



Unhosted Residential Visitor Accommodation

12 Hamilton Drive, Lake Tekapo

Assessment of Environmental Effects and Statutory Analysis

15 July 2026

B&A
Urban & Environmental

Prepared for:
Niall & Melanie Casey

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1.0 Applicant and Property Details

To:	Mackenzie District Council
Site Address:	12 Hamilton Drive, Lake Tekapo
Applicant Name:	Niall & Melanie Casey
Address for Service:	Barker & Associates Ltd PO Box 1749, Christchurch, 8140 Attention: Grace Guo
Legal Description:	Lot 15 Deposited Plan 48750 (refer to Record of Title in Appendix 1)
Site Area:	585 m ²
Site Owner:	Angela & Gregory Marshall
Site Purchaser:	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:	To operate an unhosted visitor accommodation unit for up to eight guests per night.
Summary of Reasons for Consent:	MDP: LRZ-R5.2: for residential visitors accommodation with a maximum occupancy of up to eight guests per night - RD

2.0 Introduction

This report has been prepared in support of a resource consent application submitted by Niall & Melanie Casey (hereafter referred to as 'the applicant') to operate unhosted visitor accommodation for up to eight guests per night at 12 Hamilton Drive, 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 12 Hamilton Drive contains one standalone residential unit, located on the south side of Hamilton Drive in Lake Tekapo, at the intersection of Hamilton Drive and Esther Hope Street, as shown in **Figure 1** below. Hamilton Drive is a local road and is accessed from State Highway 8. It has a carriageway width of approximately 9m, with a footpath on the northern side of the road. The site is regular in shape and has an area of 585 m², with the northern boundary following the shallow curve of Hamilton Drive. The site slopes from the rear boundary toward the road boundary.



Figure 1: Locality plan.

The site is accessed via a vehicle crossing at its northern boundary, which leads to an all-weather gravel driveway. A double garage forms part of the building's ground floor. The external boundaries are generally open. Both the eastern and western boundaries are defined by dense

shrub planting. A streetlight is situated to the west of the existing vehicle access, within the road reserve. The front yard is open, consisting of a lawn area with low-medium shrubs and a tree, as illustrated in **Figure 2**.



Figure 2: Photo of the dwelling taken from Hamilton Drive. Photo taken by B&A.

The three-storey residential unit is situated towards the rear side of the site. The dwelling has a floor area of approximately 330 m² and contains four bedrooms, four bathrooms and a double garage. The gravel driveway, measured at approximately 7.5m long and at least 12m wide can further accommodate two parking spaces. The dwelling is currently used as residential visitor accommodation for up to six guests, which is a permitted activity under the Mackenzie District Plan.

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. The three-storey dwelling on the application site has a slightly larger building footprint than surrounding dwellings, although the site is of a similar size to other residential lots in the neighbourhood. A number of nearby properties are also used for travellers' accommodation, including 15, 16A, 17, 18 and 21 Hamilton Drive. A local neighbourhood reserve zoned Open Space is located between 7 and 9 Hamilton Drive. Beyond the immediately adjoining residential units, to the north lies a large undeveloped land parcel zoned Medium Density Residential, with a smaller portion zoned Neighbourhood Centre, indicating the area is intended for future residential and local centre development.

In terms of nearby amenities, recreational and open space areas comprising the Lake Tekapo Reserve, dog park, disc golf course and Pines Beach are located approximately 1km to the northeast of the site. Lake Tekapo village centre is situated to the northwest, approximately 1km from the site, and provides a range of food and beverage outlets, accommodation facilities and a supermarket.

4.0 Proposal

The proposal seeks consent to use the existing four-bedroom residential unit as residential visitor accommodation for up to eight guests per night. Four existing on-site car parks are provided; space for at least two carparks is provided on a ~7.5m x ~12m gravel driveway at the front of the dwelling, and two carparking spaces are provided via the existing double garage.

No physical changes are proposed to the dwelling or the surrounding site as part of this proposal.

4.1 Guest Management Plan

The residential unit is currently operating as un-hosted visitor accommodation for up to six guests as a permitted activity, and the guest management procedures are proposed, which includes the following:

- House rules setting out quiet hours between 10pm and 7am, and policies relating to no parties, no smoking, and no pets.
- A parking policy that clearly identifies the location of guest car parks.
- A complaint management procedure to ensure that any potential disturbance can be effectively managed, including the ability to terminate a stay in the event of serious disturbance or a third complaint.
- A guest screening procedure through GoodtoBook via Resly, including automatic pre-arrival screening, flag review, and the ability to decline high-risk bookings.
- A waste management procedure outlining waste sorting requirements, guest instructions in the digital compendium, weekly collection, and post-collection checks.

Further details are provided in the Guest Management Procedures, provided in **Appendix 3**.

5.0 Reasons for Consent

A rules assessment against the provisions of the Mackenzie District Plan ('MDP') is attached as **Appendix 4**. The site is zoned Low Density Residential, and is within the Lake Tekapo Precinct, and Flight Protection Area – Tekapo. The proposal requires consent for the matters outlined below.

5.1 Mackenzie District Plan (MDP)

LRZ – Low Density Residential

- A maximum occupancy of up to eight guests per night for residential visitor accommodation is proposed, with a maximum occupancy of six guests being a permitted activity. This is a **restricted discretionary activity** pursuant to LRZ-R5.2

5.2 Activity Status

Overall, this application is for a **restricted 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 operate unhosted visitor accommodation for up to 8 guests per night within the lower density residential zone. This activity will appear similar to residential use and is common in the surrounding residential environment 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 unhosted visitor accommodation for up to 8 guests per night. The Lower Density Residential zone permits the establishment of residential units under Rule LRZ-R1 and unhosted visitor accommodation for up to six guests per night under Rule LRZ-R5.2, thus forming the permitted baseline.

- As a restricted discretionary activity, only those effects on persons that fall within the matters of discretion restricted under the plan can be considered.

The matters of discretion are listed in section 6.4 below.

- 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, matters of discretion, 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 2** below, and include:

- 13 & 15 Hamilton Drive (north);
- 10 Hamilton Drive (west);
- 14 Hamilton Drive (east); and
- 13 & 14 O'Neill Place (south).



Figure 3: Adjacent properties in relation to subject site. Source: Emap.

6.4 Matters of Discretion

Under section 104C of the Act, as a restricted discretionary activity, the Council must consider only those matters over which it has restricted the exercise of its discretion in its plan.

These matters are:

- LRZ-R5 – Residential Visitor Accommodation;
 - 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; and
 - The adequacy of any mitigation measures.

6.5 Assessment of Effects on the Wider Environment

The following sections set out an assessment of wider effects of the proposal. Based on the matters of restricted discretion, it is considered effects on residential character, traffic and amenity are relevant. These matters are set out and discussed as follows.

6.5.1 Residential character

The dwelling is a modern, architecturally designed home of approximately 330 m², containing four bedrooms and four bathrooms. The site plans provided in **Appendix 2** show the internal layout of the dwelling only. As the proposed activity will continue to operate from the existing residential unit, no changes are proposed to the location, design, or external appearance of the building on the site.

The site is located within an established residential area where the built form, scale, and design of the dwelling are consistent with the surrounding housing stock. The increase in guest numbers does not involve any physical changes to the dwelling or alter its established use as short-stay accommodation. The site will therefore remain visually coherent with other properties in the area and will not adversely affect the residential character of the neighbourhood.

Given the scale and configuration of the dwelling, it is considered to have sufficient capacity to accommodate up to eight guests. The proposed level of occupation remains comparable in nature and intensity to a standard residential household of a similar size, with effects anticipated to be of a scale reasonably expected within the Low Density Residential Zone.

On this basis, any effects on residential character will be less than minor.

6.5.2 Traffic

Four parking spaces are provided on site, comprising two spaces within the existing double garage and two spaces on the driveway. This level of parking is considered sufficient to accommodate the proposed maximum occupancy of eight guests, allowing for one vehicle per bedroom. The proposal is therefore not anticipated to result in any overflow parking onto the street.

The proposal will continue to utilise the existing vehicle crossing, which is located approximately at the centre of the northern boundary and fronts the Hamilton Drive / Esther Hope Street intersection. As only eight established dwellings obtain access from Esther Hope Street, traffic volumes at this intersection are generally low. Given that sufficient space is provided on the driveway, reverse manoeuvring onto Hamilton Drive is not anticipated.

In terms of surface treatment, the existing vehicle crossing and garages are sealed, with the driveway formed to an all-weather gravel surface. This complies with the MDC requirements, and therefore any effects relating to dust, loose material tracking onto the road, or stormwater runoff are expected to be minimal.

Overall, given that sufficient parking is provided on site and the parking areas are formed in accordance with the relevant requirements, any traffic effects resulting from the proposal will be less than minor. The anticipated traffic effects remain comparable in nature and scale to those generated by a larger residential household, and are consistent with effects reasonably anticipated within the Low Density Residential Zone.

6.5.3 Amenity

With respect to noise and residential amenity, the dwelling includes double-glazed windows which also provides a high level of internal acoustic insulation. In addition, established property management practices include an automated guest screening procedure, a no-party policy, a night-time noise curfew, and a no-pets policy. Additional details are provided in the Visitor Management Plan provided as **Appendix 3**. Together, these measures ensure that the

accommodation will not give rise to noise or disturbance above what could reasonably be expected from residential occupation of a dwelling of this size.

Overall, the proposed increase in maximum occupants from six to eight is expected to result in insignificant additional adverse effects on residential character, amenity, traffic, or noise beyond those reasonably anticipated in the Low Density Residential Zone for a dwelling of this size and number of bedrooms. The potential effects on the surrounding environment can therefore be considered less than minor.

6.6 Summary of Effects

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

6.7 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 obtained.

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 6.5 above, and considered to be less than minor.



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

7.3.1 Persons at 13 & 15 Hamilton Drive (north)

13 and 15 Hamilton Drive are located to the north of the application site and both obtain access from Hamilton Drive. 15 Hamilton Drive contains a standalone two-storey dwelling with a detached garage to the east, while 13 Hamilton Drive contains a single-storey dwelling positioned toward the rear boundary, with a detached garage to the west. Both dwellings are set back at least 35 m from the application site.

The outdoor living area of the application site is oriented to the south, away from these properties. In addition, a Visitor Accommodation Management Plan is in place to manage potential amenity effects through measures including quiet hours, no parties, no pets, and detailed parking and waste management instructions. Sufficient on-site parking is also provided, and overflow parking onto the street is not anticipated.

Given the separation distance, orientation of outdoor living areas, management measures, and available on-site parking, any noise, traffic, and amenity effects on persons at 13 and 15 Hamilton Drive are anticipated to be less than minor.

7.3.2 Persons at 10 & 14 Hamilton Drive (west & east)

The properties to the east and west of the application site are conventional residential lots fronting Hamilton Drive.

14 Hamilton Drive is located at a lower ground level than the application site and is separated by established planting above a timber pole retaining wall. As no changes are proposed to the existing

dwelling or site layout, the proposal will not introduce any additional viewing opportunities toward 14 Hamilton Drive. Any privacy effects will therefore remain consistent with the existing environment.

10 Hamilton Drive contains a standalone two-storey dwelling with a finished floor level significantly higher than the application site. As a result, any potential overlooking effects from the application site toward 10 Hamilton Drive will be limited by the difference in elevation, and privacy effects are considered to be minimal.

Potential amenity effects associated with the increase of two additional guests, particularly noise, will be managed through the Visitor Accommodation Management Plan. This will assist in ensuring the activity continues to operate in a manner compatible with the surrounding residential environment and remains comparable to a larger residential household. All guest vehicles will be accommodated within the four on-site parking spaces, and overflow parking onto the street is not anticipated.

Overall, any effects on privacy, outlook, noise, and traffic for persons at 10 and 14 Hamilton Drive are considered to be less than minor.

7.3.3 Persons at 13 & 14 O'Neill Place (south)

Properties at 13 and 14 O'Neill Place obtain access from O'Neill Place and are both situated to the south of the application site, with a separation distance of at least 11 m. The outdoor living areas of these properties are located adjacent to the rear boundary of the application site. Notably, 13 O'Neill Place is currently operating as residential visitor accommodation for up to six guests, known as *Lucy's Patch*. Given the separation distance and extensive mature trees adjacent to the rear boundary of the application site, any overlooking and privacy effects are considered to be minimal.

Noise effects are also considered to be less than minor, given the no-party policy, quiet hours, and noise rules provided in the VAMP. The VAMP also provides property manager contact details, enabling any neighbour or third-party complaints to be addressed promptly. As the southern properties do not front Hamilton Drive, any traffic effects from the proposal are considered negligible.

As above, any adverse effects on the southern adjacent properties are considered to be less than minor.

7.3.4 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, privacy and traffic effects. Wider effects, including residential character, amenity and traffic were assessed in section 6.5 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 restricted discretionary activity, section 104C of the Act states that a council:

- (1) may grant or refuse the application;
- (2) must only consider matters over which a discretion is restricted; and
- (3) if it grants the application, may impose conditions under section 108 only for those matters which it has restricted the exercise of its discretion in its plan.

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 Plan. 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 existing four bedrooms and four bathrooms house can sufficiently accommodate 8 guests, 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. In particular, LRZ-P2 seeks to provide for a range of residential living opportunities, generally within one- to two-storey dwelling typologies, where effects remain compatible with community amenity values and do not detract from the character of the area. As residential visitor accommodation provides a form of residential living opportunity, LRZ-P2 is considered to be the principal policy relevant to the proposal.

In any event, if residential visitor accommodation were not considered a residential activity for the purposes of LRZ-P2, the proposal would also be consistent with LRZ-P5. That policy enables non-residential activities where adverse effects are compatible with the character of the surrounding area and do not compromise its amenity values.

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 four-bedroom dwelling will continue to read as a conventional residential home in terms of height, bulk, and appearance.
- Operation as short-stay accommodation for up to 8 occupants will generate effects comparable to a larger household. Established house rules such as no parties, quiet evening hours, and no pets, in addition to double-glazing (which provides some noise reduction) maintain on-site and neighbouring amenity.
- The proposal is considered to support the local economy, as the increased guest capacity can contribute to increased spending at nearby food and beverage, retail and tourism facilities.
- The dwelling's current layout can accommodate the increase in occupancy, making for an efficient use of an existing residential asset.
- Access arrangements are unchanged. Up to four guest vehicles can be contained within the existing on-site parking spaces, avoiding spillover and maintaining road safety and efficiency.
- The dwelling's scale, layout and level of amenity is consistent with the residential character of the neighbourhood, and the proposal does not alter the established streetscape or patterns of outdoor use.

10.2 Summary

It is considered that the proposed development is 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, the assessment below is provided 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, policies and assessment criteria, it is considered that the proposal will not offend against the general resource management 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 subject to a number of interests (refer **Appendix 1**). None of these are anticipated to affect the resource consent application as discussed in **Table 1** below:

Table 1: Record of Title interests

Interest	Comment
Fencing Covenant in Transfer 865364.1	Private boundary fencing obligations/design standards typical of the subdivision; no physical changes proposed, so unaffected.

13.0 Section 104(6A) Significant Non-compliances

Under Section 104(6A) of the RMA, a consent authority may decline an application for resource consent if the applicant has a record of significant non-compliance with a requirement of this Act.

The applicants, Niall & Melanie Casey, are natural persons and were subject to correspondence from the Council for operating separate residential visitor accommodation activities within the principal and minor residential units on a site at 51 Murray Place without the required consent. A retrospective consent application was lodged with MDC. It is considered that under s104(6A) the non-compliance is not significant and was remedied promptly by the preparation and lodgement of the appropriate resource consent application.

14.0 Conclusion

The proposal involves increasing the occupancy of residential visitor accommodation from six guests to eight guests at 12 Hamilton Drive, 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 and providing a low impact and efficient investment opportunity for the applicants;
- 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.