

<b>Rules</b>		
<b>Rule #</b>	<b>Rule</b>	<b>Status</b>
7.4.6	Residential Visitor Accommodation	P
<b>Rule Standards</b>		
<b>Standard #</b>	<b>Standard</b>	
7.5.18.1	The total nights of occupation by paying guests on a site do not exceed a cumulative total of 90 nights per annum from the date of initial registration.	
7.5.18.2	A single residential unit (inclusive of a residential flat) must be rented to a maximum of one (1) group of guests at any one time.	
7.5.18.3	<p>The number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed:</p> <ul style="list-style-type: none"> <li>• 3 in a one-bedroom residential unit</li> <li>• 6 in a two-bedroom residential unit</li> <li>• 9 in a three-bedroom or more residential unit</li> </ul>	
7.5.18.4	No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.	
7.5.18.5	Outdoor space is not used between the hours of 10:00pm and 7:00am and sign/s are installed and visible from the outdoor space advising the permitted hours of use.	
7.5.18.6	Rubbish and recycling is not left on/adjacent to the road, except on the day of collection.	
7.5.18.7	The activity is registered with Council prior to commencement.	
7.5.18.8	<p>Council is provided with the following information at the time of registration:</p> <ul style="list-style-type: none"> <li>a. the contact details of the person and/or organisation responsible for managing the property and responding to any complaints; and</li> <li>b. confirmation that the immediately adjacent neighbouring properties, including any property with shared access arrangements, have been provided written notice that the property is to be used for residential visitor</li> </ul>	

- a. The location, nature and scale of activities;
  - b. Vehicle access and parking;
  - c. The management of noise, rubbish, recycling and outdoor activities;
  - d. Privacy and overlooking;
  - e. Outdoor lighting;
  - f. Guest management and complaints procedures;
  - g. The keeping of records of residential visitor accommodation use, and availability of records for Council inspection; and
  - h. Monitoring requirements, including imposition of an annual monitoring charge.
- 19.0. These matters of discretion are discussed further in the Assessment of Environmental Effects section of this application.

## **Notification & Affected Parties**

- 20.0. Under Section 95 of the Resource Management Act of 1991 a Consent Authority must decide whether to give Public or Limited notification a resource consent application under section 95A or 95B.
- 21.0. Affected parties for this application are directly adjacent, behind and at an angle to the site. This includes the following properties:
- 1) 14A Dale Street (Lot 1 DP 510315)
  - 2) 14B Dale Street (Lot 2 DP 510315)
  - 3) 16 Dale Street (Lot 1 DP 578979)
  - 4) 22 Dale Street (Lot 1 DP 17528)

## **Assessment of Environmental Effects (AEE)**

### **Permitted Baseline**

- 22.0. Under Sections 95D(b), 95E(2)(a), and 104(2) of the Resource Management Act 1991 (RMA), the Council has discretion to disregard adverse effects of a proposal if the District Plan or a National Environmental Standard permits an activity with similar effects.



shops. Nearby recreational opportunities include the Clutha River walking and cycling trails, as well as access to Lake Wānaka and Mount Aspiring National Park for outdoor activities such as hiking, kayaking, and fishing.

- 31.0. The combination of accessibility to essential services and diverse recreational options makes this location ideal for residential visitor accommodation without generating adverse effects on the surrounding environment.

### **Loss of residential character and amenity**

- 32.0. When council resource data is filtered to identify resource consents containing the term "Visitor" in the consent description, very few results are found within the Albert Town Lower Density Suburban Residential Zone.
- 33.0. A basic spatial analysis identified nine (9) resource consents related to visitor activities within the Albert Town Lower Density Suburban Residential Zone. Of these, two (2) involve the surrender of land use rights, one (1) consent was withdrawn, and two (2) relate to Visitor Accommodation as defined under the Proposed District Plan, which differs from Residential Visitor Accommodation. This leaves four (4) properties with approved Residential Visitor Accommodation consents within the zone. Maps relating to this analysis are available as Appendix D1.
- 34.0. These four consents represent approximately 0.55% of the 720 properties within the zone. If the additional Residential Visitor Accommodation consent is approved, this proportion will increase to approximately 0.69%. While a detailed comparison has not been conducted for other suburbs in the district, many have significantly higher numbers of such consents, both in absolute terms and as a percentage of total properties.
- 35.0. The Queenstown Lakes District Council has not provided guidance on an acceptable threshold for the loss of residential amenity. However, given that similar activities are more prevalent in other areas of the district, the addition of this Residential Visitor Accommodation consent is unlikely to result in significant cumulative effects.
- 36.0. The Queenstown Lakes District Council does not publicly release data on registered Homestays or unconsented visitor accommodation activities. While this information can be accessed via eDocs, conducting a comprehensive assessment across a wide area using eDocs is not practical.



## Outdoor activities

- 43.0. The use of outdoor spaces will be limited to the private north-west facing deck, which is shielded by planting along the northern and western boundary. Outdoor activities will be restricted to daytime hours to minimize potential noise disturbances, with appropriate signage reinforcing this restriction.

## Privacy and overlooking

- 44.0. The site features boundary planting along the northern edge, with trees currently ranging in height from approximately 2m to 3.5m, providing partial privacy screening. As part of this proposal, additional planting is planned along the western fence line to further enhance privacy over time.
- 45.0. A minor privacy effect arises from the upstairs loft of the tiny house, which includes a door leading to a small balcony primarily designed to provide sunlight and airflow rather than serve as a leisure space. However, this effect is consistent with the permitted baseline, under which visitor accommodation could occur on the property for up to 90 days per year or the property could be used for permanent residential purposes without requiring mitigation for privacy effects. As such, the privacy impacts resulting from this application are no worse than those permitted without consent.



Image 1 - View from upstairs balcony toward 22 Dale Street (Focal Length 16mm)

*[Handwritten signature]*

- 49.0. In this case, the proposed activity aligns with the purpose of the Resource Management Act (RMA) by balancing the efficient use of the property for visitor accommodation with the need to maintain residential amenity.

## **Positive Effects**

### **Economic benefits**

- 50.0. The activity will contribute to the local economy by attracting visitors to Albert Town who are likely to support nearby businesses, such as the Four-Square supermarket, bakery, and other retail and dining establishments. Visitors may also take advantage of recreational opportunities in the wider Wānaka area, such as hiking, cycling, and kayaking, generating additional economic activity in sectors like outdoor equipment rentals, guided tours, and hospitality.

### **Low impact compared to large scale accommodation providers**

- 51.0. Unlike large commercial visitor accommodation providers, this small-scale activity accommodates only two guests at a time, minimising its impact on the surrounding neighbourhood. The limited scale ensures the activity integrates into the local residential setting without disrupting community life.

### **Housing market flexibility**

- 52.0. Allowing homeowners to utilise their properties for residential visitor accommodation provides financial flexibility, which can make homeownership more sustainable. For some property owners, short-term rental income can help offset the costs of maintaining or improving their properties, contributing to the long-term viability of housing in the area.

## **Conclusion**

- 53.0. The proposed Residential Visitor Accommodation activity is anticipated to result in effects that can be considered less than minor. The activity aligns with the purpose and objectives of the District Plan, specifically Objective 7.2.8 and Policies 7.2.8.1, 7.2.8.3, 7.2.8.4, and 7.2.8.5, ensuring consistency with the intent to provide appropriate visitor accommodation while protecting residential character and amenity.



## Volunteered conditions

### General conditions

1. This consent shall not be exercised and activity associated with it will not be commenced or continued until all charges have been paid in full.

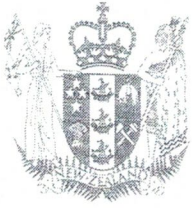
### Operational conditions

1. The consent holder shall ensure the visitor accommodation activity is undertaken in accordance with the Guest Management Plan.
2. The property shall be rented to a maximum of one (1) group at any one time.
3. The maximum number of persons on site in association with the visitor accommodation use shall be restricted to two (2) persons at any one time.
4. Regarding the use of outdoor space:
  - a) The use of outdoor areas is prohibited between the hours of 10.00pm to 7.00am.
  - b) Prior to commencing the activity, the consent holder shall erect signs (minimum A4 size) on site to remind guests that they are in a residential area and to keep noise to a reasonable level, especially between the hours of 8.00 pm to 8.00 am the following day. One sign shall be installed in the kitchen and one weatherproof sign (i.e. laminated) shall be installed within each outdoor living area. The outdoor signs shall also state that no amplified sound/music is to be played from the outdoor living area between the hours of 8pm – 8am, and that those areas are to be vacated between 10pm – 7am.
  - c) Upon installation, and prior to the use of the property for visitor accommodation, the consent holder shall submit photographs of these signs to the Council Monitoring Department for monitoring purposes. The signs shall be retained on site if the visitor accommodation activity is undertaken.
5. The property may be used for visitor accommodation for up to 365 nights per calendar year.



## Appendix A1 – Certificate of Title

A handwritten signature in black ink, located in the bottom right corner of the page. The signature is stylized and appears to be a cursive representation of the letters 'SA'.



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Search Copy**



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** 1073584  
**Land Registration District** Otago  
**Date Issued** 28 October 2022

**Prior References**  
OT384/22

---

**Estate** Fee Simple  
**Area** 647 square metres more or less  
**Legal Description** Lot 1 Deposited Plan 578979  
**Registered Owners**  
Pia Belinda Hansen

---

**Interests**

Appurtenant hereto is a right to drain sewage and storm water created by Easement Instrument 12550924.4 - 28.10.2022 at 11:49 am

The easements created by Easement Instrument 12550924.4 are subject to Section 243 (a) Resource Management Act 1991  
Land Covenant in Covenant Instrument 12550924.5 - 28.10.2022 at 11:49 am (Limited as to duration)

## **Appendix C1 – Site and surrounds**

A handwritten signature in black ink, located in the bottom right corner of the page. The signature is stylized and appears to be the initials 'SR' followed by a flourish.

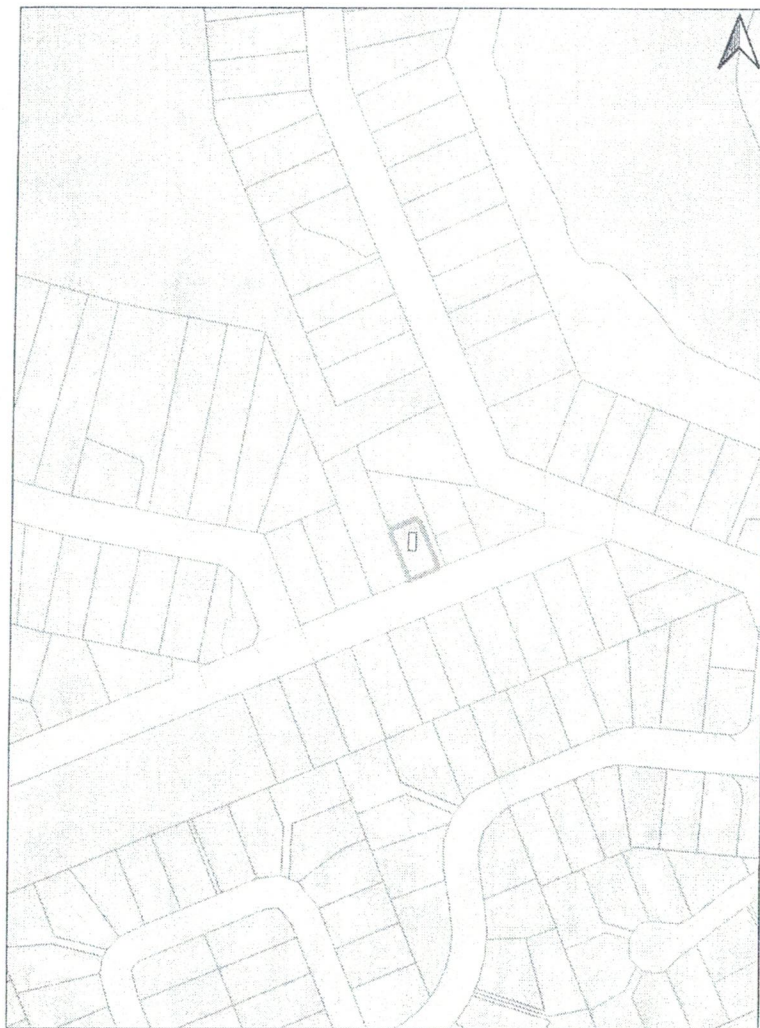
## Appendix E1 – Planting Plan

A handwritten signature in black ink, located in the bottom right corner of the page. The signature is stylized and appears to be a combination of initials and a surname.

## Appendix G1 – Affected Party Approval

A handwritten signature in black ink, located in the bottom right corner of the page. The signature is stylized and appears to be a cursive representation of a name.

Operative District Plan 2007



Legend

- Aproximate tiny house outline
- Property Boundary
- Land Parcels and Properties

Operative District Plan Zones

- Road Zone
- Township Zone
- Water Zone

*[Handwritten signature]*

Proposed District Plan 2015



Legend

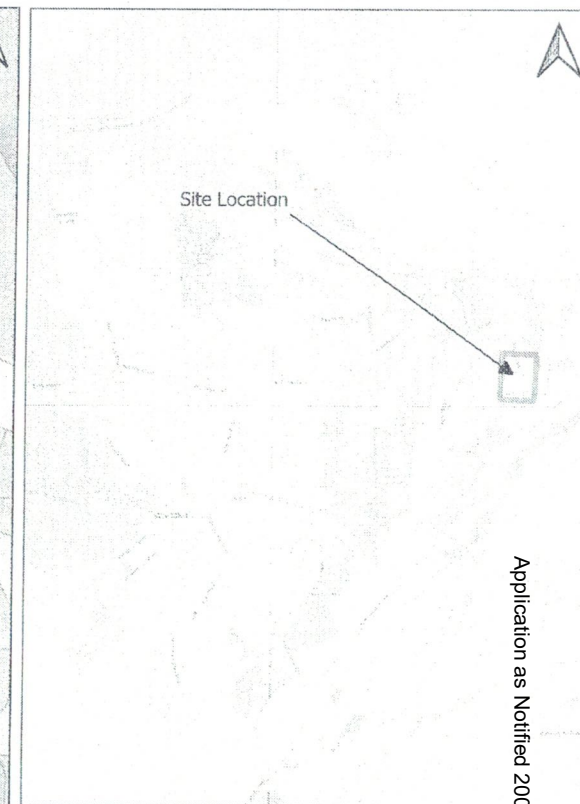
- Aproximate tiny house outline
- Property Boundary
- Land Parcels and Properties

Proposed District Plan

Zones

- Settlements
- Nature Conservation
- Informal Recreation
- Road

Locality Plan



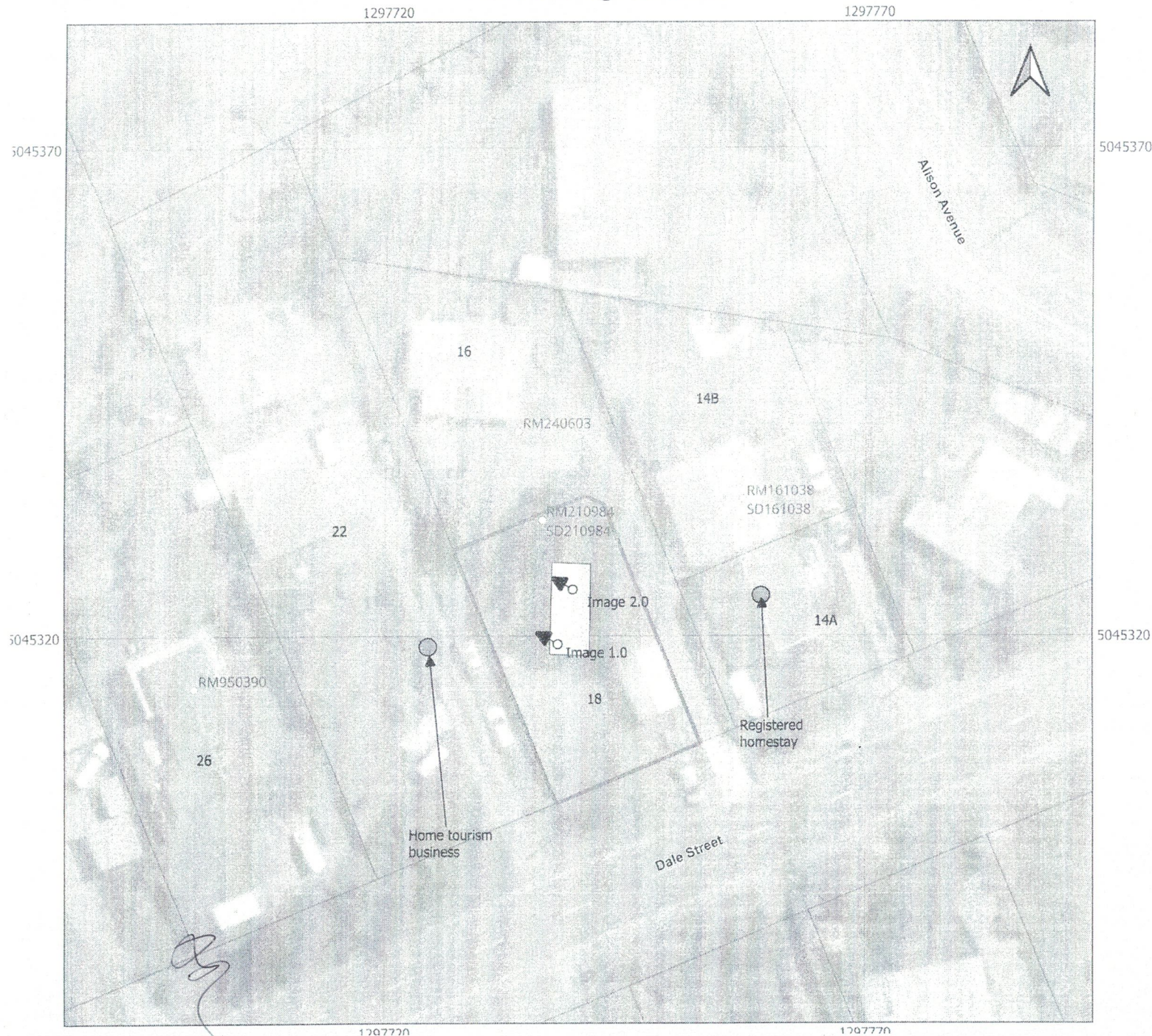
This map has been prepared to support a resource consent application and includes data sourced from various providers, including land parcel and property data from the Queenstown Lakes District Council (QLDC) and aerial imagery from Land Information New Zealand (LINZ). Additional features shown on the map are indicative and approximate only, and their positions may not accurately reflect on-the-ground conditions. This map should not be relied upon for precise spatial measurements, legal, or engineering purposes. Users should verify all information independently before making decisions based on this map.

All coordinates are in terms of the New Zealand Transverse Mercator 2000 (NZTM2000) projection, and vertical datums are in terms of the New Zealand Vertical Datum 2016 (NZVD2016).

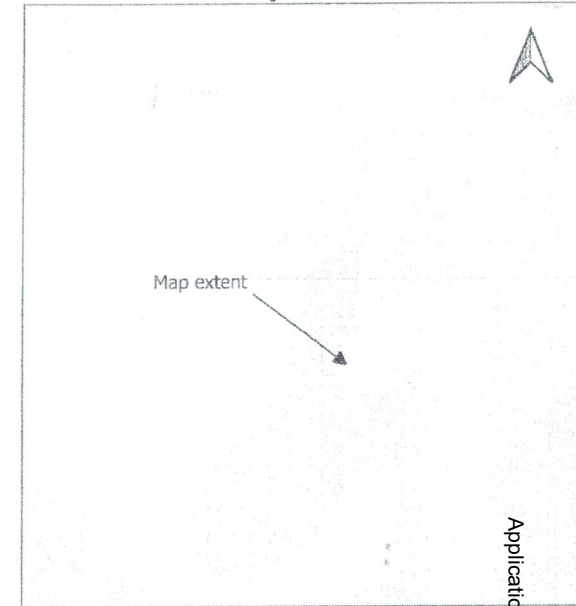
The map is provided "as is" without warranties of any kind regarding its accuracy, completeness, or reliability. The creator accepts no liability for any loss or damage resulting from its use.

# Appendix C1 - Site and surrounds

## Surrounding Activities



## Locality Plan



Application as Notified 201

## Legend

18 Dale Street

- Approximate tiny house outline
- Property Boundary
- Roads
- Resource Consents
- Land Parcels and Properties

This map has been prepared to support a resource consent application and includes data sourced from various providers, including land parcel and property data from the Queenstown Lakes District Council (QLDC) and aerial imagery from Land Information New Zealand (LINZ). Additional features shown on the map are indicative and approximate only, and their positions may not accurately reflect on-the-ground conditions. This map should not be relied upon for precise spatial measurements, legal, or engineering purposes. Users should verify all information independently before making decisions based on this map.

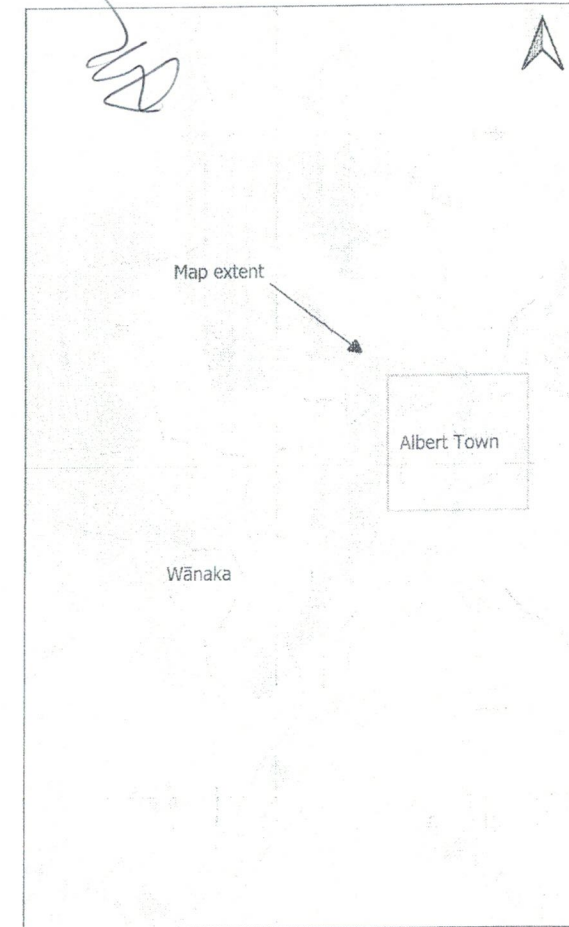
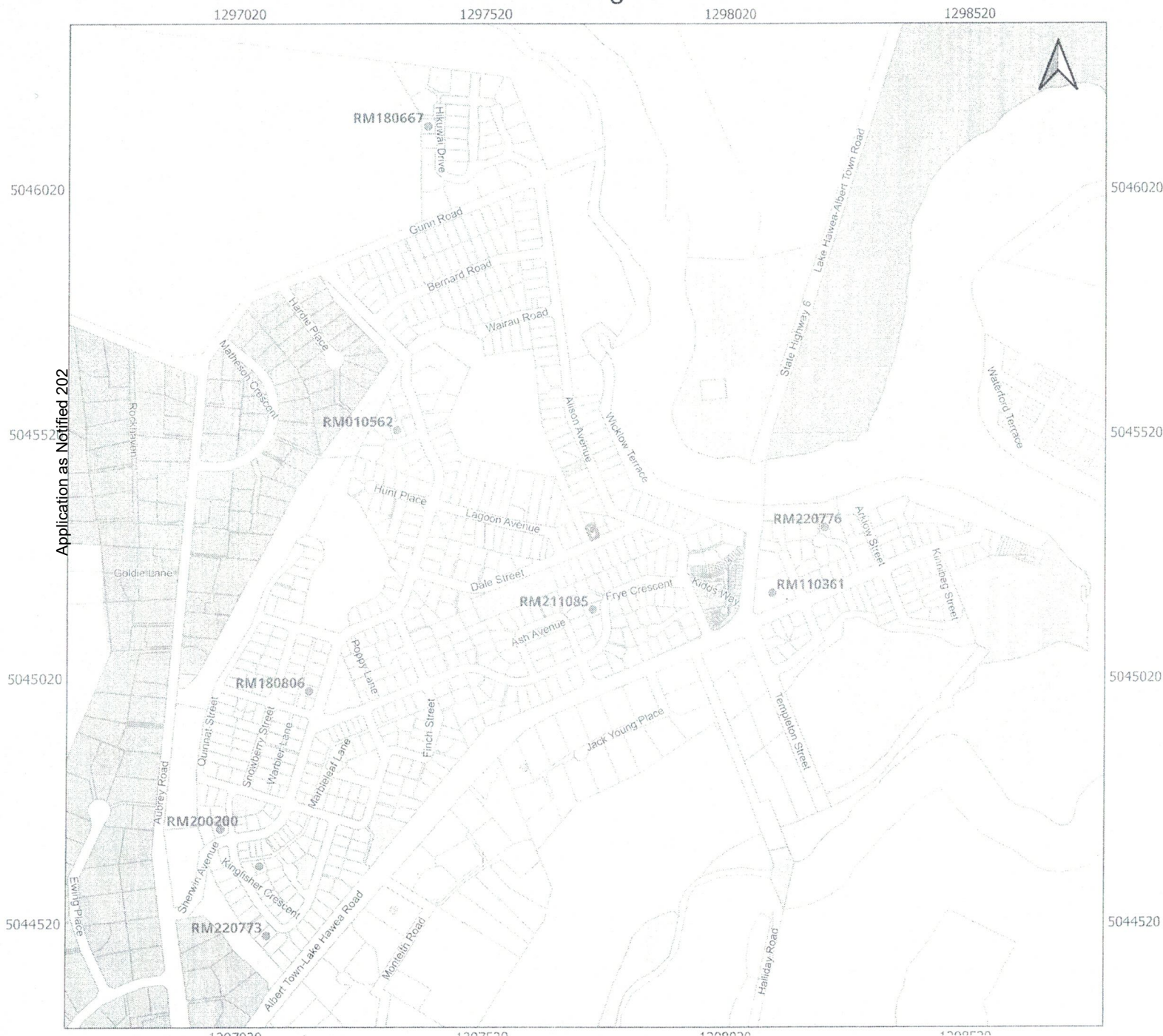
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# Appendix D1 - Residential Visitor Accommodation wide area assessment

## Surrounding Activities

## Locality Plan



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# Appendix D1 - Residential Visitor Accommodation wide area assessment

## Legend

18 Dale Street

Property Boundary

RVA Resource Consents within Albert Town LDSRZ

RVA Resource Consents

Proposed District Plan

Zones

Large Lot Residential A

Large Lot Residential B

Lower Density Suburban Residential

Medium Density Residential

High Density Residential

Rural

Rural Lifestyle

Rural Residential

Rural Visitor

Settlements

Local Shopping Centre

Business Mixed Use

Arrowtown Residential Historic Management

Arrowtown Town Centre

Queenstown Town Centre

Wanaka Town Centre

General Industrial and Service

Nature Conservation

Civic Spaces

Community Purposes

Active Sports and Recreation

Informal Recreation

Wakatipu Basin Lifestyle Precinct

Wakatipu Basin Rural Amenity Zone

Airport

Coneburn Industrial

Gibbston Character

Gibbston Resort

Hogans Gully Resort

Jacks Point Resort

Millbrook Resort

The Hills Resort

Three Parks Business

Three Parks Commercial

Waterfall Park Resort

Road

Water (zone Rural unless otherwise shown)

Te Pūhahi Ladies Mile

## Albert Town Lower Density Suburban Residential Zone - Resource Consents relating to Visitor Accommodation

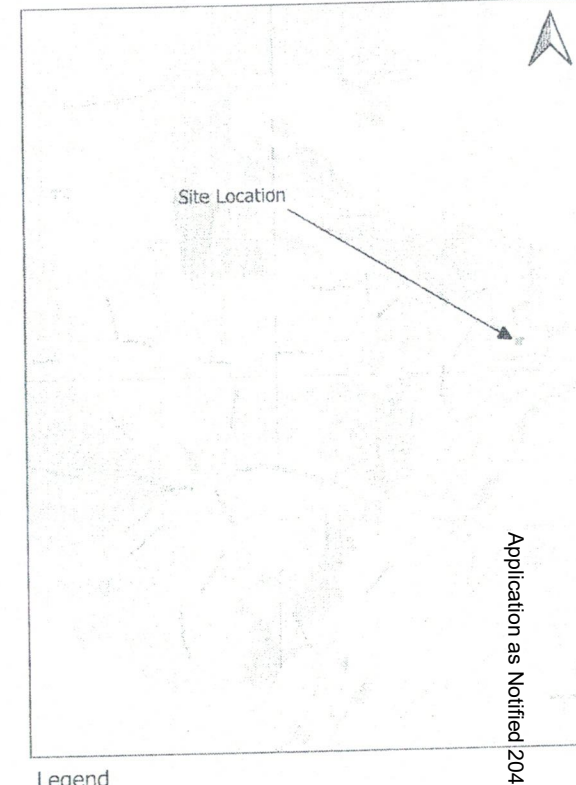
CONSENT_ID	DESCRIPTION	DECISION	PHYSADDRESS
RM110361	TEKAPO SKI CLUB INC. PROVIDE UNRESTRICTED VISITOR ACCOMMODATION AT THE ALBERT TOWN LODGE, WANAKA	Issued	8 WEXFORD STREET ALBERT TOWN WANAKA 9305
RM010562	V SCULLY & M SHANAHAN ERECT A DWELLING AND USE EXISTING DWELLING AS VISITOR ACCOMMODATION AT MCLELLAN PL., ALBERT TOWN	Issued	4 MCLELLAN PLACE ALBERT TOWN WANAKA 9305
RM220776	A LYNCH, B JESSUP & WINSTOCK TRUSTEES LIMITED RESIDENTIAL VISITOR ACCOMMODATION ACTIVITY FOR UP TO 8 GUESTS WITHIN A RESIDENTIAL UNIT FOR UP TO 90 NIGHTS THAT BREACHES THE NATURE AND SCALE STANDARD AND A TRANSPORT STANDARD SIGHT DISTANCES AT 10 BRIDGEW	DecIssued	10 BRIDGEWATER TERRACE ALBERT TOWN WANAKA 9305
RM211085	N LABES LAND USE CONSENT TO UNDERTAKE RESIDENTIAL VISITOR ACCOMMODATION RVA FOR UP TO 180 NIGHTS PER ANNUM, TO ACCOMMODATE A MAXIMUM OF 8 PERSONS, WITH ASSOCIATED TRANSPORT BREACHES IN RELATION TO MINIMUM SIGHT LINES AND MOBILITY PARKING AT 24 FRYE CRES	DecIssued	24 FRYE CRESCENT ALBERT TOWN WANAKA 9305
RM180667	THE IBEX TRUST SURRENDERED CHANGE OF USE TO ALLOW VISITOR ACCOMMODATION FOR 180 DAYS PER YEAR AT 15 HIKUWAI DRIVE, WANAKA	Surrend	15 HIKUWAI DRIVE ALBERT TOWN WANAKA 9305
RM180806	K & D KAWAU APPLICATION FOR THE USE OF AN EXISTING RESIDENTIAL UNIT FOR VISITOR ACCOMMODATION FOR UP TO 180 DAYS PER CALENDAR YEAR WITH A MAXIMUM OCCUPANCY OF 8 PERSONS AT 42 SHERWIN AVENUE, WANAKA	DecIssued	9 WARBLER LANE ALBERT TOWN WANAKA 9305
RM171124	ARUSHA PROPERTIES LIMITED SURRENDERED LAND USE CONSENT TO UNDERTAKE VISITOR ACCOMMODATION FROM AN EXISTING UNIT FOR UP TO 180 DAYS PER YEAR AT 29 MARBLELEAF LANE, ALBERT TOWN	Surrend	29 MARBLELEAF LANE ALBERT TOWN WANAKA 9305
RM200200	K JENNINGS WITHDRAWN LAND USE CONSENT FOR VISITOR ACCOMMODATION FOR UP TO 8 PERSONS PER NIGHT FOR UP TO 280 NIGHTS PER ANNUM AT 1 SORREL STREET, ALBERT TOWN	Withdrawn	1 SORREL STREET ALBERT TOWN WANAKA 9305
RM220773	BRET & NICKY HIGHTSTED FAMILY TRUST APPLICATION TO UNDERTAKE RESIDENTIAL VISITOR ACCOMMODATION FROM AN EXISTING RESIDENTIAL UNIT FOR 90 NIGHTS PER YEAR AT 33 KINGFISHER CRESCENT, ALBERT TOWN, WANAKA	DecIssued	33 KINGFISHER CRESCENT ALBERT TOWN WANAKA 9305

# Appendix E1- Planting Plan

## Planting Plan



## Locality Plan



### Legend

- Approximate tiny house outline
- Existing Planting
- Proposed Planting
- Property Boundary
- Land Parcels and Properties

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# AFFECTED PERSON'S APPROVAL

FORM 8A

Resource Management Act 1991 Section 95



#

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM #

Henrik de Blij and Sophie Mander



AFFECTED PERSON'S DETAILS

I/We

Sean &amp; Veronica Haig

Are the owners/occupiers of

14 B Dale Street, Albert Town



DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:

Undertake residential Visitor Accommodation for up to 365 nights per year with a maximum of two guests per stay.

at the following subject site(s):

18 Dale Street, Albert Town



PLEASE TICK

I/We understand that by signing this form Council, when considering this application, will not consider any effects of the proposal upon me/us.



PLEASE TICK

I/We understand that if the consent authority determines the activity is a deemed permitted boundary activity under section 87BA of the Act, written approval cannot be withdrawn if this process is followed instead.



WHAT INFORMATION/PLANS HAVE YOU SIGHTED



PLEASE TICK

I/We have sighted and initialled ALL plans dated and approve them.

VA  
SH



## APPROVAL OF AFFECTED PERSON(S)

The written consent of all owners / occupiers who are affected. If the site that is affected is jointly owned, the written consent of all co-owners (names detailed on the title for the site) are required.

A	Name (PRINT) Sean Haig	
	Contact Phone / Email address Sean-letitia@hotmail.com	
	Signature 	Date 17-05-25

B	Name (PRINT) Veronica Haig	
	Contact Phone / Email address 021 187 0872	
	Signature 	Date 17-05-25

C	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

D	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

Note to person signing written approval

Conditional written approvals cannot be accepted.

There is no obligation to sign this form, and no reasons need to be given.

If this form is not signed, the application may be notified with an opportunity for submissions.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.



Queenstown Lakes District Council  
Private Bag 50072, Queenstown 9348  
Gorge Road, Queenstown 9300

P: 03 441 0499  
E: resourceconsent@qldc.govt.nz  
www.qldc.govt.nz

VH  
SL

REVISION C1

# Application for Resource Consent

**Resource Consent application for Residential Visitor  
Accommodation at 18 Dale Street Albert Town**

Revision	Purpose	Status	Date
B1	Client Review	Superseded	07/01/2025
C1	Issued for Consultation	Current	12/03/2025

**Application and Property Details**

<b>Territorial Local Authority</b>	Queenstown Lakes District Council
<b>Description of Activity</b>	Resource consent to undertake Residential Visitor Accommodation for up to 365 nights per year.
<b>Applicant</b>	Henrik de Blij
<b>Site Address</b>	18 Dale Street, Albert Town, 9305
<b>Legal Description</b>	Lot 2 DP 578979
<b>Address for Service</b>	<a href="mailto:Geoff.Everitt@icloud.com">Geoff.Everitt@icloud.com</a>
<b>Operative District Plan Controls</b>	Township Zone (TZ)
<b>Proposed District Plan Controls</b>	Lower Density Suburban Residential Zone (LDSRZ) Urban Growth Boundary (UGB)
<b>Notification Request</b>	Limited Notification

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Appendix A1 – Certificate of Title

Appendix B1 – Operative and Proposed District Plan Mapping

**Application and Property Details**

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<b>Proposed District Plan Controls</b>	Lower Density Suburban Residential Zone (LDSRZ) Urban Growth Boundary (UGB)
<b>Notification Request</b>	Limited Notification

## Introduction

- 1.0. This is a resource consent application for Residential Visitor Accommodation (RVA) at 18 Dale Street, Albert Town, 9305 (the site), legally described as Lot 2 DP 578979. The proposal involves the operation of residential visitor accommodation for up to 365 nights per year, with a maximum of two guests per stay. The site is situated within the Proposed District Plan Lower Density Suburban Residential Zone and features a modern, 30m<sup>2</sup> one-bedroom, two-story tiny house that has been designed to align with the character of the surrounding area.
- 2.0. This application demonstrates that the anticipated effects can be considered less than minor through the proposed mitigation measures and operational controls.

## Description of site and receiving environment

### Site Description

- 3.0. The property is a 450m<sup>2</sup> parcel located on Dale Street in Albert Town, Wānaka, within the Lower Density Suburban Residential Zone under the Proposed District Plan (2015). It contains a modern one-bedroom, two-story tiny house, placed/installed in November 2022 and has Code Compliance Certificate (CCC). The house features a north-facing outdoor deck and is supported by ample on-site parking, accessed via a composite (25mm) driveway.

### Receiving environment

- 4.0. The northern corner is screened with New Zealand native Ribbonwood (*Plagianthus regius*) ranging in height from 2m to 3.5m. Approximately 100m to the north of the site is a (PDP) nature conservation zone. An adjacent property to the east (14A Dale Street) includes a registered homestay, while other surrounding properties are used for residential purposes without registered or consented activities.
- 5.0. The applicant has advised that the neighbouring site at 22 Dale Street operates a small home tourism business, using the driveway turnaround bay as a yard space and the garage for storage. There are approximately 2-4 business vehicle movements per day and staff preparation, cleaning, and maintaining of equipment at the beginning and end of each operating day.

- 6.0. The site is located 300m from the Albert Town shopping centre, which includes a Four Square, bakery, local tavern, and is in close proximity to recreational amenities such as the Clutha River and walking trails. Its location, and accessibility make it suitable for Residential Visitor Accommodation.
- 7.0. As part of this application, a broader assessment of the surrounding environment has been conducted to identify existing Residential Visitor Accommodation activities within the Albert Town Lower Density Suburban Residential Zone. This analysis is further discussed in the Assessment of Environmental Effects (AEE) under the section titled *Loss of Residential Amenity and Character*. Additionally, a map illustrating the locations of these activities, based on Queenstown Lakes District Council (QLDC) resource consent data, is provided in Appendix D1.

## Statutory Context

- 8.0. The Queenstown Lakes District Council initiated a review of the 2007 Operative District Plan (ODP) in 2015. This review, referred to as the Proposed District Plan (PDP), is being notified in stages. Until the PDP is made operative under Clause 20 of Schedule 1 of the Resource Management Act 1991 (RMA), both the ODP and PDP have legal effect, and activities must be assessed under both plans.
- 9.0. During the review process, 18 Dale Street was rezoned from the Township Zone under the ODP to the Lower Density Suburban Residential Zone under the PDP.
- 10.0. The Resource Management Act of 1991 does not distinguish between the weight to be accorded to an operative or proposed plan; however, Section 86E outlines when rules in a proposed plan must be treated as operative<sup>1</sup>.

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### *86E 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*

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<sup>1</sup> Hanton v Auckland City Council [1994] A10/94.

- (c) all submissions in opposition have been withdrawn and all appeals withdrawn or dismissed.
- (2) However, until the decisions have been given under clause 10(4) of Schedule 1 on all submissions, subsection (1) does not apply to the rules in a proposed plan that was given limited notification.

- 11.0. Where there is an appeal on the Proposed District Plan, the ePlaning application identifies the appealed provisions with a red exclamation mark symbol<sup>2</sup>.
- 12.0. There are no exclamation mark symbols within the Lower Density Suburban Residential Zone, or against any of the PDP definitions relevant to the determination of this application, s86E(1)(c) therefore applies and the provisions of the Proposed District Plan must be treated as operative.

## Assessment against the Queenstown Lakes District Plan

### Operative District Plan (ODP)

Table 1.0 - Assessment against the 2007 Operative District Plan

Site Controls	
Control Type	Control Name
Zone	Township
Definitions	
Definition	Meaning
Visitor Accommodation	<p>the use of land or buildings for short-term, fee paying, living accommodation where the length of stay for any visitor/guest is less than 3 months; and</p> <ul style="list-style-type: none"> <li>i. Includes such accommodation as camping grounds, motor parks, hotels, motels, boarding houses, guest houses, backpackers' accommodation, bunkhouses, tourist houses, lodges, homestays, and the commercial letting of a residential unit; and</li> <li>ii. May include some centralised services or facilities, such as food preparation, dining and sanitary facilities,</li> </ul>

<sup>2</sup> Queenstown Lakes District Council. (2024). *QLDC ePlan user guide*. Retrieved from [https://www.qldc.govt.nz/media/crfavxde/qldc\\_eplan\\_user-guide\\_mar24.pdf](https://www.qldc.govt.nz/media/crfavxde/qldc_eplan_user-guide_mar24.pdf)

- (c) all submissions in opposition have been withdrawn and all appeals withdrawn or dismissed.
- (2) However, until the decisions have been given under clause 10(4) of Schedule 1 on all submissions, subsection (1) does not apply to the rules in a proposed plan that was given limited notification.

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	<p>b. Sound from non-residential activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.</p> <p>c. The noise limits in a. shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.</p> <p>d. The noise limits in a. shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.</p> <p>e. The noise limits in a. shall not apply to sound from Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.</p>
9.2.5.2(vii)	<p><b>Nature and Scale of Non-Residential Activities</b></p> <p>a. No more than 60m<sup>2</sup> of the gross floor area of the buildings on a site shall be used for non-residential activities except within Commercial Precincts or Visitor Accommodation Sub-Zones.</p> <p>b. No goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site overnight.</p> <p>c. All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out within a building.</p>

13.0. As per table 1.0 the activity has been identified as a **Discretionary** Activity under rule 9.2.3.3(i) of the Operative District Plan. The proposed activity does not contravene standard 9.2.5.2(vi) or 9.2.5.2(vii) as the GFA of the dwelling is 30m<sup>2</sup>.

	<p>b. Sound from non-residential activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.</p> <p>c. The noise limits in a. shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.</p> <p>d. The noise limits in a. shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.</p> <p>e. The noise limits in a. shall not apply to sound from Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.</p>
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13.0. As per table 1.0 the activity has been identified as a **Discretionary** Activity under rule 9.2.3.3(i) of the Operative District Plan. The proposed activity does not contravene standard 9.2.5.2(vi) or 9.2.5.2(vii) as the GFA of the dwelling is 30m<sup>2</sup>.

## Proposed District Plan (PDP)

Table 2.0 - Assessment Against the 2015 Proposed District Plan

Site Controls	
Control Type	Control Name
Zone	Lower Density Suburban Residential Zone
Overlay	Urban Growth Boundary
Definitions	
Definition	Meaning
Residential Visitor Accommodation	Means the use of a building established as a residential unit (including a residential flat) by paying guests where the length of stay by any guest is less than 90 nights.
Objectives	
Objective #	Objective
7.2.8	Visitor accommodation, residential visitor accommodation and homestays are enabled at locations, and at a scale, intensity and frequency, that maintain the residential character and amenity values of the zone.
Policies	
Policy #	Policy
7.2.8.1	Provide for visitor accommodation and residential visitor accommodation in the Visitor Accommodation Sub-Zones that are appropriate for the low density residential environment, ensuring that adverse effects on residential amenity values are avoided, remedied or mitigated.
7.2.8.3	Ensure that residential visitor accommodation and homestays are of a scale and character that are compatible with the surrounding residential context and maintain residential character and amenity values.
7.2.8.4	Provide opportunities for low intensity residential visitor accommodation and homestays as a contributor to the diversity of accommodation options available to visitors and to provide for social and economic wellbeing.
7.2.8.5	Manage the effects of residential visitor accommodation and homestays outside the Visitor Accommodation Sub-Zone by controlling the scale, intensity and frequency of use and those effects of the activities that differentiate them from residential activities.

Rules		
Rule #	Rule	Status
7.4.6	Residential Visitor Accommodation	P
Rule Standards		
Standard #	Standard	
7.5.18.1	The total nights of occupation by paying guests on a <u>site</u> do not exceed a cumulative total of 90 nights per annum from the date of initial registration.	
7.5.18.2	A single residential unit (inclusive of a residential flat) must be rented to a maximum of one (1) group of guests at any one time.	
7.5.18.3	<p>The number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed:</p> <ul style="list-style-type: none"> <li>• 3 in a one-bedroom residential unit</li> <li>• 6 in a two-bedroom residential unit</li> <li>• 9 in a three-bedroom or more residential unit</li> </ul>	
7.5.18.4	No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.	
7.5.18.5	Outdoor space is not used between the hours of 10:00pm and 7:00am and sign/s are installed and visible from the outdoor space advising the permitted hours of use.	
7.5.18.6	Rubbish and recycling is not left on/adjacent to the road, except on the day of collection.	
7.5.18.7	The activity is registered with Council prior to commencement.	
7.5.18.8	<p>Council is provided with the following information at the time of registration:</p> <ul style="list-style-type: none"> <li>a. the contact details of the person and/or organisation responsible for managing the property and responding to any complaints; and</li> <li>b. confirmation that the immediately adjacent neighbouring properties, including any property with shared access arrangements, have been provided written notice that the property is to be used for residential visitor</li> </ul>	

	accommodation and the contact details of the person and/or organisation responsible for managing the property and responding to any complaints.
7.5.18.9	The information required by Standard 8 is reviewed and resubmitted to Council on an annual basis (from the date of registration of the activity), including the annual provision of written notice to neighbours required by Standard 8.b.
7.5.18.10	Up to date records of the activity are kept including: <ul style="list-style-type: none"> <li>a. a record of the date and duration of guest stays and the number of guests staying per night; and</li> <li>b. a detailed record of any complaints received and remediation actions taken.</li> </ul>
7.5.18.11	The records required by Standard 10 are provided to Council on an annual basis from the date of registration and made available for inspection by Council with 24 hours' notice.

- 14.0. The activity does not comply with standard 17.5.18.1, the remainder of standards 17.5.18.2-11 are complied with, or the applicant agrees to comply with. Where applicable standards that relate to the ongoing operation of the Residential Visitor Accommodation activity will be managed via a Guest Management Plan, which has been prepared and included as part of this application as Appendix F1.
- 15.0. Failure to comply with standard 17.5.18.1 means that the activity is considered as a **Restricted Discretionary** Activity under the PDP.
- 16.0. The activity is consistent with Objective 7.2.8 and Policies 7.2.8.1, 7.2.8.3, 7.2.8.4, and 7.2.8.5 no other objectives or policies were identified as applicable to this application.

### Overall Activity Status

- 17.0. The Statutory Context section of this application discusses the operative status of the District Plan, as per 86E((1)(C) the Proposed District Plan provisions for this application must be treated as operative, and the activity treated as a **Restricted Discretionary** activity under rule standard 17.5.18.1.
- 18.0. The matters of discretion are restricted to:

- a. The location, nature and scale of activities;
  - b. Vehicle access and parking;
  - c. The management of noise, rubbish, recycling and outdoor activities;
  - d. Privacy and overlooking;
  - e. Outdoor lighting;
  - f. Guest management and complaints procedures;
  - g. The keeping of records of residential visitor accommodation use, and availability of records for Council inspection; and
  - h. Monitoring requirements, including imposition of an annual monitoring charge.
- 19.0. These matters of discretion are discussed further in the Assessment of Environmental Effects section of this application.

## **Notification & Affected Parties**

- 20.0. Under Section 95 of the Resource Management Act of 1991 a Consent Authority must decide whether to give Public or Limited notification a resource consent application under section 95A or 95B.
- 21.0. Affected parties for this application are directly adjacent, behind and at an angle to the site. This includes the following properties:
- 1) 14A Dale Street (Lot 1 DP 510315)
  - 2) 14B Dale Street (Lot 2 DP 510315)
  - 3) 16 Dale Street (Lot 1 DP 578979)
  - 4) 22 Dale Street (Lot 1 DP 17528)

## **Assessment of Environmental Effects (AEE)**

### **Permitted Baseline**

- 22.0. Under Sections 95D(b), 95E(2)(a), and 104(2) of the Resource Management Act 1991 (RMA), the Council has discretion to disregard adverse effects of a proposal if the District Plan or a National Environmental Standard permits an activity with similar effects.

- 23.0. In this case, the permitted baseline includes the use of the existing residential unit for residential purposes and associated effects such as car parking, traffic generation, noise, and impacts on privacy and amenity values.
- 24.0. The Proposed District Plan (PDP) defines a 'Homestay' as the use of a residential unit or flat by paying guests (staying fewer than 90 nights) while the unit or flat remains occupied by residents for residential purposes.
- 25.0. Additionally, the PDP permits the use of a residential unit or flat for Residential Visitor Accommodation (RVA) for up to 90 nights per 12-month period in the Lower Density Suburban Residential Zone, provided compliance with applicable standards is met.
- 26.0. Overall, residential activities and RVA (up to 90 nights per annum) are permitted under the PDP, forming part of the permitted baseline and relevant to this proposal.

### **Alternative Locations**

- 27.0. The fourth schedule of the Resource Management Act of 1991 requires that alternative locations of methods be considered for activities that may have a significant negative impact on the environment.
- 28.0. The proposed activity is not anticipated to cause any significant adverse environmental effects, making the consideration of alternative locations unnecessary.

### **Location, nature and scale of activities**

- 29.0. The proposed Residential Visitor Accommodation (RVA) is located on a 450m<sup>2</sup> site in Albert Town, Wānaka, within the Lower Density Suburban Residential Zone. The activity involves the short-term rental of a one-bedroom, two-story tiny house for up to 365 nights per year. Occupancy will be limited to a maximum of two guests per stay, ensuring the scale of activity remains modest and compatible with the residential character of the area.
- 30.0. The site's location offers excellent access to local amenities and recreational facilities. Albert Town's local shopping centre is just a 300m walk away, featuring a Four-Square grocery store, local tavern, a popular bakery, and other small

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- 30.0. The site's location offers excellent access to local amenities and recreational facilities. Albert Town's local shopping centre is just a 300m walk away, featuring a Four-Square grocery store, local tavern, a popular bakery, and other small

shops. Nearby recreational opportunities include the Clutha River walking and cycling trails, as well as access to Lake Wānaka and Mount Aspiring National Park for outdoor activities such as hiking, kayaking, and fishing.

- 31.0. The combination of accessibility to essential services and diverse recreational options makes this location ideal for residential visitor accommodation without generating adverse effects on the surrounding environment.

### **Loss of residential character and amenity**

- 32.0. When council resource data is filtered to identify resource consents containing the term "Visitor" in the consent description, very few results are found within the Albert Town Lower Density Suburban Residential Zone.
- 33.0. A basic spatial analysis identified nine (9) resource consents related to visitor activities within the Albert Town Lower Density Suburban Residential Zone. Of these, two (2) involve the surrender of land use rights, one (1) consent was withdrawn, and two (2) relate to Visitor Accommodation as defined under the Proposed District Plan, which differs from Residential Visitor Accommodation. This leaves four (4) properties with approved Residential Visitor Accommodation consents within the zone. Maps relating to this analysis are available as Appendix D1.
- 34.0. These four consents represent approximately 0.55% of the 720 properties within the zone. If the additional Residential Visitor Accommodation consent is approved, this proportion will increase to approximately 0.69%. While a detailed comparison has not been conducted for other suburbs in the district, many have significantly higher numbers of such consents, both in absolute terms and as a percentage of total properties.
- 35.0. The Queenstown Lakes District Council has not provided guidance on an acceptable threshold for the loss of residential amenity. However, given that similar activities are more prevalent in other areas of the district, the addition of this Residential Visitor Accommodation consent is unlikely to result in significant cumulative effects.
- 36.0. The Queenstown Lakes District Council does not publicly release data on registered Homestays or unconsented visitor accommodation activities. While this information can be accessed via eDocs, conducting a comprehensive assessment across a wide area using eDocs is not practical.

- 37.0. Data from external sources, such as Inside AirBnB and Google Maps, indicate instances of non-compliance within the zone. However, compliance matters are not considered relevant to the determination of this application, which is proceeding through the correct process.

### **Vehicle access and parking**

- 38.0. The property provides ample on-site parking accessed via a composite (25mm) driveway approximately 3.5m wide at the entrance from Dale Street. The designated parking area measures approximately 9m by 6m, offering sufficient space for multiple vehicles or a single accessible carpark.
- 39.0. It is anticipated that most stays will generate only one vehicle, ensuring parking demand and traffic generation remain negligible and consistent with typical residential use. There are no current issues with composite debris being tracked onto the road, and the traffic movements generated by the activity will be like those of a standard residential dwelling.

### **Noise**

- 40.0. The activity will generate minimal noise, limited to standard residential use, such as guest arrivals and departures. Outdoor spaces will not be used between 10:00pm and 7:00am, in accordance with district plan standards, with clear signage to enforce these restrictions.
- 41.0. A Guest Management Plan has been prepared to ensure compliance with noise limits and includes a procedure for addressing any complaints, ensuring any noise-related effects are effectively mitigated, the plan has been included as Appendix F1.

### **Rubbish and recycling**

- 42.0. Rubbish and recycling generated by guests will be managed through the provision of on-site bins, stored discreetly and placed on or adjacent to the roadside only on collection days. These measures will ensure waste management does not generate any adverse visual or environmental effects.

## Outdoor activities

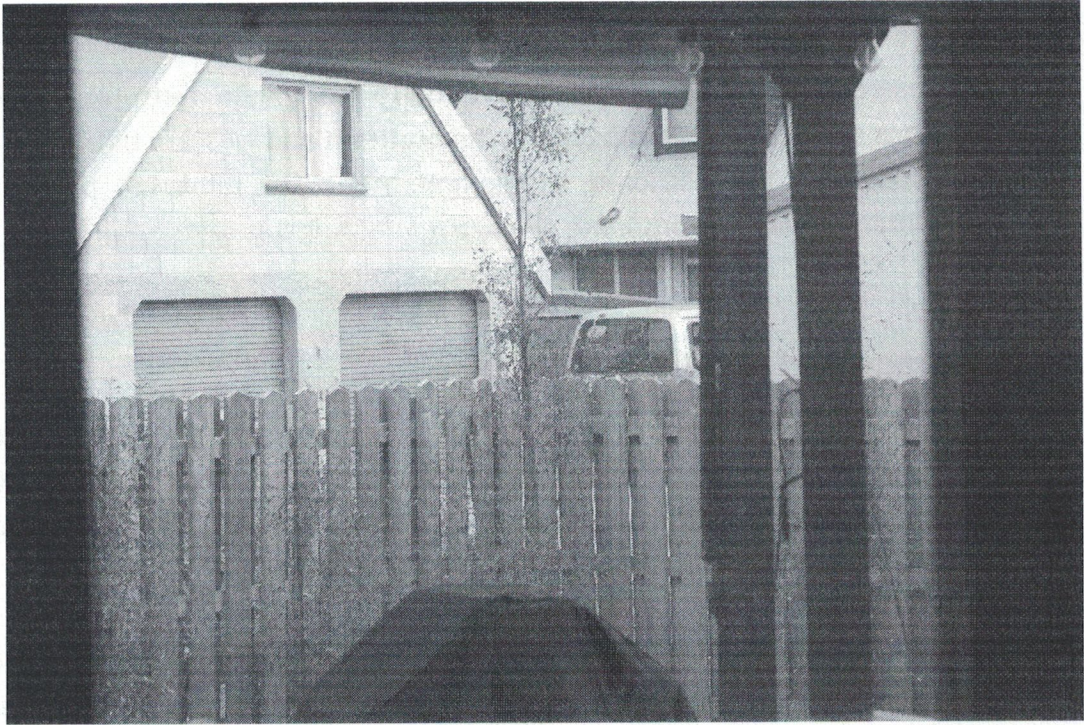
- 43.0. The use of outdoor spaces will be limited to the private north-west facing deck, which is shielded by planting along the northern and western boundary. Outdoor activities will be restricted to daytime hours to minimize potential noise disturbances, with appropriate signage reinforcing this restriction.

## Privacy and overlooking

- 44.0. The site features boundary planting along the northern edge, with trees currently ranging in height from approximately 2m to 3.5m, providing partial privacy screening. As part of this proposal, additional planting is planned along the western fence line to further enhance privacy over time.
- 45.0. A minor privacy effect arises from the upstairs loft of the tiny house, which includes a door leading to a small balcony primarily designed to provide sunlight and airflow rather than serve as a leisure space. However, this effect is consistent with the permitted baseline, under which visitor accommodation could occur on the property for up to 90 days per year or the property could be used for permanent residential purposes without requiring mitigation for privacy effects. As such, the privacy impacts resulting from this application are no worse than those permitted without consent.



Image 1 - View from upstairs balcony toward 22 Dale Street (Focal Length 16mm)



*Image 2 -View from downstairs into 22 Dale Street (Focal Length 55mm note this is a telephoto zoom)*

## **Outdoor lighting**

- 46.0. Outdoor lighting are low-level, downward-facing, and positioned to avoid light spill onto neighbouring properties. This ensures lighting remains functional for guests while preserving the residential amenity and character of the area.

## **Cumulative Effects**

- 47.0. The Queenstown Lakes District Council (QLDC) has already recognised the potential for cumulative impacts by implementing specific provisions in the Proposed District Plan, including limitations on the duration of visitor accommodation activities and requirements for registration and monitoring. These measures are intended to ensure that the overall residential amenity and character of neighbourhoods are maintained.
- 48.0. The proposed activity complies with these provisions, including adherence to guest limits, parking requirements, noise management, and restrictions on outdoor activities. The modest scale of the activity (limited to two guests at a time) and its location within a well-served area reduce the likelihood of contributing significantly to cumulative adverse effects.

- 37.0. Data from external sources, such as Inside AirBnB and Google Maps, indicate instances of non-compliance within the zone. However, compliance matters are not considered relevant to the determination of this application, which is proceeding through the correct process.

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- 38.0. The property provides ample on-site parking accessed via a composite (25mm) driveway approximately 3.5m wide at the entrance from Dale Street. The designated parking area measures approximately 9m by 6m, offering sufficient space for multiple vehicles or a single accessible carpark.
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