

Planning Memo

To: Darryl Millar – Independent Commissioner

From: Nathan Clarke – Planning Technician

Date: 26 November 2025

Subject: RM250039 – Section 133A Minor Correction

Pursuant to section 133A of the Resource Management Act 1991 (the Act) a consent authority that grants a resource consent may, within 20 working days of the grant, issue an amended resource consent that corrects minor mistakes or defects in the consent.

RM250039 was granted on 06 November 2025 as a Land Use Consent to establish Visitor Accommodation for up to Eight (8) Guests within an Existing Four-Bedroom Dwelling. A request for Section 133A Amendment was received on the 07th November 2025, which is within the 20-day working day period, being less than 24 hours.

MINOR CORRECTIONS

1. Conditions 3 to 8 are removed

Council issued the Decision on the 06th of November 2025 following sign-off from the Independent Commissioner. Unfortunately, despite the request from the Applicant as part of their application, draft conditions were not circulated and reviewed by the Applicant and/or Agent before the Decision was signed off and released.

The lapse in due process has resulted in certain conditions being included that are unnecessary, as they are already enforced by Condition 1, which reads, *“The proposed activity must be undertaken in general accordance with the details included in the resource consent application RM250039 received on 19 May 2025, except where modified by the following conditions”*.

Conditions 3 to 8 are, in summary, requirements the Visitor Accommodation Management Plan needs to include, and the process required to follow before Visitor Accommodation occurs on-site. These Conditions are listed below as Appendix One.

A Visitor Accommodation Management Plan formed part of the Application, attached as Appendix Two, and was subsequently approved by Council as Resource Consent was granted. Any changes Council wished to make to the Visitor Accommodation Management Plan should have been dealt with at time of processing.

As the Visitor Accommodation Management Plan (VAMP) has already been approved by Council, Condition 3 (requiring the VAMP to be prepared, submitted, and approved by the Planning Manager) has been covered and completed by Condition 1.

Conditions 4 to 8 require the VAMP to include certain key points. These Conditions, however, are considered redundant as the proposed VAMP was approved as part of the Application and would not have been included as Conditions had they been circulated and reviewed by the Applicant and/or Agent.

RECOMMENDATION

In accordance with section 133A of the Act, I recommend that RM250039 is amended as described above to correct minor errors in the consent.

Reported on and recommended by:



Nathan Clarke
Planning Technician

Minor Corrections Approved by:



Darryl Millar
Independent Commissioner
Date: 27th November 2025

Proposed Section 133A Correction Conditions:

General

1. The proposed activity must be undertaken in general accordance with the details included in the resource consent application RM250039 received on 19 May 2025, except where modified by the following conditions:

Occupancy

2. The residential visitor accommodation unit must only be rented as single group booking (i.e single room letting of this unit is not authorised under this consent). No more than eight (8) visitor accommodation guests at any one time are authorised under this consent. Guests include adults, youth and infants.
3. Records of guest occupancy including guest numbers, dates and duration of stay, must be retained for each 24-month period commencing from first use of the visitor accommodation. If a digital travel company, booking website, or other booking system is used the records must originate from those sources and be retained in original format, or as a copy of the original, with the source of the information capable of being identified in the records. The records must be produced to Mackenzie District Council on request within 20 working days. Note that private information of guests such as names and contact information is not required and may be redacted providing the redactions are noted as being for that purpose.

Review

4. Within twelve months of the date of this decision; and/or upon the receipt of the information identifying non-compliance with the conditions of consent, and/or within twenty working days of each anniversary of the date of this decision, the Council may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this resource consent relating to the management of noise, nuisance and parking effects.

Appendix One - Conditions 3 to 8, RM250039:

3. Prior to visitor accommodation occurring on the site, a Visitor Accommodation Management Plan must be prepared and submitted to the Planning Manager for review at planning@mdc.govt.nz.
4. The Visitor Accommodation Management Plan must contain (but not limited to) the following:
 - a) House rules that guests must follow to minimise noise and nuisance to residential neighbours including but not limited to the use of outdoor spaces between the hours of 2200hrs and 0700hours and restrictions on amplified music between 2200hrs and 0700hrs;
 - b) Parking information
 - c) A procedure which will be followed by the property manager in managing and responding to any complaints received from third parties; and
 - d) Role, responsibility, and contact details (including after hours) for the property manager.
5. Visitor Accommodation must be operated in accordance with the Visitor Accommodation Management Plan submitted under Condition 4 above. The Management Plan must be reviewed every 12 months and any updates provided to the Planning Manager at planning@mackenzie.govt.nz.
6. The use of the property for parties or large gatherings is prohibited.
7. All parking associated with the visitor accommodation activity must be contained within the subject site.
8. All rubbish and recycling must be disposed of appropriately. Where there is kerbside collection utilised, rubbish and recycling must only be placed on the street the day of or day prior to collection.