Mackenzie
DISTRICT COUNCIL

NOTIFICATION REPORT FOR AN APPLICATION FOR LAND USE CONSENT PURSUANT TO SECTIONS 95A TO 95E OF THE RESOURCE MANAGEMENT ACT 1991 – RM260085

Applicant:	Claire Bramley and Mark Henry Hopkins
Application Description:	Retrospective land use consent to use an existing residential unit (Wayfarers Lodge) and minor residential unit (Wayfarers Studio) for residential visitor accommodation for up to ten guests in total (eight and two guests respectively)
Application Status:	Discretionary
Property Address:	7 Rankin Rise, Lake Tekapo
Legal Description:	Lot 61 Discretionary Plan 353489 held in Record of Title 218660
Valuation Reference:	2531159987
District Plan Zone:	Low Density Residential Zone
District Plan Notations:	Takapō / Lake Tekapo Precinct Flight Protection Area Tekapo
Author:	Patrick O'Toole - Consultant Planner
Site visit undertaken:	6 August 2026
Date of Report:	3 November 2026

1.0 INTRODUCTION

This report has been prepared under the Resource Management Act 1991 (the Act) to document the notification assessment of the subject consent application to retrospectively provide for residential visitor accommodation for up to ten guests within a residential unit and minor residential unit on the site at 7 Rankin Rise under sections 95A to 95E of the Act.

By email dated 20 July 2026, the Applicant was offered the opportunity to obtain written approval from the parties identified as adversely affected prior to a formal assessment under S95A-F of the RMA being completed (being the owners of 5, 9 and 11 Rankin Rise). The application was placed on hold pursuant to section 88E(4) from that date to provide the Applicant time to obtain any written approvals.

On 21 July 2026, the Applicant provided the written approval of the owner of 5 Rankin Rise, with the approval of 9 and 11 Rankin Rise being absent.

On 27 August, LandPlay Ltd (now acting for the Applicant), provided a Supplementary Planning Assessment addressing sections 95A and 95B (including an assessment of each surrounding property) and suggested draft conditions of consent. On 1 October and 19 October 2026, Ms Monique Thomas, (acting for the Applicant) set out a further assessment against sections 95B and 95E of the Act. No further written approvals were provided on any of the above dates.

The notification assessment set out below is undertaken on that basis.

- 20 July 2026 – The Applicant was offered the opportunity to obtain the written approvals of the owners of 5, 9 and 11 Rankin Rise before a formal assessment under sections 95A to 95E was completed. The application was placed on hold under section 88E from that date, with the agreement of the Applicant's agent (confirmed 27 July 2026).
- 21 July 2026 – Written approval provided by J H Marshall Limited, owner of 5 Rankin Rise.
- 27 August 2026 – LandPlay Ltd, now acting for the Applicant, provided a Supplementary Planning Assessment addressing sections 95A and 95B (including an assessment of each surrounding property) and draft conditions of consent. No further written approvals were provided.
- 1 October 2026 and 19 October 2026 – Letter and email from Ms Monique Thomas, barrister, for the Applicant, setting out a further assessment against sections 95B and 95E.

The information relied on in this report therefore comprises the application and Assessment of Environmental Effects (Milward Finlay Lobb Limited, 30 June 2026), including the Silva Studio site plan, Record of Title and VAMP; the LandPlay Ltd Supplementary Planning Assessment and draft conditions (27 August 2026); the letter from Ms Thomas dated 1 October 2026; the Consents Engineer's comments (24 July 2026); Council's consent records for the site and for 5 Rankin Rise; Council's GIS aerial imagery; Google Street View imagery; and my site visit of 6 August 2026.

The abatement notice issued to the Applicant on 18 August 2026 was issued under Council's separate enforcement functions. It has not been taken into account in this assessment. Following recent amendments to the RMA, compliance history (previous history or current compliance and enforcement action) is now able to be considered as part of the s104 consideration under section 104(2EA) of the RMA. This includes any previous or current abatement notices, enforcement orders, infringement notices or convictions under this Act received by the applicant.

2.0 PROPOSAL, SITE & HISTORY DESCRIPTION

2.1 PROPOSAL DESCRIPTION

Claire Bramley and Mark Hopkins ('the Applicant') seek land use consent to use both existing residential units at 7 Rankin Rise, Lake Tekapo for residential visitor accommodation for up to ten guests in total. The application describes the activity as continuing, so consent is sought retrospectively. The two units are:

- **Wayfarers Lodge** – the principal residential unit, with four bedrooms, kitchen, living areas, laundry and two bathrooms, accommodating up to eight guests.

- **Wayfarers Studio** – a minor residential unit attached to a garage in the western part of the site, with a combined bedroom and dining area, kitchen and bathroom/laundry accommodating up to two guests. The Studio was consented under BC180144 (2018) as a sleepout with a bathroom, without kitchen facilities (see site history below).

Each unit would be let to a single group only (a maximum of two separate bookings on the site at any one time), and individual rooms would not be let. No changes to the existing buildings, landscaping, access or parking are proposed.

The VAMP (Version 1.0, July 2026), the volunteered conditions and together provide for the following:

- management by BookTekapo (Greg and Angela Marshall), contactable at all times, with guests to be contacted within 30 minutes of a neighbour complaint, a contact sign at the roadside, and the manager's details provided to adjoining landowners;
- screening of every booking through GoodtoBook before confirmation;
- quiet hours from 2200 to 0800 hours, with no amplified music anywhere on the property and no use of outdoor spaces (decks, lawns and communal areas) for entertainment during those hours;
- no parties, events or functions; no pets; no smoking inside;
- an escalating complaints procedure under which a serious disturbance or third complaint results in termination of the stay;
- all parking on site (three spaces), and rubbish bins kept at the rear of the property and returned from the kerb within 24 hours of collection;
- occupancy records kept for 24 months and produced to Council on request; and
- annual review of the VAMP, with changes re-certified by Council, and a review condition under sections 128 and 129.

2.2 SITE DESCRIPTION

The subject site is located at 7 Rankin Rise, Lake Tekapo. It is a rear site of 1,295m², legally described as Lot 61 DP 353489 and held in Record of Title 218660. It is zoned Low Density Residential Zone (LRZ) and is within the Takapō / Lake Tekapo Precinct and the Flight Protection Area Tekapo.

Consent Notices 5664442.2 and 5664442.3 are registered against the RT for this property and relate to the establishment of a formed access under the provisions of the District Plan prior to a new dwelling being established, and that the same dwelling is connected to Council's sewer and water supply reticulated networks as well as power and telecommunication supply networks. Since the vehicle crossing is fully formed and sealed, and Council records confirm the relevant connections have been made, I do not consider these consent notices to be relevant to the consideration of this application.

The location of the site is illustrated in Figure 1 and an aerial photograph of the site is provided as Figure 2.

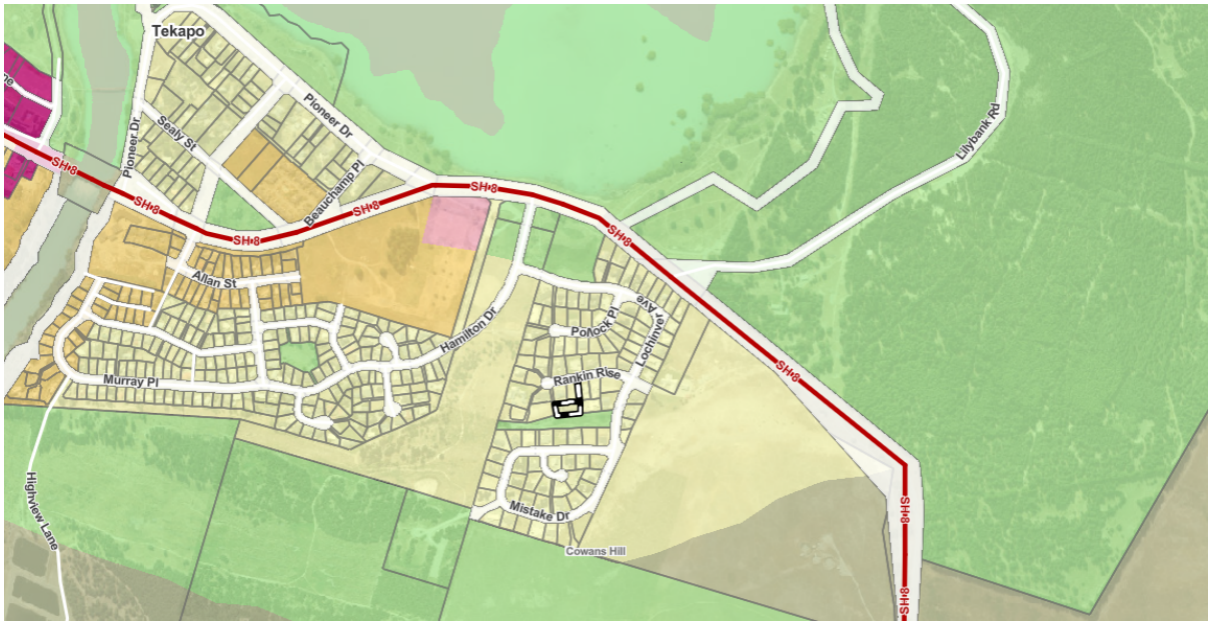


Figure 1: Site location map. The subject site is highlighted in black and white. Source: Mackenzie District Plan EMaps.



Figure 2: Aerial photograph. The subject land is highlighted in blue. Source: Mackenzie District Council GIS

Access is from Rankin Rise via the site's leg-in accessway (part marked F on DP 353489), which runs between 9 and 3 Rankin Rise and is subject to rights of way in favour of neighbouring lots, including 3 and 5 Rankin Rise. The accessway is formed and sealed (concrete) from the vehicle crossing on Rankin Rise (Figure 3), with gravel parking and manoeuvring areas within the site. The site plan (Figure 4) records building coverage of 231.97m² (Wayfarers Lodge 160.69m² and the garage and Studio 71.28m²), decking of 82.20m² and driveway and parking areas of 560.97m². The percentages shown on the site plan are calculated on the gross site area of 1,295m², and the driveway figure includes the leg-in accessway. Coverage under the District Plan is measured against the net site area, which excludes the leg-in. I have calculated the net site area as 1,201.5m², and the trafficable gravel driveway, parking and manoeuvring areas within it as approximately 458m², measured from the lines on the Silva Studio site plan.



Figure 3: Shared accessway serving 3 (left), 5 and 7 Rankin Rise, sealed from the vehicle crossing on Rankin Rise. 9 Rankin Rise is visible right of frame (Source: Site visit).

Wayfarers Lodge occupies the central part of the site, with its main deck (74.7m²) and a landscaped garden between the dwelling and the northern boundary. Wayfarers Studio and its attached garage are at the western end of the site, with a small deck and outdoor living area on the north side of the studio. Three car parks are provided: two (including a mobility park) in the north-eastern part of the site at the end of the accessway, adjoining the south-eastern part of 9 Rankin Rise, and one at the rear for the Studio. The site is landscaped with tussock and native planting and bounded by timber fencing approximately 1.8m high on the northern boundary. The land rises slightly from Rankin Rise to the site but is generally level with 9 and 11 Rankin Rise.



Figure 4: Site plan (Source: Silva Studio, June 2026, Application Documents).

The surrounding properties are:

- **NORTH** – 9 Rankin Rise (878m²) and 11 Rankin Rise (1,045m²). 9 Rankin Rise contains a single-storey dwelling with a tall open gable form, glazed north and south facades, and set back approximately 18.7m from the common boundary; its southern yard is largely open gravel and garden, with a small shed. A minor unit is also under construction. 11 Rankin Rise contains a two-storey dwelling, used as permitted residential visitor accommodation for four guests ('Askray Apartment'), with parking, landscaping and a paved service pad in its southern part. Both dwellings front Rankin Rise, with their decks and balconies on their northern sides (Figure 5). Easements run along the side boundaries of these lots but do not cover their southern yards adjoining the site.



Figure 5: 9 Rankin Rise (left) and 11 Rankin Rise (right) as seen from Rankin Rise, looking south. Both dwellings, and their decks and balconies, face north towards the road and Lake Tekapo, and away from the subject site (Source: Google Street View).

- **NORTH-EAST AND EAST** – 3 Rankin Rise (850m^2), east of the leg-in accessway, contains a U-shaped dwelling whose central courtyard (used as outdoor living space) opens west directly onto the accessway, with the building approximately 2.3m from it as seen in Figure 6 below; it also has a north-facing outdoor living area. 5 Rankin Rise (1,168m^2) adjoins the site to the east and comprises a principal and minor residential unit which shares the accessway with the application site.



Figure 6: Outdoor living area for 3 Rankin Rise directly accessible from shared driveway (Source: Site visit).

- **WEST** – a 6m wide Council reserve strip containing a walkway, beyond which are 13 Rankin Rise (dwelling oriented obliquely to the site) and 15 Rankin Rise (vacant).

- **SOUTH** – Council reserve land (6 Mistake Drive) containing a stormwater basin and walkway, with a recreation reserve beyond. 12 Mistake Drive, a two-storey dwelling at 12 Mistake Drive, whose balconies and main windows face towards the site, is on the far side of the recreation reserve.

A site visit was undertaken on 6 August 2026. The applicant was not present during this site visit. Photographs taken during the site visit are held in the file.

2.3 SITE HISTORY/BACKGROUND

The following is a summary of the relevant site history:

Resource Consents:

- **RM040060** – To subdivide Lot 500 of RM030065 (being a subdivision of Lot 1 DP 319826) into 21 residential allotments.

Building Consents:

- **BC140157** – Construction of a new three-bedroom dwelling.
- **BC180144** – Construction of a Versatile garage including a sleepout and bathroom.

Lawful establishment of the garage and Studio

When BC140157 and BC180144 were issued, the site was zoned Residential 1 under the Mackenzie District Plan 2004. Rule 3.1.1.b.i of Section 6 (Residential Zones) of that Plan limited the maximum building and hard surface coverage of the net area of any Residential 1 site to 50%. "Hard surface" was defined to include hardfill driveways and "any area used for parking, manoeuvring, access or loading of motor vehicles", and "net area" excluded any area contained in the access to the site. Building and hard surface coverage of more than 50% but not more than 60% required consent as a discretionary activity (Rule 3.3.1), and coverage of more than 60% was a non-complying activity (Rule 3.4.3).

Neither the BC140157 site plan (2014) nor the BC180144 site plan (2018) shows the driveway, parking or manoeuvring areas, so hard surface coverage could not have been assessed from those plans. Council's historical aerial imagery for the period 2015 to 2019 (Figure 7) shows Wayfarers Lodge and most of the existing gravel areas in place, but not the garage and Studio. On the figures above, building and hard surface coverage before the garage was constructed was in the order of 50% (Wayfarers Lodge and up to 458m² of gravel, being up to 51.5% of the net site area). The garage and Studio (71.28m²), together with the gravel area in front of the garage, increased building and hard surface coverage to approximately 57.4%. That exceeded the 50% limit in Rule 3.1.1.b.i and required resource consent as a discretionary activity under Rule 3.3.1. No resource consent was obtained, and the issue of a building consent does not authorise a breach of the District Plan.

I therefore cannot conclude that the garage and Studio were lawfully established. I have assessed them against the current built form standards of the LRZ and the Takapō / Lake Tekapo Precinct in section 3.2, and I have not included the residential occupation of the Studio in the permitted baseline (section 5.1). I have not identified any evidence that Wayfarers Lodge was not lawfully established, and I have treated it as lawfully established.

In addition, the BC180144 plans show the sleepout containing a toilet, shower, basin and washing machine, but no kitchen. The Studio now contains a kitchen, and Council's records do not include a building consent for that work. A minor residential unit of the Studio's size is permitted under LRZ-R2

(subject to the relevant standards), so this does not change the activity status of the proposal. Any Building Act implications are a matter for Council's Building team.



Figure 7: Historical aerial imagery (2015–2019) showing Wayfarers Lodge and most of the existing gravel areas, but not the garage and Studio (Source: Canterbury Maps GIS).

3.0 MACKENZIE DISTRICT PLAN

3.1 MACKENZIE DISTRICT PLAN REVIEW

The proposed activity is administered by the Mackenzie District Plan, including as amended by Plan Changes 20 and 21, Plan Change 22 (all operative), Plan Changes 23 to 27 (deemed operative) and the provisions included in Plan Changes 28 to 30, on which Council released its decisions on submissions on 24 July 2025. Provisions in Plan Changes 28 to 30 have legal effect and those rules which are not subject to an appeal are to be treated as operative as per section 86F(1)(a) of the Act:

Section 86F When rules in proposed plans must be treated as operative

(1) A rule in a proposed plan must be treated as operative (and any previous rule as inoperative) if the time for making submissions or lodging appeals on the rule has expired and, in relation to the rule,—

(a) no submissions in opposition have been made or appeals have been lodged; or

(b) all submissions in opposition and appeals have been determined; or

(c) all submissions in opposition have been withdrawn and all appeals withdrawn or dismissed.

There are no provisions applicable to the proposal that are subject to appeal. All relevant aspects of the District Plan relating to this proposal are therefore treated as operative.

3.2 ZONING, DEFINITIONS AND COMPLIANCE ASSESSMENT

The District Plan distinguishes between residential-based visitor accommodation such as holiday homes and Air BnB's and non-residential focused accommodation by defining and treating residential visitor accommodation separately to other more traditional commercial forms of visitor accommodation activity, as differentiated by the definitions below:

Residential Visitor Accommodation:
Means the use of a residential unit for visitor accommodation including any residential unit used as a holiday home.

Commercial Visitor Accommodation:
Means land and buildings used for any form of visitor accommodation that is not defined as residential visitor accommodation, including:
a) backpackers;
b) camping grounds;
c) hostels;
d) motels;
e) motor inns; and
f) tourist lodges.

Also relevant to the assessment of the proposed activity are the definitions of residential unit and minor residential unit, as set out 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)

Minor Residential Unit
means a self-contained residential unit that is ancillary to the principal residential unit and is held in common ownership with the principal residential unit on the same site.
(National Planning Standard definition)

Based on the above definitions the proposal includes the use of both a residential unit and minor residential unit for residential visitor accommodation purposes.

The Council has previously sought legal advice as to the interpretation of the definition of residential visitor accommodation as opposed to commercial accommodation. That advice recognised that there is some room for differing interpretations, but overall it considered that air BnB type situations do fall within the definition of residential visitor accommodation. That advice stated that position to be the *"more correct and valid interpretation of the current provisions"*.

A key aspect of the residential visitor accommodation definition is one group of people using the property for residential purposes at any one time; this is in order to address that part of the residential unit definition that states *"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"*. The dictionary defines this as *"occupants regarded as a unit"*. Where a residential unit is set up for living by a unit of occupants, i.e., one group all together to use the facilities such as a family or a group all together, this qualifies as a living facility for a household. This can be distinguished from buildings where there is communal living and shared facilities such as a hostel, bunk room or the like.

In that way each household that stays at such a property is using it exclusively for a residential activity. The legal advice was that this does not require there to have been a household that resides at the property permanently, previously, or on a long-term basis. The advice was that the definition be interpreted as at today, effectively by asking is the activity of one household staying on a property to sleep, cook, wash etc.

Based on this advice, and the physical design and layout of the residential and minor residential units subject to this application; the proposal is considered to meet the definition of residential visitor accommodation activity as it will occur within a residential unit as opposed to formal commercial visitor accommodation activity.

It is noted that a condition imposed on any consent granted can ensure that the property is rented to only one group or party of people at a time to ensure that this residential visitor accommodation definition is met.

The subject site is zoned Low Density Residential Zone (LRZ) and is within the Takapō / Lake Tekapo Precinct. An assessment of the proposal is set out below.

- **Rule LRZ-R5.1** – residential visitor accommodation is permitted where no more than one residential unit on a site (including a minor residential unit) is used for residential visitor accommodation. Both units are proposed to be used. Compliance is not achieved with LRZ-R5.1, and the activity status is **Discretionary**.
- **Rules LRZ-R5.2 and LRZ-R5.3** – LRZ-R5.2 limits the maximum occupancy of the unit used for residential visitor accommodation to six guests per night. On a plain reading, this is a per-unit standard. Wayfarers Lodge would accommodate up to eight guests, which exceeds six but not twelve, and requires consent as a **Restricted Discretionary Activity** under LRZ-R5.3. Wayfarers Studio (two guests) complies.
- **Transport (TRAN-R5)** – three on-site parking spaces are provided, which the VAMP states meets TRAN-Table 3 for a residential unit and a minor residential unit. Vehicles can turn on site. The shared accessway is sealed from the vehicle access point on Rankin Rise for considerably more than 5.5m (Figure 3), so TRAN-S7 is met. This addresses the Consents Engineer's comment of 24 July 2026 that the first 5.5m of the driveway would require sealing, which was made because the application photographs did not show the accessway beyond the footpath. No sealing condition is required. Given the above, the activity status is **permitted**.
- **Standard LRZ-S5 – Coverage** – LRZ-S5.1 limits building coverage to 40%, and LRZ-S5.2 limits building and impervious coverage to 50%, of the net site area. Impervious surfaces include areas of gravel used for vehicle parking, manoeuvring and loading. Based on a net site area of 1,201.5m², building coverage is 26.1% (314.17m²), which complies with LRZ-S5.1. Building and impervious coverage, comprising the buildings and approximately 458m² of gravel driveway, parking and manoeuvring areas, is approximately 64.3%, which does not comply with LRZ-S5.2. No additional impervious surfaces are proposed, but there is no resource consent for the exceedance, so it is included in this application. The activity status is restricted discretionary, with discretion restricted to RES-MD4 Coverage.
- **Takapō / Lake Tekapo Precinct (PREC1) and Outdoor Lighting (LIGHT)** – no new buildings, structures or outdoor lighting are proposed. However, as set out in the Site History above, I cannot conclude that the garage and Studio were lawfully established, and I have therefore assessed them against the current PREC1 and LRZ built form standards in Table 1 below. The application states that the existing exterior lighting is downward-facing LED lighting that complies with LIGHT-S1 to LIGHT-S5.

Table 1: Garage and Studio – compliance with current built form standards

Standard	Garage and Studio	Status
PREC1-S1 Materials and Colours	Clad in vertical corrugated Colorsteel in black on all four façades, with a corrugated Colorsteel Endura roof (BC180144 Sheets 1 and 11; site visit). PREC1-S1.1 requires at least two of the listed cladding materials. Black is within the permitted colour range subject to a light reflectance value of 5–35%. The roof is not tiled.	Does not comply (S1.1)
PREC1-S2 Roofs	Gable roof with a pitch of 27 degrees (20–65 degrees permitted).	Complies
PREC1-S3 Building Scale	Maximum wall length 10.8m (20m permitted); not along a road or public space. Separated from Wayfarers Lodge by approximately 2.8m (2m required).	Complies
PREC1-S4 Height	Maximum height approximately 4.2m (BC180144 design statement) (7.5m permitted).	Complies
PREC1-S5 No Build Areas	The site is not within a No Build Area.	Complies
PREC1-S6 Garages	The garage is attached to the Studio rather than the primary building, and is approximately 2.8m from Wayfarers Lodge.	Complies
PREC1-S7 Fences	No fencing observed along the western and southern reserve boundaries closer to the reserve than the building façade.	Complies
PREC1-S8 Retaining Walls and Level Changes	No retaining walls or level changes fronting a road or public space.	Complies
LRZ-S2 Height	Approximately 4.2m (8m permitted).	Complies
LRZ-S3 Height in Relation to Boundary	Single storey, approximately 4.2m high, set back at least 3m from boundaries.	Complies
LRZ-S4 Setbacks	Approximately 3m from the western boundary (reserve strip) and 5.8m from the southern boundary (reserve) (2m required).	Complies
LRZ-R2 Minor Residential Units	One minor residential unit on the site; gross floor area approximately 29m² excluding garaging (65m² permitted); ancillary to the residential activity.	Complies

The garage and Studio do not comply with PREC1-S1.1. Where the PREC1 standards are not complied with, the activity status is restricted discretionary, with discretion restricted to the consistency of the proposal with the Takapō / Lake Tekapo Character Design Guide in Appendix APP2.

There are no rules in the Flight Protection Area Tekapo applicable to the activity.

3.3 ACTIVITY STATUS

The components of the proposal are inextricably linked and have been bundled. The proposal requires consent as a discretionary activity under LRZ-R5.1, and as a restricted discretionary activity under LRZ-R5.3, LRZ-S5.2 and PREC1-S1. Overall, the application is assessed as a **Discretionary Activity**.

4.0 NATIONAL ENVIRONMENTAL STANDARDS (NES) & NATIONAL POLICY STATEMENTS

National Environmental Standards

A total of 12 National Environmental Standards are currently in effect, as follows:

- National Environmental Standards for Air Quality 2004
- National Environmental Standards for Sources of Human Drinking Water 2007
- National Environmental Standards for Electricity Transmission Activities 2009
- National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
- National Environmental Standards for Telecommunication Facilities 2016
- National Environmental Standard for Marine Aquaculture 2020
- National Environmental Standard for Storing Tyres Outdoors 2021
- National Environmental Standards for Greenhouse Gas Emissions from Industrial Process Heat 2023
- National Environmental Standards for Commercial Forestry 2023
- National Environmental Standards for Freshwater 2025
- National Environmental Standards for Detached Minor Residential Units 2025
- National Environmental Standards for Papakaiinga 2026

The NES are not considered relevant to this application. The site is not listed as a HAIL site on the Environment Canterbury Listed Land Use Register and there is no change of use or earthworks proposed. The site has an acceptable source of drinking water. The activity will not affect the National Telecommunication Network or Electricity Transmission. Nor will it involve plantation forestry or discharge to air.

National Policy Statements

A total of 6 National Policy Statements are currently in effect, as follows:

- National Policy Statement for Electricity Networks 2008 Amended 2025 (NPS-EN)
- National Policy Statement for Renewable Electricity Generation 2011 Amended 2025 (NPS-REG)
- National Policy Statement for Freshwater Management 2020 Amended 2025 (NPS-FW)
- National Policy Statement for Indigenous Biodiversity 2023 Amended 2025 (NPS-IB)
- National Policy Statement for Highly Productive Land 2025 (NPS-HPL)
- National Policy Statement for Infrastructure 2025 (NPS-I)
- National Policy Statement for Natural Hazards 2025 (NPS-NH)

No NPS are considered relevant to the consideration of this application.

5.0 ASSESSMENT OF EFFECTS

5.1 Permitted Baseline and Receiving Environment

Permitted Baseline

The application of the permitted baseline is discretionary. I have considered the questions identified in *Lyttelton Harbour Landscape Protection Association Inc v Christchurch City Council*, referred to by Ms Thomas.[1] I consider it is appropriate to apply the baseline in this case. The permitted activities are the same in kind as the proposal, Wayfarers Lodge is lawfully established, and the comparison is not

[1] Lyttelton Harbour Landscape Protection Association Inc v Christchurch City Council [2006] NZRMA 559 at [21].

fanciful. The permitted baseline comprises the use of one residential unit on the site for residential visitor accommodation for up to six guests per night (LRZ-R5).

As set out in the Site History, I cannot conclude that the garage and Studio were lawfully established. The residential occupation of the Studio by a household therefore does not form part of the permitted baseline, and the use of the Studio for residential visitor accommodation has been assessed in full.

I have not applied the scenario put forward by LandPlay Ltd of two separate sites each containing a residential unit used for residential visitor accommodation. Subdivision is not a permitted activity, and Ms Thomas accepts that the scenario does not form part of the permitted baseline.

Having regard to the baseline, the effects of the proposal that require assessment are:

- two additional guests (the seventh and eighth) in Wayfarers Lodge;
- the occupation of Wayfarers Studio (one bedroom, up to two guests) by short-stay guests, resulting in up to two separate groups on the site at any one time, with independent arrival and departure times; and
- any associated change in the use of outdoor areas, vehicle movements and parking.

Receiving Environment

The environment against which effects are assessed includes the environment as it exists, as it might be modified by permitted activities, and as it might be modified by resource consents that have been granted and are likely to be implemented.[2] Two consequences follow in this case.

- The existing use of both units for visitor accommodation is not authorised by a resource consent and is not a permitted activity. It therefore does not form part of the environment. I do not accept the statement in the application that, because the activity is already occurring, no additional adverse effects would arise. The effects of the proposal must be assessed against the lawful baseline described above.
- The environment includes the reasonably foreseeable, non-fanciful use and development of neighbouring land as permitted by the District Plan. This includes the use of neighbouring yards for outdoor living, and permitted structures such as decks, pergolas or a spa pool, none of which require consent. It also includes further residential development where the Plan permits it. Under LRZ-S1 the minimum site area per residential unit is 400m², and under LRZ-R2 one minor residential unit is permitted per site. Both 9 Rankin Rise (878m²) and 11 Rankin Rise (1,045m²) could therefore accommodate a second residential unit (noting a minor residential unit is already under construction in the case of 9 Rankin Rise) and a minor residential unit as a permitted activity, set back as little as 2m from the common boundary (LRZ-S4). Such development is realistic rather than fanciful.

The receiving environment is an established low-density residential neighbourhood in which residential visitor accommodation is a common, anticipated activity. Properties in the vicinity advertised as permitted residential visitor accommodation include 10, 11 and 13 Rankin Rise, 4 Manning Place, and 41 Lochinver Avenue. An application for residential visitor accommodation at 5 Rankin Rise (RM260096) is being processed but has not been granted and does not form part of the receiving environment. Two areas of Council reserve adjoin the site to the west and south.

[2] Queenstown Lakes District Council v Hawthorn Estate Ltd [2006] NZRMA 424 (CA).

5.2 Written Approvals

The application includes the written approval Jonny Marshall on behalf of J H Marshall Limited, owner of 5 Rankin Rise, dated 21 July 2026. The approval describes the proposal as residential visitor accommodation at Wayfarers Lodge and Wayfarers Studio for a total of up to ten guests, and the site plan has been signed with Council confirming the written approvals as acceptable. In accordance with section 95E(3)(a), J H Marshall Limited is not an affected person, and effects on that party have been disregarded.

5.3 Effects on the Wider Environment (Section 95A)

Character and Amenity

The buildings will continue to present as residential in appearance and scale. They are largely screened from the street. The activity is residential visitor accommodation within residential units, which is anticipated to a certain level in the zone. Ten guests across two units on a 1,295m² site is not of a scale that would alter the character of the neighbourhood, including when considered together with the other visitor accommodation in the area.

Coverage (RES-MD4)

The exceedance of LRZ-S5.2 (64.3% or 14.3% over the maximum permitted building and impervious coverage) arises from the extent of gravel driveway, parking and manoeuvring areas needed to serve two units on a rear site, rather than from building bulk; building coverage is 26.1%, well below the 40% permitted. The gravel areas are at ground level and are not visible from Rankin Rise, and the site retains substantial landscaped areas, including the garden north of Wayfarers Lodge and native planting along the boundaries. The site is connected to Council's reticulated stormwater network, the gravel surfaces allow some infiltration, and the Consents Engineer did not raise any stormwater concerns. I consider that the adverse effects of the coverage exceedance on residential character and amenity, and in terms of stormwater, are less than minor.

Garage and Studio (PREC1-S1)

The garage and Studio are clad in a single material (vertical corrugated steel), rather than the two materials required by PREC1-S1.1. The building is small (71.28m²), single storey (approximately 4.2m high) and dark and recessive in colour, matching the dark cladding of Wayfarers Lodge. It is at the western end of a rear site and is not visible from Rankin Rise. It is visible from the reserve walkway to the west and from the reserve to the south, where it reads as an ordinary residential garage. Takapō | Lake Tekapo Character Design Guide recommends a variety of cladding materials to help break up key parts of buildings to reduce scale, and prefers materials with a textured or matt/powder finish to a gloss/shine finish. I am satisfied the building's smaller scale, compliant separation with the principal residential unit onsite, and its textured matt finish are all in keeping with the Design Guide.

I consider the building is consistent with the outcomes sought by the Character Design Guide, and that adverse effects on the character of the Precinct are less than minor.

Transport

Rankin Rise is a short residential cul-de-sac. The proposal will generate vehicle movements of a type and frequency typical of residential use of two units. The access is sealed, parking is contained on site, and vehicles can turn on site. Effects on the wider environment from transport related effects are therefore not considered to be more than minor.

Infrastructure, Lighting and Built Form

The site is connected to Council's reticulated water, wastewater and stormwater services, as confirmed by the Consents Engineer. No servicing constraints were identified. No new buildings, impervious surfaces or outdoor lighting are proposed.

Overall, I consider that adverse effects on the wider environment are less than minor.

5.4 Effects on Persons (Section 95E)

The coverage and PREC1-S1 non-compliances relate to existing ground-level gravel areas and to the cladding of a small single-storey building. I consider their effects on any person to be less than minor, and they do not change my assessment of the effects of the residential visitor accommodation activity on the persons below.

The potential effects on neighbouring persons arise principally from noise and activity associated with the use of outdoor areas, the comings and goings of two separate groups, and vehicle movements and parking. In assessing those effects on each person below, I have had regard to the following controls, which the Applicant has volunteered and which I would recommend be imposed as conditions if consent is granted:

- a maximum of eight guests in Wayfarers Lodge and two in Wayfarers Studio, each let to a single group;
- no use of outdoor spaces for entertainment and no amplified music anywhere on the property between 2200 and 0800 hours, which is more restrictive than the 2200–0700 hours commonly imposed by Council;
- no parties or events;
- a property manager contactable at all times, a 30-minute response to complaints, and termination of a stay after a serious disturbance or third complaint;
- all parking on site; and
- occupancy records, a certified VAMP, and a review condition allowing Council to revisit the conditions relating to noise, nuisance and parking.



Figure 8: Aerial photograph showing the site (yellow), the properties assessed as potentially affected (red) and the property whose owner has given written approval (blue). Easement areas are shown in orange (Source: GRIP).

9 Rankin Rise

9 Rankin Rise adjoins the eastern part of the site's northern boundary. It contains a single-storey dwelling with a tall open gable form. Although its main outdoor living area faces north, its south façade is also glazed and contains bedrooms and other noise-sensitive rooms. That façade faces the site at a distance of approximately 18.7m from the common boundary. The southern yard of 9 Rankin Rise, between the dwelling and the site, is largely open and receives sun from the north. A minor residential unit is under construction in the south-east corner of the property. The common boundary is fenced with timber paling approximately 1.8m high, and the sites are at a similar level.

The parts of the subject site that face 9 Rankin Rise are the north-eastern car parks and mobility park, which directly adjoin the south-eastern part of 9 Rankin Rise, and the deck and garden on the northern side of Wayfarers Lodge, approximately 11m from the common boundary. The Lodge deck and garden are therefore approximately 29m from the bedrooms on the south façade of 9 Rankin Rise and approximately 11.7m from the bedroom within the minor residential unit under construction.

Against the permitted baseline, the proposal would add two guests to the Lodge and would introduce a second, independently booked group of two further short-stay guests. In practical terms, this means:

- the main outdoor living area of a unit accommodating up to eight guests, not including the Wayfarers Studio, would face directly towards the bedrooms and southern yard of 9 Rankin Rise;

- The recent minor residential unit under construction on this site is located even closer to the shared boundary with the application site with similar sensitivity to the principal residential unit onsite; and,
- outdoor use, conversation and activity on the deck and garden would be permitted until 2200 hours, and arrivals and departures at the adjoining car parks (including vehicle doors, luggage and headlights) could occur at any hour; and
- Regarding the Studio, the turnover of occupants would be higher than for residential use of, with guests unfamiliar with the neighbours and the house rules.

A 1.8m paling fence provides visual screening but limited acoustic attenuation, particularly from a raised deck. The southern side of 9 Rankin Rise is the quieter side of the property, away from Rankin Rise, and will soon contain a minor residential unit with direct interface to the application site. In addition to this existing dwelling, the owners of 9 Rankin Rise may at any time use the southern yard for outdoor living, including permitted structures such as a pergola or spa pool as a permitted activity. Any such use would be located directly beside the site's car parks and north garden.

I acknowledge that the volunteered controls, in particular the restriction on outdoor entertainment and amplified music between 2200 and 0800 hours, and the 30-minute complaint response, reduce these effects. However, they do not control activity before 2200 hours or the comings and goings of two separate groups, and they rely on compliance by transient guests. Taking these matters together, I am not able to conclude that the adverse effects on the owners and occupiers of 9 Rankin Rise would be less than minor. I consider them to be minor.

<u>11 Rankin Rise</u>

11 Rankin Rise adjoins the western part of the site's northern boundary. It contains a two-storey dwelling whose decks and balconies face north, and the property is currently used as permitted residential visitor accommodation for up to four guests. The southern part of the lot, adjoining the site, contains parking, landscaping and a paved service pad. It is clear of easements and has vehicle access from the existing driveway. The common boundary is fenced to approximately 1.8m.

The parts of the subject site facing 11 Rankin Rise are Wayfarers Studio and its outdoor living area in the north-western corner, and the western end of the Lodge deck and garden. Under the proposal, the Studio would be occupied by a separate short-stay group, and the outdoor areas facing 11 Rankin Rise would be used by up to two unrelated groups.

The existing dwelling at 11 Rankin Rise faces away from the site. If the effects were confined to that dwelling as it is currently used, I would consider them to be less than minor. However, the owners of 11 Rankin Rise may at any time use the southern part of their 1,045m² lot for outdoor living, including permitted structures such as a pergola, deck or spa pool, or establish a minor residential unit or second residential unit there as a permitted activity. I also recognise the owners may revert this property's use to a standard residential unit with no visitor accommodation activity. That part of the lot directly adjoins the Studio outdoor living area and the site's north garden. Its current use as visitor accommodation does not reduce the owners' interest in the amenity of their land, which could equally be occupied as a permanent residence. Having regard to the reasonably foreseeable use of the southern part of the lot, the separate group occupying the Studio, and the limits of the volunteered controls described above for 9 Rankin Rise, I consider that the adverse effects on the owners and occupiers of 11 Rankin Rise would be minor.

3 Rankin Rise

3 Rankin Rise lies immediately east of the leg-in accessway that serves the site. Its 'U-shaped' dwelling is approximately 2.3m from the accessway, and its central courtyard, which is furnished and used as outdoor living space, opens west directly onto the accessway. All vehicles and pedestrians travelling to and from the site pass within a few metres of that courtyard and of the rooms around it.

Under the permitted baseline, the accessway would carry the traffic of one visitor accommodation booking of up to six guests. The proposal would add a second, independently booked group, with its own arrival and departure times and its own vehicle, and two more guests in the Lodge. The effect on 3 Rankin Rise is not principally the number of vehicle movements, which remains modest. It is the more frequent passage of unfamiliar people, vehicles, headlights and luggage, at times set by two separate bookings, immediately beside an outdoor living space that opens onto the accessway. The volunteered conditions do not manage the timing or conduct of arrivals and departures. Having regard to the proximity and orientation of the courtyard, I consider that the adverse effects on the owners and occupiers of 3 Rankin Rise would be minor.

13 and 15 Rankin Rise

13 and 15 Rankin Rise are to the west of the site, separated from it by a 6m wide reserve strip containing a walkway, as well as fencing and landscaping. The dwelling at 13 Rankin Rise is oriented obliquely to the site. 15 Rankin Rise is vacant; with any future dwelling to be set back at least 2m from the reserve (LRZ-S4), giving a separation of at least 8m from the site boundary. The western part of the site contains Wayfarers Studio, limited to two guests. I am satisfied that the only part of the residential visitor accommodation activity reasonably experienced by these landowners will be generated by the Studio, and in turn consider the adverse effects on the owners and occupiers of 13 and 15 Rankin Rise will be less than minor.

12 Mistake Drive

12 Mistake Drive is a two-storey dwelling to the south of the site, beyond the stormwater reserve and recreation reserve (see Figure 9). Its balconies and main windows face towards the site. However, it is separated from the site by approximately 30m of reserve land. The southern side of the applicant site contains the accessway, garage and parking rather than outdoor living areas, and the buildings are unchanged. At that distance, the activity will be seen and heard, if at all, as ordinary residential activity. Adverse effects on the owners and occupiers of 12 Mistake Drive will be less than minor.



Figure 9: View south from the subject site across the reserve land towards 12 Mistake Drive (Source: site visit, 6 August 2026).

6 Mistake Drive (Council Reserve)

The reserve land adjoining the site to the south and west is used for stormwater purposes and as a walkway. It contains no sensitive activity, and users of the walkway pass through briefly. The proposal does not affect the function of the reserve. Adverse effects on Council as the owner, and on users of the reserve, will be less than minor.

Other Persons

Other properties in the vicinity, including those on the opposite side of Rankin Rise and on Mistake Drive, are separated from the site by roads, reserves or intervening sites. Adverse effects on any other person will be less than minor.

5.5 Conclusion on Assessment of Effects

Taking the above matters together, I consider that adverse effects on the wider environment will be less than minor. Having assessed the effects of the proposal on each person individually, and disregarding effects on J H Marshall Limited (5 Rankin Rise) which has given written approval, I consider that the adverse effects on the owners and occupiers of 3, 9 and 11 Rankin Rise will be minor. Adverse effects on all other persons will be less than minor.

6.0 NOTIFICATION ASSESSMENT

6.1 Public Notification (Section 95A)

Section 95A of the Act sets out a step-by-step process for determining public notification. A consent authority must follow the steps set out in the order given to determine whether to publicly notify an application for a resource consent. This assessment is given as follows:

Step 1 - Mandatory public notification in certain circumstances s95A(3)

- If the answer to any of the below questions is yes, then public notification is required and consideration of the other steps in section 95A is not needed.
- If the answer is no, go to Step 2.

Question	Yes	No	N/A
Has the applicant requested public notification? (s95A(3)(a))		✓	
Is public notification required under Section 95C (applicant has not provided or refuses to provide further information; or, applicant refuses to agree to commissioning of report or does not respond to report commissioning request)? (s95A(3)(b))		✓	
Has the application been made jointly with an application to exchange recreation reserve land under Section 15AA of the Reserves Act 1977? (s95A(3)(c))		✓	

In this case, public notification is not required under Step 1. Step 2 must now be considered.

Step 2 - If not required by Step 1, public notification precluded in certain circumstances s95A(5)

- If the answer is yes to any of the below questions, then Step 3 must be skipped and Step 4 considered.

- If the answer is no, then Step 3 must be considered.

Question	Yes	No	N/A
Does a rule or national environmental standard preclude public notification of each activity in the application? (s95A(5)(a))		✓	
Is the application for one or more of the following, but no other, activities:			
A controlled activity? (s95A(5)(b)(i))		✓	
A restricted discretionary, discretionary or non-complying activity, but only if the activity is a boundary activity3? (s95A(5)(b)(iii))		✓	

In this case, the proposal is not for a controlled activity. As such, consideration of Step 3 is required.

Step 3 - If not precluded by Step 2, public notification required in certain circumstances s95A(8)

- If any of the answers to these questions is yes, then public notification is required, and consideration of Step 4 is not needed. If the application is for multiple activities and is being processed as a 'bundled application', and any part of that application meets either of the below criteria, the application must be publicly notified in its entirety.

- If the answer to both of these questions is no, then Step 4 must be considered.

Question	Yes	No	N/A
Does a rule or national environmental standard require public notification of the activity or any of the activities? (s95A(8)(a))		✓	
Will the activity have, or be likely to have, adverse effects on the environment that are more than minor? (s95A(8)(b) and s95D)		✓	

[3] An activity is a boundary activity if (a) the activity requires resource consent because of the application of 1 or more boundary rules, but no other district rules, to the activity; and (b) no infringed boundary is a public boundary.

No rule or national environmental standard requires public notification. As set out in section 4.3 of this report, adverse effects on the environment are assessed as less than minor, and therefore not more than minor.

Step 4 - Public notification in special circumstances s95A(9)

- If the answer is yes to this question, then the application must be publicly notified.

- If the answer is no, then the application needs to be considered for limited notification.

Question	Yes	No	N/A
Do special circumstances exist that warrant the public notification of the application? (s95A(9))		✓	

Special circumstances are not considered to apply to the proposal.

6.2 Limited Notification (Section 95B)

Section 95B of the Resource Management Act 1991 set out a step-by-step process for determining limited notification. The council must decide whether there is any affected person, affected protected customary rights group, or affected customary marine title group in relation to the activity.

Step 1 - Certain affected groups and persons must be notified s95B(2) and s95B(3)

- If there is any affected protected customary rights group or affected customary marine title group, or any person to whom a statutory acknowledgement has been made that is affected in a minor or more than minor way, then the application must be limited notified to these parties, unless their written approval has been obtained.

- Irrespective of the above, Step 2 must then be considered.

Question	Yes	No	N/A
Is the activity in a protected customary rights area? S95B(2)(a)		✓	
Is the activity in a customary marine title group area? S95B(2)(b)		✓	
Is the activity in or near a statutory acknowledgement area? 95B(3)(a)		✓	
If yes to above, is the rūnanga an affected party under s95E? 95B(3)(b)		✓	

Limited notification is not required under Step 1.

Step 2 - If not required by Step 1, limited notification precluded in certain circumstances s95B(6)

- If the answer is yes to any of these questions, then Step 3 must be skipped and Step 4 considered.

- If the answer is no to all of these questions, then Step 3 must be considered.

Question	Yes	No	N/A
Is the application for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification?		✓	
Is the application for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land).		✓	

The proposal is not for a controlled activity, and no rule or national environmental standard precludes limited notification.

Step 3 - If not precluded by Step 2, certain other affected persons must be notified s95B(7) and (8)

Question	Yes	No	N/A
In the case of a boundary activity, determine in accordance with section 95E whether an owner of an allotment with an infringed boundary is an affected person.			✓
In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.	✓		

The proposal is not a boundary activity. J H Marshall Limited (5 Rankin Rise) has given written approval and is not an affected person (s95E(3)(a)). As set out in section 4.4 of this report, the adverse effects on the owners and occupiers of 3, 9 and 11 Rankin Rise are assessed as minor, and they are therefore affected persons under section 95E. Adverse effects on all other persons, including the owners and occupiers of 13 and 15 Rankin Rise and 12 Mistake Drive, and Council as owner of the adjoining reserve land, are assessed as less than minor.

Step 4 - Further notification in special circumstances s95B(10)

Question	Yes	No	N/A
Do special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification under this section (excluding persons assessed under section 95E as not being affected persons).		✓	

I consider that there are no special circumstances that exist in relation to the application.

6.3 Conclusion

Having assessed the application for land use consent pursuant to sections 95A to 95G of the Resource Management Act 1991, it is recommended that the application be processed on a **limited notified** basis, with notice served on the owners and occupiers of 3, 9 and 11 Rankin Rise, Lake Tekapo, shown in Figure 8.

Reported on and recommended by:



Patrick O'Toole
Consultant Planner Date: 3 November 2026

Approved under Delegated Authority by:



Julie Shanks
Planning Manager

Date: 3 November 2026