



NOTIFICATION REPORT FOR AN APPLICATION FOR LAND USE CONSENT PURSUANT TO SECTIONS 95A TO 95E OF THE RESOURCE MANAGEMENT ACT 1991 – RM260074

Applicant:	Niall and Melanie Casey
Application Description:	Land Use Consent to Operate non-hosted Visitor Accommodation across two Residential Units onsite
Application Status:	Discretionary
Property Address:	51 Murray Place, Lake Tekapo
Legal Description:	Section 74 Block X Tekapo Village held in RT CB30B/278
Valuation Reference:	2531143800
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:	20 July 2026
Date of Report:	3 August 2026

1.0 INTRODUCTION

This report has been prepared under the Resource Management Act 1991 (the Act) to document the assessment of the subject consent application.

On 20 July 2026 the Applicant was offered the opportunity to obtain any relevant written approvals prior to a formal assessment under s95A-95E being completed. The application was placed on hold pursuant to section s88E(4) from this date to provide the Applicant time to obtain these written approvals. On 3 August 2026 the Applicant requested that the application be processed on a limited notified basis¹. This report documents the assessment required under s95A-95E of the Act.

2.0 PROPOSAL, SITE & HISTORY DESCRIPTION

2.1 PROPOSAL DESCRIPTION

Niall and Melanie Casey ('the Applicant') seek retrospective land use consent to enable the continued use of both a principal residential unit and an attached minor residential unit for unhosted residential visitor accommodation at 51 Murray Place, Lake Tekapo. The site is located within the Low-Density

¹ See email correspondence from Ms Grace Guo received 3 August 2026 (CM9 Doc Ref 1859697).

Residential Zone and contains a single building comprising two self-contained residential units. The principal residential unit contains three bedrooms and is currently operated as unhosted visitor accommodation for up to six guests, while the attached minor residential unit contains one bedroom and is currently operated as unhosted visitor accommodation for up to two guests. The Applicant has confirmed that the wish to have both units be booked and occupied independently of one another.

As a result of both residential units on the site being used for residential visitor accommodation, the proposal does not comply with Rule LRZ-R5.1 of the Mackenzie District Plan (MDP) and consequently requires resource consent as a discretionary activity. Additionally, more than six guests (8 guests) will be accommodated across both units meaning the proposal does not comply with rule LRZ-R5.2 of the MDP and consequently requires resource consent as a restricted discretionary activity under LRZ-R5.3.

No physical alterations to the building, access arrangements, parking areas, or site layout are proposed as part of the application. Existing vehicle access is provided from Murray Place via a gravel accessway located along the western side of the dwelling, with an additional parking area situated adjacent to the eastern boundary. A total of three on-site parking spaces are available, comprising two spaces associated with the principal residential unit and one space associated with the minor residential unit.

The application is supported by separate Visitor Accommodation Management Plans (VAMPs) for each unit. These documents outline operational measures including occupancy limits, parking requirements, waste management procedures, noise controls, complaint response procedures, and property manager contact details. The proposal seeks to formalise the existing operation of visitor accommodation accommodating a maximum of eight guests across the site at any one time.

2.2 SITE DESCRIPTION

The subject site is located at 51 Murray Place, Lake Tekapo and is zoned Low Density Residential Zone (LRZ) within the MDP. The land has an area of 623m² and is legally described as Section 74 Block X Tekapo Village and is held in Record of Title CB30B/278.

The site is located on the northern side of Murray Place, a local road that connects with Hamilton Drive and Jeune Street. The surrounding environment is characterised by detached residential dwellings generally one to two storeys in height and is consistent with the established residential character anticipated within the Low-Density Residential Zone. I note properties at 44, 45, 58, 59, and 65 Murray Place in the surrounding area are also used for visitor accommodation purposes as permitted activities. 36 Murray Place operates as a commercial visitor accommodation (bed and breakfast) per the definition in the MDP.

The site contains a single building accommodating both a principal residential unit and an attached minor residential unit. The principal residential unit is located toward the rear of the site and contains three bedrooms. The attached minor residential unit is located toward the front of the building and contains one bedroom together with self-contained living facilities. Both units are currently established and no physical alterations to the building are proposed as part of this application.

The site is generally flat and is landscaped with lawn, shrub planting and boundary treatments including hedging along the western boundary and timber fencing along the eastern boundary. The surrounding properties comprise established residential sites located to the north, east and west, with residential properties located on the opposite side of Murray Place to the south. A site visit was undertaken on 20 July 2026. The applicant was not present during this site visit. Photographs taken

during the site visit are held in the file². An aerial photograph of the site is provided as Figure 1. The location of the site relative to the wider surrounding environment is illustrated in Figure 2.



Figure 1: Aerial photograph. The subject land is highlighted yellow (Source: GRIP Maps).

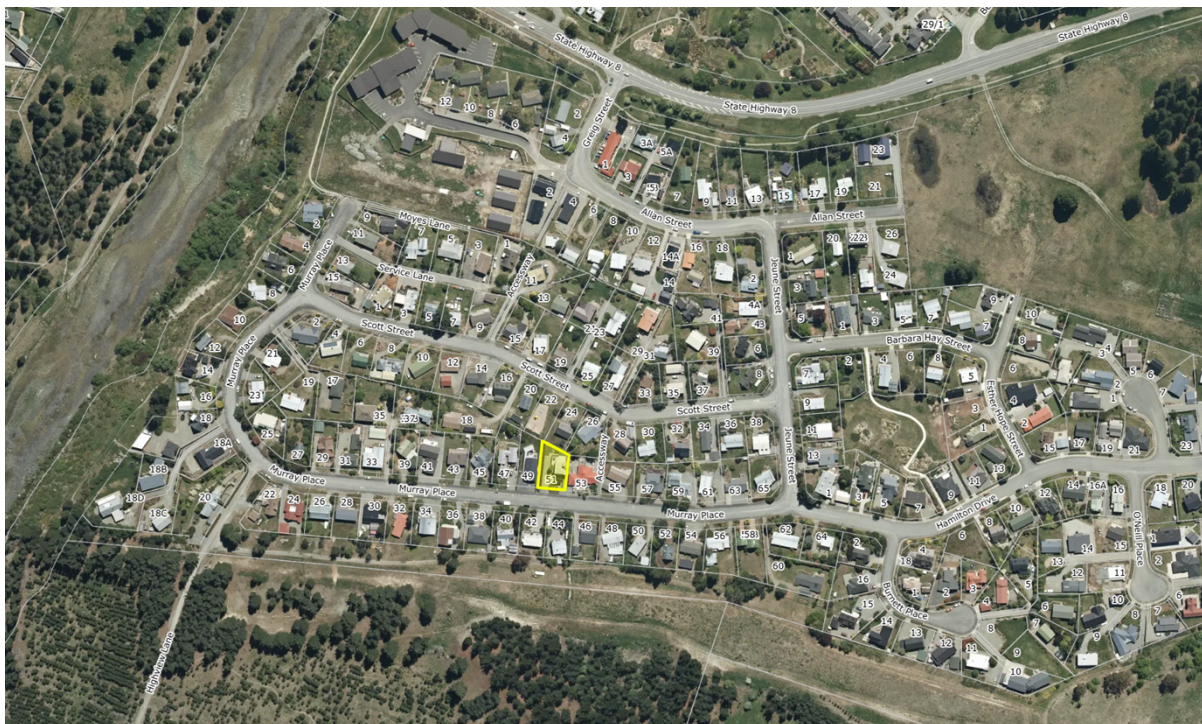


Figure 2: Location of site relative to surrounding environment (Source: GRIP Maps).

2.3 SITE HISTORY/BACKGROUND

The following is a summary of the relevant site history:

² See CM9 Doc Ref 1859038.

Resource Consents:

There is no resource consent history for this site.

Building Consents:

- **BC180243 and BC180243A (Amendment):** Building consents were issued to construct a new deck area, extend living area under existing verandah, install new cladding and internal alterations to create the existing built form (e.g. alterations to bedroom 2, mezzanine floor construction with new stair location, new ensuite to master bedroom).
- **BC190329:** Building consent issued to convert basement garage into self-contained single bedroom unit with kitchenette and ensuite.

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 AND COMPLIANCE ASSESSMENT

The subject site is zoned Low Density Residential Zone (LRZ) and within the Takapō / Lake Tekapo Precinct within the Operative Mackenzie District Plan 2004 (the District Plan). The activity status of the proposal is commented on below:

- Rule LRZ-R5: Permitted activity where no more than one residential unit on a site is used for residential visitor accommodation, including a minor residential unit; and the maximum occupancy of the unit used for residential visitor accommodation does not exceed six guests per night. The Applicant is requesting that both the principal and minor residential units each be used for visitor accommodation and that this be for eight persons; comprising six persons in the main residential unit and two in the minor. This is therefore a **Discretionary** activity; where compliance is not achieved with Rule LRZ-R5.1.
- Rule TRAN-R5: Permitted activity where the parking, manoeuvring and loading areas associated with a residential activity complies with standards TRAN-S1, -S2, -S4, -S7, and -S8. The activity does not comply with standard TRAN-S7 (surface and drainage of parking areas required for 5.5m from road boundary). This is therefore a **Restricted Discretionary** activity.

For completeness, there are no applicable rules for the activity sought in the PREC1 – Takapō Lake Tekapo Precinct and/or the Tekapo Flight Protection Area.

3.3 ACTIVITY STATUS

Overall, the application is assessed as a **Discretionary Activity**.

4.0 ASSESSMENT OF EFFECTS

4.1 Permitted Baseline/Receiving Environment

Permitted Baseline

The permitted baseline has been considered in relation to this assessment. Rule LRZ-R5 permits a six-guest maximum to use the site as residential visitor accommodation on any given night. Were the two residential units on separate land parcels the activity would be classified as permitted. It is the presence of two residential units onsite; both being used for residential visitor accommodation that creates the non-compliance. I also note that despite the two units presenting as a single building, separate vehicle accesses and the ability for separate bookings on any given night mean I assess the proposal as two separate residential units each being used for visitor accommodation irrespective of them being attached.

Receiving Environment

Figure 3 highlights surrounding properties currently used for visitor accommodation.



Figure 3: Application site (red) and nearby visitor accommodation land uses (yellow) (Source: Adapted from GRIP Maps).

4.2 Written Approvals

No written approvals have been submitted with the application.

4.3 Assessment of Effects

Landscape and Visual Amenity

The proposal does not involve any physical changes to the site, existing building, access arrangements, parking areas or landscaping. The existing principal residential unit and attached minor residential unit are already established on the site and the proposal relates solely to the continued use of the minor residential unit for residential visitor accommodation. The site will continue to present as a residential property, and no alterations are proposed that would change the appearance, scale, bulk or architectural character of the development. Accordingly, adverse landscape and visual amenity effects are considered to be less than minor.

Infrastructure

The proposal relates to the continued use of an existing minor residential unit for residential visitor accommodation and does not involve any physical alterations to the site, additional buildings, or increased development capacity. The principal residential unit and minor residential unit are already established and connected to Council reticulated infrastructure services.

The proposal will permit a maximum of two guests within the minor residential unit, in addition to the existing permitted operation of the principal residential unit for up to six guests. The scale of activity is relatively low and comparable to the occupation of a residential property containing a principal residential unit and a minor residential unit.

Given the existing serviced nature of the site and the limited increase in demand associated with accommodating up to two additional visitors, the proposal is not expected to place unreasonable pressure on reticulated water supply, wastewater, stormwater, roading, or other public infrastructure. No upgrades to infrastructure are required and no servicing constraints have been identified. Overall, adverse effects on infrastructure are assessed as less than minor.

Transportation

The proposal will use the existing vehicle access and parking arrangements associated with the site. The site contains an established gravel accessway along the western boundary measuring approximately 6m in width and 22.4m in length, together with an additional parking area adjacent to the eastern side of the dwelling. A total of three on-site parking spaces are available (i.e., two for the principal residential unit and one for the minor residential unit) as shown in Figure 4.

The principal residential unit currently operates as residential visitor accommodation for up to six guests as a permitted activity. The proposal seeks retrospective consent to allow the minor residential unit to also be used for residential visitor accommodation for up to two guests. Accordingly, the transport effects to be assessed are those arising from the additional use of the minor residential unit beyond the permitted baseline.

The minor residential unit contains one bedroom and is limited to a maximum occupancy of two guests. Given the scale of the activity, a small increase in vehicle movements may occur; however, any increase is expected to be low in frequency and typical of vehicle movements associated with a residential property. The site contains sufficient on-site parking to accommodate guests associated with both accommodation units and reliance on on-street parking is not anticipated.



Figure 4: Vehicle access for principal residential unit. Other vehicle access (background) snow covered (Source: Site visit).

While the application includes an existing non-compliance with TRAN-S7 (no sealing of the accessway and vehicle crossing) these are longstanding site conditions, and no physical alterations are proposed as part of the application. The existing access arrangements are functioning effectively and there is no evidence that the activity has resulted in adverse traffic safety effects. Murray Place is a local road and the scale of traffic generated by the proposal is not expected to adversely affect the safety or efficiency of the surrounding transport network.

Overall, adverse transport and parking effects are assessed as less than minor.

Residential Amenity, Character & Noise

The use of residential units for visitor accommodation beyond the thresholds anticipated by Rule LRZ-R5 has the potential to adversely affect the anticipated residential character and amenity of neighbouring properties. Such effects can arise through a greater turnover of occupants, increased comings and goings, noise associated with short-term accommodation activities, parking demand, and a reduction in the continuity of residential occupation generally anticipated within the Low Density Residential Zone.

In this case, the application seeks retrospective consent to enable both the principal residential unit and minor residential unit on the site to be used for residential visitor accommodation purposes. While the principal residential unit is permitted to accommodate up to six guests as a residential visitor accommodation activity, the use of the minor residential unit for a further two guests exceeds the level of activity anticipated as a permitted activity within the zone.

I acknowledge that the scale of the proposal is relatively modest. The minor residential unit contains a single bedroom and accommodates a maximum of two guests. Further, no physical alterations to the buildings or site layout are proposed and the activity will continue to operate in conjunction with a Visitor Accommodation Management Plan that addresses matters such as noise, parking, waste management, guest behaviour and complaint resolution. These measures assist in reducing the potential for adverse effects on neighbouring residential properties.

Notwithstanding the above, the Mackenzie District Council continues to receive complaints relating to residential visitor accommodation activities, demonstrating that such activities have the potential to affect residential amenity and residential expectations of neighbouring property owners – all of which I note are standard residential units in an older more established part of the Lake Tekapo township. While visitor accommodation is anticipated within the Low-Density Residential Zone, the District Plan deliberately distinguishes between one residential unit operating as visitor accommodation as a permitted activity and multiple residential units on the same site used for that same purpose as discretionary.

While I am satisfied that adverse effects on the wider residential environment will not be more than minor, for the immediately adjoining properties at 24 and 26 Scott Street and 49 and 53 Murray Place, it is not considered that the potential effects on residential character and amenity can be confidently described as less than minor. Neighbouring property owners have a reasonable expectation that development within the zone will generally occur within the parameters anticipated by the District Plan. Where a proposal seeks consent to exceed those parameters, adjoining landowners should be afforded the opportunity to comment on any effects they may experience.

I further note that the Applicant was provided the opportunity pursuant to section 88E of the Resource Management Act 1991 to obtain written approvals from the owners of 24 and 26 Scott Street and 49 and 53 Murray Place on 20 July 2026. The Applicant elected not to pursue those approvals and subsequently advised Council that they wished to proceed with limited notification instead. While this does not determine whether a person is affected under section 95E, it does mean the application must now be assessed on the basis that no written approvals have been obtained from neighbouring landowners identified by Council as potentially affected.

Overall, it is assessed that the proposal has the potential to result in at least minor adverse effects on the residential character and amenity experienced by the owners and occupiers of the immediately adjoining properties at 24 and 26 Scott Street and 49 and 53 Murray Place. Accordingly, those parties are considered affected persons for the purposes of section 95E of the Act

4.4 Conclusion on Assessment of Effects

Taking the above matters together, I consider that adverse effects on the wider environment are less than minor. However, for the owners of immediately adjoining properties, the potential effects on residential amenity and neighbourhood character arising from the use of both residential units for visitor accommodation cannot be confidently described as less than minor.

5.0 NOTIFICATION ASSESSMENT

5.1 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 activity ³ ? (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)		✓	

No rule or national environmental standard requires public notification. An assessment of the likely adverse effects on the environment has been provided at section 4.3 of this report.

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

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

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.

- 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.

5.2 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 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.		✓	

As set out above, it is assessed that the proposal has the potential to have a minor effect on residential character and amenity on neighbouring properties located at 49 and 53 Murray Place and 24 and 26 Scott Street, Lake Tekapo.

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.

5.3 Conclusion

Having assessed the application for land use consent pursuant to sections 95A-95G of the Resource Management Act 1991 it is recommended that the application be processed on a limited notified basis for those landowners shown in Figure 5 below.

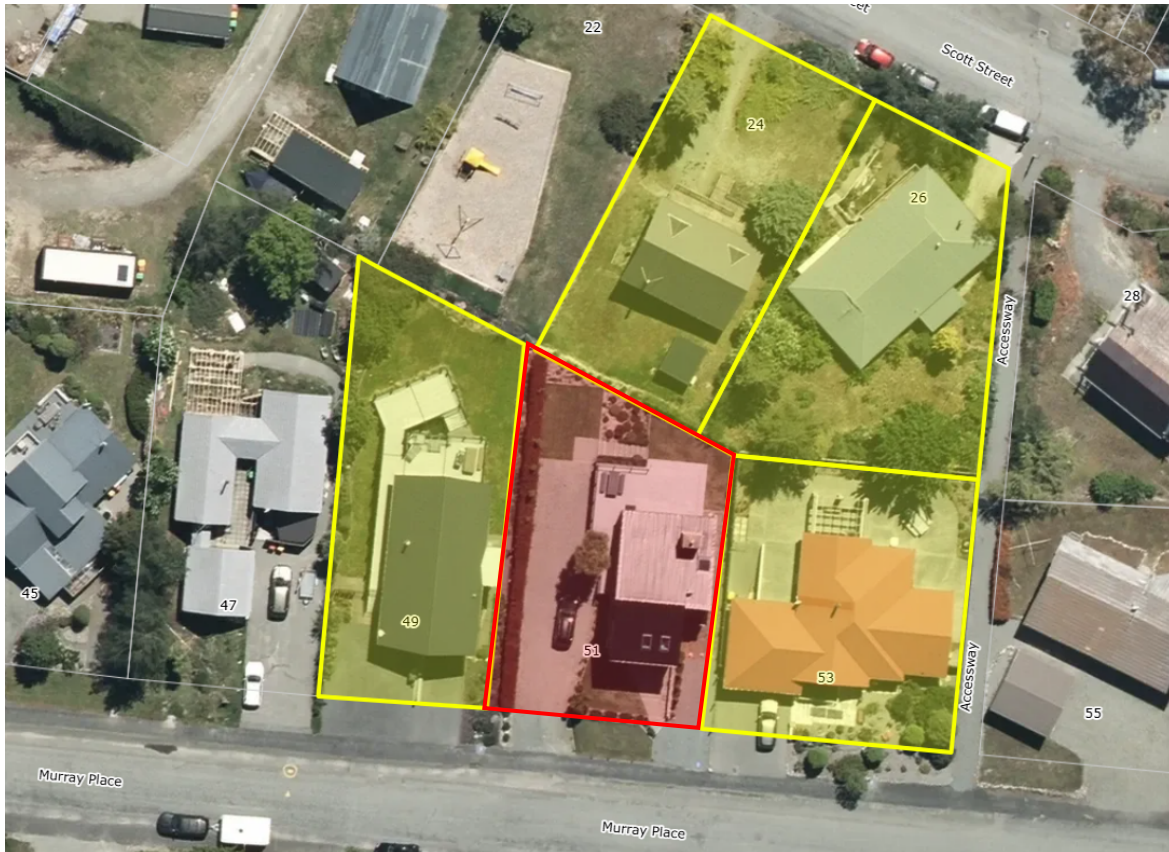


Figure 5: Application site (red) and landowners identified as affected persons for the purposes of section 95E (yellow) (Source: GRIP Maps).

Reported on and recommended by:

Patrick O'Toole
Consultant Planner

Date: 3 August 2026

Approved under Delegated Authority by:

Rachael Bason
Acting Planning Manager

Date: 4 August 2026