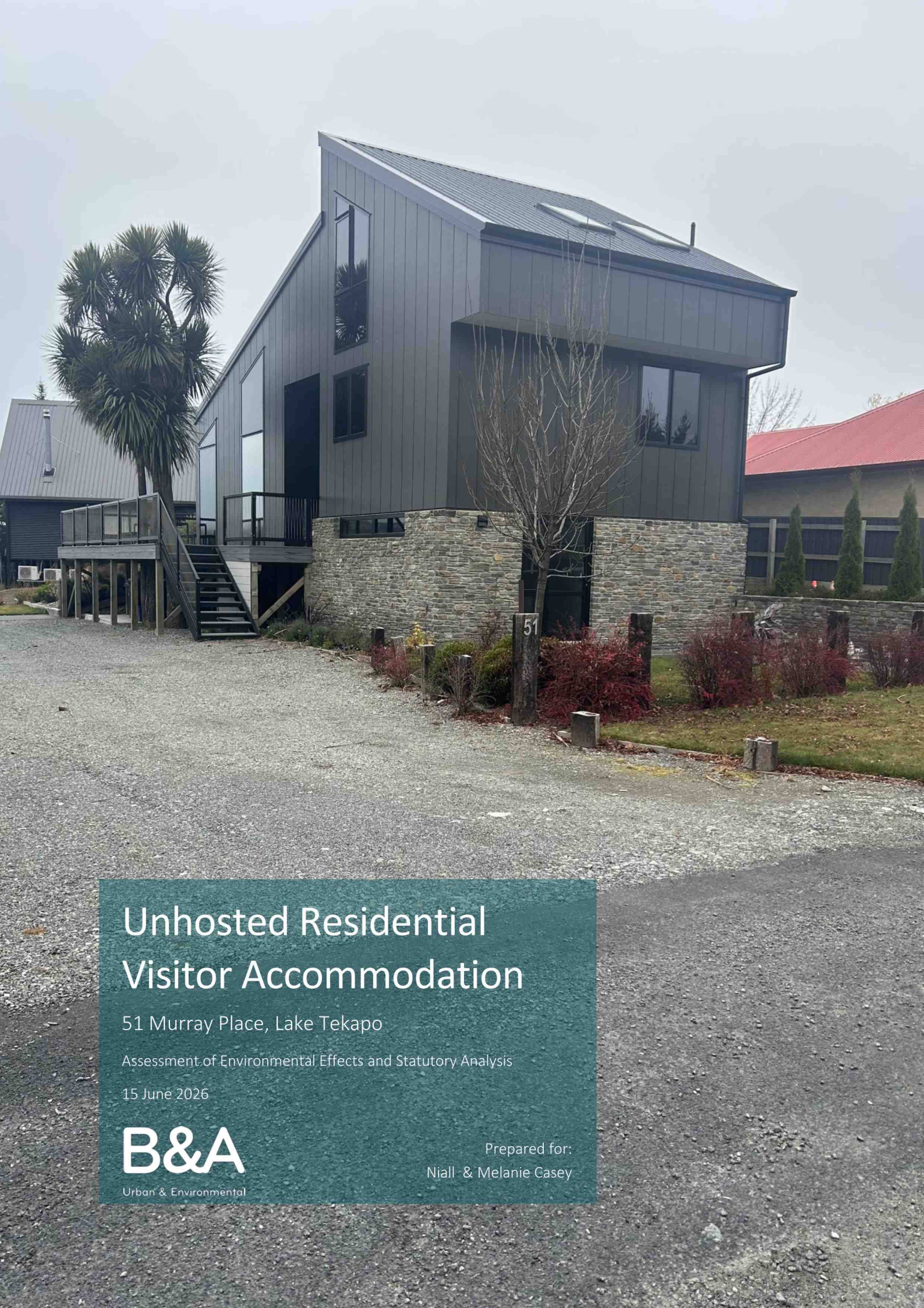




Unhosted Residential Visitor Accommodation

51 Murray Place, Lake Tekapo

Assessment of Environmental Effects and Statutory Analysis

15 June 2026

B&A
Urban & Environmental

Prepared for:
Niall & Melanie Casey

B&A Reference:

026934

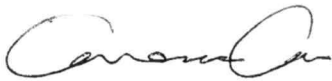
Status:

Final Revision 1

Date:

15 June 2026

Prepared by:



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Planning Assistant, Barker & Associates Limited

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Senior Associate, Barker & Associates Limited

Contents

1.0	Applicant and Property Details	5
2.0	Introduction	6
3.0	Site Context	6
3.1	Site Description	6
3.2	Surrounding Locality	8
4.0	Proposal	8
5.0	Reasons for Consent	8
5.1	Mackenzie District Plan (MDP)	9
5.2	Activity Status	9
6.0	Public Notification Assessment (Sections 95A, 95C and 95D)	9
6.1	Assessment of Steps 1 to 4 (Sections 95A)	9
6.2	Section 95D Statutory Matters	10
6.3	Land Excluded from the Assessment	11
6.4	Assessment of Effects on the Wider Environment	12
6.5	Summary of Effects	14
6.6	Public Notification Conclusion	14
7.0	Limited Notification Assessment (Sections 95B, 95E to 95G)	15
7.1	Assessment of Steps 1 to 4 (Sections 95B)	15
7.2	Section 95E Statutory Matters	16
7.3	Assessment of Effects on Persons	16
7.4	Limited Notification Conclusion	18
8.0	Consideration of Applications (Section 104)	18
8.1	Statutory Matters	18
8.2	Weighting of Proposed Plan Changes: Mackenzie District Plan Review	19
9.0	Effects on the Environment (Section 104(1)(A))	19
10.0	District Plan and Statutory Documents (Section 104(1)(B))	19
10.1	Objectives and Policies of the Mackenzie District Plan	19
10.2	Summary	21
11.0	Part 2 Matters	21
12.0	Other Matters (Section 104(1)(C))	21
12.1	Record of Title Interests	21
12.2	Conclusion	21

Appendices

Appendix 1	Record of Title and Interests
Appendix 2	Studio Architectural Plan
Appendix 3	Principal Unit Architectural Plan
Appendix 4	Visitor Accommodation Management Plans
Appendix 5	Rules Assessment

1.0 Applicant and Property Details

To:	Mackenzie District Council
Site Address:	51 Murray Place, Lake Tekapo
Applicant Name:	Niall & Melanie Casey
Address for Service:	Barker & Associates Ltd PO Box 1749, Christchurch, 8140 Attention: Grace Guo / Janice Carter
Legal Description:	Section 74 Block X Tekapo Village (refer to Record of Title as Appendix 1)
Site Area:	623m ²
Site Owner:	Niall & Melanie Casey
District Plan:	Mackenzie District Plan ('MDP')
MDP Zoning:	Lower Density Residential Zone
MDP Precinct:	Lake Tekapo Precinct
MDP Overlays & Controls:	Flight protection Area – Tekapo
Designations:	N/A
Additional Limitations:	N/A
Locality Diagram:	Refer to Figure 1
Brief Description of Proposal:	Retrospective consent to operate unhosted visitor accommodation in a minor residential unit within a site.
Summary of Reasons for Consent:	MDP: LRZ-R5.1: more than one residential unit on a site is used for residential visitor accommodation, including a minor residential unit – Discretionary.

2.0 Introduction

This report has been prepared to address a retrospective resource consent application submitted by Niall & Melanie Casey (hereafter referred to as 'the applicant') to operate un-hosted residential visitor accommodation within a minor residential unit on a site at 51 Murray Place, Lake Tekapo. This report is intended to address the relevant matters under the Resource Management Act 1991 ('RMA').

3.0 Site Context

3.1 Site Description

The site at 51 Murray Place contains a minor residential unit attached to the principal residential dwelling, located on the northern side of Murray Place at Lake Tekapo, as shown in **Figure 1** below. Murray Place is a local road which joins Hamilton Drive and Jeune Street. It has a carriageway width of approximately 9m. The site is 623m² in area and is generally flat.

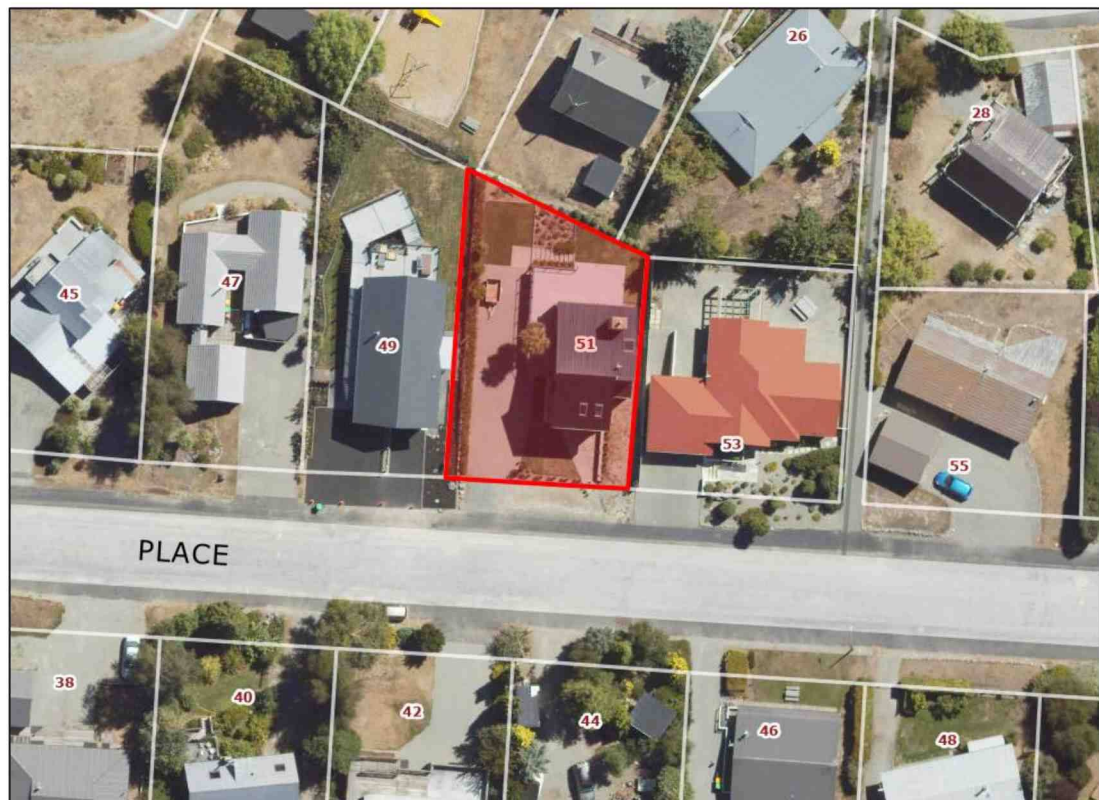


Figure 1: Locality plan.

The site is accessed from Murray Place via a vehicle crossing located at the southwestern corner of the site. The vehicle crossing leads to a driveway approximately 6m wide and 22.4m long, with hedging planted along the western boundary. An additional access and parking area is located at the southeastern corner of the site, which is irregular in shape, extending approximately 10m in length as shown in **Figure 2**. It measures more than 3.5m wide near the vehicle crossing and narrows to approximately 3m at the parking area. The parking and vehicle crossing comprise an all-weather gravel surface.

A low wall and row of planting separate this area from the landscaped portion of the front yard. The front yard comprises a lawn area located between the dwelling and the southern boundary and includes a tree, landscaped planting, and a series of low timber posts spaced across the width of the site.

The site contains a single building accommodating two residential units with separate access arrangements and parking areas as indicated in **Figure 2**. The front minor residential unit is located at ground level and contains a bedroom, ensuite, and kitchenette. Details are provided in the architectural plan (**Appendix 2**). Pedestrian access to this unit is provided via a concrete paved path connected to the gravel access and parking area adjacent to the eastern boundary.



Figure 2: Photo shown vehicle accessway to the principal unit (left) and minor residential unit (right)

The principal residential unit is located toward the rear of the site and contains three bedrooms. A deck extends from the living area at finished floor level and is oriented toward the northern boundary. Access to the unit is obtained via an external stairway, as illustrated in **Figure 3**. Refer to **Appendix 3** for details.

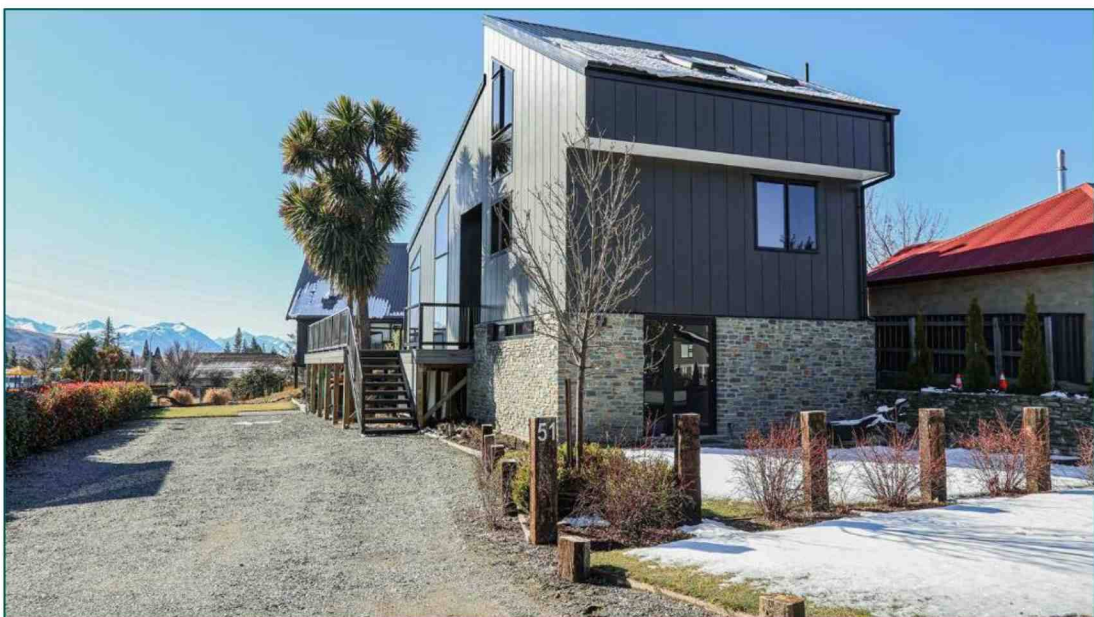


Figure 3: Access to principal unit via the deck. Sourced from Booking.com

The rear yard is generally open in character and comprises lawn and landscaped planting. The northern boundary is defined by low to medium-height shrub planting. The western boundary is defined by a row of hedge planting, while the eastern boundary is formed by a 1.8m high timber paling fence.

3.2 Surrounding Locality

The immediate surrounding area contains predominantly residential units, reflective of the Low Density Residential Zoning that is prevalent in the surrounding area. The surrounding units are one- to two-storey and feature a similar size and scale to that of the application site, many of which are used for travellers' accommodation. Lot sizes range from approximately 600m² to 900m². Further to the west along Murray Place the land is zoned Medium Density Residential.

In terms of nearby amenities, a children's playground is located at the lot northwest to the subject site on 22 Scott Street. Other recreational and open space areas comprising the Lake Tekapo Reserve, dog park, disc golf course and Pines Beach are located approximately 1000m to the northeast of the site. Lake Tekapo village centre is situated to the northwest, approximately 700m from the site, and provides a range of food and beverage outlets, accommodation facilities and a supermarket.

4.0 Proposal

The proposal seeks retrospective consent to use the minor residential unit on the site for unhosted residential visitor accommodation for up to two guests.

The principal residential unit is currently operating as unhosted visitor accommodation with a maximum occupancy of six guests and is a permitted activity. The minor residential unit is also currently used for visitor accommodation, with a maximum occupancy of two guests. As the principal residential is already used for residential visitor accommodation, this is a discretionary activity.

A total of three existing on-site parking spaces will be provided. Space for at least two parking spaces is available within the 22.4m x 6m gravel driveway located along the western side of the dwelling. An additional parking space is proposed within the approximately 10m x 3m area located to the east of the dwelling. No physical changes are proposed to the dwelling or the surrounding development as part of this proposal.

Visitor Accommodation Management Plans (VAMPs) and guest books (**Appendix 4**) have been prepared by the applicant for each unit. The VAMPs and guest books clearly set out the rules relating to noise, party restrictions, parking arrangements, and waste management. The property managers' contact details and compliant management procedure are also included in the VAMPs.

5.0 Reasons for Consent

A rules assessment against the provisions of the Mackenzie District Plan ('MDP') is attached as **Appendix 5**. The site is zoned Low Density Residential and is within the Lake Tekapo Precinct and Flight protection Area – Tekapo. The proposal requires retrospective consent for the matters outlined below.

5.1 Mackenzie District Plan (MDP)

LRZ – Low Density Residential

- Both the principal residential unit and the minor residential unit on the site are proposed to be used for residential visitor accommodation. This is a **discretionary activity** pursuant to LRZ-R5.1

TRAN – Transport

- The existing vehicle accessway is provided with on an all-weather gravel surface that is proposed to be retained. TRAN-S7.1 requires the first 5.5m of the vehicle access, measured from the vehicle access point into the site, to be sealed. This is an existing non-compliance and is a **restricted discretionary activity**.
- The existing vehicle crossing is formed and metalled. TRAN-S9 requires the vehicle crossing to be metalled/sealed to match the surface of the adjoining carriageway. The adjoining carriageway is sealed. This is an existing non-compliance and is a **restricted discretionary activity**.

5.2 Activity Status

Overall, this application is for a **discretionary activity**.

6.0 Public Notification Assessment (Sections 95A, 95C and 95D)

6.1 Assessment of Steps 1 to 4 (Sections 95A)

Section 95A specifies the steps the Council is to follow to determine whether an application is to be publicly notified. These are addressed in statutory order below.

6.1.1 Step 1: Mandatory public notification is required in certain circumstances

Step 1 requires public notification where this is requested by the applicant; or the application is made jointly with an application to exchange of recreation reserved land under section 15AA of the Reserves Act 1977.

The above does not apply to the proposal.

6.1.2 Step 2: If not required by step 1, public notification precluded in certain circumstances

Step 2 describes that public notification is precluded where all applicable rules and national environmental standards preclude public notification; or where the application is for a controlled activity; or a restricted discretionary, discretionary or non-complying boundary activity.

In this case, the applicable rules do not preclude public notification, and the proposal is not a controlled activity or boundary activity. Therefore, public notification is not precluded.

6.1.3 Step 3: If not required by step 2, public notification required in certain circumstances

Step 3 describes that where public notification is not precluded by step 2, it is required if the applicable rules or national environmental standards require public notification, or if the activity is likely to have adverse effects on the environment that are more than minor.

As noted under step 2 above, public notification is not precluded, and an assessment in accordance with section 95A is required, which is set out in the sections below. As described below, it is considered that any adverse effects will be less than minor.

6.1.4 Step 4: Public notification in special circumstances

If an application is not required to be publicly notified as a result of any of the previous steps, then the Council is required to determine whether special circumstances exist that warrant it being publicly notified.

Special circumstances are those that are:

- Exceptional or unusual, but something less than extraordinary; or
- Outside of the common run of applications of this nature; or
- Circumstances which make notification desirable, notwithstanding the conclusion that the adverse effects will be no more than minor.

The proposal seeks to utilise the minor residential unit as well as the principal residential unit on the site for residential visitor accommodation within the Lower Density Residential Zone. This activity will appear similar to residential use of a principal dwelling and minor residential unit and is not uncommon in residential environments in Lake Tekapo. It is considered that there is nothing noteworthy about the proposal. It is therefore considered that the application cannot be described as being out of the ordinary or giving rise to special circumstances.

6.2 Section 95D Statutory Matters

In determining whether to publicly notify an application, section 95D specifies a council must decide whether an activity will have, or is likely to have, adverse effects on the environment that are more than minor.

In determining whether adverse effects are more than minor:

- Adverse effects on persons who own or occupy the land within which the activity will occur, or any land adjacent to that land, must be disregarded.

The land to be excluded from the assessment is listed in section 6.3 below.

- Adverse effects permitted by a rule in a plan or national environmental standard (the 'permitted baseline') may be disregarded.

In this case the proposal seeks to allow the operation of the minor residential unit as well as the principal residential unit on the site for unhosted visitor accommodation, with occupancy of six guests for the principal unit, and two guests for the minor

residential unit. The lower density residential zone permits the establishment of residential units and minor residential units under Rule LRZ-R1 and LRZ-R2 and one residential unit to be operated as unhosted visitor accommodation for up to six guests per night under Rule LRZ-R5.1 and 5.2, thus forming the permitted baseline.

- Trade competition must be disregarded.

This is not considered to be a relevant matter in this case.

- The adverse effects on those persons who have provided their written approval must be disregarded.

No persons have provided their written approval for this proposal.

The sections below set out an assessment in accordance with section 95D, including identification of adjacent properties and an assessment of adverse effects.

6.3 Land Excluded from the Assessment

In terms of the tests for public notification (but not for the purposes of limited notification or service of notice), the adjacent properties to be excluded from the assessment are shown in **Figure 4** below, and include:

- 24 & 26 Scott Street (north);
- 49 Murray Place (west);
- 53 Murray Place (east); and
- 42 & 44 Murray Place (south).

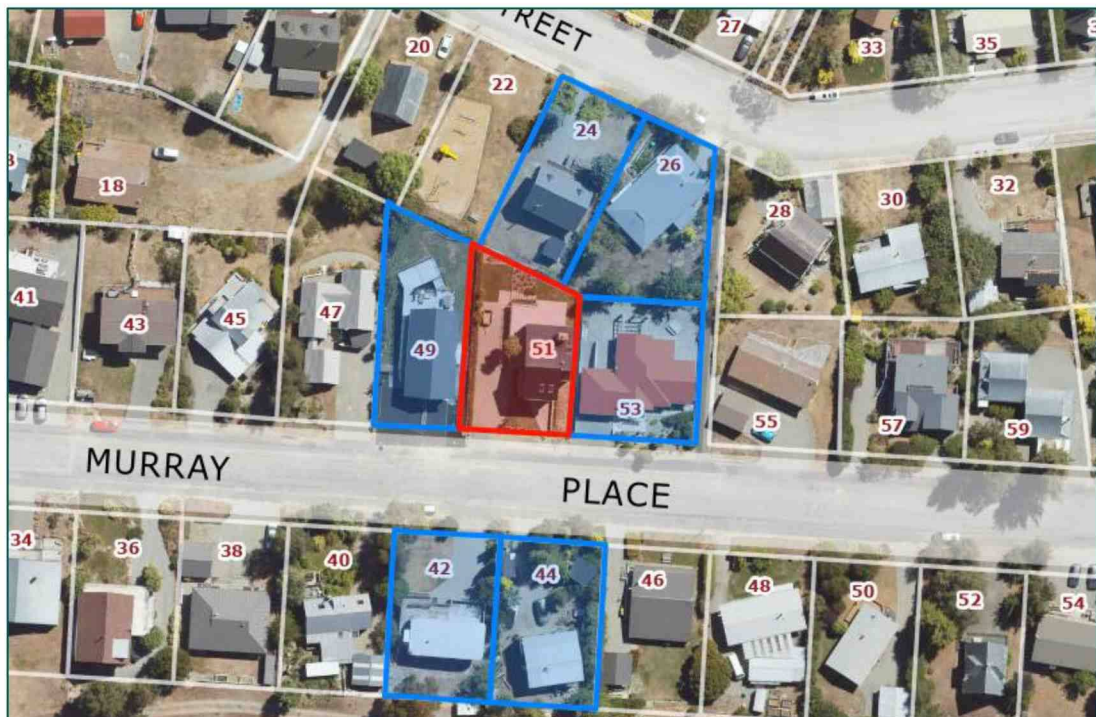


Figure 4: Adjacent properties in relation to subject site. Source: Emap.

6.4 Assessment of Effects on the Wider Environment

The following sections set out an assessment of wider effects of the proposal, and it is considered that effects in relation to residential character, traffic and amenity are relevant. These matters are set out and discussed as follows.

6.4.1 Residential Character

The visitor accommodation activities will continue to operate within the existing main and minor residential units, with no changes proposed to the existing dwelling, site layout, or access arrangements. The dwellings are modern and architecturally designed comprising a three-bedroom principal residential unit and a one-bedroom minor residential unit. Architectural plans are included in **Appendix 2** and **Appendix 2**.

Although the principal and minor residential units operate independently with separate access and parking arrangements, both units are contained within a single building, with the minor residential unit occupying the ground floor. As such, the proposal will not alter the external appearance of the dwelling or change its overall residential character.

The scale and layout of both residential units are considered sufficient to accommodate the proposed visitor accommodation activities; being up to six guests in the main three-bedroom unit and up to two guests in the one-bedroom unit. The proposal therefore remains comparable in nature to a standard residential household of three-bedrooms with a minor residential unit attached and is expected to generate effects of a similar scale to those reasonably anticipated in the Low Density Residential Zone.

Overall, the continued use of the principal residential unit and minor residential unit for residential visitor accommodation is not expected to alter the residential character of the neighbourhood. The site will remain visually and functionally consistent with surrounding residential properties, and adverse effects on residential character are therefore considered to be less than minor.

6.4.2 Traffic Impacts

The existing vehicle access and parking arrangements will continue to be utilised for the proposed activity. The gravel accessway along the western boundary measures approximately 6m in width and 22.4m in length and is capable of accommodating at least two on-site parking spaces. These spaces are proposed to serve guests of the principal residential unit.

An additional parking space, measuring 3m x 10m, is proposed adjacent to the eastern side of the dwelling for guests of the minor residential unit. In total, three on-site parking spaces are proposed. This meets the parking requirement of two spaces for the principal residential unit, which contains more than two bedrooms, and one space for the one-bedroom minor residential unit, which is less than 150m² and contains one bedroom. Accordingly, overflow parking on the street is not anticipated.

In relation to the surface material of the vehicle access, it is acknowledged that the proposal does not comply with TRAN-S7.1, which requires the first 5.5m from the vehicle access point into the site to be sealed. The existing gravel areas are formed to an all-weather standard and will continue to be used for vehicle access, rather than being sealed.

The continued use of the existing gravel surface for vehicle access is not anticipated to result in adverse effects on the safety or efficiency of the site or the surrounding transport network. Sufficient on-site parking is provided, and reliance on the road reserve for parking is not anticipated. The existing gravel surface is also permeable/semi-permeable and will continue to allow a degree of infiltration within the site. No changes are proposed to the existing pervious surfaces, and the proposal is not expected to compromise on-site stormwater management or direct additional runoff to the road or adjoining properties.

The District Plan also requires the access between the edge of the existing carriageway and the property boundary to be sealed/metalled to match the surface of the adjoining carriageway. As the adjoining carriageway is sealed, the existing gravel vehicle crossing does not comply with this requirement. However, gravel vehicle crossings and accessways are commonly found within the surrounding neighbourhood, as shown in **Figure 5** and **Figure 6**. The existing gravel access and vehicle crossing are therefore compatible with the established neighbourhood context.



Figure 5. Gravel vehicle crossing and accessway at 44 & 46 Murray Place. Sourced from Google Maps



Figure 6. Gravel vehicle crossing and accessway at 55 & 57 Murray Place. Sourced from Google Maps

No physical changes are proposed to the existing vehicle crossings or access arrangements, and the front yard is generally open. The proposed activity is not anticipated to increase vehicle movements to and from the site beyond those expected within the surrounding residential environment. The vehicle crossings front a local road with a speed limit of less than 70km/h, where

vehicle, cyclist and pedestrian movements are expected to be low. Accordingly, adverse effects on visibility and the safety of pedestrians, cyclists and motorists, as well as traffic safety and the efficiency of land transport infrastructure, are considered to be less than minor.

Overall, given the low-volume residential nature of the surrounding road network, the continued utilisation of established access arrangements, and the provision of sufficient on-site parking, the proposal is not anticipated to generate traffic or parking effects beyond those reasonably expected within the neighbourhood. Accordingly, adverse traffic and parking effects are considered to be less than minor.

6.4.3 Amenity Values and Noise

In relation to residential amenity and noise effects, the principal residential unit and minor residential unit includes double-glazed windows that provide a higher level of acoustic insulation. In addition, the visitor accommodation will continue to operate under established property management practices. The VAMPs provided in **Appendix 4** set out guest rules relating to noise, parties, parking, and waste management. They also provide the contact details of the property managers and outline the complaints procedure, ensuring that any potential amenity effects can be promptly addressed.

The accessway and parking areas are also clearly visible from the street, and guests will be provided with clear parking and access instructions prior to check-in to minimise the potential neighbour disturbance.

In general, these measures are considered sufficient to ensure that the activity does not generate noise or disturbance beyond what would reasonably be expected from the occupation of a principal residential unit and minor residential unit of this scale within a residential environment.

The proposed activity therefore remains comparable in character and intensity to a typical principal residential household with a minor residential unit attached and is expected to generate amenity effects similar to those anticipated within the Lower Density Residential Zone. Accordingly, adverse effects relating to residential amenity and noise are considered to be less than minor.

6.5 Summary of Effects

Overall, it is considered that any adverse effects on the environment relating to this proposal will be less than minor.

6.6 Public Notification Conclusion

Having undertaken the section 95A public notification tests, the following conclusions are reached:

- Under step 1, public notification is not mandatory;
- Under step 2, public notification is not precluded;
- Under step 3, public notification is not required as it is considered that the activity will result in less than minor adverse effects; and
- Under step 4, there are no special circumstances.

Therefore, based on the conclusions reached under steps 3 and 4, it is recommended that this application be processed without public notification.

7.0 Limited Notification Assessment (Sections 95B, 95E to 95G)

7.1 Assessment of Steps 1 to 4 (Sections 95B)

If the application is not publicly notified under section 95A, the Council must follow the steps set out in section 95B to determine whether to limited notify the application. These steps are addressed in the statutory order below.

7.1.1 Step 1: Certain affected protected customary rights groups must be notified

Step 1 requires limited notification where there are any affected protected customary rights groups or customary marine title groups; or affected persons under a statutory acknowledgement affecting the land (being on land, or adjacent to land, that is subject to a statutory acknowledgement area).

The above does not apply to this proposal.

7.1.2 Step 2: If not required by step 1, limited notification precluded in certain circumstances

Step 2 describes that limited notification is precluded where all applicable rules and national environmental standards preclude limited notification; or the application is for a controlled activity (other than the subdivision of land).

In this case, the applicable rules do not preclude limited notification, and the proposal is not a controlled activity. Therefore, limited notification is not precluded.

7.1.3 Step 3: If not precluded by step 2, certain other affected persons must be notified

Step 3 requires that, where limited notification is not precluded under step 2 above, a determination must be made as to whether any of the following persons are affected persons:

- In the case of a boundary activity, an owner of an allotment with an infringed boundary;
- In the case of any other activity, a person affected in accordance with s95E.

The application is not for a boundary activity, and therefore an assessment in accordance with section 95E is required and is set out below.

Overall, it is considered that any adverse effects on persons will be less than minor, and accordingly, that no persons are adversely affected.

7.1.4 Step 4: Further notification in special circumstances

In addition to the findings of the previous steps, the Council is also required to determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined as eligible for limited notification.

In this instance, having regard to the assessment in section 6.1.4 above, it is considered that special circumstances do not apply.

7.2 Section 95E Statutory Matters

If the application is not publicly notified, a council must decide if there are any affected persons and give limited notification to those persons. A person is affected if the effects of the activity on that person are minor or more than minor (but not less than minor).

In deciding who is an affected person under section 95E:

- Adverse effects permitted by a rule in a plan or national environmental standard (the 'permitted baseline') may be disregarded;
- Only those effects that relate to a matter of control or discretion can be considered (in the case of controlled or restricted discretionary activities); and
- The adverse effects on those persons who have provided their written approval must be disregarded.

These matters were addressed in section 6.2 above, and no written approvals have been sought.

Having regard to the above provisions, an assessment is provided below.

7.3 Assessment of Effects on Persons

Adverse effects in relation to residential amenity, noise and privacy on persons are considered below.

Wider effects, such as residential character, amenity, traffic, or noise were considered in section 6.4 above, and considered to be less than minor.



Figure 7: Adjacent properties in relation to subject site. Source: Emap.

7.3.1 Persons at 24 & 26 Scott Street (north)

The site's northern boundary adjoins 24 and 26 Scott Street and is defined by low to medium-height shrub planting. The existing vehicle accessway along the western boundary and the deck

associated with the principal residential unit are located adjacent to these neighbouring properties. However, these areas will continue to be used primarily by guests of the principal residential unit, as the parking area for guests in minor residential dwelling is located toward the southern portion of the site and oriented towards the street.

In this regard, use of the vehicle accessway, deck, and rear yard by guests of the principal residential unit is expected to remain generally consistent with the existing level of activity, with occupancy limited to a maximum of six guests. As the existing visitor accommodation activity of up to six guests in the main residential unit forms part of the permitted baseline, any additional adverse effects arising from the proposed use of the minor residential unit for visitor accommodation are anticipated to be minimal for the occupants of 24 and 26 Scott Street.

7.3.2 Persons at 49 Murray Place (west)

The property to the west contains a two-storey dwelling facing Murray Place, adjoining the western boundary of the application site and maintaining a similar setback from the street. The habitable rooms and primary outdoor living areas of the neighbouring dwelling are generally located toward the rear portion of the site. The shared boundary is defined by a low stone wall located on the neighbouring property and a row of shrub planting within the application site. No changes are proposed to this arrangement. The existing vehicle accessway and rear yard areas adjacent to the western boundary will continue to be used primarily by guests of the principal residential unit, and the level of activity is anticipated to remain similar to the existing permitted baseline activity. In addition, the front yard associated with the minor residential unit is located at ground level and is not directly oriented toward the habitable rooms or outdoor living areas of 49 Murray Place. Accordingly, overlooking and privacy effects arising from the proposal are anticipated to be minimal. Further, the visitor accommodation activity will continue to operate under established property management practices, including a no-party policy, night-time noise restrictions, and a no-pets policy. Together with the provision of sufficient on-site parking, adverse effects on the occupants of 49 Murray Place are considered to be less than minor. .

7.3.3 Persons at 53 Murray Place (east)

The property at 53 Murray Place adjoins the eastern boundary of the application site and is separated by a 1.8m high timber paling fence. While the parking space associated with the minor residential unit is located adjacent to this boundary, the existing fencing is considered sufficient to minimise overlooking and privacy effects related to the proposal.

In addition, the visitor accommodation activity will continue to operate under established management measures, including a no-party policy, night-time noise restrictions, and limited use of outdoor areas during night-time hours. Double-glazed windows and joinery within the dwelling will also assist in reducing noise effects associated with the proposed activity.

Together with the provision of sufficient on-site parking, adverse effects on the occupants of 53 Murray Place are considered to be less than minor.

7.3.4 Persons at 42 & 44 Murray Place (south)

The dwellings to the south are separated from the application site by Murray Place, with an approximate separation distance of 40m.

No physical works or changes to the external appearance of the principal residential unit and minor residential unit are proposed.

Vehicle arrivals and departures will continue to occur via the existing vehicle crossings, and sufficient on-site parking is proposed to avoid increased demand for on-street parking.

Given the separation distance provided by the road and the building setback, adverse effects on the occupants of the southern neighbouring properties are considered to be less than minor.

7.3.5 Summary of Effects

Taking the above into account, it is considered that any adverse effects on persons at the aforementioned properties will be less than minor in relation to residential amenity, noise, traffic and privacy effects. Wider effects, including residential character, amenity, traffic, or noise were assessed in section 6.4 above and are considered to be less than minor.

It is considered, therefore, that there are no adversely affected persons in relation to this proposal.

7.4 Limited Notification Conclusion

Having undertaken the section 95B limited notification tests, the following conclusions are reached:

- Under step 1, limited notification is not mandatory;
- Under step 2, limited notification is not precluded;
- Under step 3, limited notification is not required as it is considered that the activity will not result in any adversely affected persons; and
- Under step 4, there are no special circumstances.

Therefore, it is recommended that this application be processed without limited notification.

8.0 Consideration of Applications (Section 104)

8.1 Statutory Matters

Subject to Part 2 of the Act, when considering an application for resource consent and any submissions received, a council must, in accordance with section 104(1) of the Act have regard to:

- Any actual and potential effects on the environment of allowing the activity;
- Any relevant provisions of a national environmental standard, other regulations, national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement; a plan or proposed plan; and
- Any other matter a council considers relevant and reasonably necessary to determine the application.

As a discretionary activity, section 104B of the Act states that a council:

- (a) may grant or refuse the application; and
- (b) if it grants the application, may impose conditions under section 108.

8.2 Weighting of Proposed Plan Changes: Mackenzie District Plan Review

Decisions on the Mackenzie District Plan Review Stages 3-4 (Plan Changes 23-30) have been made and the resulting provisions are now incorporated into the EPlan. There are therefore no “proposed” provisions requiring separate weighting for this application.

The proposal has been assessed against the operative Mackenzie District Plan as amended by these decisions.

9.0 Effects on the Environment (Section 104(1)(A))

Having regard to the actual and potential effects on the environment of the activity resulting from the proposal, it was concluded in the assessment above that any wider adverse effects relating to the proposal will be less than minor and that no persons would be adversely affected by the proposal.

Further, it is considered that the proposal will also result in positive effects including:

- Supporting the local economy, as the increased guest capacity can contribute to increased spending at nearby food and beverage, retail and tourism facilities;
- As the principal residential unit and minor residential unit can accommodate two separate uses of residential visitor accommodation, the proposal makes for an efficient use of an existing residential asset; and
- Clear operational controls (no parties, quiet hours, no pets) maintain neighbourhood character while enabling a small uplift in visitor accommodation capacity.

Overall, it is considered that the proposal will have positive effects, and any actual and potential adverse effects on the environment of allowing the activity are less than minor.

10.0 District Plan and Statutory Documents (Section 104(1)(B))

10.1 Objectives and Policies of the Mackenzie District Plan

10.1.1 LRZ – Low Density Residential Zone

The objectives and policies of the Low Density Residential Zone (LRZ) are set out in Part 3 – Area Specific Matters of the Mackenzie District Plan. The objectives and policies of particular relevance to the proposal are outlined below.

LRZ-O1 Zone Purpose

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 Zone Character and Amenity Values

The Low Density Residential Zone is a desirable suburban living environment, which:

- contains predominantly one to two story detached residential units; and

- provides on-site amenity and maintains the suburban character and amenity values of adjacent sites.

LRZ-P2 Compatible Activities

Provide for activities other than residential activities, where:

- they are ancillary to a residential activity or are consistent with the character, amenity values and purpose of the zone;
- they service the local community and do not detract from the character, amenity values or purpose of the Neighbourhood Centre or Town Centre Zones;
- 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
- there is a functional need or operational need to establish in the zone.

The proposal is in accordance with the objectives and policies contained in the LRZ for the following reasons:

- No external building works are proposed. The existing principal residential unit and minor residential unit will continue to present as a conventional residential environment in terms of its height, bulk, scale, and appearance. Accordingly, the residential character and visual amenity of the site will remain unchanged.
- The proposed activity is limited to a maximum of six guests for the main unit, and a maximum of two guests for the minor residential unit. This scale and intensity of activity is considered comparable to that of a typical residential household occupying a three-bedroom unit with a minor residential unit, and is therefore anticipated to generate amenity effects similar to those ordinarily expected within the Lower Density Residential Zone.
- The residential visitor accommodation in the principal residential unit and minor residential unit will continue to operate under established management measures, including a no-party policy, quiet evening hours, and a no-pets policy. In addition, double-glazed windows assist in mitigating potential noise effects and maintaining the amenity of neighbouring properties.
- Clear instructions relating to parking, access, waste management, and guest behaviour will be provided to guests to minimise the potential for disturbance to neighbouring properties.
- Existing access arrangements will remain unchanged. At least three guest vehicles can be accommodated within on-site parking areas, thereby avoiding significant overflow parking onto the street and maintaining the safe and efficient operation of the surrounding road network.
- The scale, layout, and level of amenity of the principal residential unit and minor residential unit remain consistent with the established residential character of the surrounding neighbourhood. The proposal does not alter the established streetscape, built form, or general pattern of residential use within the area.

10.2 Summary

It is considered that the proposed development is generally in accordance with the objectives and policies of the MDP.

11.0 Part 2 Matters

While it is not necessary to take recourse to Part 2 given that it has already been incorporated into the MDP, we do so for completeness.

Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

Section 6 of the Act sets out a number of matters of national importance including (but not limited to) the protection of outstanding natural features and landscapes and historic heritage from inappropriate subdivision, use and development.

Section 7 identifies a number of “other matters” to be given particular regard by Council and includes (but is not limited to) Kaitiakitanga, the efficient use of natural and physical resources, the maintenance and enhancement of amenity values, and maintenance and enhancement of the quality of the environment.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi.

Overall, as the effects of the proposal are considered to be less than minor, and the proposal accords with the relevant MDP objectives and policies, it is considered that the proposal will not offend against the principles set out in Part 2 of the Act.

12.0 Other Matters (Section 104(1)(C))

12.1 Record of Title Interests

The Record of Title for the site are not subject to any interests (refer **Appendix 1**).

12.2 Conclusion

The proposal involves retrospective consent to use two residential units: a principal residential unit and a minor residential unit, for residential visitor accommodations at 51 Murray Place, Lake Tekapo.

Based on the above report it is considered that:

- Public notification is not required as adverse effects in relation to residential character, amenity, noise and transport are considered to be less than minor. There are also positive effects including contributing to the Lake Tekapo local economy ;

- Limited notification is not required as no persons are considered adversely affected by the proposed development;
- The proposal accords with the relevant MDP objectives, policies and assessment criteria; and
- The proposal is considered to be consistent with Part 2 of the Act.

It is therefore concluded that the proposal satisfies all matters the consent authority is required to assess, and that it can be granted on a non-notified basis.