

APPLICATION AS NOTIFIED

R BERRY

(RM260123)

File Number RM260123

QUEENSTOWN LAKES DISTRICT COUNCIL

SERVICE OF NOTICE / LIMITED NOTIFICATION

Service of Notice for Limited Notification of a Resource Consent application under Section 95B of the Resource Management Act 1991.

The Queenstown Lakes District Council has received an application for a resource consent from:

Robert Berry

What is proposed:

To lawfully establish an existing swing mooring (M126) to the west of the Frankton Marina, Lake Wakatipu (Whakātipu-Wai-Māori), requiring land use consents from the Otago Regional Council and the Queenstown Lakes District Council.

The location in respect of which this application relates is situated at:

On the northern side of the Frankton Arm, to the west of the Frankton Marina, within Lake Wakatipu /Whakātipu-Wai-Māori at the following GPS coordinates:

- 45.019708 S, 168.712978 E (WGS84 Decimal Degree Format)

A full copy of this Limited Notified package is available for you to download on the following link:

<https://www.qldc.govt.nz/services/resource-consents/notified-resource-consents#limited-not-rc> or via our edocs website using **RM260123** as the reference <https://edocs.qldc.govt.nz/Account/Login>

This file can also be viewed at our public computers at these Council offices:

- **Gorge Road, Queenstown;**
- **and 47 Ardmore Street, Wanaka during normal office hours (8.30am to 5.00pm).**

The Council planner processing this application on behalf of the Council is Rebecca Holden, who may be contacted by phone at 021 170 1496 or e-mail at rebecca.holden@qldc.govt.nz

Any person who is notified of this application, but a person who is a trade competitor of the applicant may do so only if that person is directly affected by an effect of the activity to which the application relates that –

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.

If you wish to make a submission on this application, you may do so by sending a written submission to the consent authority no later than:

6 October 2026

The submission must be dated, signed by you and must include the following information:

- a) Your name and postal address and phone number/fax number.
- b) Details of the application in respect of which you are making the submission including location.
- c) Whether you support or oppose the application.
- d) Your submission, with reasons.
- e) The decision you wish the consent authority to make.
- f) Whether you wish to be heard in support of your submission.

You may make a submission by sending a written or electronic submission to Council (details below). The submission should be in the format of Form 13. Copies of this form are available Council website:

<https://www.qldc.govt.nz/services/resource-consents/notified-consents/current-notified-resource-consents/>

You must serve a copy of your submission to the applicant as soon as reasonably practicable after serving your submission to Council:

Robert Berry

bob@whitestonecheese.co.nz

2 Baird Lane, Bendemeer, Lake Hayes, Queenstown, 9371

QUEENSTOWN LAKES DISTRICT COUNCIL



(signed by Jane Sinclair pursuant to a delegation given under Section 34A of the Resource Management Act 1991)

Date of Notification: 8 September 2026

Address for Service for Consent Authority:

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

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**NOTIFICATION ASSESSMENT UNDER s95A AND s95B OF THE RESOURCE
MANAGEMENT ACT 1991 (RMA)**

**NOTIFICATION DECISION UNDER s95A AND s95B RMA OF BOTH THE QUEENSTOWN
LAKES DISTRICT COUNCIL and**

THE OTAGO REGIONAL COUNCIL

Applicant:	R Berry
RM reference:	RM260123
Application:	Application under Section 88 of the Resource Management Act 1991 (RMA) for land use consents from the Otago Regional Council (ORC) and the Queenstown Lakes District Council (QLDC) to lawfully establish an existing swing mooring (M126) to the west of the Frankton Marina, Lake Whakatipu (Whakātipu-Wai-Māori).
Location:	Bed and surface of Whakātipu-Wai-Māori, on the northern shoreline of the Frankton Arm, to the west of the Frankton Marina, Queenstown.
Legal Description:	N/A (Lakebed)
QLDC Zoning:	ODP: Rural General PDP: Rural (Water)
QLDC District Plan Notations:	Wāhi Tūpuna Site 33 (Whakātipu-Wai-Māori (Lake Whakātipu))
ORC ORP:W Notations:	MA3 (Waahi tapu and/or Waiwhakaheke)
Activity Status:	Discretionary
Decision Date	7 September 2026

SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95E of the RMA, the application seeking consent for a mooring within the Frankton Arm, will be processed under the Queenstown Lakes District Plan on a limited notified basis given the findings of Sections 4.1 and 4.3 of this report. Notice of the application will be served on those parties identified in Section 4.3.3 of this report in accordance with section 2AA of the RMA.
2. Pursuant to sections 95A-95E of the RMA, the application seeking consent under the Otago Regional Plan: Water to place a structure, fixed in, on, under or over the bed of a lake, will be processed by the QLDC in accordance with the deed dated 23 March 1994 on a limited notified basis, given the findings of Sections 4.1 and 4.3 of this report. Notice of the application will be served on those parties identified in Section 4.3.3 of this report in accordance with section 2AA of the RMA.
3. This decision is made by Jane Sinclair, Independent Commissioner as delegate for the Council pursuant to Section 34A of the RMA.

1.0 SUMMARY OF PROPOSAL AND SITE DESCRIPTION

1.1 Background

Many of the moorings and jetties in the District's lakes have been in place for quite some time. Any mooring or jetty established prior to 1991 likely required a licence under the Harbours Act 1950. Where a Harbours Act licence was obtained, the mooring or jetty was able to continue to rely upon the Harbours Act licence under section 418(3A) of the Resource Management Act 1991 (RMA) until the expiry of the licence. As Harbours Act licences had 14-year-terms, all licences would have expired by 2005 (14 years following the repeal of the Harbours Act), after which authorisation under the RMA is required for a mooring or jetty to be lawful under this legislation.

In 2021, the QLDC undertook a survey of the District's lakes and become aware that a number of moorings and jetties may not be lawfully established under the RMA (because of the transition from the Harbours Act to the RMA). Communication was sent to all mooring and jetty owners, advising them about their responsibilities and requirements under the RMA.

As a result, QLDC have received a number of applications to lawfully establish under the RMA existing moorings and jetties within the District's lakes. These structures need consents under both the QLDC District Plan and the Otago Regional Council's Regional Plan: Water for Otago (ORP:W).

Of relevance to the processing of this application under the OPR:W, on 23 March 1994, a deed was made to transfer the power to determine applications for land use consent for activities / structures affecting lakes from the ORC to the QLDC pursuant to Section 13(1)(a) of the RMA. In accordance with this deed, in an email dated 11.3.26, the ORC confirmed that QLDC could process this application seeking consent under the ORP:W on its behalf.

1.2 Summary of Proposal

Consent is sought to lawfully establish under the RMA an existing swing mooring for a single vessel, located to the west of the Frankton Marina within Whakātipu-Wai-Māori. The proposal relates to existing mooring permit¹ 126 ("M126") which is located at the following GPS coordinates (as shown in Figure 1 below):

- 45.019708 S, 168.712978 E (WGS84 Decimal Degree Format)

¹ Issued under the QLDC Mooring Permit system which is administered by Councils Property team and is not an authorisation under the RMA.

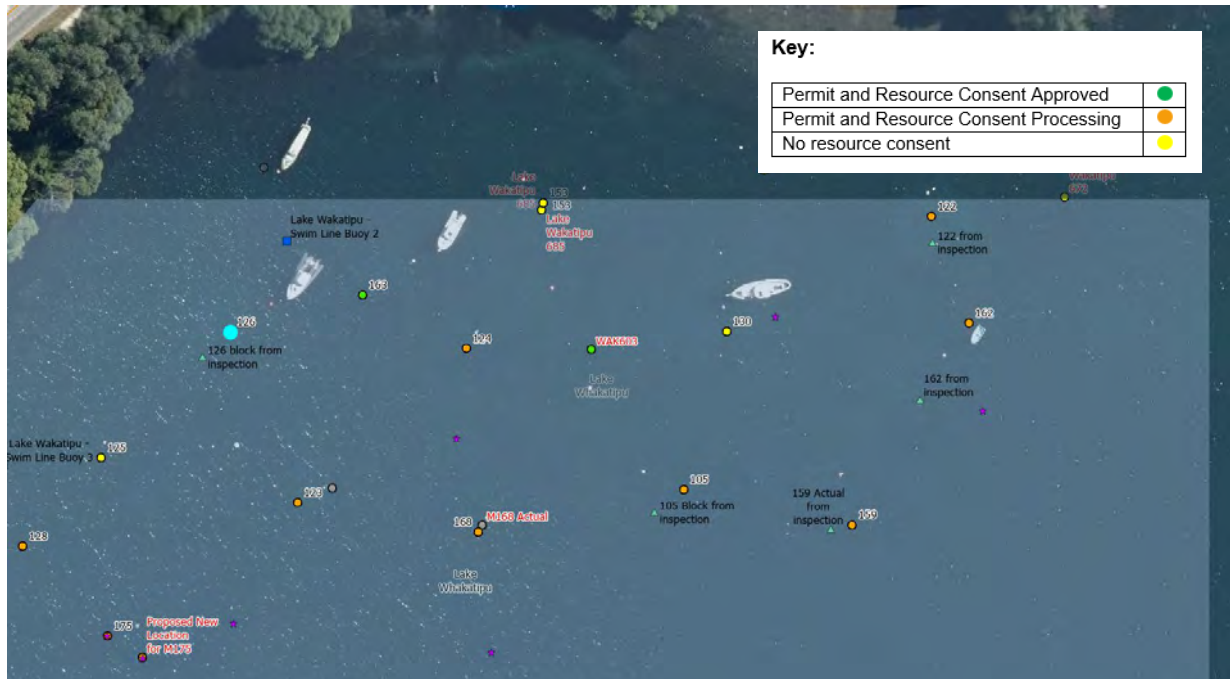


Figure 1: Location of existing swing mooring M126 (shown as a blue on QLDC GIS), within the cluster of moorings to the west of the Frankton Marina.

Of note, the GPS coordinates that have been used within the application documents use the Degrees, Minutes, Seconds (“DMS”) format (e.g. within the mooring inspection report). In accordance with the standard (and preferred) QLDC mooring inspection form, all coordinates have been converted to the WGS84 Decimal Degree (“DD”) format for the purposes of this report. Whether the DMS or DD format are used, M26 is in the location shown in Figure 1 above.

The Applicant has provided a summary of the known history of M126, as well as a description of the proposal, mooring site and surrounding area at paragraphs 1-2, 4 and 7 within the application report (herein referred to as the “AEE”), which is considered adequate and is adopted for the purposes of this report (attached as *Appendix 1*). In summary, the Applicant has owned the mooring since December 2010 when it was purchased from a previous owner. The Applicant has demonstrated that they hold a QLDC mooring permit for the mooring.

Consent is sought for a vessel up to 9m in length to use this mooring.

2.0 ACTIVITY STATUS

The 2007 QLDC Operative District Plan is being reviewed through a series of plan changes commenced in August 2015 known as the Proposed District Plan (PDP). As set out in Chapter 1 of the PDP, the district plan can now be summarised as comprising:

- A. Provisions reviewed since 2015 referred to as the PDP that apply in areas mapped in the PDP ePlan maps; and
- B. Provisions reviewed since 2007 referred to as the Operative District Plan (ODP) that apply in areas mapped in the ODP ePlan maps, which appear as white in the PDP ePlan maps.

Strategic Chapters 3-6 of the PDP as well as Designations, Heritage and Wāhi Tūpuna apply to all areas.

Where decisions on the PDP have been appealed, the corresponding ODP rules continue to apply. As appeals are resolved, more PDP rules are treated as operative and the equivalent ODP rules are treated as inoperative (s.86F RMA). Currently, resource consent may be required under either, or both the ODP and PDP provisions listed below.

2.1 OPERATIVE DISTRICT PLAN

The subject site is zoned Rural General in the ODP. However, there are no relevant rules under the ODP given the relevant rules under the PDP are treated as operative pursuant to section 86F.

2.2 PROPOSED DISTRICT PLAN

The proposed mooring is located within Wāhi Tūpuna Site 33 (Whakātipu-Wai-Māori (Lake Whakātipu)). Whakātipu-Wai-Māori is also a Statutory Acknowledgement Area under the Ngāi Tahu Claims Settlement Act 1998, as recognised within the PDP. While these provisions do not contain rules that might trigger the need for a resource consent, they are particularly relevant for the assessment of this application and for providing guidance on actual and potential effects.

The subject site is zoned Rural (water) by the PDP. The proposed activity requires resource consent under the PDP for the following reason²:

- A **restricted discretionary** activity pursuant to Rule 21.15.7 in regard to moorings in the Frankton Arm. The proposed mooring is identified within the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan web mapping application. Council's discretion is restricted to the following matters:
 - a. whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands;
 - b. whether the structure causes an impediment to craft manoeuvring and using shore waters.
 - c. the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline;
 - d. the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect;
 - e. whether the structure will be used by a number and range of people and craft, including the general public;
 - f. the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design;
 - g. whether the structure enables the use of public water ferry services and/or water based transport.

Overall, the application is considered to be a **restricted discretionary** activity under the PDP.

2.3 THE OTAGO REGIONAL COUNCIL PLAN: WATER

In accordance with the deed signed between the ORC and QLDC and the confirmation from ORC delegating its decision making (as outlined in Section 1.1 above), the application has been considered by QLDC under the relevant provisions of the ORP:W.

The proposed activity requires resource consent under the ORP:W for the following reason:

- A **discretionary** activity pursuant to Rule 13.2.3.1 as the proposal involves the placement of a structure, fixed in, on, under or over the bed of a lake. It is proposed to place a mooring that passes through the surface of Whakātipu-Wai-Māori and is attached (anchored) to the bed of the lake.

Overall, the application is considered to be a **discretionary** activity under the ORP:W.

2.4 ACTIVITY STATUS SUMMARY

In summary, the application is considered to be:

- a **restricted discretionary** activity under the PDP; and
- a **discretionary** activity under the ORP:W.

² Cited rule(s) can be treated as operative under s86F.

Overall, the application is being considered and processed as a **discretionary** activity.

NOTIFICATION ASSESSMENT AND DETERMINATION DECISION UNDER SECTIONS 95A AND 95B OF THE RESOURCE MANAGEMENT ACT

The below covers both the QLDC and ORC resource consent applications.

3.0 SECTION 95A – PUBLIC NOTIFICATION

Section 95A of the RMA requires a decision on whether or not to publicly notify an application. The following steps set out in this section, in the order given, are used to determine whether to publicly notify an application for a resource consent.

3.1 Step 1 – Mandatory public notification

The Applicant has not requested public notification of the application (s95A(3)(a)).

Public notification is not required as a result of a refusal by the Applicant to provide further information or refusal of the commissioning of a report under section 92(2)(b) of the RMA (s95A(3)(b)).

The application does not involve an exchange of recreation reserve land under section 15AA of the Reserves Act 1977 (s95A(3)(c)).

Therefore, public notification is not required by Step 1.

3.2 Step 2 – Public notification precluded

Public notification is not precluded by any rule or national environmental standard (s95A(5)(a)).

The proposal is not:

- a controlled activity; or
- a boundary activity as defined by section 87AAB that is restricted discretionary, discretionary or non-complying;

Therefore, public notification is not precluded under Step 2.

3.3 Step 3 – If not precluded by Step 2, public notification is required in certain circumstances

Public notification is not specifically required under a rule or national environmental standard (s95A(8)(a)).

A consent authority must publicly notify an application if notification is not precluded by Step 2 and the consent authority decides, in accordance with s95D, that the proposed activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(8)(b)).

An assessment in this respect is therefore undertaken, and decision made in sections 3.3.1 - 3.3.4 below:

3.3.1 Effects that must / may be disregarded (s95D(a)-(e))

Effects that must be disregarded:

- *Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).*
- *Trade competition and the effects of trade competition (s95D(d)).*
- *Effects on a person who has given written approval to the relevant application. The following persons have provided their **written approval** and as such adverse effects on these parties have been disregarded (s95D(e)).*

Person (owner/occupier)	Address (location in respect of subject site)
Land Information New Zealand (LINZ)	N/A

The QLDC processing planner has consulted with Maritime New Zealand as per requirements of s.89A. In an email dated 11 March 2026, Maritime NZ confirmed they had no comment on the application.

Effects that may be disregarded:

- *An adverse effect of the activity if a rule or national environmental standard permits an activity with that effect (s95D(b)) – referred to as the “permitted baseline”. The relevance of a permitted baseline to this application is provided in section 3.3.2 below.*

3.3.2 Permitted Activities (s95D(b))

The consent authority **may** disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect. In this case, all permanent structures and moorings within a lake require resource consent under the PDP, and the ORP:W. As such, there is no permitted baseline relevant to the placement of a structure on the lake bed.

As for the effects of lake-bed disturbance associated with the removal and placement of a mooring under ORP:W Rule 13.5.1.1, it is a permitted activity to disturb the bed of a lake associated with the erection, placement, extension, alteration, replacement, reconstruction, repair, maintenance, demolition or removal of any structure that is fixed in, on, under or over the bed of any lake, provided standards are met. These include the following:

- the work is undertaken between 1 May and 30 September inclusive and Department of Conservation and Fish and Game are notified in advance;
- the lake bed disturbance is limited to the extent necessary to undertake the work;
- the work does not cause any flooding or erosion;
- the time taken to complete the works in the wetted bed of the lake does not exceed ten (10) hours in duration;
- reasonable steps are taken to minimise sediment release such that water clarity does not change within 200m downstream; and
- the site is left tidy.

In terms of the ongoing use of a structure, it is noted that through this consent, the proposed mooring will become lawfully established under the RMA, and therefore its ongoing use will be able to rely on permitted activity Rule 13.1.1.1 of the ORP:W, provided it is maintained in good repair. This is a relevant consideration in the assessment that follows. Similarly, if this consent is approved, the mooring will become authorised under the PDP and its ongoing use will essentially be “permitted” as a result.

It is considered that the permitted baseline as it relates to the disturbance of the lakebed associated with the installation of the mooring, and the ongoing use of this structure once lawfully established to be of some relevance to the proposal because it is assumed that the Applicant will comply with the permitted standards under the ORP:W given they have not sought consent to the contrary³. As such this will be taken into consideration in the assessment that follows.

3.3.3 Assessment: Effects On The Environment

Taking into account sections 3.3.1 and 3.3.2 above, the following assessment determines whether the proposed activity will have, or is likely to have, adverse effects on the environment that are more than minor that will require public notification (s95A(8)(b)).

³ Any historic or future non-compliance of the permitted standards under the ORP:W is an Otago Regional Council monitoring and enforcement matter.

The Applicant seeks resource consent under both the ORP:W and the PDP to lawfully establish a swing mooring within the Frankton Arm of Whakātipu-Wai-Māori. An assessment relevant to each Council plan follows.

Expert reports

The following expert reports have been provided to assist the assessment of effects below:

- A navigational safety report prepared by QLDC's Waterways Regulatory Services Manager and Harbourmaster, Mr Craig Fahey, attached as *Appendix 2*.

A] Assessment under the QLDC Proposed District Plan

A restricted discretionary consenting pathway is provided for moorings and jetties located within the Frankton Arm of Whakātipu-Wai-Māori, where Council's discretion is restricted to the matters in Rule 21.15.7, which for completeness are repeated as follows:

- a. *whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands;*
- b. *whether the structure causes an impediment to craft manoeuvring and using shore waters.*
- c. *the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline;*
- d. *the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect;*
- e. *whether the structure will be used by a number and range of people and craft, including the general public;*
- f. *the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design;*
- g. *whether the structure enables the use of public water ferry services and/or water based transport.*

Under the PDP, the proposed mooring is considered to raise actual or potential effects on the environment relating to the following matters:

- i. Landscape, visual and amenity effects (relevant to matters of discretion a), d) and f) of PDP Rule 21.15.7).
- ii. Navigation and water safety (relevant to matters of discretion b) of PDP Rule 21.15.7).
- iii. Effects on recreation (matters of discretion c) and e) of PDP Rule 21.15.7).

i. Landscape, visual and amenity effects;

The Applicant seeks to a swing mooring system to the west of the Frankton Marina. Although the mooring will be visible to a wide catchment area, including from the surface of Whakātipu-Wai-Māori and the adjoining shoreline, as can be seen in Figure 1 above, being able to see the mooring or a berthed vessel in this location (adjacent to the Marina) is not unusual or unexpected. Many of these moorings have been lawfully established through the RMA (green dots within Figure 1) or have formed part of the environment for a long period. Lawfully establishing M126 under the RMA will not alter this.

On this basis, it is accepted that the proposal is in keeping with what can be reasonably expected in a location which provides boat access to the lake. The mooring is located over 40m from the shoreline and will not obstruct any public views nor dominate the shore scape. The proposed mooring is compatible with the scenic and amenity values associated with this part of Whakātipu-Wai-Māori. As such, the proposal will have a negligible effect on the natural character of this bay and is considered to be compatible with the existing scenic and amenity values at this location.

Overall, it is considered that the proposed mooring will result in adverse effects that are no more than minor in terms of landscape, visual and amenity values associated with Whakātipu-Wai-Māori.

ii. Navigation and water safety

As outlined in the QLDC Swing Mooring Booklet 2026 and within the mooring permit, the safety and maintenance of a mooring is the responsibility of the registered mooring owner. The whole system must be inspected every two years to remove kinks and replace worn components. Further, inspection must be conducted by a suitably qualified professional. These requirements are consistent with the ORC permitted activity standards outlined in Section 3.3.2 above.

Submitted with the application was a mooring inspection report, carried out on 2 April 2026 by Mr Garry Wright, who is accepted as being suitably qualified and experienced to undertake this work. Based on the mooring specifications detailed within the inspection report, a maximum swing radius for M126 was able to be calculated. Swing radius is a circle on the water in which a vessel will rotate around its mooring block or anchor and takes into consideration the length of the berthed vessel, the depth of the mooring block, and the total length of “tackle”. The maximum swing radius is calculated at low water level, which is when the mooring “tackle” will be fully extended in high winds (or a high tidal flow), representing the maximum distance the vessel is from the mooring block.

The QLDC Harbourmaster initially identified a navigational safety concern associated with M126, in that its swing radius overlapped with surrounding moorings. To address this concern, the Applicant has volunteered to reduce the overall length of tackle associated with M126. On this basis, using the supplied GPS coordinates, mooring block location, survey specifications, a vessel length of up to 9 metres overall and agreed reduction in chain length, although the swing radius associated with M126 was assessed as still having an overlap with the swing radius associated with nearby moorings M123 (resource consent processing⁴) and M163 (consented⁵), it was determined to be within the allowable overlap limits. As such, it is accepted that lawfully establishing M126 in its current location with the mitigation proposed (shortening of tackle to be not greater than 15.5m in overall length) does not raise navigational safety concerns that would be more than minor.

Of note, potential swing radius overlap was also identified with surrounding moorings M125. This adjacent mooring is currently unconsented and as accurate information including confirmation of block location and specifications have not been confirmed, the QLDC Harbourmaster has advised that it is not possible to undertake a reliable assessment of whether a conflict exists or to what level. This conclusion is accepted for the purposes of this report.

Accordingly, based on a maximum tackle length of 15.5m, it is considered that lawfully establishing this mooring in its current location for use by a vessel up to 9m will result in no more than minor adverse effects on navigational safety on Whakātipu-Wai-Māori.

iii. Effects on recreation:

As shown in Figure 1 above and detailed at Paragraph 7 of the AEE, the Frankton Marina, public boat ramps, and other maritime features are located in the immediate vicinity of M126. M126 is also located to the south of land containing a Recreation Reserve (Frankton track), as well as being adjacent to the Coastguard and Scout den, Harbourmaster’s Office and various other commercial boating operations and services (located land-side).

Given the existing environment and pattern of development, the proposed mooring is located at a sufficient distance from the shoreline not to affect or diminish the recreational experience of people using these facilities and public areas around the shoreline.

The proposed mooring is a private mooring owned by the Applicant and is not available for the general public.

Overall, adverse effects on recreation are considered to be no more than minor.

⁴ Referenced RM260223 in QLDC records.

⁵ By RM240027

iv. Summary of effects under the PDP

Overall, given the assessment above and that within the AEE, it is considered that any adverse effects on the environment relating to an assessment under the matters of discretion outlined within the PDP will be no more than minor.

B] Assessment under the ORP:Water for Otago (ORP:W)

Under the ORP:W, the subject mooring is considered to raise actual or potential effects on the environment relating to the following matters:

- i. *Effects on the lake bed/ecological values*
- ii. *Effect on any natural and human use value identified in Schedule 1 of the ORP:W*

i. Effects on the lake bed/ecological values;

Consent is sought under the ORP:W to place a permanent structure on the lake bed (swing mooring). As noted in Section 3.3.2 above, the disturbance of the bed associated with the removal and placement of the mooring block is a permitted activity and will not be considered further.

In terms of ecological values, it is acknowledged that aquatic pest species are present in the lakes, including Lagarosiphon which is identified and controlled by the ORP:W. Lagarosiphon has the potential to be caught on vessels and transferred to other waterbodies, or be transferred to the Districts lakes where moorings are used by vessels that are also used in other waters. Moorings may encourage this transfer. Additionally, discharge of contaminants from vessels could also affect water quality including from fuel, oil or wastewater if discharged when moored. In an email dated 3.9.26, the Applicant has volunteered conditions of consent to ensure that all reasonable precautions are taken to minimise the spread of pest plants and aquatic weed, and ensuring no waste product enters the lake when the mooring is in use. Adverse effects on the environment in this regard are therefore considered to be no more than minor and appropriately remedied/mitigated.

Overall, taking into consideration the volunteered conditions of consent which will ensure that no waste or toxins enter the lake, and that the spread of aquatic pest species is controlled, adverse effects on the environment in terms of lake bed disturbance and ecological values are considered to be no more than minor.

ii. Effect on the recognised values listed in the ORP:W

The ORP:W outlines the natural and human use values of various watercourses throughout the Otago Region. Whakātipu-Wai-Māori is identified within Schedule 1 of the ORP:W, as having specific values needing to be protected.

Schedule 1A of the ORP:W identifies the natural values associated with Whakātipu-Wai-Māori. It is recognised that the mooring subject to this application will alter the natural character of the lake, however this effect is considered to be less than minor. The proposed works will not affect ecology, natural flow characteristics or water quality of the lake.

Schedule 1B of the ORP:W identifies lakes and rivers where the water taken is used for public water supply purposes. There is one water supply within the Frankton Arm of Whakātipu-Wai-Māori, as identified in Schedule 1B of the ORP:W. However, the subject mooring is not located within the vicinity of this, being separated by a considerable distance (the water supply is located on the southern shore of the Frankton Arm).

Schedule 1C lists registered historic places. For the purposes of an assessment under the ORP:W, there are no historic places/features listed within Schedule 1C of the ORP:W within the vicinity of the subject mooring.

However, for completeness, it is noted that PDP maps identify Historic Heritage Feature 16 as being within the vicinity of M126 (landside), comprising "Boatshed, Slipway and original Old Ticket Office, Frankton Marina Recreation Reserve", which collectively, are a Category 2 listed item. The PDP

recognises Category 2 Heritage Features as warranting “*permanent protection because they are very significant to the District and/or locally*”. This item is not listed within Schedule 1C of the ORP:W.

Schedule 1D identifies the spiritual and cultural beliefs, values and uses associated with water bodies of significance to Kāi Tahu. The proposal can be seen as a potential threat to the values that Whakātipu-Wai-Māori holds for Kāi Tahu.

The application does not contain any information from Kāi Tahu on the effects its mooring may or may not have on Kāi Tahu cultural values. Without input from Kāi Tahu on cultural effects, the proposal has to be seen as a potential threat to the values that Whakātipu-Wai-Māori holds for Manawhenua. In considering the location of this mooring located adjacent to an already modified environment (which includes the Frankton Marina, walking trails, as well as other surrounding moorings and lakeside features), it is considered that adverse cultural effects on the environment are minor.

iii. Summary of effects under the ORP:W

Overall, it is considered that any adverse effects on the environment in relation to effects on the lake bed/ecological values, and the values identified within Schedules 1A-1C of the ORP:W will be no more than minor. Adverse effects on the significance of Whakātipu-Wai-Māori to Kāi Tahu, as identified within Schedule 1D of the ORP:W, are considered to be minor.

3.3.4 Decision: Effects On The Environment (s95A(8))

On the basis of the above assessment, it is assessed that the proposed activity will not have adverse effects on the environment that are more than minor. Therefore, public notification is not required under Step 3.

3.4 Step 4 – Public Notification in Special Circumstances

There are no special circumstances in relation to this application.

4.0 LIMITED NOTIFICATION (s95B)

Section 95B(1) requires a decision on whether there are any affected persons (under s95E). The following steps set out in this section, in the order given, are used to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified under section 95A.

4.1 Step 1: certain affected groups and affected persons must be notified

Determination under s95B(2)

The proposal does not affect protected customary rights groups, and does not affect a customary marine title group; therefore, limited notification under s 95B(2) is not required.

Determination under s95B(3)

The consent authority must determine –

- (a) *whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and*
- (b) *whether the person to whom the statutory acknowledgement is made is an affected person under section 95E.*

The proposed mooring is to be located in and attached to the lakebed of Whakātipu-Wai-Māori, which is subject to a statutory acknowledgement made in accordance with the Ngāi Tahu Claims Settlement Act 1998 (which is an Act specified in Schedule 11 of the RMA).

In determining if the person to whom the statutory acknowledgement is made is an affected person under section 95E, the consent authority is not required to necessarily find Kāi Tahu affected, but requires the

acknowledgement to be taken into account in determining whether they are affected (that is whether they are affected in a manner different from the public generally).

An assessment on whether Kāi Tahu is considered to be adversely affected follows:

Te Rūnanga / Rūnaka o Ngāi Tahu

The assessment contained within Section 3.3.3 against the Schedule 1D values under the ORP:W is relevant to an assessment of whether Ngāi Tahu (or Kāi Tahu) is considered to be adversely affected. Both the ORP:W and the QLDC PDP recognise Kāi Tahu as a partner in the management and protection of the Region/District's water resources through the implementation of these Plans, whereby it is acknowledged that input from Kāi Tahu (who are the Manawhenua of this District) is required in order to fully understand the effects that the proposed mooring within statutory acknowledgement and wāhi tūpuna areas have on cultural/spiritual values. As stated in section 3.3.3 of this report, the application does not contain information from Kāi Tahu on the effects its mooring may or may not have on Kāi Tahu cultural values.

Establishing the mooring involved the replacement of a permanent structure on the bed Whakātipu-Wai-Māori in the form of a swing mooring system. The proposal can therefore be seen as a potential threat to the values that Whakātipu-Wai-Māori holds for Manawhenua.

Based on the conclusions reached within Section 3.3.3 of this report, and taking into consideration the statutory acknowledgement of Whakātipu-Wai-Māori, the effects on Kāi Tahu will be minor for the purposes of section 95E of the RMA.

Accordingly, Kāi Tahu, whose interests in the Queenstown Lakes District are represented by Aukaha and Te Ao Marama Incorporated, is determined to be an affected person under section 95E (s95B(3)).

4.2 Step 2: if not required by Step 1, limited notification precluded in certain circumstances

Limited notification is not precluded under Step 2 as the proposal is not subject to a rule in the District Plan or is not subject to a NES that precludes notification (s95B(6)(a)).

Limited notification is not precluded under Step 2 as the proposal is not for a controlled activity (s95B(6)(b)).

4.3 Step 3: if not precluded by Step 2, certain other affected persons must be notified

If limited notification is not precluded by Step 2, a consent authority must determine, in accordance with section 95E, whether the following are affected persons:

Boundary activity

The proposal is not a boundary activity.

Any other activity

The proposal is not a boundary activity and therefore the proposed activity falls into the 'any other activity' category (s95B(8)), and the adverse effects of the proposed activity are to be assessed in accordance with section 95E.

4.3.1 Considerations in assessing adverse effects on Persons (S95E(2)(a)-(c))

- a) The consent authority **may** disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect (a "permitted baseline"). Section 3.3.2 above sets out the relevance of the permitted baseline to this application.
- b) The consent authority **must** disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and

- c) The consent authority **must** have regard to every relevant statutory acknowledgement specified in [Schedule 11](#).

4.3.1 [ii] Persons who have provided written approval (s95E(3))

The persons identified in Section 3.3.1 above have provided their **written approval** and as such adverse effects on these parties are disregarded for the purpose of s95E(3).

4.3.2 Assessment: Effects on Persons

Taking into account the exclusions in sections 95E(2) and (3) as set out in section 4.3.1 above, the following outlines an assessment as to whether the activity will have or is likely to have adverse effects on persons that are minor or more than minor:

Surrounding land owners:

There are no properties directly overlooking the proposed mooring, being separated from the lake a considerable distance by the Frankton Track, State Highway 6A (Frankton Road) and Perkins Road.

As outlined in Section 3.3.3 above, mooring M126 forms an anticipated part of the Frankton Arm, being located within a cluster of existing moorings and adjacent to nearby features such as the Frankton Marina, coastguard and historic boatshed, slipway and ticket office. Further, the proposed mooring is a small element in the context of the surrounding landscape.

Overall, adverse effects associated with landscape and amenity values on owners and occupiers of surrounding properties will be less than minor.

Adjacent mooring permit holders:

As noted earlier in this report under navigational safety (Section 3.3.3 above), the QLDC Harbourmaster has confirmed there are no navigational safety issues relating to the location of M126 being used by a 9m vessel, provided the overall length of tackle associated with this mooring is limited to 15.5m, which has been accepted by the Applicant.

The exception to this is a potential swing radius overlaps associated with M126 and adjacent mooring M125. However, as set out earlier in this report, this mooring does not hold a resource consent and its location has not been confirmed. As such, although there is the potential for a real world conflict that exists between M126 and adjacent mooring M125, this mooring owner is not considered to be adversely affected under this application because they are not legally entitled to occupy the lakebed⁶, and the location of this mooring has not been confirmed.

The QLDC Harbourmaster has confirmed that any other overlap associated with the swing radius of M126 and surrounding moorings is within acceptable limits.

Accordingly, there are no adjacent mooring permit holders that are considered to be adversely affected.

4.3.3 Decision: Effects on Persons (s95E(1))

The persons considered affected pursuant to section 95E of the RMA and therefore to be served notice of the application are illustrated and tabled as follows:

Person (owner/occupier)	Address (location in respect of subject site)
Aukaha	N/A
Te Ao Marama Incorporated	N/A

⁶ They do not hold private ownership rights, and they do not hold a resource consent for their moorings.

4.4 Step 4 – Further Notification in Special Circumstances (s95B(10))

Special circumstances do not apply that require limited notification.

5.0 NOTIFICATION DETERMINATION

For the reasons set out in sections 3 and 4 of this notification decision report, under s95A and s95B of the RMA, the application is to be processed on a limited notified.

Prepared by

Decision made by



Rebecca Holden
CONSULTANT PROCESSING PLANNER

Jane Sinclair
INDEPENDENT COMMISSIONER

6.0 APPENDICES LIST

APPENDIX 1 – Applicant's AEE

APPENDIX 2 – Navigational Safety Report

APPENDIX 1 – APPLICANT’S AEE

¹²⁶
MOORING PERMIT ~~163~~/LAKE WAKATIPU

Application for resource consent for existing swing mooring to validate continuing use

PLEASE ASSESS IN CONJUNCTION WITH
S. L. BERRY application mooring 163 WHO
MOORING LAKE BED INSPECTION IS BEING ARRANGED

Assessment of environmental effects:

1. This is believed to be one of the earliest swing moorings established at Frankton, adjacent to the former Frankton Lake Steamer wharf location, the remnants of its piles still being visible in the lake foreshore. Council records for its earliest licencing to SD & JM Rout Family Trust not being available to confirm it's history, but the Rout Family operated the well known U Drive motor boat business on Lake Wakatipu from at least the 1970's and this mooring was purchased from them in December 2012 through the agency of Queenstown Harbour Master and has been relicensed each year until invoicing from Council (and its former agents APL Property) ceased with licence extended to June 2022. No further invoicing has been received. *PURCHASED FROM J BOULT 2010.*
2. Conditions of the permit have continued to be maintained, adequate boat and public liability insurance is held as required through agency of PIC insurance brokers, the mooring and has been regularly checked by Gary Wright of Wright Building and Diving Services, last inspection *joint* April 2023, (invoicing to confirm attached). *REFER MOORING 163 application / 126 mooring inspection.*
3. As this is a longstanding existing use of the mooring and site involved there is no change to the effects of its use from what has historically been visually or in any other way creating or continuing in relation to an adverse effect of any kind to the surrounding environment. The red mooring buoy is all that is visible when the mooring is not in use, (usually over the months May to November). No other person is likely to be effected by this activity or its continuance.
4. The mooring anchor comprises a substantial steel weight deeply embedded in the lake bed to which the swivels, mooring chain and buoy are attached. During summer season when to mooring is in use it secures a *RIB* 8.5m cabin cruiser (with holding tank for toilet and waste water so no discharge of any contaminants will occur), when that boat is not in use on the lake.
5. It sits amongst a group of other moorings and their owners boats in a long established moorings area of the lake, which it can be said visually enhances the lake views from shoreline and beyond. A boat bobbing at anchor can be a very pleasant sight.
6. There has never been any adverse comment, complaint or criticism of which the applicant is aware from the public or neighboring property owners in relation to this or other moorings in this area. Any noise created by boats there is only brief as they leave or tie up to their moorings.
7. The mooring and its surrounds comprises part of a predominately marine commercial area, there is the Council's boat launching ramps and wharf, the Frankton walkway and Council's extensive boat trailer parking area. The Coast Guard and Sea Scout bases, the Boat House Restaurant, the Harbour Masters office, various commercial boating operations and services and the new Frankton Marina are all closely located to the mooring area, establishing the location of this mooring within a long recognized boating activities facilitation and support area, all well clear of any housing or land use that could be effected by this particular activity and related land use.
8. The activity for which consent is requested is not contrary to the provisions of any relevant planning document nor does or will it create any adverse effects provided the terms of Council licence for use continue to be observed as these are now or may in future become relevant through the annual licencing process it is anticipated Council will continue to employ, which in itself can provide for any monitoring or updating deemed necessary.

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APPENDIX 2 – NAVIGATIONAL SAFETY REPORT FOR M126

NAVIGATIONAL SAFETY COMMENTS – RESOURCE CONSENT APPLICATION

TO: Rebecca Holden

FROM: Craig Fahey, Waterways Regulatory Services Manager | QLDC Harbourmaster

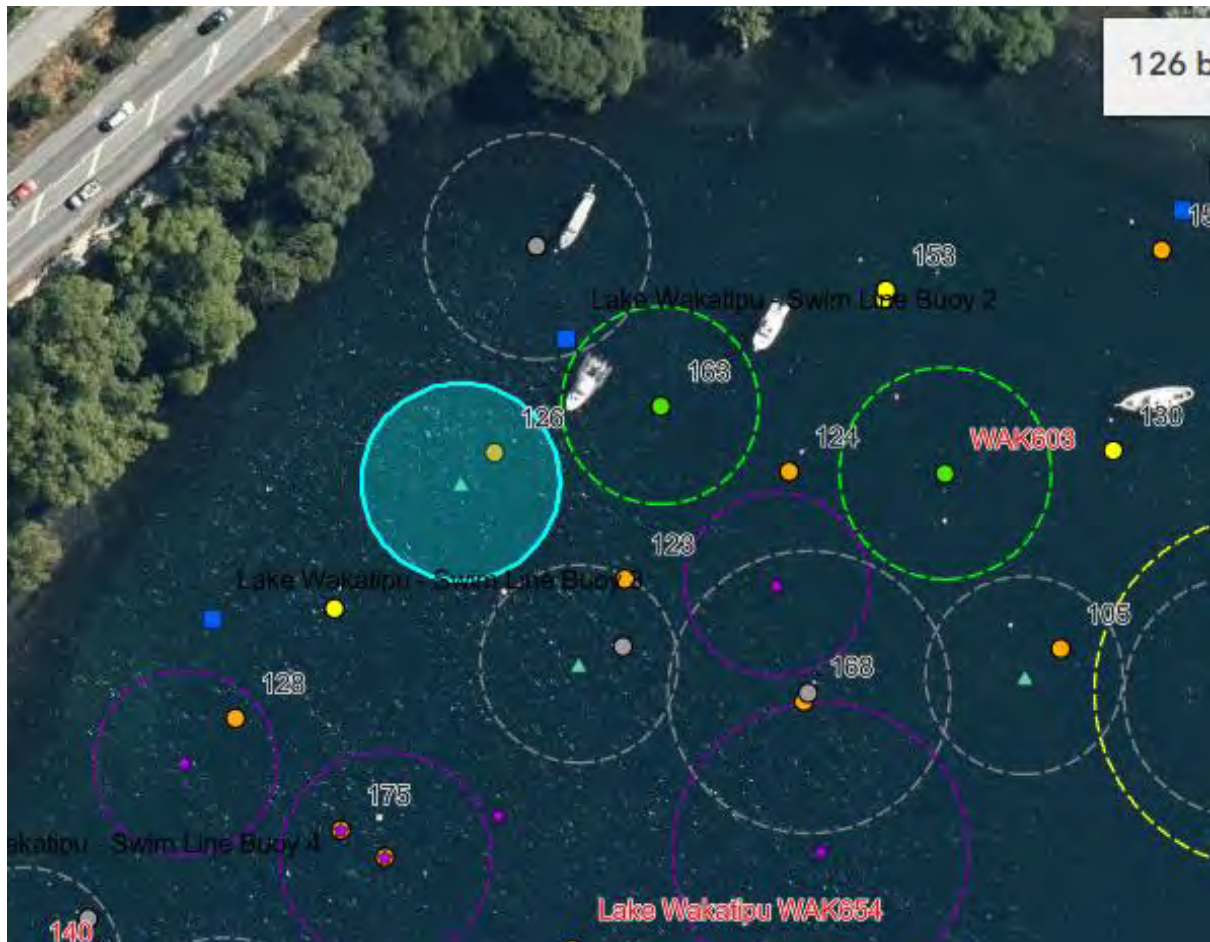
DATE: 18 August 2026

APPLICATION DETAILS	
REFERENCE	RM260123
APPLICANT	Bob Berry
APPLICATION TYPE & DESCRIPTION	To lawfully establish an existing swing mooring (M126) to the west of the Frankton Marina. Lake Wakatipu.
ADDRESS	Within the Frankton Arm of Lake Wakatipu, to the west of the marina.
ZONE	Rural (PDP) RURAL General (ODP)
SITE ADDRESS	N/A
ACTIVITY STATUS	Restricted discretionary
VALUATION NUMBER	N/A

REQUEST DETAILS	
FROM (PROCESSING PLANNER)	Rebecca Holden
DATE OF REQUEST	13.04.2026
WORKING DAYS AT TIME OF REQUEST	4
FINAL DATE FOR FURTHER INFORMATION REQUESTS	20.04.2026
DATE REPORT REQUIRED BY:	ASAP
INDICATION OF NOTIFICATION	Limited Notification
TYPE OF COMMENT REQUIRED	Memo
REQUESTED AREAS OF COMMENT	Navigational safety matters including: a) Any navigational safety concerns (e.g. swing radius clash, depth of lake) b) Whether the mooring design is fit for purpose and structurally sound.

MOORING LOCATION DIAGRAM

Latitude -45.019708 / 45° 01' 10.95" S
Longitude 168.712978 / 168° 42' 46.72" E



1.0 OVERVIEW

Brief Description of Proposal	Mr Berry has made a Resource Consent application in respect of his existing mooring(M126) located to the west of the Frankton marina, within the Frankton Arm, lake Wakatipu, Queenstown. The purpose of this resource Consent application is to legalise an existing mooring located at the above location. Mr Berry has had Garry Wright from Wright building & Diving Services complete a subsurface mooring inspection survey on the identified mooring, Mr Wright is a very experienced commercial diver and is viewed highly within this space, based on Mr Wrights experience I except his report as being accurate and complete.
History	RM:260123
Waterbodies	Location: Frankton Arm, Lake Wakatipu

2.0 SAFETY MANAGEMENT

Safety Management comments	A resource consent application for mooring M126 was lodged with Queenstown Lakes District Council. The applicant-supplied mooring inspection report has been reviewed to inform Harbourmaster comment on navigational safety matters. Assessment approach For moorings in congested areas, the assessment considers whether the mooring arrangement provides adequate separation from nearby moorings having regard to the applicant-supplied survey information, vessel length, mooring design, water depth and separation between mooring blocks. Mooring Swing Radius Based on the applicant-supplied sub-surface mooring survey, the assessed swing radius overlaps with surrounding moorings M123 (processing) and M163 (consented). Using the supplied GPS coordinates, mooring block location, survey specifications, a vessel length of up to 9 metres overall, and the agreed reduction in chain length, the mooring is assessed as remaining within the allowable overlap limit for neighbouring moorings. This assessment was informed by an accepted methodology, developed with input from a recognised naval engineer, for assessing safe permitted swing overlap between moorings. Please note: The potential for overlap with existing mooring M125 has been identified. However, as this mooring is not lawfully established under the RMA at the time of this report, accurate location information and mooring-system design details have not been provided. As a result, the presence or extent of any conflict cannot be reliably confirmed. Support for this assessment is contingent on the mooring tackle being adjusted to a maximum total length of 15.5 metres from the block to the surface. On the information currently provided, the assessed mooring arrangement does not raise navigational safety concerns that would prevent the application from being supported.
Safety Operation Plan (SOP) comments	Nil Required.
Maritime comment obtained?	No Comment Required from Maritime NZ

3.0 LEGISLATION

- Maritime Transport Act 1994
- Navigation Safety Bylaw 2025

4.0 RECOMMENDED CONDITIONS/ADVICE NOTES

Advice Note:

The use of a mooring is at the occupier's risk. Compliance with spacing criteria does not guarantee that boat-to-boat contact will never occur and Council is not liable for any damage to occupying boats,

or for damage to a third party arising from the use of a mooring by the occupier or mooring owner. The mooring owner is responsible for maintaining and keeping the mooring in good order in accordance with all technical specifications for operation and maintenance, mooring rules, approved consent requirements, permit conditions, and all relevant regulations and legislation. The mooring owner must understand and follow good mooring practice at all times and must safely navigate in accordance with all regulations and bylaws.

Conditions:

See notes above

5.0 FINAL COMMENT

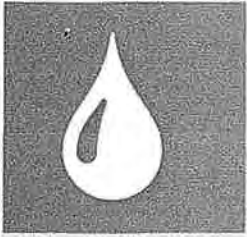
On the information provided, the application can be supported from a navigational safety perspective.

Prepared by: Craig Fahey
Waterways Regulatory Services Manager
Queenstown Lakes District Council

TechnologyOne ECM Document Summary

Printed On 07-Sep-2026

Class	Description	Doc Set Id / Note Id	Version	Date
PUB_ACC	Application Form	9368837	1	16-Feb-2026
PUB_ACC	AEE	9368836	1	16-Feb-2026
PUB_ACC	Mooring Location Plan	9368835	1	16-Feb-2026
PUB_ACC	Site photos	9368834	1	16-Feb-2026
PUB_ACC	Annual Mooring Fee invoice	9368833	1	16-Feb-2026
PUB_ACC	Mooring Permit 126 2025 - 2026	9423915	1	10-Mar-2026
PUB_ACC	Mooring Inspection Report, M126, 2.4.2026	9511244	1	13-Apr-2026
PUB_ACC	LINZ APA	9606808	1	20-May-2026
PUB_ACC	APA - owner of mooring 126	9422852	1	10-Mar-2026



APPLICATION FOR RESOURCE CONSENT FOR A WATER-BASED ACTIVITY



Under Section 88 of the Resource Management Act 1991 (Form 9)

PLEASE COMPLETE ALL MANDATORY FIELDS* OF THIS FORM.

This form provides contact information and details of your application. If your form does not provide the required information it will be returned to you to complete. Until we receive a completed form and payment of the initial fee, your application will not be accepted for



APPLICANT //

- Must be a person or legal entity (limited liability company or trust).
- Full names of all trustees required.
- The applicant name(s) will be the consent holder(s) responsible for the consent and any associated costs.

*Applicant's Full Name / Company / Trust:

(Name Decision is to be issued in)

ROBERT (BOB) BERRY

*All trustee names (if applicable):

Contact Name if Company or Trust:

*Postal Address:

2 BAIRD LANE BENDMEER
LAKE HAYES O/TOWN

*Post code:

9371

*Contact details supplied must be for the applicant and not for an agent acting on their behalf and must include a valid postal address

*Email Address:

Bob@whitestonechurn.co.nz

*Phone Numbers: Day

Mobile: 021 852 888

The Applicant is:



Owner



Lessee



Occupier



Other - Please Specify



Our preferred methods of corresponding with you are by email and phone.

The decision will be sent to the Correspondence Details via email unless requested otherwise.



CORRESPONDENCE DETAILS // If different than above - E.g. consultant or agent

Name & Company:

AS ABOVE

Phone Numbers: Day

Mobile:

Email Address:



INVOICING DETAILS //

Invoices will be made out to the applicant but can be sent to another party if paying on the applicant's behalf. For more information regarding payment please refer to the Fees Information section of this form.

*Please select a preference for who should receive any invoices and how they would like to receive them.

Applicant:



Agent:



Other, please specify:

Email:



Post:



*Attention:

*Postal Address:

QLDC

*Post code:

*Please provide an email AND full postal address.

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*Email:

QUEENSTOWN

DEVELOPMENT CONTRIBUTIONS INVOICING DETAILS //

If it is assessed that your consent requires development contributions any invoices and correspondence relating to these will be sent via email. Invoices will be sent to the email address provided above unless an alternative address is provided below. Invoices will be made out to the applicant/owner but can be sent to another party if paying on the applicant's behalf. For more information please see appendix 2 at the end of this form.

Please select a preference for who should receive any invoices.

Details are the same as above



Applicant:

☐
☐

Other, please specify:

*Attention:

*Email:

[Click here for further information and our estimate request form](#)

DETAILS OF SITE

Address / Location to which this application relates: Provide the name of the waterbody (i.e. lake or river) where the proposed works/activity will take place. Include proximity to any well-known landmark and land address for any associated land based activity/ landing points:

SWING MOORING FRANKTON ARM WEST OF MARINA
OLD WHARF SITE (PILES REMAIN) LICENSED MOORING 126
VESSEL I.D. "MAGIC"

GPS LOCATION OF PROPOSED WORKS //

(Note: this must be supplied for all mooring and jetty applications, and any other waterbased activity that does not have an associated land parcel attached to the operation)

GPS co-ordinates: Note: you must specify which GPS co-ordinate system* was used to identify the GPS location - Decimal Degrees (DD) or Degrees Minutes Seconds (DMS) (*The Harbourmaster prefers the Decimal Degrees (DD) co-ordinate systems, but either can be used)

GPS position S 45° 01.177
E 168° 42.785

For any land based areas:

Legal Description:

Owners/Occupiers:

District Plan Zone:

Permit Number: If you have a current permit for your activity from QLDC (i.e. an existing mooring permit), specify your permit number and the name of the person / entity that the permit is issued to

Other Users: Identify other occupiers/users in particular consent holders, of the relevant waterbody

SITE VISIT REQUIREMENTS// Should a Council officer need to undertake a site visit please answer the questions below

Is there a gate or security system restricting access by council?

YES ☐ NO ☒

Is there a dog on the property?

YES ☐ NO ☒

Are there any other hazards or entry restrictions that council staff need to be aware of?

YES ☐ NO ☒

If 'yes' please provide information below

PRE-APPLICATION MEETING

Have you had a pre-application meeting with QLDC regarding this proposal?

☐

Yes

☐

No

☐

Copy of minutes attached

If 'yes', provide the reference number:

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P: 03 441 0499

E: resourceconsent@qldc.govt.nz

www.qldc.govt.nz



CONSENT(S) APPLIED FOR

29

☒ Land use consent to establish and operate a water based activity comprising:

☐ Erect or place a new structure

☐ Alter / extend an existing structure

☐ Replace / demolish an existing structure

☐ Transfer of consent(s):

(Please provide a letter from both the current & new consent holders authorizing this request)



BRIEF DESCRIPTION OF THE PROPOSAL

Consent is sought to undertake a water-based activity on **FRANKTON ARM**

(Lake / River)

The activity will operate **CONTINUOUS USE**

(dates / duration)

to provide for **BOAT MOORING**

(number persons)

Brief description of activity:

PERMITTED ACTIVITY - MOORING FEES PAID ANNUALLY (REF COUNCIL RECORDS)
HISTORIC DEEP WATER MOORING PURCHASED APPROX 13 YEARS AGO FROM JIM BOULT.
 Further Description to be provided in an assessment attached. See below.



OTHER CONSENTS

Are any additional consent(s) required that have been applied for separately?

☐ Otago Regional Council — Use of bed of lake or river (note if has/has not been applied for):

☐ Yes

☐ No

☐ N/A

☐ Are you seeking consent from both QLDC and ORC in this one application (i.e. for a jetty or mooring):

☒ Yes

☐ No

☐ N/A



APPLICATION NOTIFICATION

Are you requesting public notification for the application?

☐ Yes

☒ No

Please note there is an additional fee payable for notification. Please refer to Fees schedule



INFORMATION REQUIRED TO BE SUBMITTED //

Attach to this form any information required (see below & appendix 1).

To be accepted for processing, your application must include the following information where relevant to your proposed activity:

☒ A site plan or map showing the locality and extent of the activity and the proximity of any nearby activities (e.g. other moorings and the extent of their swing in relation to your proposed mooring)

☒ Demonstrate compliance with the most up to date QLDC Swing Moorings Booklet (if relevant)

☐ Details of any associated land based buildings or structures, parking areas. **N/A**
 Details of any signage & locations.

☐ A Safety Management Plan **N/A**

☐ Noise report (if relevant) **N/A**

☐ Written approval of every person who may be adversely affected by granting of consent (s95E)

Consultation required with:

☒ Aukaha

☒ Te Ao Marama INC

Fish & Game New Zealand

Consultation required where relevant:

Guardians of Lake Wanaka

Guardians of Lake Hawea

Department of Conservation

☒ *** CONSULTATION BEING UNDERTAKEN IN CONJUNCTION WITH G.L. BERRY**

☐ An Assessment of Effects (AEE).

An AEE is a written document outlining how the potential effects of the activity have been considered: safety, noise, traffic and parking, signage and impact on the waterbody including other users.

Address the relevant provisions of the District Plan and affected parties including who has or has not provided written approval. See **Appendix 1** for more detail.



We prefer to receive applications electronically – see Appendix 3 **Naming of Documents Guide**

Please ensure documents are scanned at a minimum resolution of 300 dpi.

Each document should be no greater than 10mb

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The information that you have provided on this form is public information and is gathered for a lawful purpose to ensure the efficient functioning of Council's duties, powers and functions under the Resource Management Act 1991 and the Building Act 2004. The information will enable Council to adequately assess your application for Resource Consent in accordance with the statutory processes under the Resource Management Act 1991. The information may also be collected for and disclosed to, the Ministry for the Environment and Queenstown Lakes District Council, for the purpose of statistical analysis, so that the Agencies can efficiently undertake their statutory duties. The information will be stored on a public register (Council's eDocs website) and is available to the public in accordance with the terms and conditions set out on the eDocs website.

While available to the public through the eDocs portal, any disclosure of the information on the website must be in accordance with the Local Government Official Information and Meetings Act 1987 and must not be used for a purpose other than for the reason it was collected. Members of the public should not share or distribute this information for any purpose that is not a lawful purpose set out under relevant legislation.

Any unauthorised use, disclosure, or distribution of this information by third parties may constitute a breach of the Privacy Principles set out under the Privacy Act 2020 and may be reported to the Privacy Commissioner which could result in legal sanctions.



FEES INFORMATION

Section 36 of the Resource Management Act 1991 deals with administrative charges and allows a local authority to levy charges that relate to, but are not limited to, carrying out its functions in relation to receiving, processing of applications under this Act.

An invoice for an initial fee will be sent out typically within 1-2 business days of receipt of correctly completed application. Your application will not be processed until this invoice is paid. When making payment please use the application reference.

Incorrectly referenced payments will be refunded directly to your bank account and you will be required to resubmit payment using the correct application reference.

If the initial fee charged is insufficient to cover the actual and reasonable costs of work undertaken on the application you will be required to pay any additional amounts. These will be invoiced monthly and are payable by the 20th of the month.

If your application is notified or requires a hearing you will be required to pay a notification deposit and/or a hearing deposit. An applicant may not offset any previous invoices issued against such deposits. If unpaid, the processing of an application, provision of a service, or performance of a function will be suspended until the sum is paid in full.

Section 357B of the Resource Management Act provides a right of objection in respect of additional charges. An objection must be submitted using the correct application form and required documents. This must be lodged within 15 working days of the receipt of the final invoice.

LIABILITY FOR PAYMENT – Please note that by signing and lodging this application form you are acknowledging that the details in the invoicing section are responsible for payment of invoices and in addition will be liable to pay all costs and expenses of debt recovery and/or legal costs incurred by QLDC related to the enforcement of any debt.

ADMINISTRATION FEE - The initial fee includes an administration lodgement fee for staff time spent setting up your application and generating your invoice.

MONITORING FEES – Please also note that the initial fee paid at lodgement includes an initial monitoring fee as per our Charges and Fees for Land Use Consent applications as once Resource Consent is approved you will be required to meet the costs of monitoring any conditions applying to the consent, pursuant to Section 35 of the Resource Management Act 1991. This initial monitoring fee also applies to designation related applications. For all application types the monitoring team may still charge an hourly rate if monitoring is deemed required.

DEVELOPMENT CONTRIBUTIONS – Your development may also incur development contributions under the Local Government Act 2002. You will be liable for payment of any such contributions.

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PAYMENT // An initial fee is payable upon receiving the initial fee invoice following the lodgment of this application.

Please wait for the initial fee invoice to be issued and use the application reference on the invoice for your payment.

TO PAY ON RECEIPT OF INVOICE.

This fee MUST be paid with the correct application reference in order for the processing to begin.

Incorrectly referenced payments will be refunded directly to your bank account and you will be required to resubmit payment using the correct application reference.

Amount to Pay

Please select

APPLICATION & DECLARATION

The Council relies on the information contained in this application being complete and accurate. The Applicant must take all reasonable steps to ensure that it is complete and accurate and accepts responsibility for information in this application being so.



If lodging this application as the Applicant:

I/we hereby represent and warrant that I am/we are aware of all of my/our obligations arising under this application including, in particular but without limitation, my/our obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to within the Fees Information section.

OR:



If lodging this application as agent of the Applicant:

I/we hereby represent and warrant that I am/we are authorised to act as agent of the Applicant in respect of the completion and lodging of this application and that the Applicant/ Agent whose details are in the invoicing section is aware of all of his/her/its obligations arising under this application including, in particular but without limitation, his/her/its obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to within the Fees Information section.



I hereby apply for the resource consent(s) for the Proposal described above and I certify that, to the best of my knowledge and belief, the information given in this application is complete and accurate.

Signed (by or as authorised agent of the Applicant) **

Full name of person lodging this form

ROBERT LATNAM BERRI

Firm/Company

Dated

12th FEB 2026

**If this form is being completed on-line you will not be able, or required, to sign this form and the on-line lodgement will be treated as confirmation of your acknowledgement and acceptance of the above responsibilities and liabilities and that you have made the above representations, warranties and certification.

QLDC

13 FEB 2026

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126
MOORING PERMIT 163/LAKE WAKATIPU

Application for resource consent for existing swing mooring to validate continuing use

PLEASE ASSESS IN CONJUNCTION WITH
S. L. BERRY application mooring 163 WHO
MOORING LAKE BED INSPECTION IS BEING ARRANGED

Assessment of environmental effects:

1. This is believed to be one of the earliest swing moorings established at Frankton, adjacent to the former Frankton Lake Steamer wharf location, the remnants of its piles still being visible in the lake foreshore. Council records for its earliest licencing to SD & JM Rout Family Trust not being available to confirm it's history, but the Rout Family operated the well known U Drive motor boat business on Lake Wakatipu from at least the 1970's and this mooring was purchased from them in December 2012 through the agency of Queenstown Harbour Master and has been relicensed each year until invoicing from Council (and its former agents APL Property) ceased with licence extended to June 2022. No further invoicing has been received. *PURCHASED FROM J BOULT 2010.*
2. Conditions of the permit have continued to be maintained, adequate boat and public liability insurance is held as required through agency of PIC insurance brokers, the mooring and has been regularly checked by Gary Wright of Wright Building and Diving Services, last inspection joint April 2023, (invoicing to confirm attached). *REFER MOORING 163 application / 126 mooring inspection.*
3. As this is a longstanding existing use of the mooring and site involved there is no change to the effects of its use from what has historically been visually or in any other way creating or continuing in relation to an adverse effect of any kind to the surrounding environment. The red mooring buoy is all that is visible when the mooring is not in use, (usually over the months May to November). No other person is likely to be effected by this activity or its continuance.
4. The mooring anchor comprises a substantial steel weight deeply embedded in the lake bed to which the swivels, mooring chain and buoy are attached. During summer season when to mooring is in use it secures a 8.5m cabin cruiser *RIP* (with holding tank for toilet and waste water so no discharge of any contaminants will occur), when that boat is not in use on the lake.
5. It sits amongst a group of other moorings and their owners boats in a long established moorings area of the lake, which it can be said visually enhances the lake views from shoreline and beyond. A boat bobbing at anchor can be a very pleasant sight.
6. There has never been any adverse comment, complaint or criticism of which the applicant is aware from the public or neighboring property owners in relation to this or other moorings in this area. Any noise created by boats there is only brief as they leave or tie up to their moorings.
7. The mooring and its surrounds comprises part of a predominately marine commercial area, there is the Council's boat launching ramps and wharf, the Frankton walkway and Council's extensive boat trailer parking area. The Coast Guard and Sea Scout bases, the Boat House Restaurant, the Harbour Masters office, various commercial boating operations and services and the new Frankton Marina are all closely located to the mooring area, establishing the location of this mooring within a long recognized boating activities facilitation and support area, all well clear of any housing or land use that could be effected by this particular activity and related land use.
8. The activity for which consent is requested is not contrary to the provisions of any relevant planning document nor does or will it create any adverse effects provided the terms of Council licence for use continue to be observed as these are now or may in future become relevant through the annual licencing process it is anticipated Council will continue to employ, which in itself can provide for any monitoring or updating deemed necessary.

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Airpoints Elite, Gold, Star Alliance Gold and Koru Club with checked baggage are entitled to one additional piece without charge when travelling in Economy or Premium Economy on Air New Zealand ticketed and operated flights. This offer is not applicable to fares which do not have a baggage allowance e.g. 'seat only' fares.

Break Extra Bag refunds

Extra Bag fees are non-refundable unless we change or cancel your flight and we are unable to carry your Extra Bag. Visit airnewzealand.co.nz for full Extra Bag terms and conditions.

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Thanks! Have a great flight

airnewzealand.co.nz

0800 737 000 (within New Zealand) +64 9 357 3000 (outside New Zealand)

MAGIC

126

\$ 45° 01.177
E 168° 42.785

A STAR ALLIANCE MEMBER

REGISTERED Mooring ~~126~~ ¹²⁶ - Location Plan (Site Plan)



QUEENSLAND
12 FEB 2016
11:21 AM



12 FEB 2026
05:55:15
DUSSENS



TAX INVOICE

Bob Berry
2 Baird Lane
Lake Hayes, QUEENSTOWN RD1
NEW ZEALAND

Invoice Date
1 Jul 2024

Invoice Number
INV-12796

Reference
M126

GST Number
049-635-680

QUEENSTOWN LAKES
DISTRICT COUNCIL
Private Bag 50072
Queenstown 9348
New Zealand
+64 (3) 441 0499
accounts@qldc.govt.nz

Description	Quantity	Unit Price	Amount
Annual Mooring Permit Fee – Navigation Safety Bylaw 2018 – Mooring Number 126 Lake Wakatipu Mooring From 1/07/2024 to 30/06/2025	1.00	434.78	43
		Subtotal	43
		TOTAL GST 15%	6
		TOTAL NZD	50

Due Date: 1 Jul 2024

If you wish to pay by Direct Credit, our Bank Account details are:
QUEENSTOWN LAKES DISTRICT COUNCIL

02-0948-0002000-02

Please use the invoice number as the payment reference

Paul
31/7

PAYMENT ADVICE

To: QUEENSTOWN LAKES DISTRICT COUNCIL
Private Bag 50072
Queenstown 9348
New Zealand
+64 (3) 441 0499
accounts@qldc.govt.nz

Customer Bob Berry
Invoice Number INV-12796
Amount Due 500.00
Due Date 1 Jul 2024
Amount Enclosed

Enter the amount you are paying a

13 FEB 2026

QUEENSTOWN



MOORING PERMIT

Issued under the Navigation Safety Bylaw 2026

Mooring Number: 126

Description of mooring: Swing Mooring

Name to whom permit is granted: Bob Berry

Waterway: Lake Wakatipu

Status: Unconsented

Date of issue: 01 July 2025

Expiry of permit: 30 June 2026

Signed for and on behalf of Queenstown Lakes District Council:

Duty of Permittee:

Please be advised that if at any time during the term of this permit, the mooring to which this permit refers to is sold or transferred, please contact Council: property@qldc.govt.nz or Queenstown: 03 441 0499 or Wanaka: 03 443 0024

Conditions of permit

The terms and conditions on which this mooring permit is granted include, but are not limited to the following:

- (1) The mooring must remain in the "position of mooring" described within the permit;
 - a. the design, specifications and maintenance of the mooring must comply with any guidelines issued by the Council;
 - b. the permit holder must mark the location of the mooring with a buoy or float that displays the permit number;
- (2) The permit holder must pay to the Council all permit renewal costs as specified in the Navigation Safety Bylaw 2025.

Maintenance and construction requirements

- (1) The owner of a swing mooring or a pile mooring must maintain his or her mooring in a proper state of condition and repair and must comply with any guidelines adopted by Council.
- (2) A mooring owner may carry out maintenance after removing the mooring from the water, provided the inspection fee has been paid and arrangements are made by the mooring owner for inspection of the mooring by suitably qualified person and the payment of any permit fee prior to the mooring being reinstated.
- (3) The Council or the Harbourmaster may require the mooring owner to remove the mooring in a specified time frame if:
 - a. the permit has been cancelled, or
 - b. where the mooring permit fee is unpaid for a period greater than 2 months from the due date,
 - c. the mooring does not comply with the Resource Management Act 1991.
- (4) All costs associated with the inspection, maintenance and replacement of moorings or mooring components must be borne by the mooring permit holder.

Liability of the Council

- (1) Permit holders shall take all care to ensure that the mooring is used in a lawful manner and use moorings at their own risk.
 - a. The Harbourmaster and Council are not liable for: Any damage to a craft whether the damage is caused by a third party, a natural disaster event, natural processes or by any other cause;
 - b. Any damage to a craft which has not been securely moored;
 - c. Any damage to a craft which results from any actions taken by the Harbourmaster to secure a craft, in the event of a storm or other adverse event;
 - d. Any actions or omissions of the Harbour master or any other officer of the Council in the performance of any duties, functions or powers in respect of this bylaw.

Transfer of permit

- (1) The permit may be transferred where application is made and is accompanied by the payment of the application and processing fees along with a completed transfer request form by post to Queenstown Lakes District Council, Private Bag 50072, Queenstown 9348 or by email to property@qldc.govt.nz

Surrender of permit

- (1) If no longer required, the permit may be surrendered by returning it to the Council together with confirmation that the mooring has been removed.

Swing mooring inspection & Information form

Please complete all details below, if an incomplete form is submitted this may be returned to you if any information shown below is missing or has been incorrectly entered, please take time to make sure all details are accurate and that all areas have been fully completed.

Please Print All Details Clearly

Owner / Contact Person Details – (Mooring Owner To Complete)

Mooring Location (Lake): Wakatipu

Mooring Permit #: **126**

Mooring Owners Name: Bob Berry

Mooring Owners Address: 2 Baird Lane Lake Hayes

Mooring Owners Postal Address:

Mooring Owners Phone No: 021 852 888 bob@whitestonecheese.co.nz

Emergency contact Number:

Details of Primary Vessel Using Mooring – (owner To Complete)

Name of vessel using mooring: Magic

Vessel MNZ Registration Number: Vessel Identification:

Vessel Type: Commercial Powered Craft ☐ Recreational Powered Craft ☒ Yacht ☐ Other ☐

If "Other" please outline type of vessel _____

Length of Vessel: 8.9m Weight of Vessel: 2450kg

Vessel Colour(s): white

Does the vessel have a mooring number clearly visible from outside of the vessel?

Details of Mooring – (Mooring Inspector To Complete)

GPS Position of mooring: (WGS84 Decimal Degrees):

LAT: 45*01' 10.95S

LON: 168*42' 46.72E

IS THIS A CONFIRMED TRUE BLOCK LOCATION?: Yes

Inspection Date: 02/4/2026 Water Depth at location at time of inspection: 8.5m

Calculated total swing radius of mooring at lowest lake level: 15.5m

Lake level at time of inspection: 309.665m

What is the estimated life expectancy of the mooring prior to upgrades/replacements being needed? Concrete Block is permanent (approx. 50 years ?) Block attachment could last 25 years? Chains and components will have to be inspected every 2 years. See condition of parts at time of this inspection further on in report

Has been upgraded with this inspection: No

Was vessel on mooring at time of inspection: Yes

Checklist – (Mooring Inspector To Complete) Note: If non-traditional mooring system is in use and this table is not fit for purpose, details and observations can be provided on a separate page.

	Checked Y/N	COMPONENT	DETAILS		Condition (% & notes)	Exis ting	Replaced
TO P S E C T I O N	✓	Floats	Numbered: Yes	Type: Red A4	Good	✓	
			Colour: Yellow	Type: small handle buoy	Good	✓	
	✓	Shackle(s)	Number: 1 st Diameter: 16mm std	Moused: Y	Condition: Good	✓	
	✓	Shackle(s)	Number: 2nd Diameter: 12mm std	Moused: Y	Condition: Good	✓	
	✓	Chain	Length: 1m	Diameter: 8mm short link Min D: 8mm	Condition: Good	✓	
	✓	Shackle(s)	Number: 3rd Diameter: 12mm std	Moused: Y	Condition: OK	✓	
	✓	Swivel	Diameter: 10mm	Stainless Steel	Condition: Good	✓	
	✓	Shackle(s)	Number: 4th Diameter: 12mm std	Moused: Y	Condition: OK	✓	
	✓	Riser/Ride/Mid dle chain	Length: 1m	D: 10mm short link Min D: 9mm	Condition: OK	✓	
	✓	Shackle(s)	Number: 5th Diameter: 13mm std	Moused: Y	Condition: OK	✓	
	✓	Swivel	Diameter: 16mm	Stainless Steel	Condition: Good	✓	
	✓	Shackle(s)	Number: 6th Diameter: 13mm std	Moused: Y	Condition: OK	✓	
	✓	Riser/Ride/Mid dle chain	Length: 4m	D: 10mm short link Min D: 9mm	Condition: OK	✓	
	✓	Riser/Ride/Mid dle chain	Length: 8m	D: 13mm Min D: 8mm	Condition: Just OK	✓	
MI DD LE /RI SE R/ RI DE	✓	Shackle(s)	Number: 7th Diameter: 16mm std	Moused: Y	Condition: Good	✓	
	✓	Swivel	Diameter: 16mm	Steel	Condition: Good	✓	
	✓	Shackle(s)	Number: 8th Diameter: 16mm std	Moused: Y	Condition; Good	✓	

BO TT OM	✓	Ground chain	Length: 4m	D: 20mm Min D: 18mm	Condition Good	✓	
	✓	Block Shackle	Diameter: 25mm std	Moused: N	Condition: Good	✓	
	✓	Block Ring	Diameter: 32mm rebar cast into concrete		Condition: Good	✓	
	✓	Block(s)	Is block visible?: Yes	Weight (dry) est : 1250kg?	Good	✓	
			Dimensions: 1m x 1m x 600mm	Type: Concrete block			

Inspectors Observations

Has Block Shifted or become buried? **No**

Inspectors Further Comments:

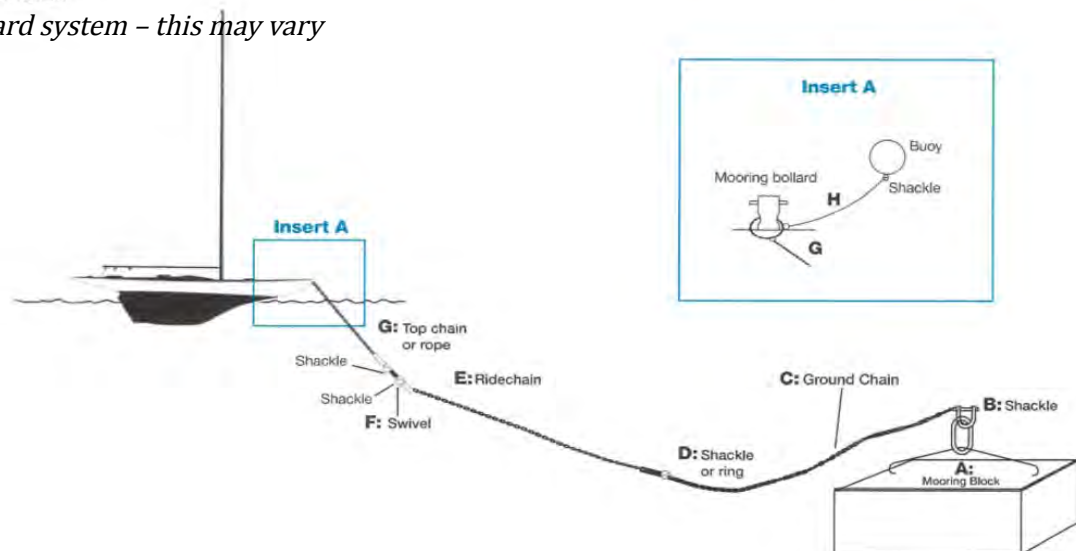
Boat attachment is 4m of 8mm chain connected to the 16mm shackle at the buoy and foam filled buoy at the boat end

NB: If your mooring has components that have been identified as being in poor condition at the time of this inspection, I do not recommend a boat be attached to it until those issues are repaired/replaced.

Mooring Diagram – (Mooring Inspector To Complete)

Insert Diagram of complete mooring showing each section and current average diameters here:

As per table below for a standard system – this may vary



Pictures – (Mooring Inspector To Complete)

Insert Pictures of mooring components here, please include updated photo of vessel intending to be moored on this morning if available:

This first picture shows standard mooring components used on most standard moorings but can vary.

The second photo is components that are needed for a larger vessel



Mooring 126



Declaration – (Mooring Inspector To Complete)

This is to certify that I have completed a visual inspection ONLY to the above mooring and that I deem it to be fit for purpose, and that the information supplied above is true and correct at the time of inspection.

Anything above the waterline is the owners responsibility to inspect, maintain and repair/replace.

Company Undertaking inspection -

Company undertaking Inspection: ___Wright Building and Diving Services Ltd_____

Company physical address: ___10 Elizabeth Place, Kelvin Heights, Queenstown_____

Company Postal Address: ___a/a_____

Name of person completing inspection: _____Garry Wright_____

Signature of person completing inspection: _____

Date: ____02/4/2026_____.

Harbourmasters Document Review – (To Be Completed By Harbourmaster)
--

Document Reviewed on: (Inset Date): _____

Document Reviewed by: _____

Harbourmaster Comments:

Harbourmaster Signoff

Name: _____

Signature: _____

Date: _____

Part 2: To be used if this document is supporting a resource consent application.

Resource Consent Application considerations

Will the system be upgraded?

Will upgraded system differ from current system? (if yes, please detail, please include implications to swing radius)

Will block be replaced?

Will existing Block be removed?

Vessel Length:

Vessel length Note: In assessing the location of a swing mooring the Harbourmaster's Office undertakes an assessment that ensures moorings are spaced at a suitable distance apart to minimise any possible conflicts between moored vessels. Vessel length, mooring system design, and depth range information is used to ensure sufficient swing room is available and thus mitigate possible damage to vessels. Resource Consents will specify the vessel length allowable for the individual mooring. Due to the congested nature of some areas within our lakes, gaining or altering resource consent to accommodate larger vessels may not be viable. We all want vessels to be

securely moored and remain un-damaged.



AFFECTED PERSON'S APPROVAL

FORM 8A



Resource Management Act 1991 Section 95

#

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM #

Robert (Bob) Berry



AFFECTED PERSON'S DETAILS

I/We Commissioner of Crown Lands

Are the owners/occupiers of
Bed of Lake Wakatipu



DETAILS OF PROPOSAL

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

Retrospective resource consent to lawfully establish an existing swing mooring (M126) to the west of the Frankton Marina, Whakātipu-wai-Māori (Lake Wakātipu).

*WRITTEN APPROVAL APPLIED FOR FROM AUKAHA
AND TE AO MARAMA INC IN CONJUNCTION WITH
G.L. BERRY Application M163.*

at the following subject site(s):

The mooring is located to the west of the Frankton Marina, Whakātipu-wai-Māori (Lake Wakātipu).

Refer to AEE for further details.



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



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



WHAT INFORMATION/PLANS HAVE YOU SIGHTED



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



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)	
	Commissioner of Crown Lands (under delegated authority)	
	Contact Phone / Email address	
	Crown property@LINZ.govt.nz	
Signature		Date
[Signature]		10/04/2026

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

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.





AFFECTED PERSON'S APPROVAL

FORM 8A



Resource Management Act 1991 Section 95

#

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM #

~~George Berry~~

ROBERT (BOB) BERRY

(JOINT Application with
GEORGE BERRY - M163.)



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WHAT INFORMATION/PLANS HAVE YOU SIGHTED



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

[Handwritten signature]

126
MOORING PERMIT 163/LAKE WAKATIPU

Application for resource consent for existing swing mooring to validate continuing use

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

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

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

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

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