



**REPORT ON AN APPLICATION FOR LAND USE CONSENT  
PURSUANT TO SECTION 42A OF THE RESOURCE MANAGEMENT ACT 1991 – RM240141**

<b>Applicant:</b>	Huale Huang
<b>Application Description:</b>	Land use consent to establish three buildings comprising one five-bedroom residential unit, one one-bedroom minor residential unit, and one four-bedroom residential visitor accommodation unit to be used for visitor accommodation for up to 10 guests. The proposal also results in building design and impervious coverage breaches.
<b>Application Status:</b>	Restricted Discretionary
<b>Property Address:</b>	3 Andrew Don Drive, Tekapo
<b>Legal Description:</b>	Lot 2 Deposited Plan 518782 (RT 813763)
<b>Valuation Reference:</b>	25311 04220
<b>District Plan Zone:</b>	Low Density Residential Takapō/Lake Tekapo Precinct Areas of Visual Vulnerability Flight Protection Area Tekapo
<b>Author:</b>	Kirstyn Royce – Consultant Planner
<b>Date of Report:</b>	8 September 2025

## **1.0 INTRODUCTION**

This report has been prepared under section 42A of the Resource Management Act 1991 (the Act) to document the assessment of the subject consent application to establish three buildings comprising one five-bedroom residential unit, one one-bedroom minor residential unit, and one four-bedroom residential visitor accommodation unit to be used for visitor accommodation for up to 10 guests. The proposal also results in building design and impervious coverage breaches.

### **1.1 Application History**

The application was lodged in September 2025. In response to a request for further information, additional details were provided on 29 October 2024, including an urban design assessment, a revised plan, and an evaluation of cumulative effects. This supplementary information was incorporated into the application and formed the basis for the notification assessment.

A notification decision was made on 10 January 2025 to notify the application to four potentially affected parties; being the owners / occupiers of 5 and 7 Andrew Don Drive and 9 and 11 Rodman Lane. The notification assessment is attached at Appendix 2.

One submission in opposition was received from Mark and Philippa Simpson (the owners of 5 Andrew Don Drive).

On 12 February 2025, after the close of the submission period, the application went on hold pursuant to section 91A of the Act. On 25 July 2025, the applicant reactivated the application and provided an additional suite of supporting documents, including:

- A letter addressing the submission points
- Revised architectural plans
- A suite of volunteered conditions,
- A Transport Assessment prepared by Carriageway Consulting dated 4 July 2025
- A record of correspondence with the MDC Engineering Manager regarding stormwater
- A record of MDC legal advice regarding the definition of residential visitor accommodation.

The above information now forms part of the application on which the following assessment is based.

## **2.0 PROPOSAL, SITE & HISTORY DESCRIPTION**

### **2.1 PROPOSAL DESCRIPTION**

The applicant has applied for land use consent to construct three buildings on the site comprising one 113m<sup>2</sup> five-bedroom residential unit (Block 1), one 53.7m<sup>2</sup> one-bedroom minor residential unit (Block 3), and one 93.9m<sup>2</sup> four-bedroom visitor accommodation unit (Block 2). The residential units will accommodate permanent residents or local workers (long-term rental) with the residential visitor accommodation unit hosting up to 10 guests maximum per night. The above proposal is modified from the original application in response to the submission points (See Figure 1).

Notably, the July 2025 changes introduced by the applicant include:

- The number of proposed visitor accommodation guests reduced from 12 to 10.
- One permanent resident within either Block 1 or 3 to be appointed as the on-site property manager (if necessary).
- An updated suite of volunteered conditions including;
  - limiting visitor accommodation bookings to one group only at a time,
  - Provision of, and compliance with, a Visitor Accommodation Management Plan
  - imposing limits on resident numbers for Blocks 1 and 3
  - prohibiting the use of outdoor space (lawns) between 2200hrs and 0700hrs.
- An increase car park numbers from six to seven
- Allocation of specific car parks to specific units
- Car Park 1 or Carpark 6 should be notionally adopted for the mobility impaired
- Widen the accessway formation to 5m over the first 6m of its length (closest to Andrew Don Drive) to provide queuing space.
- The relocation of Block 1 to increase the original set back by an additional 300mm from the site's western boundary to avoid encroaching into the western daylight recession plane
- Forming the footpath with a permeable surface
- A correction to the building coverage calculation confirming that building coverage will be 34.2%

- A correction to the impervious coverage calculation confirming that impervious coverage will be 60.6%

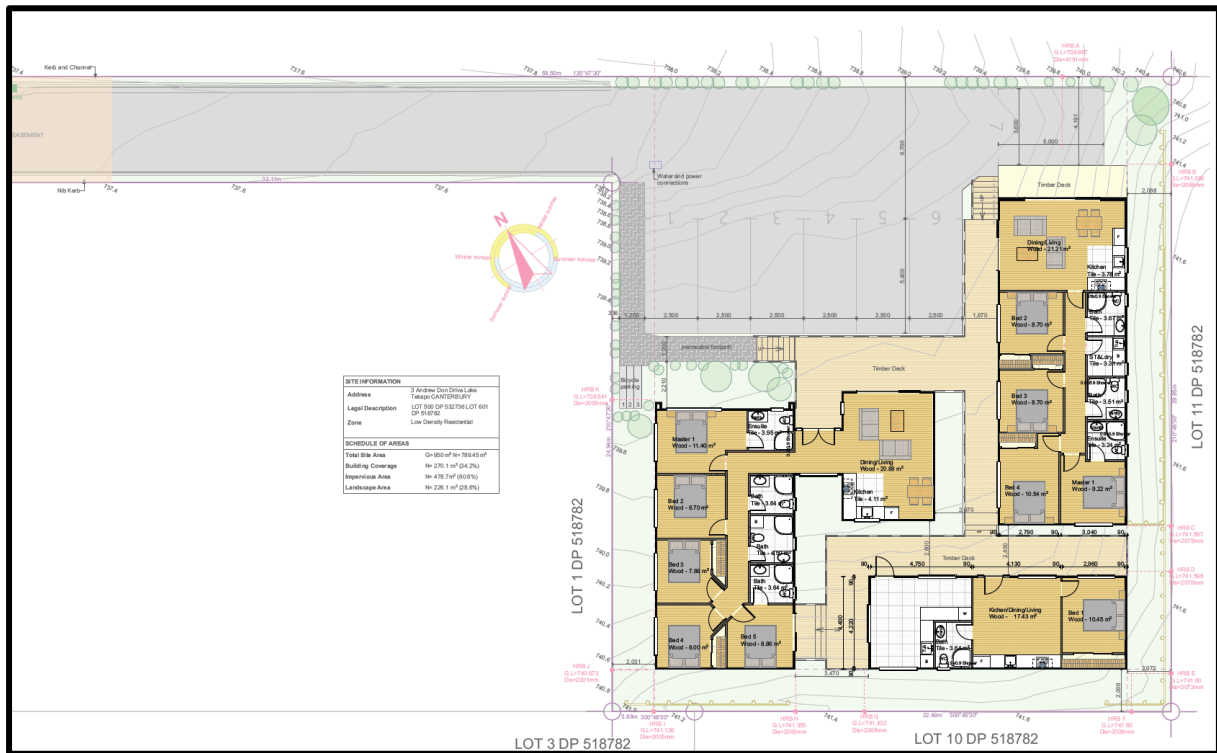


Figure 1: Proposed Site Plan- July 2025

The proposed units will be constructed with TAUCO weatherboard cladding system painted a dark grey or brown colour with a light reflectivity value (LRV) between 5% to 35%. The roof design comprises a cluster of detached gable ends with the five-bedroom residential unit and the four-bedroom visitor accommodation unit having a roof angle of 40° and the one-bedroom residential unit having a roof angle of 15° or 40° painted slate with a 7% LRV.

Vehicle access from Andrew Don Drive to the site will be via the existing vehicle crossing. The driveway opens up to a six-bay parking area, with an additional carpark located in the eastern corner. The applicant proposes to allocate specific car parks to specific units and either Car Park 1 or Carpark 6 will be notionally adopted for mobility impaired users. A secure bike stand comprising three bicycle parks is provided on the site, to the north-west of the residential unit for resident bicycle parking. The bike stand will be lit by exterior lighting mounted to the residential unit.

The accessway and parking area provides on-site manoeuvring ensuring the vehicles enter and exit the site in a forward-facing direction. The driveway and car parks will be formed and sealed, with runoff conveyed to the on-street stormwater management system via the sump.

The buildings are planned to occupy 34.2% of the site, with impervious surfaces and buildings together covering 60.6% of the area. Both hard and soft landscaping elements are included in the proposal. Soft landscaping will feature lawn, groundcovers, hedging, and trees from indigenous and exotic species over an area of 226.1m<sup>2</sup> (28.6% of the site). Hedging along internal boundaries will consist of New Zealand broadleaf, corokia, or other native species capable of reaching at least 1.5m in height. A native garden is designated for the north-eastern corner, which may include grasses, shrubs, flaxes, or groundcovers. The remaining outdoor space will be covered by lawn, decking, pavers, or similar materials. No fencing beyond the proposed hedging is planned.

## 2.2 SITE DESCRIPTION

The subject site is located at 3 Andrew Don Drive, Lake Tekapo (see Figures 2 and 3) and is zoned Low Density Residential in the Operative Mackenzie District Plan 2004 (as amended by Plan Change 21).

The site has the following annotations in the Operative District Plan:

- Takapō/Lake Tekapo Precinct.
- Areas of Visual Vulnerability
- Flight Protection Area Tekapo

The land has an area of 950m<sup>2</sup> and is legally described as Lot 2 Deposited Plan 518782 as held within the Record of Title 813763. Consent Notice 11037804.7 is registered against the title and requires that stormwater be discharged in accordance with the approved discharge consent CRC094182.

The site is a rear lot with leg-in access from Andrew Don Drive. The developable area of the lot sits higher than the road and is largely rectangular, flat, and undeveloped. Access to the site is via a formed vehicle crossing off Andrew Don Drive which is a formed and sealed, two-way, two-laned and unmarked with pedestrian footpaths on both sides of the street.



Figure 2 - Site location map (Source: District Plan GIS Maps)



Figure 3 – Street view image (Source – Google Earth)

A site visit was undertaken on 31 October 2024.

### 3.0 MACKENZIE DISTRICT PLAN

#### 3.1 ZONING AND COMPLIANCE ASSESSMENT

The subject site is zoned Low Density Residential (LRZ) within the District Plan (as amended by Plan Change 21). Plan Change 21 was made operative on 29 August 2023. The subject site is located within the Lake Tekapo Precinct. An assessment of the LRZ and Lake Tekapo Precinct is provided below. It is noted that the rule framework in the LRZ separates the establishment of built form from the establishment of activities. The assessment below therefore separates the built form from the use of the building.

##### 3.1.1 Built Form

In the LRZ the built form rules are separated into three categories:

- LRZ-R1 – Residential Units
- LRZ-R2 – Minor Units; and
- LRZ-R3 – Buildings and Structures Not Otherwise Listed.

A residential unit is defined in the District Plan as:

1. *a building(s) or part of a building that is used for residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.*

While one of the proposed units is intended to be used for visitor accommodation activity, all three proposed units contain sleeping, cooking, bathing and toilet facilities to be used exclusively by one unit of occupants – i.e., one group/household. The proposed built form therefore meets the definition of a residential unit and has been assessed against LRZ-R1 and LRZ-R2.

LRZ-R1 provides for residential units as permitted activity in the LRZ provided the unit complies with the standards set out in LRZ-S1 to LRZ-S7. LRZ-R2 also provides for minor units which comply with the standards where:

1. there is a maximum of one minor unit per site;
2. the maximum gross floor area of the minor unit is 65m<sup>2</sup> excluding garaging; and
3. the minor unit is ancillary to or for the purpose of residential activity.

In this instance, the application states that the minor unit will be ancillary to a residential activity on the site and will have a floor area of 54m<sup>2</sup>.

An assessment of LRZ-S1 to LRZ-S7 is provided below:

<b>Rule</b>	<b>Assessment</b>	<b>Activity Status</b>
<b>Low Density Residential Zone</b>		
<b>LRZ-S1 – Density</b> The minimum site area per residential unit in Burkes Pass, Fairlie, Tekapo and Twizel is 400m <sup>2</sup> .	The site is 950m <sup>2</sup> and will contain one primary dwelling, one visitor accommodation unit (assessed as a residential unit) and one minor unit.  Minor units are not subject to the density standard requirements but there is to be maximum of one minor unit per site.	<b>Complies</b>
<b>LRZ-S2 – Height</b> The maximum height of any building or structure shall not exceed 8m above ground level.	The building height will not exceed 8m.	<b>Complies</b>
<b>LRZ-S3 – Height in Relation to Boundary</b> 1. Any building or structure shall comply with the Height in Relation to Boundary requirements in APP1.	Block 2 will encroach into the northern daylight recession plane when measured from the site’s northern boundary shared with the reserve.  For completeness, the originally proposed breach of recession plane from Block 1 to the western boundary has been eliminated as show in the July 2025 plans.	<b>Does not comply</b>  <b>Restricted Discretionary</b>
<b>RZ-S4 – Setbacks</b> 1. Any building or structure, excluding ancillary structures, shall be setback a minimum of 2m from any road, shared accessway or reserve.  2. Any building or structure,	All yard setbacks will be met	<b>Complies</b>

excluding ancillary structures, shall be setback a minimum of 2m from any internal boundary.		
<b>LRZ-S5 – Coverage</b> 1. The maximum building coverage of any site shall not exceed 40%. 2. The maximum building and impervious coverage of any site shall not exceed 50%.	Building coverage = 34.2%  Impervious coverage = 60.6%.	<b>Complies</b>  <b>Does not Comply</b>  <b>Restricted Discretionary</b>
<b>LRZ-S7 – Servicing</b> All residential units and buildings requiring wastewater disposal which are not connected to a reticulated sewer network, but which involve the discharge of wastewater, shall be provided with an on-site wastewater treatment and disposal system, authorised by the Canterbury Regional Council by way of a rule in a regional plan or a resource consent.	The building will be connected to the Council’s wastewater system.	<b>Complies</b>

Built form in Lake Tekapo is generally required to comply with the Takapō / Lake Tekapo Precinct Chapter of the District Plan to ensure development is sympathetic to the character of the town and surrounding landscape.

In the Takapō / Lake Tekapo Precinct, all buildings and structures within residential zones are permitted where the built form complies with PREC1-S1 to PREC1-S8. An assessment of these standards is provided below:

<b>Rule</b>	<b>Assessment</b>	<b>Activity Status</b>
<b>PREC1-R1 – Buildings and Structures.</b> Permitted if complies with standards.	The proposal does not comply with all standards as seen below.	<b>Restricted Discretionary</b>
<b>PREC1-S1 – Materials and Colours</b> 1 The exterior cladding of any building shall only comprise the following materials, with a minimum of at least two of these materials:	A single TAUCO weatherboard cladding system painted a dark grey or brown colour with a light reflectivity value (LRV) between 5% to 35% is proposed.	<b>Does not comply:</b>  <b>Restricted Discretionary</b>

<ul style="list-style-type: none"> <li>a) natural unpainted or stained weatherboards and similar cladding materials (such as timber and board and batten);</li> <li>b) painted plaster style materials;</li> <li>c) alluvial stone (moraine and river stone);</li> <li>d) painted or weathering steel (including Colorsteel</li> <li>e) and Cortern); or</li> <li>f) cob (adobe blocks or rammed earth).</li> </ul> <p>2 Roof materials shall not include tiles.</p> <p>3 All painted cladding shall be coloured in the range of browns, greens, greys or black, with a light reflectivity value between 5% and 35%.</p> <p>4 Except that 1.-3. above shall only apply in the Large Format Retail Zone and General Industrial Zone to building facades which front a road or other public space.</p>		
<p><b>PREC-S2 – Roofs</b>  Primary roof forms shall have:</p> <ul style="list-style-type: none"> <li>a) a flat or monopitch roof angle up to 20 degrees; or</li> <li>b) a gable of between 20 – 65 degrees.</li> </ul> <p>Secondary roof forms (e.g. linking structures, lean-tos, verandahs, accessory buildings and garages) shall</p>	<p>The roof design of the two main units is compliant with the precinct standard set out in PREC1-S2. However, the roof of the minor unit has a slope angle that is shallower than the permitted standard.</p>	<p><b>Does not comply:</b>   <b>Restricted Discretionary</b></p>

be the equivalent or lower in pitch and not project above the primary roof form		
<p><b>PREC-S3 – Building Scale</b></p> <p>The wall of any building shall not be greater than:</p> <p>a) 20m in total length; and</p> <p>b) 14m along a road or public space without a recess in the façade and roofline of at least 1m in depth and 2m in length.</p> <p>There shall be a minimum separation distance between any buildings on a site of no less than 2m.</p>	No façade exceeds 20m in length and no façade is public facing as the site is a rear site.	<b>Complies</b>
<p><b>PREC-S4 – Height</b></p> <p>The maximum height of any building or structure shall not exceed 7.5m above ground level, except a gable roof may exceed the maximum height by no more than 1m.</p>	The building height will not exceed 7.5m.	<b>Complies</b>
PREC-S6 – Garages	No garage is proposed	<b>Not Applicable</b>
<p>PREC-S7 – Fencing</p> <p>No fence along the road frontage, or other public space, shall be located closer to the road or public space than the primary building facade.</p>	No fence forms part of the proposal.	<b>Not Applicable</b>
<p>PREC-S8 – Retaining Walls and Level Changes</p> <p>1. Any retaining wall fronting a road or public space shall be a maximum of 1m in height and be of natural materials or cladding (e.g.</p>	There are no retaining walls or bunding that forms part of this proposal.	<b>Complies</b>

<p>timber, moraine / river stone and steel) with a minimum terraced step or embankment of 500mm between retaining walls.</p> <p>2. Any embankment or bund shall be no steeper than 1:3 (33%) with bunding no higher than 1.2m above road level at the road boundary.</p>		
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Overall, the built form will breach the following standards:

- LRZ-S3 – Height in Relation to Boundary,
- LRZ-S5 – Coverage,
- PREC1-R1 – Buildings and Structures,
- PREC1-S1 – Materials and Colours and
- PREC-S2 – Roofs.

The breaches associated with the built form are assessed as restricted discretionary activities.

### 3.1.2 Building Use

The District Plan distinguishes between residential-based visitor accommodation such as holiday homes and air B'n'Bs and non-residential focused accommodation by defining and treating residential visitor accommodation separately to other more commercial forms of visitor accommodation activity – see the definitions below:

**Residential Visitor Accommodation** *The use of a residential unit for visitor accommodation including any residential unit used as a holiday home*

**Commercial Visitor Accommodation** *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.*

Based on this distinction, Block 2 is defined as a residential unit which is to be used for visitor accommodation and, therefore, meets the definition of residential visitor accommodation activity. I note that this interpretation is consistent with the MDC legal advice submitted by the applicant as part of the July 2025 additional information.

LRZ-R5 of the District Plan provides for residential visitor accommodation as a permitted activity in the LRZ where:

1. No more than one residential unit on a site is used for residential visitor accommodation, including a minor residential unit; and
2. The maximum occupancy of the unit used for residential visitor accommodation does not exceed six guests per night.

LRZ-R5.3 provides for visitor accommodation where guest numbers are greater than six but less than twelve as a restricted discretionary activity.

In this case, one residential unit will be used for residential visitor accommodation activity in compliance with LRZ-R5.1 but is to be used for up to 10 guests. The proposal, therefore, does not comply with LZRZ-R5.2 but will meet LRZ R5.3. The visitor accommodation activity is assessed as a Restricted Discretionary Activity.

### 3.1.3 Stage 3 Plan Review

Decisions on the Stage 3 of the District Plan Review (DPR) were released on 5 August 2024. The appeal period has closed and all provisions in Plan Changes 23-27 have legal effect, and where provisions have not been appealed are now treated as Operative. Stage 3 of the DPR includes:

- Plan Change 23 – General Rural Zone, Natural Features and Landscapes, Natural Character
- Plan Change 24 – Sites and Areas of Significance to Māori
- Plan Change 25 – Rural Lifestyle Zones
- Plan Change 26 – Renewable Electricity Generation and Infrastructure
- Plan Change 27 – Earthworks, Subdivision, Public Access, and Transport.

Under Stage 3 of the DPR, the following plan changes are relevant to the subject site:

- Plan Change 27 – Earthworks, Subdivision, Public Access, and Transport.

There are no relevant appeals with regards to the Transport provisions set out in PC27 and these are now deemed to be operative. The compliance of the proposal is assessed below:

Rule	Assessment	Activity Status
<b>TRAN-S1 Minimum Parking Space Requirements</b>	<p>1. On-site car parking spaces are to be provided with the minimum number of parking spaces as outlined in TRAN-Table 3.</p> <p><b>TRAN-Table 3 - Minimum Parking Spaces</b> 2 spaces per residential unit including any minor residential unit.</p>	<p><b>Complies</b></p> <p><b>Seven car parks are proposed.</b></p>
<b>TRAN-S4 Reverse Manoeuvring</b>	<p>1. All activities shall provide for sufficient on-site manoeuvring to ensure that no reversing is needed:</p> <p style="padding-left: 40px;">a. Onto or off a State Highway/Arterial Road;</p>	<p><b>Complies</b></p>

	<ol style="list-style-type: none"> <li>b. To a Collector Road where three or more vehicle parking spaces are required; or</li> <li>c. To a vehicle accessway that provides for six or more parking spaces.</li> </ol>	
<b>TRAN-S5 Queuing</b>	<ol style="list-style-type: none"> <li>1. On-site queuing spaces shall be provided for all vehicles entering a parking area or loading area in accordance with TRAN-Table 6 – Queuing Space Requirements.</li> </ol> <p><b>TRAN-Table 6 Queuing Space Requirements</b> 5-20 On-site Parking Spaces requires Minimum Queuing Space Length of 5.5m</p>	<b>Complies</b>
<b>TRAN-S11 Vehicle Accessways</b>	<ol style="list-style-type: none"> <li>1. Accessway(s) shall: <ol style="list-style-type: none"> <li>a. be formed to comply with the design requirements listed in TRAN-Table 10 and illustrated in TRAN-Figure 8; and</li> <li>b. have a minimum height clearance of 4.5m.</li> </ol> </li> <li>2. Formed accessway widths are no greater than the maximum carriageway width listed in TRAN-Table 10.</li> <li>3. Every accessway serving more than two sites are formed and sealed.</li> <li>4. Where access is shared to more than six sites this shall be via a road.</li> </ol>	<b>Complies</b>  The access is existing but is to be upgraded to provide queuing space.

The proposal complies with the transportation standards set out in PC27.

### 3.2 ACTIVITY STATUS

In summary, the proposal requires resource consent under:

- **LRZ-R5.3** - Up to 12 guests are proposed to be accommodated within the VA unit;
- **LRZ-S3** – Height in Relation to Boundary breach to the reserve boundary;
- **LRZ-S5** – impervious coverage exceeds 50% (being 60.6%).
- **PREC1-S1** – Materials and Colours breach arising from the use of a single weatherboard cladding system
- **PREC1-S2** - The minor dwelling roof form comprises gables of a 15° angle (rather than an angle of 20° to 65° pursuant to PREC1-S2.1)

Where an activity requires resource consent under more than one rule, and the effects of the activity are inextricably linked, the general principle from case law is that the different components should be bundled and the most restrictive activity classification applied to the whole proposal. In this case, the rules all have the same activity status. The proposal is therefore a restricted discretionary activity overall.

The matters to which Council has limited its discretion include:

Residential Visitor accommodation (**LRZ-R5**):

- The location, design and appearance of buildings on the site.
- The traffic impacts including the provision of adequate onsite parking.
- Effects on amenity values of adjoining residential sites including noise.
- The adequacy of any mitigation measures.

Coverage (**LRZ-S5**) and Height in Relation to Boundary (**LRZ-S3**), the matters set out in **RES-MD4**

Coverage, being:

- The location, design and appearance of buildings on the site.
- The visual impact of the built form on the streetscape and surrounding environment.
- The extent and quality of any landscaping proposed to soften the built form.
- The adequacy of any mitigation measures.

Breach of **PREC1- S1** and **PREC1- S2**:

- The consistency of the proposal with the Takapō / Lake Tekapo Character Design Guide

#### **4.0 NATIONAL ENVIRONMENTAL STANDARDS (NES)**

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

- National Environmental Standards for Commercial Forestry 2023
- National Environmental Standards for Air Quality 2004
- National Environmental Standard for Sources of Drinking Water 2007
- National Environmental Standards for Telecommunications Facilities 2016
- 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 Freshwater 2020
- National Environmental Standard for Marine Aquaculture 2020
- National Environmental Standard for Storing Tyres Outdoors 2021

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. The site has an acceptable source of drinking water. There are no other NES relevant to the proposal.

#### **5.0 STATUTORY CONSIDERATION**

##### **5.1 Section 104 & 104C**

In accordance with section 104C of the Act, a consent authority may grant or decline a resource consent for a Restricted Discretionary Activity but must consider only those matters to which discretion is restricted. If granted, conditions may be imposed under section 108 of the Act.

## 5.2 PART 2

Part 2 of the RMA sets out the purpose and principles of the RMA, being “to promote the sustainable management of natural and physical resources” which is defined to mean:

*managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while –*

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) Avoiding, remedying or mitigating any adverse effects of activities on the environment.*

There are no Section 6 matters of national importance which are relevant to this application.

Section 7 requires particular regard to be had to ‘other matters.’ Of relevance to this application are:

- (b) the efficient use and development of natural and physical resources:
- (c) the maintenance and enhancement of amenity values:
- (f) maintenance and enhancement of the quality of the environment:

Section 8 requires the principles of the Treaty of Waitangi to be taken into account.

## 6.0 ASSESSMENT OF EFFECTS

### 6.1 Permitted Baseline/Receiving Environment

#### Permitted Baseline

Under section s104(2) of the Resource Management Act 1991, the adverse effects of the activity on the environment may be disregarded if a district plan or a national environmental standard permits an activity with that effect. This is referred to as the permitted baseline.

In the LRZ, the construction of one residential unit per 400m<sup>2</sup> of site area and one minor unit per site is permitted, subject to meeting the development performance standards and precinct design guidelines. One residential unit is also permitted to be used for residential visitor accommodation for up to six guests.

In this instance, the subject site area provides for two residential units and one minor unit with one residential unit able to be used for up to six visitor accommodation guests. It is against this permitted baseline that the proposal must be assessed.

#### Receiving Environment

The existing and reasonably foreseeable receiving environment is made up of:

- The existing environment and associated effects from lawfully established activities;
- Effects from any consents on the subject site (not impacted by proposal) that are likely to be implemented;

- The existing environment as modified by any resource consents granted and likely to be implemented; and
- The environment as likely to be modified by activities permitted in the district plan.

For the subject site, the existing and reasonably foreseeable receiving environment comprises a vacant rear site with development potential for two residential units and a minor unit.

For adjacent land, the existing and reasonably foreseeable receiving environment comprises the Cairns Riverside subdivision which includes residential properties some of which are developed. The site is flanked by 5 Andrew Don Drive which contains an existing residential dwelling and 3 Andrew Don Drive and 9, 11, and 13 Rodman Lane which are vacant and undeveloped residential sections. To the north of the site is a public walkway reserve. There is a high incidence of observed visitor accommodation within the surrounding environment, including:

- 6 Jimmys Lane – Resource consent RM240030 approved using an existing four-bedroom dwelling for visitor accommodation activities for up to 10 guests per night.
- 8 Jimmys Lane – Resource consent RM240029 approved using an existing four-bedroom dwelling for visitor accommodation activities for up to 10 guests per night.
- 27 Coulson Lane – Resource consent RM240014 approved using one three-bedroom unit and one two-bedroom minor use for residential activities, as well as one five-bedroom unit for visitor accommodation activities for up to 12 guests per night.
- 41 Andrew Don Drive – Resource consent 200030 approved using one three-bedroom unit for residential activities, as well as two one-bedroom units and one two-bedroom unit for visitor accommodation activities for up to 8 guests per night.
- 43 Andrew Don Drive – Resource consent 190166 and 210069 approved using two three-bedroom units for visitor accommodation activities for up to 12 guests per night.
- 45 Andrew Don Drive – Resource consent 190165 approved using one three-bedroom unit and three one-bedroom units for visitor accommodation activities for up to 12 guests per night.
- 1 Coulson Lane – Resource consent 190176 approved using one three-bedroom unit for residential activities, as well as one three-bedroom unit for visitor accommodation activities for up to 6 guests per night.
- 11 Coulson Lane – Resource consent 220147 approved using one three-bedroom unit and three one-bedroom units for visitor accommodation activities for up to 12 guests per night.
- 13 Coulson Lane – Resource consent 230009 approved using one three-bedroom unit and three one-bedroom units for visitor accommodation activities for up to 12 guests per night.
- 11 Jimmys Lane – Resource consent 200040 approved using one three-bedroom unit and three one-bedroom units for visitor accommodation activities for up to 12 guests per night.

It is against these that the effects of the activity, beyond the permitted baseline, must be measured.

## **6.2 Written Approvals and Submissions**

No written approvals have been submitted with the application and no effects on any party are to be disregarded.

The application was limited notified on 10 January 2025. One submission in opposition was received from Mark and Philippa Simpson (the owners 5 Andrew Don Drive).

The submission points included:

1. Whether or not the visitor accommodation proposed falls within the definition of “residential visitor accommodation” in the District Plan;
2. Guest numbers;
3. The use of a permanent site resident to manage the site is flawed;
4. Outdoor space use;
5. Parking and traffic generation;
6. Daylight recession plane intrusion;
7. Building coverage; and
8. Building scale.

The relief sought by the submitters is as follows:

- That more stringent conditions are placed on the consent which can be enforced by Council.
- Restrict the total proposed combined number of residents and guests at any one time.
- Manage effects of the impervious coverage to avoid potential surface flooding and adverse effects on the stormwater network.
- The consent application should be declined unless the applicant can comply with all relevant district plan rules and Council Standards.

### **6.3 Assessment of Effects**

Consideration is required of the relevant assessment matters in the Operative District Plan (as amended by PC21 and PC27). This assessment is limited to the matters to which the Council’s discretion has been restricted. Where appropriate assessment matters have been grouped together. No regard has been given to any trade competition or any effects of trade competition.

#### **6.3.1 The location, design and appearance of buildings.**

The subject site is a rear lot with a leg-in access from Andrew Don Drive. The development will take the form of three separate units on the site. The proposal is supported by an Urban Design Assessment prepared by Jonathan Clease of Planz Consultants.

All three units will be constructed with a TAUCO weatherboard cladding system, which is an aluminium-Mg profile weatherboard. Further information submitted in October 2024 confirms that the cladding paint colour has been modified, with the primary residential unit and minor residential unit to be finished in a brown colour, and the visitor accommodation to be finished in a grey colour. The cladding colours will have a low light reflectivity values of between 5% and 35%.

The Urban Designer states that the differing colours will make the cladding appear as two different products. By using different paint colours to differentiate the residential units from the VA unit, the Urban Designer also considers that the bulk appearance of the development will be reduced. Furthermore, the Urban Designer considers that the clustered and separated nature of the units, single-storey and primarily gable roof design, and ranch sliders and windows on all façades will adequately break up the building mass. The Urban Designer concludes that the combination of the matching cladding and roofing materials, and the proposed cladding colour will ensure that the three units visually integrate into the surrounding environment.

In terms of the bulk and location effects, I note that the revised July 2025 plans show that the development will comply with all setbacks to boundaries. I also recognise that an original breach arising from the guttering on the western elevation of the main residential unit (Block 1) has been eliminated by adjusting the location of Block 1 by 300mm.

I note that the visitor accommodation unit (Block 2) will intrude the northern recession plane by 0.377m vertically for a 0.85m width. The Urban Design assessment notes that the proposed northern gable end of Block 2 encroaches into the northern recession plane and may cause some minor overshadowing in the northern reserve walkway. The Urban Designer assesses that the adverse effects on persons traversing the reserve will be less than minor because Block 2 is setback 4.2m from the reserve and the roof projecting above the recession plane is pitched such that the intrusion is small in scale. The Urban Design assessment also notes that the same intrusion may possibly cause a similar effect 11 Rodman Lane. However, the Urban Designer determines that the adverse effects will be less than minor given that the intrusion is occurring at the northern boundary, there are no windows or doors on the affected elevation, the affected site is vacant such that there is no outdoor living space to be affected, the encroachment is small in scale and Block 2 is setback 2m from 11 Rodman Lane. Furthermore, I note that the application was notified to the property owner at 11 Rodman Lane but no submission was received from this party.

With regard to the proposed roof angles, I note that the roof design of the two main units is compliant with the precinct standard set out in PREC1-S2. However, the roof of the minor unit has a slope angle that is shallower than the permitted standard. The Urban Design assessment recognises that the roof angles stipulated in standard are envisioned by the Design Guide to help reduce building scale, whilst also providing an 'alpine' vernacular. The Urban Designer assesses that the one-bedroom unit (Block 3) will appear secondary to the larger bulk of Blocks 1 and 2, given its roof design, separation from those units, and rear location. The one-bedroom unit includes a simple low hipped roof form which is lower in pitch than the primary roof form. The differentiation in roof design and clustered approach is intended to reduce the bulk appearance of the development when viewed from the surrounding environment. The Urban Designer considers that the minor unit will be consistent with the lower profile and smaller form anticipated for accessory buildings that have a subordinate role to the primary residential unit on the site.

In terms of building scale, the Urban Designer notes that the wall lengths are modestly scaled and not readily visible from any public place given the site's location and the orientation of the development unit. A combination of the glazed elements, the verandah, and the eastern gable roof on these façades reduce the scale of the four-bedroom unit and provides visual interest. The proposed landscaping along the site's eastern boundary will also soften the scale of the four-bedroom unit.

In terms of site coverage, I note that the building coverage is less than the permitted standard of the District Plan at 34.2% and, in this respect, the proposal is not expected to present as an overdevelopment of the site. I note, however, that the impervious coverage is proposed to be 60.6% which exceeds the District Plan Standard of 50%. To offset this breach, the applicant proposes to undertake both hard and soft landscaping elements. Soft landscaping will feature lawn, groundcovers, hedging, and trees from indigenous and exotic species over an area of 226.1m<sup>2</sup> (28.6% of the site). Hedging along internal boundaries will consist of New Zealand broadleaf, corokia, or other native species capable of reaching at least 1.5m in height. A native garden is designated for the north-eastern corner, which may include grasses, shrubs, flaxes, or groundcovers. The remaining outdoor space will be covered by lawn, decking, pavers, or similar materials.

The submitters have raised concerns regarding stormwater management due to the increase in hardsurfacing and potential flood risk this may introduce. I note that stormwater management falls

outside of the matters of discretion that Council can consider. That said, I note that the record of title includes as consent notice condition which requires that stormwater be discharged in accordance with the approved discharge consent CRC094182. I also note the correspondence from the MDC Engineering Manager who confirms that within Tekapo, stormwater is discharged to kerb and channel and that this will be addressed as part of the building consent process.

Given the adequacy of the outdoor amenity space, the Urban Design assessment, the increased number of on-site carparks, and the degree of soft landscaping proposed, I assess that the extent and quality of any landscaping proposed to soften the built form is appropriate and the effects arising from the breach of the impervious coverage standard are assessed as acceptable.

As noted above the site is a rear lot and the scale of the development is generally anticipated by the underlying zone and, as such, any adverse visual effects arising from the built form on the streetscape and surrounding environment will be somewhat limited in nature. The Urban Designer also concludes that the proposal aligns with the outcomes sought in the Takapō / Lake Tekapo Character Design Guide.

The Urban Designer's assessment is adopted for the purposes of this report and I consider the proposed design elements and associated mitigation are generally consistent with Takapō / Lake Tekapo Character Design Guide and the effects of the built form are assessed acceptable overall.

### **6.3.2 Effects on amenity values of adjoining residential sites.**

The purpose of the Low Density Residential Zone is to predominantly provide for suburban living with a range of site sizes and building types. Other activities are also anticipated where they support the local population and are compatible with the character and amenity values of the zone. As detailed previously, the site has sufficient area to accommodate two residential units and one minor unit subject to compliance with underlying zone performance standards. Notwithstanding, the bulk and location standards breaches assessed above, I consider that the form and scale of the development is generally anticipated by the District Plan.

When considering the potential changes in residential character and amenity arising from the introduction of visitor accommodation into residential environments and the effects that this may have on adjacent residential neighbours, visitor accommodation has the potential to adversely alter the character and residential amenity of an area. This change is particularly noticeable where there is an established residential environment or where there are a number of similar activities occurring within close proximity to each other.

In this case, there are several visitor accommodation activities located within this area as detailed in the application, plus the area is still being developed as evidenced by the vacant sites adjacent to the subject site. The need to preserve the intended residential character in line with the purpose of the zone is important. However, it is also important to recognise that small-scale visitor accommodation (up to six guests) is provided for by the District Plan as a permitted activity within this residential zone. As such, I do not consider visitor accommodation to be an *"out of character"* activity for the zone but acknowledge that where an increase the number of guests beyond the permitted thresholds is proposed, careful consideration of the impact on the character, amenity values and purpose of the zone arising from the increased scale of the proposal is required.

In their submission, the submitters raised concerns regarding the scale of the accommodation unit namely adverse effect associated with the number of guests and the potential nuisance and noise effects arising from the use of the outdoor space by guests. To address these concerns, the applicant

proposes a number of mitigation measures to reduce the effects of the proposal. The volunteered mitigation includes:

- Reducing the number of guests from 12 to 10,
- Accommodation to be booked by single groups only,
- The preparation of a Residential Visitor Accommodation Management Plan,
- Implementation and enforcement of house rules to minimise noise and nuisance,
- Implementation of a complaint's procedure,
- Restrictions on the use of any outdoor living space to daytime hours only
- No amplified music must be played on the site between 10pm to 7am daily,
- Details of parking to be provided prior to arrival,
- The appointment of an on-site property Manager if required,
- Restrictions on the number of residents permitted in the primary and minor residential units,
- Hedging with a potential height of at least 1.5m to be planted along the entire length of the site internal boundaries,
- Elimination of the height in relation to boundary breach at the western boundary shared with 5 Andrew Don Drive (the submitter)

When considering the adequacy of the proposed mitigation measures, I consider the elimination of the height in relation to boundary breach at the western boundary to be a positive change which will avoid any direct bulk and location effects on the submitter. I also consider the hedging to be a positive measure as this will help to screen the development from the neighbouring properties. I recommend that the applicant provide additional details, by way of a planting plan which should address the timing of the planting and the size of hedging plants to ensure that the time taken to give effect to the screening is reduced.

In respect of the submitters request to restrict the number of residents and guests accommodated on the site, I note that the District Plan does not seek to limit the size of dwelling or habitable rooms within in this zone and, as such, there is no mechanism by which Council could limit the number of residents on the site. That said, the applicant has taken the submitter's concerns on board and volunteers that the occupancy of the residential units be restricted to no more than 10 persons in the five-bedroom residential unit and two persons in the one-bedroom minor residential unit at any given time.

In terms of the changes to the operation of the visitor accommodation, I consider the reduction in guest numbers from 12 to 10 to be a positive change when considered in conjunction with the single group booking restriction. However, the number of guests continues to exceed the permitted threshold by four guests. Potential effects on residential amenity arising from the increased number of guests primarily include noise and nuisance effects and traffic movement effects.

To ensure compatibility with the residential receiving environment, the applicant seeks to manage any adverse effects on neighbouring properties by implementing and enforcing a Visitor Accommodation Management Plan which will set out house rules, including good neighbour policies, restrictions on outdoor use and amplified music, refuse management, unit servicing, parking controls and a complaints procedure. Compliance with the Visitor Accommodation Management Plan is to be required through a condition of consent.

The submitters raised concerns regarding the enforceability of the volunteered conditions. I advise that there is a duty on the consent holder to comply with any condition imposed on a consent. There are also enforcement mechanisms provided for under the Act should there be a failure to comply.

One method the applicant volunteers to support compliance with conditions of consent is to engage one of the permanent residents on the site as the accommodation manager, if required. The submitters also doubt the effectiveness of this approach. While I recommend that this condition be accepted, I appreciate the submitter's concerns and recommend that the applicant ensure that any person engaged as the accommodation manager receives appropriate training and clearly understands their role and responsibilities. I also recommend that their contact details be provided to Council. I have included conditions to this effect in the draft conditions.

I also recommend that a review condition be included to allow conditions relating to noise, nuisance and parking to be revisited if these do not appear to be working effectively.

In terms of parking controls, these are discussed in greater detail below but effectively each unit will be allocated parking. Visitors will be made aware of the car park layout and their allocated car park, prior to arrival to the site. This approach is intended to ensure that arrivals to the site will operate smoothly. Furthermore, three carparks are to be allocated to the visitor accommodation which exceed the requirements of the District Plan standards, which will reduce the potential need for on-street parking.

When considering the cumulative effect on residential character from this proposal, I consider that there will be no adverse cumulative effects arising from the built form as the proposed number of residential units is anticipated for this site, the height in relation to boundary breach is considered to be de minimis, the roof breach is for the minor dwelling only with both of the larger structures compliant, the single cladding is off-set by use of different colours for the units, the broken form of the buildings, and the size and placement of windows and doors and the building coverage is complied with and, while the impermeable surfacing percentage is breached, this is unlikely to be noticeable from outside of the site.

When considering cumulative effects of introducing additional visitor accommodation into this environment, I note that when applying the permitted baseline, visitor accommodation for up to six person is permitted on this site without active management. When considering the four extra guests at any given time, I note that the site is a rear site, only one of the three units will be used for visitor accommodation, the parking will be contained on site, and the visitor accommodation will be closely managed through conditions of consent. Given the permitted baseline, and the mitigating factors set out above, I assess that the introduction of four more visitor accommodation guests (where effects are actively managed) is unlikely to tip the cumulative effects to a point where these are significant. I consider that the cumulative effects of providing for four additional guests over and above the permitted baseline to be acceptable.

Subject to the recommended and volunteered conditions of consent, I have assessed that the effects on the amenity values of the adjacent residential sites to be acceptable.

### **6.3.3 Traffic and parking effects**

The site is a rear lot with leg-in driveway access to Andrew Don Drive. Andrew Don Drive is a local road under the District Plan Roading hierarchy. The road has an 11m formed width and has footpaths on both sides. Access to the site is already formed and no changes are proposed to the vehicle crossing formation. The leg-in access has a 4.0m formed width and 5.0m legal width and is presently sealed. No breaches of the transportation standards have been identified as part of this proposal.

The application is supported by a Parking and Access Assessment (PAA) prepared by Carriageway Consulting dated 4 July 2025. Andrew Don Drive is orientated north to south and the PAA confirms

that from the site access, the sight line towards the north is approximately 70m and more than 120m to the south. The PAA advises that the MobileRoad website calculates that Andrew Don Drive presently carries around 50 vehicles per day, however the PAA suggests that this may be somewhat underestimated. The New Zealand Transport Agency Crash Analysis System indicates that there has been only one crash recorded on Andrew Don Drive and at its intersection with Aorangi Crescent and this was a result of extenuating circumstances<sup>1</sup>. The crash did not result in any injuries.

With respect to the subject site the PAA bases its assessment on:

- the residential visitor accommodation unit comprising four bedrooms with a maximum of 10 guests,
- the primary residential unit comprising five bedrooms with a maximum of 10 residents, and
- The minor residential unit comprising one bedroom only and limited to a maximum 2 residents.

The submitters have raised parking conflict and/or parking shortfall as a matter of concern. The PAA calculates the District Plan parking demand for the development as five spaces in total; two each for the primary dwelling and visitor accommodation and one for the minor unit.

The PAA assesses that, in all actuality, for the primary and minor residential units three parking spaces will meet likely demand for much of the time but from time to time, there might be demand for, at most, a further three parking spaces and for the residential visitor accommodation, three parking spaces will meet likely demand for much of the time but from time to time, there might be demand for, at most, one further parking space. To address potential parking shortfalls, the application has been revised to provide seven carparks in total. With this increase, the PAA determines that the proposal will exceed the minimum parking requirements set by the District Plan and, for the most part, the site will be self-sufficient in respect of car parking.

One park (either Car Park 1, 6 or 7) will be dimensioned appropriately to be used for a mobility park. The car parks will be specifically allocated to the units within the site to avoid on-site parking conflicts. The PAA notes that servicing of the accommodation unit will typically occur when the unit is vacant and, therefore, cleaning staff can readily use the existing parks assigned to the accommodation unit without detriment to the other site users.

The District Plan *TRAN-Table 13 Cycle Parking Requirements* requires one space per residential unit where there is no garage provided and one space per 10 visitor accommodation units. The site plan shows three cycle parks which is assessed as compliant for this development.

The development will be configured to provide on-site manoeuvring so that vehicles enter and exit the site in a forwards motion. With regard to queuing, the District Plan requires 5.5m of queuing space at the site access. The PAA advises that the current formed width of 4.0m is not sufficient for two cars to pass. However, the access is of sufficient legal width that two-way traffic flow could be supported. The PAA recommends that the first 6.0m of the access is widened to 5.0m to provide for adequate queuing space.

Subject to the recommended changes to the formed access width, increase in on-site car parking to seven, and the upgrade of one carpark to a mobility standard, the PAA concludes that the proposal will not have an adverse effect on efficiency or road safety and the site layout is supported from a

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<sup>1</sup> The crash was reported to be the result of an intoxicated driver striking two parked cars. The Police report also noted speed was a factor.

transportation perspective. The PAA recommendations are volunteered by the applicant and are shown in the revised July 2025 architectural plans.

I recommend that the PAA conclusions and recommendations be adopted for the purposes of this assessment and subject to these modifications, I assess that the effects of the proposal arising from parking and access are low overall and, therefore, acceptable.

#### 6.4 Conclusion

Based on the above assessment, it is concluded that the proposal is acceptable in terms of those matters over which discretion is restricted under the District Plan.

### 7.0 ASSESSMENT OF APPLICABLE STATUTORY DOCUMENTS AND REGULATIONS

The Operative Mackenzie District Plan 2004 (as amended by Pc21 and 27) is the primary statutory planning document pertinent to the assessment of the subject application.

#### 7.1 Operative Mackenzie District Plan 2004

The Objectives and Policies most relevant to the subject application are set out and assessed below:

Objectives	
LRZ-O1	<b>Zone Purpose</b>
The Low Density Residential Zone provides primarily for residential living opportunities, and other compatible activities that support and are consistent with the character and amenity values of the zone.	
LRZ-O2	<b>Zone Character and Amenity Values</b>
The Low Density Residential Zone is a desirable suburban living environment, which: <ol style="list-style-type: none"> <li>1. contains predominantly one to two story detached residential units; and</li> <li>2. provides on-site amenity and maintains the suburban character and amenity values of adjacent sites.</li> </ol>	
Policies	
LRZ-P1	<b>Residential Activities</b>
Enable residential activities within a range of residential unit types and sizes.	
LRZ-P2	<b>Compatible Activities</b>
Provide for activities other than residential activities, where: <ol style="list-style-type: none"> <li>1. they are ancillary to a residential activity or are consistent with the character, amenity values and purpose of the zone;</li> <li>2. they service the local community and do not detract from the character, amenity values or purpose of the Neighbourhood Centre or Town Centre Zones;</li> <li>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; and</li> <li>4. there is a functional need or operational need to establish in the zone.</li> </ol>	
LRZ-P6	<b>Adverse Effects</b>

<p>Manage development within the Low Density Residential Zone to ensure:</p> <ol style="list-style-type: none"> <li>1. built form is of a scale and design that is compatible with the character, amenity values and purpose of the zone;</li> <li>2. larger lots sizes are retained in areas subject to servicing constraints in Specific Control Area 4, until such time appropriate services are in place; and</li> <li>3. building and structures located in Specific Control Area 5 do not dominate the identified ridgeline when viewed from a public place.</li> </ol>
<p><b>Assessment</b></p> <p>The proposal includes the establishment of two primary residential units and one minor unit which are consistent with the density provisions of the District Plan. The bulk, location and design breaches arising from the built form are assessed as acceptable and will not detract from the character and amenity of the zone.</p> <p>With regard to the residential visitor accommodation, this activity, by its definition, has a functional need or operational need to establish in the zone and is ancillary to the residential activity on the site. The activity will not impact any Neighbourhood Centre or Town Centre Zones. Subject to conditions of consent, the proposal will be managed such that any adverse effects arising from the scale, hours of operation, parking and vehicle manoeuvring are acceptable. Overall, the proposal is assessed as compatible with the amenity values of adjoining sites and the residential environment.</p> <p>The proposal is assessed as consistent with the above objectives and policies.</p>

<b>Objectives</b>	
<b>PREC1-O1</b>	<b>Precinct Purpose</b>
Development within Takapō / Lake Tekapo maintains the distinctive character and identity of the Township and is complementary to the surrounding landscape.	
<b>Policies</b>	
<b>PREC1-P1</b>	<b>Adverse Effects</b>
<p>Control the scale, appearance and location of buildings to ensure that:</p> <ol style="list-style-type: none"> <li>1. the built form character of the Township is maintained and enhanced;</li> <li>2. development is integrated with the landscape setting, including the topography, landform, and views to and from the area;</li> <li>3. key viewshafts within and through land on the south side of State Highway 8 are protected, and accessibility to the Domain and lake are maintained; and</li> <li>4. views to the lake from properties on the north side of State Highway 8 are maintained.</li> </ol>	
<b>Assessment</b>	
<p>The proposal provides for three residential units which breach two precinct standards regarding cladding and roof pitch. The applicant proposes that the primary residential unit and minor residential unit to be finished in a brown colour, and the visitor accommodation to be finished in a grey colour. By differing the colours of the units, it is assessed that this will make the cladding appear as two different products. With regard to the roof pitch the departure is restricted to the minor dwelling only and includes a simple low hipped roof form. It is assessed that the minor unit will be</p>	

consistent with the lower profile and smaller form anticipated for accessory buildings and will have a subordinate role to the primary residential unit on the site.

Overall, the combination of the matching cladding and roofing materials, and the proposed cladding colour will ensure that the three units visually integrate into the surrounding environment and will be consistent with the above objective and policy.

<b>Objectives</b>	
<b>TRAN-O1</b>	<b>Safe and Efficient Transport Network</b>
<p>The transport network is a safe, well-connected, integrated, resilient, and accessible system that:</p> <ol style="list-style-type: none"> <li>1. meets and is responsive to current and future needs;</li> <li>2. promotes the use of alternative modes of transport;</li> <li>3. is efficient and effective in moving people and goods within and beyond the district; and</li> <li>4. is protected from reverse sensitivity effects.</li> </ol>	
<b>Policies</b>	
<b>TRAN-P1</b>	<b>Integrated Land Use and Transport Planning</b>
<p>Maintain the safety, effectiveness and efficiency of the District's transport network by:</p> <ol style="list-style-type: none"> <li>1. ensuring integration with land use;</li> <li>2. managing the levels of service, formation standards, and types of land transport infrastructure by compliance with design and operational standards and road hierarchy classifications;</li> <li>3. providing land transport infrastructure that is consistent with the zone in which it is located;</li> <li>4. providing for safe entry and exit for vehicles to and from a site to a road without compromising the safety or efficiency of the road corridor; and</li> <li>5. ensuring appropriate sightline visibility is provided to road users.</li> </ol>	
<b>TRAN-P3</b>	<b>Safe Active Transport</b>
<p>Promote a range of transport options and enable safe multi modal connections that support walking and cycling.</p>	
<b>Assessment</b>	
<p>The application is supported by a parking and access assessment which confirms that the proposal will contribute to a safe, well-connected, and accessible transport system, will meet formation standards including safe entry and exit to and from the site and will provide adequate cycle parking. The proposal is assessed as consistent with the above objective and policies.</p>	

## 8.2 Regional Policy Statement

The Canterbury Regional Policy Statement 2013 (July 2021 version) was most recently updated in October 2024. The relevant chapter in the Regional Policy Statement for this development is Chapter 5 – Land Use and Infrastructure. While the RPS is focused at a regional level, there is nothing in the application which is assessed as inconsistent with the following objectives and policies:

- Objective 5.2.1 - Location, Design and Function of Development
- Policy 5.3.2 - Development conditions
- Policy 5.3.3 - Management of development

- Policy 5.3.5 - Servicing development for potable water, and sewage and stormwater disposal

### **8.3 National Policy Statements**

There are no National Policy Statements deemed relevant to the application.

## **9.0 ANY OTHER MATTERS**

It is considered that there are no other matters that are relevant or reasonably necessary to determine the application.

### **9.1 Financial Contributions**

Where a discretionary activity is proposed it must comply with the financial contribution rules specified in Rules 8.1.1, 8.1.2, 8.1.3 and 8.1.4 in Section 13 of the Operative District Plan.

Rule 8.1.1 sets out the method of calculation to be applied when Rules 8.1.2, 8.1.3 and 8.1.4 are triggered.

Rules 8.1.2, 8.1.3 and 8.1.4 relate to Financial Contributions for existing water supply, and sanitary sewage disposal, stormwater treatment and disposal. However, the contributions are only triggered where these involve a proposed subdivision or multi-unit residential development.

In this instance, two residential units and one minor unit are proposed. The residential unit equivalent is calculated by dividing the total number of people that a multi-unit residential development is designed to accommodate by the deemed average occupancy of 2.6 people per household.

In this case, the occupancy is calculated as follows:

Block 1 – 8 pax  
Block 2 – 10 pax  
Block 3 – 2 pax  
Total – 20pax

$$20 / 2.6 = 7.69 \text{ RUE}$$

The operative procedure from the Mackenzie District Council is to round the decimal place to the nearest whole number. The applicant is therefore required to pay a financial contribution for seven residential unit equivalents. A condition of consent is recommended to this effect.

### **9.2 Provision for Open Space and Recreation Contributions**

Rule 9.b in Section 13 of the Operative District Plan requires a cash contribution towards the provision and maintenance of land and/or facilities for open space and recreation be made for new or additional residential units or visitor accommodation or any combination of the two, at the following rate:

- Cash equivalent of the value of 2m<sup>2</sup> of land for each additional 100m<sup>2</sup> of new, net visitor accommodation building floor area created, at the time of building consent, less any contribution made at the time of previous subdivision.

It is considered that there are no other matters that are relevant or reasonably necessary to determine the application.

### **9.3 Consent Notices**

Consent Notice 11037804.7 is registered against the title and requires that stormwater be discharged in accordance with the approved discharge consent CRC094182. The applicant is reminded of their duty to comply with the consent notice condition and discharge permit.

### **9.4 Easements**

The record of title identifies that the site is subject to a right to drain water and sewerage over part marked M on DP 518782 created by Easement Instrument 11037804.9 and a right (in gross) to convey telecommunications and computer media over part marked M on DP 518782 in favour of Chorus New Zealand Limited. Easement M is located in the first section of the site access. During works associated with the access upgrade, it is the applicant's responsibility to ensure that these easements are protected.

## **10.0 PART 2 MATTERS**

Part 2 of the Resource Management Act stipulates the purpose and principles of the Act. The purpose of the Act is to promote the sustainable management of natural and physical resources. The various principals provided under Part 2 support this purpose. It is considered that the proposed activity accords with Part 2 of the Act.

## **11.0 CONCLUSION**

With the above matters in mind and subject to the recommended conditions being imposed on the consent, it is considered the proposal is acceptable in terms of the matters listed under section 104C of the Act.

## **12.0 RECOMMENDATION**

Pursuant to sections 104, 104C, and 108 of the Resource Management Act 1991, it is recommended that consent be GRANTED subject to the recommended conditions outlined below.

Reported on and recommended by:



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Kirstyn Royce  
Consultant Planner

Date: 8 September 2025

## 13.0 RECOMMENDED CONDITIONS

### General

1. The proposed activity must be undertaken in general accordance with the approved plans attached to this decision as Appendix One, and the details included in the resource consent application RM240141 and further information provided on 29 October 2024, and 25 July 2025, except where modified by the following conditions:

### Occupancy

2. No more than 10 visitor accommodation guests are authorised under this consent.
3. Bookings are restricted to single groups only. The maximum of 10 guests referred to in condition 2 of this consent must not be made up from multiple bookings.
4. The five-bedroom residential unit and one-bedroom minor residential unit must not be used for residential visitor accommodation activities.
5. No more than 10 persons must be accommodated in the five-bedroom residential unit at one time.
6. No more than two persons must be accommodated in the one-bedroom minor residential unit at one time.

### Design

7. Within 12 months of the development commencing on the site, landscaping and hard surface areas must be established in accordance with the architectural plans prepared by Archiland Architecture dated 5 January 2024. Landscaping must include lawn, groundcovers, hedging, and trees from indigenous and exotic species must be established and maintained in perpetuity hereon.
8. Within 12 months of the development commencing on the site, hedging along internal boundaries capable of reaching a minimum height of at least 1.5m. The hedging must comprise New Zealand broadleaf, corokia, or other native species and at least an equivalent size of a 5L pot at the time of planting. The hedging must be maintained in perpetuity.
9. Within 12 months of the development commencing on the site, an 8m<sup>2</sup> area of native garden must be created within the north-eastern site corner of the site, comprising either or a mixture of grasses, shrubs, flaxes, groundcovers.
10. Any gas bottles and service areas must be screened by landscaping or fencing.

### Operational

11. An Onsite Manager must reside on site for the duration that visitor accommodation is occurring on the site. Evidence of the training of the On-site Manager must be provided to the Planning Manager at [planning@mdc.govt.nz](mailto:planning@mdc.govt.nz). Contact details and the roles and responsibilities of the Onsite Manager must also be provided to the Planning Manager.

12. Prior to visitor accommodation occurring on the site, a Visitor Accommodation Management Plan must be prepared and submitted to the Planning Manager for certification at [planning@mdc.govt.nz](mailto:planning@mdc.govt.nz). The Visitor Accommodation Management Plan must contain (but not limited to) the following:
  - House rules that guests must follow to minimise noise and nuisance to residential neighbours;
  - Parking information (guest vehicles);
  - A procedure which will be followed by the on-site property manager in managing and responding to any complaints received from third parties; and
  - Role, responsibility, and contact details (including after hours) for an on-site property manager.
13. Visitor Accommodation must be operated in accordance with the Visitor Accommodation Management Plan submitted with the application. The management plan must be reviewed every 12 months and any updates provided to the Planning Manager at [planning@mackenzie.govt.nz](mailto:planning@mackenzie.govt.nz).
14. Visitor Accommodation Guests are not permitted to use the outdoor space (decks, lawns and communal areas) between 2200hrs and 0700hrs.
15. No amplified music is permitted on site between 2200hrs and 0700hrs.
16. Guest records must be retained for 24 months and produced on request of the Planning Manager of the Mackenzie District Council.
17. All parking associated with the visitor accommodation activity must be contained within the subject site and visitor accommodation guests and staff are not permitted to park on Andrew Don Drive. At least three car parks must be provided on the site for guest vehicle parking at all times when the 4-bedroom visitor accommodation unit is being used by guests.

#### Contributions

18. The consent holder must pay the Mackenzie District Council a Sanitary Sewage and Water Capital Works Financial Contribution for seven residential unit equivalents prior to Building Consent being issued. The amount of the capital works contributions payable per residential equivalent is the amount specified in the Mackenzie District Council's Schedule of Fees and Charges for the year building consent is sought.
19. The consent holder must pay the Mackenzie District Council a cash equivalent of the value of 2m<sup>2</sup> of land for each additional 100m<sup>2</sup> of new, net visitor accommodation building floor area created, at the time of building consent, less any contribution made at the time of previous subdivision.

#### Review

20. 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.

## **ADVICE NOTES**

### Consent notice

Consent Notice 11037804.7 is registered against the title and requires that stormwater be discharged in accordance with the approved discharge consent CRC094182. The applicant is reminded of their duty to comply with the consent notice condition and discharge permit.

### Building consents

The visitor accommodation building is expected to be treated as a commercial building by MDC Building Control and will be required to meet the building code standards including provision to mobility access and appropriate fire systems.

### Easements

The site is subject to a right to drain water and sewerage over part marked M on DP 518782 created by Easement Instrument 11037804.9 and a right (in gross) to convey telecommunications and computer media over part marked M on DP 518782 in favour of Chorus New Zealand Limited. Easement M is located in the first section of the site access. During works associated with the access upgrade, it is the applicant's responsibility to ensure that these easements are protected.

### Infrastructure connections

An application to connect to Council reticulated network will need to be made. The application can be made here: <https://www.mackenzie.govt.nz/services/water/water-sewer-stormwater-application-for-servicesonline-form>.

### Commencement

This resource consent commences on the date the decision was notified, or on such later date as stated in the consent, unless an appeal or an objection has been lodged, at which time the consent commences when this has been decided or withdrawn, or in the case of an appeal to the Environment Court on such later date as the Court may state in its decision.

### Right of Objection

If you do not agree with any of the conditions of this consent, you have a right to object to the condition under Section 357A of the Act. Notice of any objection must be in writing, set out the reasons for the objection, and be lodged with the Mackenzie District Council within 15 working days of receipt of this decision.

### Lapsing of Consents

A resource consent lapses on the date specified in the consent or, if no date is specified, five years after the date of commencement of the consent unless, before the consent lapses: the consent is given effect to; or, an application is made to the consent authority to extend the period after which the consent lapses, and the consent authority decides to grant an extension.

### Monitoring

Pursuant to Section 36 of the Resource Management Act 1991, in addition to the fees payable for the processing of this application, where further site inspections are required because of non-compliance with any of the conditions, or the monitoring of the provision of any plans or documentation required by a condition of consent, the Council may render an account to the consent holder for additional monitoring fees based on time involved.

### Other Consents May Be Required

This resource consent authorises the Land Use or Subdivision applied for only. The consent does not give the consent holder the right to:

- Use, subdivide or develop land that contravenes a rule in the District Plan other than that which has been consented to by way of the subject application, or that which has already been legal established.
- Conduct any activity that requires resource consent from Environment Canterbury (ECAN). You are advised to contact ECAN to ascertain if consent is required for the proposed development.
- Authorise building or utility services construction work that requires separate consent/approval.

### Charges

Charges, set in accordance with section 36 of the Act, shall be paid to the Mackenzie District Council for the carrying out of its functions in relation to the administration and monitoring of resource consents and for carrying out its functions under section 35 of the Act.

Appendix 1:

Plans on which RM240141 was considered.

Appendix 2:  
Section 95A-E Decision