back a minimum of 3m from any road boundary. 	<p>Amend to allow for commercial activities to front the street with no minimum setback</p>	<p>Some activities are better to front the street than have a setback such as shop frontages where if a setback was provided then it could result in the frontage being used for parking resulting in a reduced street presence.</p>
MUZ – S7	<p>Landscaping</p> <ol style="list-style-type: none"> 1. Where the site adjoins a residential zone, a landscaping strip with an average depth of 2m shall be established along that boundary, using a species capable of creating a continuous screen with a minimum height of 1.8m at maturity. 	<p>Oppose</p> <p>Remove rule and instead use as matter of discretion for setbacks and boundary standards.</p>	<p>Not all activities in the MUZ would need to be mitigated in this way and the activity backing on to the residential zone may also be residential. This issue is better dealt with as matter of discretion for setback rules and boundary activity standards as that is the activity that the landscaping is mitigating.</p>

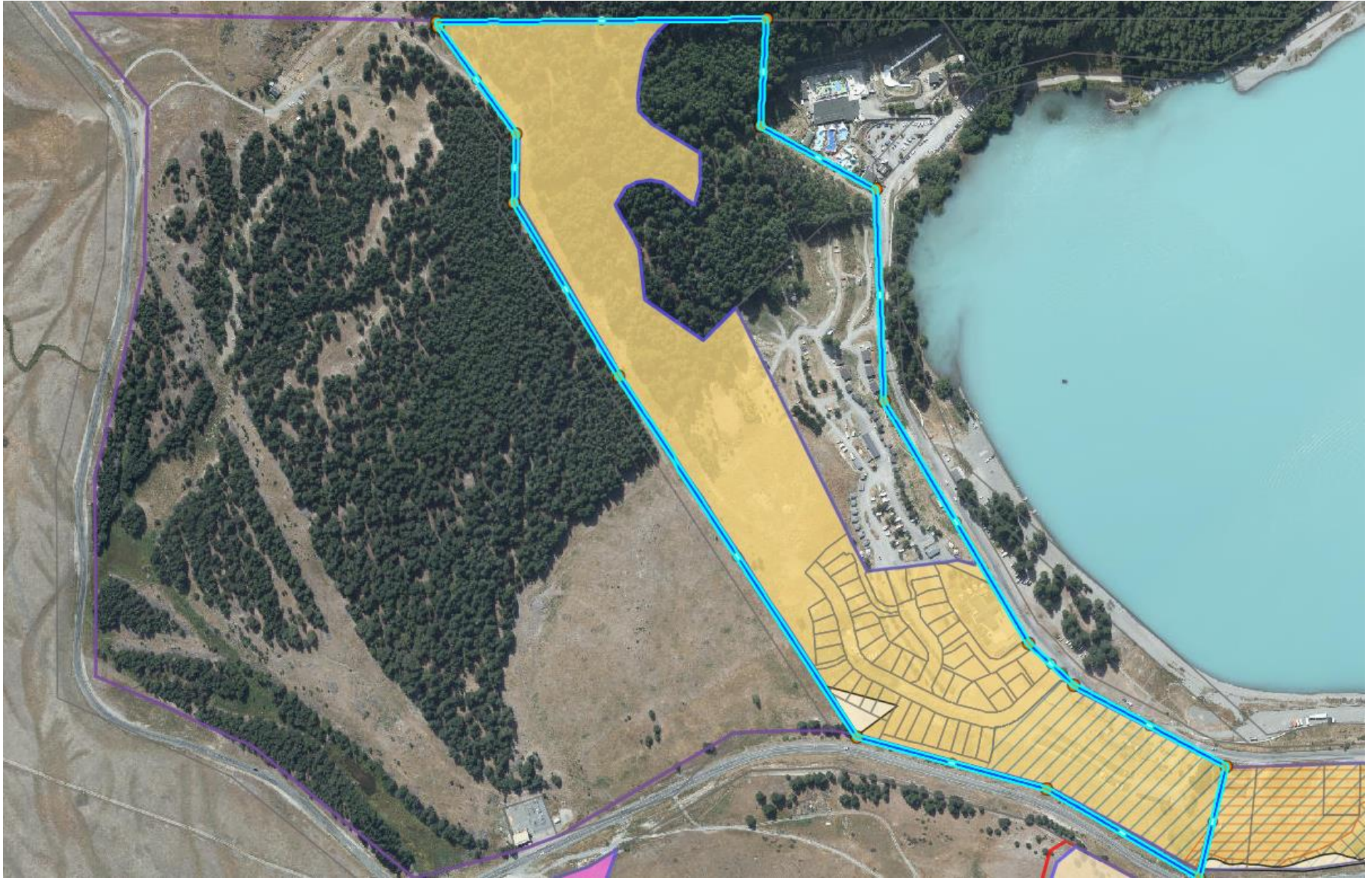
Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
	<p>2. All landscaping required in 1. above shall be:</p> <p>a. undertaken and completed by the end of the first planting season (1 May to 30 November) following any activity being established on the site; or</p> <p>b. when an activity commences during the months of October or November, the landscaping shall be undertaken and completed within 12 months of the activity commencing on the site; and</p> <p>c. maintained, and any dead, diseased, or damaged plants, shall be removed and replaced.</p>		
Precincts (Multi-Zone)			
Lake Tekapo Precinct	All	<p>Oppose</p> <p>Amend to include the provisions within each of the relevant zone chapters, rather than a separate precinct chapter.</p>	Improve clarify and plan useability
Lake Tekapo Precinct	Introduction	<p>Oppose</p> <p>Specify the “special character” and “distinctive built form” that is sought.</p>	
Lake Tekapo Precinct	PREC1-01	<p>Oppose</p> <p>Specify the “special character” and “distinctive built form” that is sought to be maintained.</p>	

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
Lake Tekapo Precinct	PREC1-P1	<p>Oppose</p> <p>Specify the “built form character” that is to be maintained and enhanced.</p>	
Lake Tekapo Precinct	PREC1-S3	<p>Oppose</p> <p>1. The wall of any building shall not be greater than:</p> <p>a. 20m in total length; and</p> <p>b. 14m, without a recess in the façade and roofline of at least 1m in depth and 2m in length.</p> <p>2. There shall be a minimum separation distance between any buildings on a site of no less than 2m.</p>	<p>Remove requirements for stepped facades as these may increase building costs on already challenging sites. The orientation of lots is typically that the long façade is to the internal boundary and does not impact the streetscape.</p> <p>Exclude minor buildings and structures from the setback requirements for ‘buildings’.</p>
Lake Tekapo Precinct	PREC1-S4 - Height	<p>Oppose</p> <p>Amend as below</p> <p>2. The maximum height of any building or structure shall be 7.5m <u>8m</u> above ground level except a gable roof may exceed the maximum height by no more than 1m.</p> <p>3. All floors shall have a minimum ceiling height of 2.7m.</p>	<p>8m height limit is consistent with the operative standards and this is appropriate for a range of roof forms.</p> <p>Minimum floor height is not a planning or urban design concern.</p>
Lake Tekapo Precinct	Specific Control Area 7	Support	

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
	The maximum height of any building or structure shall be 12m above ground level, or the height of the nearest point of the terrace top, whichever is the lesser.		
Development Areas			
DEV1 - Takapō Lake Tekapo West Future Development Area			
All		Oppose	Oppose the inclusion of the Takapō Lake Tekapo West Future Development Area within the District Plan. The specified objectives and policies are limited in scope and do not cover all matters relating to the future suitability of this land for development. As such, a future master plan would be limited in the analysis/investigation required to be undertaken. Currently unable to determine what would be provided for or what the intension of these areas is in the District Plan context.
Lake Tekapo Character Design Guide & Medium Density Residential Design Guide			
APP2	Whole Design Guide	Support the inclusion of a design guideline	Design Guidelines contribute to achieving good urban design for developments.
APP2	Whole Design Guide	Oppose The district plan and the design guideline need to have a clearer relationship and the process for using the design guideline for resource consenting clearly laid out.	Without a clear implementation method, the design guideline could be inconsistently applied by council and confusing for plan users.
APP2	Roofing design	That it is made clearer that hip style roofing is not an acceptable roof type for Tekapo.	Hip style roofing does not fit with the current aesthetic or character of Tekapo,

Ref	Provision	Submission/Decision sought (additions shown as <u>underline</u> , deleted shown as strike through).	Reason
			and the design guideline should be more clear that this is an unacceptable roof type.

Appendix A: Property subject to the submission



Appendix B – Mapping sought by the submitter

