APPLICATION AS NOTIFIED

MacFarlane Investments Limited
RM260683

File Number RM260683

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:

MacFarlane Investments Limited

What is proposed:

To lawfully establish an existing swing mooring (M48) with the Frankton Arm of Lake Whakatipu (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:

Bed of Whakātipu-Wai-Māori, on the southern shoreline of the Frankton Arm, at the following GPS coordinates:

Latitude -45.044836 / 45° 02' 41.41" S
Longitude 168.684275 / 168° 41' 03.39" E

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 **RM260683** 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 0211701496 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:

13 November 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 (MacFarlane Investments Limited, c/-John Thompson, jlt@agirwealth.com.au) as soon as reasonably practicable after serving your submission to Council:

C/- Hayden Bewley
hayden@jea.co.nz
John Edmonds & Associates
P O Box 95, Queenstown 9300

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: 15 October 2026

Address for Service for Consent Authority:

Queenstown Lakes District Council	**Phone**	**03 441 0499**
Private Bag 50072, Queenstown 9348	**Email**	**rcsubmission@qldc.govt.nz**
Gorge Road, Queenstown 9300	**Website**	**www.qldc.govt.nz**

QUEENSTOWN LAKES DISTRICT COUNCIL

www.qldc.govt.nz

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:	MacFarlane Investments Limited
RM reference:	RM260683
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 remove an existing swing mooring (M48) from the bed of Lake Whakatipu (Whakātipu-Wai-Māori), and to re-establish this mooring approximately 12m to the south.
Location:	Bed and surface of Whakātipu-Wai-Māori, on the southern shoreline of the Frankton Arm, to the north of 685 Peninsula Road, Kelvin Heights, 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))
Activity Status:	**Discretionary**
Decision Date	**15 October 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 remove a structure from the bed of Whakātipu-Wai-Māori, and to replace this with 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. 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 emails dated 4.8.26 and 21.9.26, the ORC confirmed that QLDC could process this application seeking consent under the ORP:W on its behalf.

1.2 Summary of Proposal

The Applicant has provided a description of the site and surrounds in Section 2.0 and a description of the proposal in Section 4.0 of the report entitled "*Assessment of Effects on the Environment, Resource Consent for an Existing Mooring The Frankton Arm, Lake Whakatipu, For John Thompson, June 2026*"[1], prepared by JEA, and submitted as part of the application (hereon referred to as the Applicant's AEE and attached as *Appendix 1*). This description is considered adequate and is partly adopted for the purpose of this report with the following exception/additions:

The application originally submitted to QLDC sought consent to lawfully establish an existing swing mooring for a single vessel on the bed and surface of Whakātipu-Wai-Māori, on the southern shoreline of the Frankton Arm. This proposal related to existing mooring permit[2] 48 ("M48"), currently located at the following GPS coordinates, as shown in Figure 1 below (indicated by an orange dot as indicated):

-45.044727 S, 168.684236 E (WGS84 Decimal Degree Format)

The proposal was amended during the processing of this application to address navigational safety concerns raised by the QLDC Harbourmaster in relation to an identified swing radius overlaps with surrounding moorings. Therefore Sections 2 and 4 of the AEE are only adopted in part, as the details no longer accurately describe the proposal. The new proposal is to remove the existing swing mooring system from the lake, and shift it to a new location, approximately 12m to the south from where it is currently located (detailed further in Section 3.3.3 below). The proposed GPS coordinates for the mooring are now as follows, as shown in Figure 1 (represented by a large orange dot as indicated):

Latitude -45.044836 / 45° 02' 41.41" S
Longitude 168.684275 / 168° 41' 03.39" E

[1] John Thompson, referenced in the title of the AEE, is a director of MacFarlane Investments Limited.
[2] Issued under the QLDC Mooring Permit system which is administered by Councils Property team and is not an authorisation under the RMA.

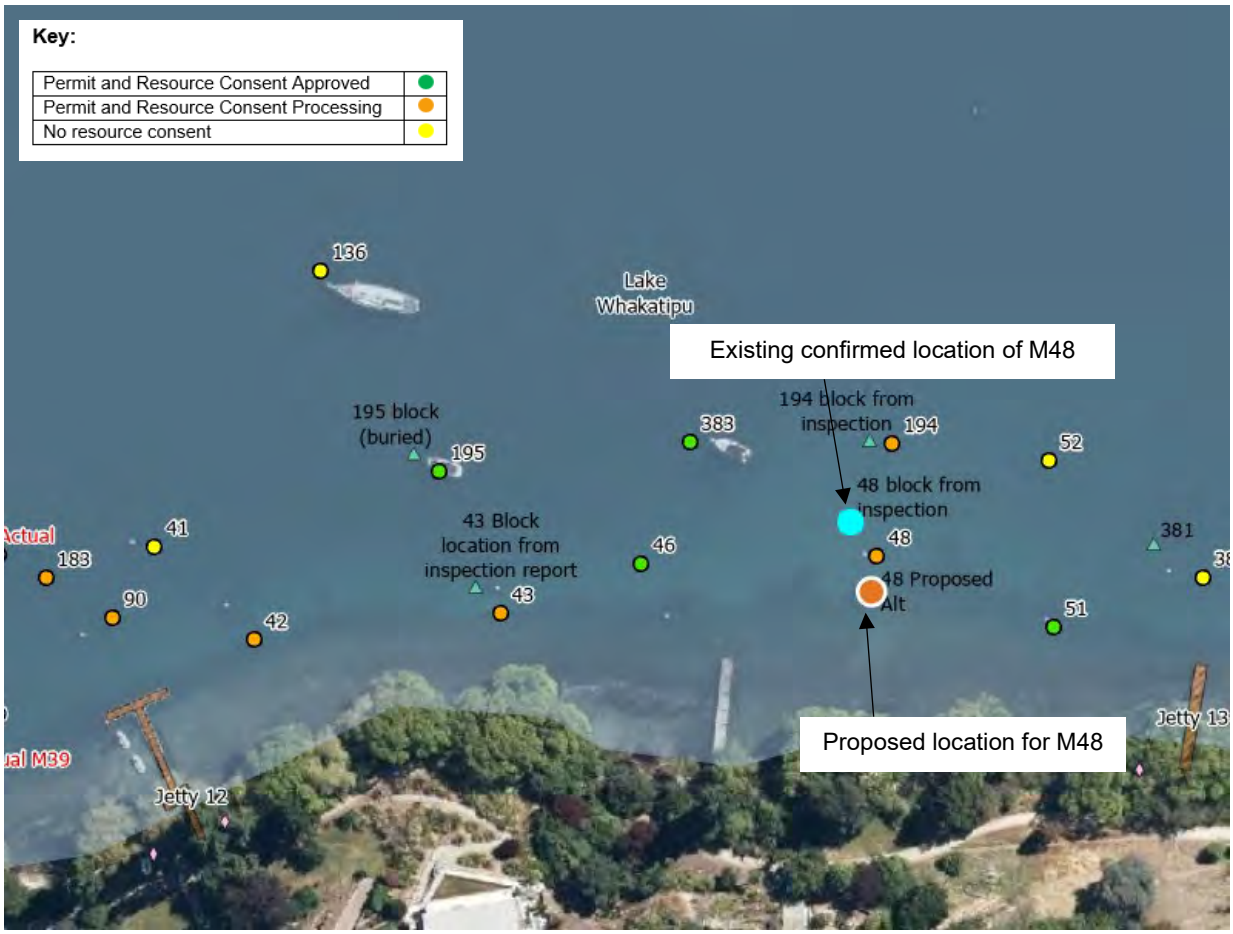

Figure 1: Location of existing swing mooring M48 (blue dot, as indicated), compared to proposed new location (large orange dot as indicated), in relation to surrounding moorings and features.

Of note, the coordinates provided within the application documents use either Degrees, Minutes, Seconds ("DMS") format (e.g. mooring inspection report), or the WGS84 Decimal Degrees ("DD") format (e.g. the AEE). Both formats have been used by the QLDC Harbourmaster in the navigational safety report attached as *Appendix 2*. Whether the DMS or DD format is used, the existing and proposed location of M48 is as shown in Figure 1 above.

The Applicant has advised that the mooring has been in place since 2010. The Applicant has demonstrated that a QLDC mooring permit exists for the mooring, although, as noted in the footnote above, this is in the name of "John L Thompson" who is the director of MacFarlane Investments Limited.

Consent is sought to allow the ongoing use of the mooring by a vessel up to 9m in overall length.

2. 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 subject site is zoned Rural (water) by the PDP. 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 proposed activity requires resource consent under the PDP for the following reason[3]:

- 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 reasons:

- A **restricted discretionary** activity pursuant to Rule 13.4.2.1 as the proposal involves the removal of a structure that is fixed in, on, under, or over the bed of any lake or river and does not meet the requirements of a permitted activity in Rule 13.4.1.1, specifically standard 13.4.1.1(c). The Applicant now proposes to remove the existing swing mooring from Whakātipu-Wai-Māori, which is identified in Schedule 1D of the ORP:W as MA3 (Waahi tapu). Council's discretion is restricted to the following matters:

[3] Cited PDP rule treated as operative under s86F.

a) Any adverse effects of the activity on:
   (i) Any natural and human use value identified in Schedule 1 for any affected water body;
   (ii) The natural character of any affected water body;
   (iii) Any amenity value supported by any affected water body; and
   (iv) Any heritage value associated with any affected water body; and
b) Any effect on any Regionally Significant Wetland or on any regionally significant wetland value; and
c) Flow and sediment processes; and
d) Any adverse effect on a defence against water; and
e) Any adverse effect on existing public access; and
f) The method of demolition or removal; and
g) The duration of the resource consent; and
h) The information and monitoring requirements; and
i) Any existing lawful activity associated with any affected water body; and
j) Any bond; and
k) The review of conditions of the resource consent; and
l) Any financial contribution for regionally significant wetland values or Regionally Significant Wetlands that are adversely affected.

- 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

Overall, the application is considered to be:

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

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. 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

Of note, the written approval obtained from LINZ refers to two other moorings also owned by the Applicant, being M194 and M178, and which are the subject of resource consents RM260681 and RM260682 currently being processed by QLDC.

The QLDC processing planner has consulted with Maritime New Zealand as per requirements of s.89A. In an email dated 27 July 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. This conclusion appears to align with the Applicant's assessment at Section 7.0 of the AEE, relating to the PDP only.

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 contrary[4]. As such this will be taken into consideration in the assessment that follows.

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

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)).

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 Service Manager and QLDC 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 completes 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 moorings are 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).

The Assessment of Effects provided at section 8 of the Applicant's AEE is considered adequate and is therefore adopted in part for the purposes of this report (with the exception of Section 8.1.4 - Effects on Lakebed and Water which is relevant to an assessment under the ORP:W) with the following additions.

i. Landscape, visual and amenity effects;

The application relates to an existing swing mooring system located to the north of 685 Peninsula Road, Kelvin Heights. 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, where boat access is provided, is not unusual or unexpected. Many of the surrounding 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 M48 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. In its new location the mooring will be located approximately 25m 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 is 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 3 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 M48 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.

Using the supplied GPS coordinates, mooring block location, survey specifications, and a vessel length of up to 9m metres overall, the QLDC Harbourmaster has identified that the swing radius associated with the subject mooring conflicts with neighbouring mooring M194, which is also owned by the Applicant and is subject to resource consent RM260681 which is currently processing. To remedy this navigational safety concern, the Applicant proposes to relocate M48 to the location cited and shown in Figure 1 above, which is approximately 12m towards the shoreline from where it currently exists. On this basis, it is accepted that the navigational safety concern has been remedied.

In addition, a potential for overlap with adjacent mooring M383 has also been identified; however any swing radius overlap with this mooring has been confirmed by the Harbourmaster as being within acceptable limits[5], a conclusion which is accepted for the purposes of this report.

On this basis, it is considered that lawfully establishing M48 at its new proposed location will result in no more than minor adverse effects on navigational safety on Whakātipu-Wai-Māori.

iii. 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

[5] Refer to email dated 14.10.26 which is saved in the "Harbourmaster" folder, accessed via QLDC's eDocs system searching under the reference "RM260683": https://edocs.qldc.govt.nz/

The Assessment of Effects provided at 8.1.4 - Effects on Lakebed and Water of the Applicant's AEE is relevant to an assessment under the ORP:W and is therefore adopted for the purposes of this report, with the following additions.

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 17.9.26, 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.

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.

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.

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 a highly developed urban area, 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. 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:

The properties accessed from Peninsula Road overlook the proposed mooring location, although they are separated from the Lake by the foreshore reserve, as can be seen in Figure 1 above.

As outlined in Section 3.3.3 above, mooring M48 forms an anticipated part of the Frankton Arm, being located within a cluster of existing moorings and adjacent to nearby features such as a jetties providing access to the lake. 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 identified the potential for swing radius overlap with surrounding mooring M194, which has been remedied by the Applicant proposing to relocate M48. In addition, a potential overlap with M383 was also identified, however this is considered to be within acceptable limits, therefore this permit holder is not considered to be adversely affected.

Overall, the QLDC Harbourmaster has confirmed that any overlap associated with the swing radius of M48 and other surrounding moorings is within acceptable limits.

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

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

Special circumstances do not apply that require limited notification.

5. 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

Rebecca Holden
CONSULTANT PROCESSING PLANNER

Decision made by

Jane Sinclair
INDEPENDENT COMMISSIONER

6. APPENDICES LIST

APPENDIX 1 – Applicant's AEE
APPENDIX 2 – Navigational Safety Report – M48

APPENDIX 1 – APPLICANT'S AEE

Assessment of Effects on the Environment

Resource Consent for an Existing Mooring

The Frankton Arm, Lake Whakatipu

For John Thompson

June 2026

Document Set ID: 9697169
Version: 1, Version Date: 17/06/2026

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Appendix 2 Correspondence- Aukaha

Appendix 3 Correspondence- Te Ao Marama Incorporated (TAMI)

Appendix 4 Mooring Inspection Report

Appendix 5 Other Relevant Information

Appendix 6 QLDC Bylaw Permit

1.0 INTRODUCTION

This Assessment of Effects on the Environment report (AEE), inclusive of appendices, has been prepared in accordance with Schedule 4 of the Resource Management Act (RMA). Together these documents provide:

- A description of the application site and surrounding environment;
- A description of the proposal;
- Identification and assessment of relevant RMA statutory provisions; and
- A conclusion.

The applicant seeks consent for an existing mooring within the Frankton Arm, Lake Whakatipu . The location of the mooring is as shown in red below:

Figure 1- Location of Mooring

2.0 SITE DESCRIPTION AND SURROUNDS

The mooring is existing and located in The Frankton Arm, lake Whakatipu. The mooring is currently nestled in amongst other existing moorings in the vicinity, as shown in Figure 1 above. GPS coordinates for the mooring are Latitude: −45.044674 Longitude: 168.681123 as provided in **Appendix 6**.

Lake Wakatipu and the surrounding mountain topography display a high degree of natural character. Frankton Arm is relatively isolated from the rest of the lake and surrounded by a mix of high density and lower density residential development. The surrounding development is buffered in places by recreation reserves and the vegetated foreshore. The Frankton Track, which follows the entirety of the Frankton Arm shoreline from the Queenstown Gardens to the Wakatipu Yacht Club, passes through a variety of residential, parkland and natural character areas.

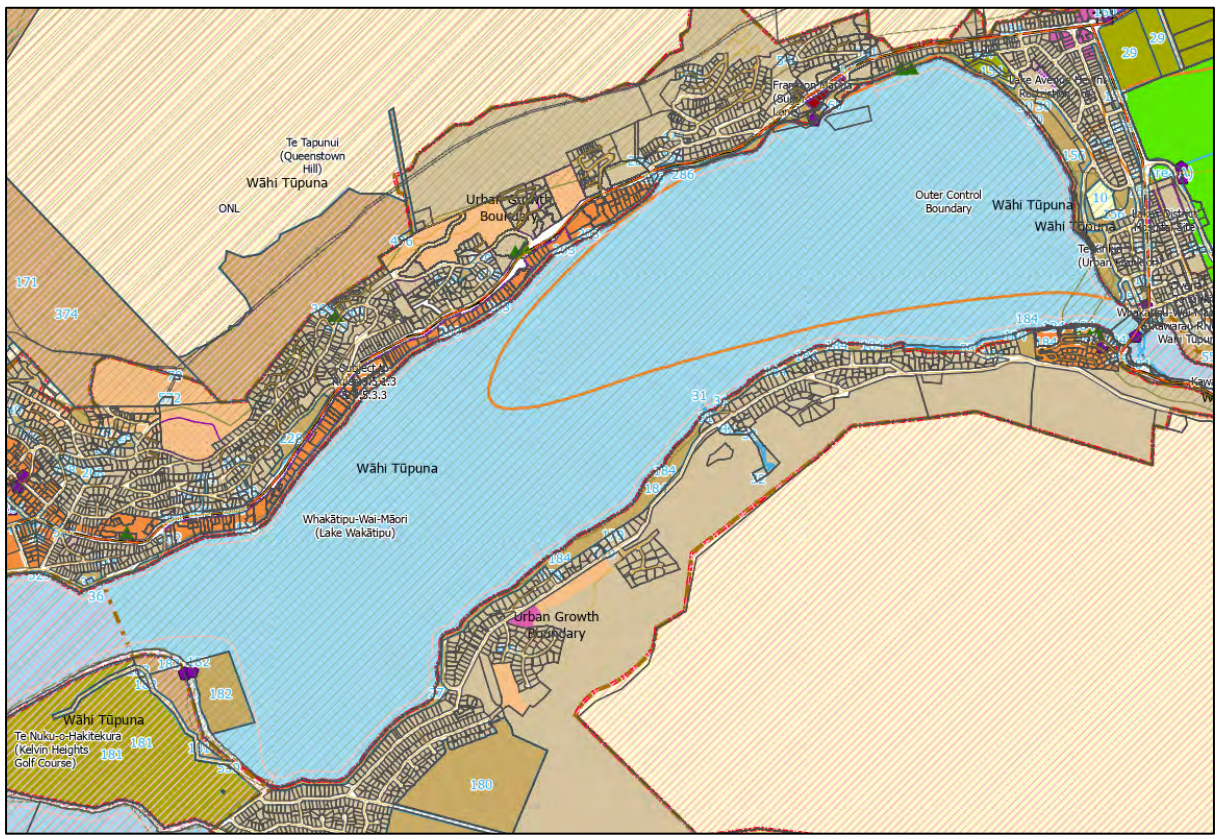

Figure 2: Zoning of the Frankton Arm

The land surrounding Frankton Arm has been zoned primarily for lower and high density residential development (Figure 2). Residential and recreational activity in the higher density and mixed-use development areas around Park Street, the Frankton Track parallel to Frankton Road/SH6 (**Frankton Road**), Frankton Marina, Kawarau Falls, and the stretch of beach between Bay View Recreation Reserve and Kelvin Heights golf course (**Kelvin Heights**) have eroded the natural character of the foreshore. Within these extensively developed areas, there exist brief sections of the shoreline adorned with willows and leafy foliage that feel removed from the surrounding urbanity. However, the presence of houses, apartments, staircases, retaining walls, jetties, moorings, and kayaks is ubiquitous in these areas, and their prevalence tends to diminish the overall sense of naturalness of the foreshore.

From near and far, Frankton Arm is seen in conjunction with the elevated roche moutonnée features including Peninsula Hill and the surrounding mountains including the Remarkables range to the southeast, Cecil and Walter Peak to the west, and Queenstown Hill and Ben Lomond to the northwest. This highly legible mountain and lake landscape impresses a memorable sense of naturalness. Overall, the combination of the natural

landscape, recreational elements, residential areas, and reserves make the Frankton Arm foreshore an important and enjoyable part of the Queenstown experience for both locals and visitors. The varied character areas offer different and memorable perspectives of the glacially carved mountain and lake landscape that has become synonymous with the region.

3.0 BACKGROUND

In 1989, the Lakes District Waterway Authority Control Bylaw was in place to control any structure (mooring and breakwater) in the lake. Licences under this Bylaw were granted by the Harbourmaster and worked in conjunction with the Reserve Management Plan. There were no references to resource consents required under the Town and Country Planning Act 1977.

In 1991 following the introduction of the Resource Management Act, the Transitional District Plan (TDP) was made operative. When the TDP was first initiated within the district, the surface of lakes and rivers were not zoned, thereby not requiring resource consents under any particular zone rules. Unbeknownst to most however, resource consent was required by s13A of the RMA, where jetties and moorings required a non-complying activity consent under s374(4) of the RMA. S374(4) outlined that any activity not specifically referred to within a previous plan (in this case, Town & Country Ordinances) such as structures that pass through the surface of the lake are non-complying activities.

The Operative District Plan came into effect in 2003, which required consent for structures and moorings, and currently, the Proposed District Plan is largely operative, and zones Lake Whakatipu as Rural, with an Outstanding Natural Landscape (ONL) overlay, whereby consent is required under the Rural Zone chapter for structures and moorings passing across or through the surface of any lake or river.

4.0 DESCRIPTION OF THE PROPOSAL

The proposal seeks retrospective resource consent to install and retain a swing mooring in the location shown above. The mooring consists of the following elements:

Structural Element	Description
Fixing to lakebed	1 tonne concrete mooring block to anchor on the lakebed
Buoy	Brightly coloured A4 windy buoy (approx. 600mm in diameter)
Link from lakebed to buoy	Chain and rope combination from block to buoy, with swivel below the surface of the water; and from buoy to boat. These chains/ropes are long enough to swing, but not to interfere with other moorings or boats.

The mooring structure has the following permissions from the QLDC Harbourmaster and Land information New Zealand:

License	Number
Mooring Bylaw Permit	Complete and attached as **Appendix 6**
Land Information New Zealand – Affected Party Approval	Pending

The boat moored at this buoy is the applicant's private vessel, which is a 6metre Fibreglass Pleasure Boat however the applicant reserves the right to moor future vessels, which are restricted by weight (rather than length) by the Otago Regional Council. This vessel is moored between December and February each year.

The mooring has been in position since 2010 and no changes to it are proposed. It is believed to have been installed in accordance with the QLDC guidance on placement of moorings. A QLDC bylaw permit has been obtained and fees have been paid for the mooring to QLDC per **Appendix 6**.

5.0 CONSULTATION

The following parties have been consulted with as part of this application.

- Harbourmaster- Cougar Security

The Harbourmaster (Phil Wiel) has been consulted via phone call on 13th April 2023, who provided feedback that if the mooring had a bylaw permit, then they should be satisfied that the mooring is adequately placed and maintained, and they will provide input into the resource consent process if the Council seek their input. No further communication was had with Harbourmaster on this proposal.

From previous discussions with the previous Harbourmaster (Marty Black), feedback was that moorings should be located 25 – 30m away from other moorings to allow for swing. With that requirement, Marty Black was satisfied that the moorings are safely placed.

- Aukaha

Aukaha was contacted initially on the 4th October 2022 via their website. A phone call followed, and further email correspondence (16th January 2023). Aukaha made the applicant aware via phone call and then via email on the 10th February 2023 that they were in discussions with QLDC with a number of different concerns hoping to be resolved between the two parties regarding a number of existing moorings and to contact the Council for more information. Until these concerns had been resolved, Aukaha reserved their input into the individual resource consent process. A follow up email to Aukaha was sent on the 14th April 2023, but no response received from Aukaha. Phone calls remained unanswered after the 10th February. See attached correspondence with Aukaha at **Appendix 2**.

- Te Ao Marama Inc (TAMI)

TAMI were contacted on the 3rd October 2022 via email, and a follow up email sent 7th December 2022. TAMI responded with an email stating that their key staff member that works on this type of query is out of the office, and that a meeting should be organised to discuss. Follow up emails were sent 16th January 2023, 31st March 2023 and again on 14th April. No response was provided to any of these emails, other than an email stating they had no further information. Phone calls remained unanswered. See attached correspondence with TAMI at **Appendix 3**.

6.0 DISTRICT PLAN PROVISIONS

Lake Whakatipu is zoned Rural General under the Operative District Plan (ODP), and Rural under the Proposed District Plan (PDP). The PDP classifies Lake Whakatipu as Outstanding Natural Landscape (ONL) and has surface water annotations that classify whether a mooring or structure in certain locations around The Frankton Arm are a non-complying activity. If this annotation does not apply, moorings and structures fall into a discretionary activity under Chapter 21 of the PDP.

Lake Whakatipu is subject to a Statutory Acknowledgment in terms of the Ngai Tahu Claims Settlement Act 1998, and a Wāhi Tūpuna overlay in the PDP whereby the mana whenua values identified are wāhi taoka, mahika kai, ara tawhito.

The Operative District Plan remains applicable to this application, in that the PDP Rural Chapter is not entirely operative given there are unresolved appeals to some provisions. There are however no specific appeals to the relevant rules applicable to this application, and therefore under Section 86F of the RMA, should be treated as operative (and any previous rule as inoperative). As such, no consent is required under the ODP, but consent is sought under the PDP as below.

6.1 Proposed District Plan (PDP)

- A **restricted discretionary** activity resource consent pursuant to Rule 21.15.7 for a mooring to the east of the Outstanding Natural Landscape Line (Kelvin Peninsula to Park Street in **Figure 1**) in the Frankton Arm.

  Discretion is restricted to the following matters:

  - 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;
  - whether the structure causes an impediment to craft manoeuvring and using shore waters.
  - the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline;
  - the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect;
  - whether the structure will be used by a number and range of people and craft, including the general public;
  - the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design; and
  - whether the structure enables the use of public water ferry services and/or water based transport.

<u>Otago Regional Water Plan</u>

During the integration of the RMA into the territorial and regional authority frameworks, Otago Regional Council transferred some of their functions, powers and duties of determining applications for land use consents to QLDC. The function transferred in 1994 related to the consents required to be obtained pursuant to s.13(1)(a) of the Act within the land, to achieve efficiencies and avoid overlaps between district and regional council regulations with regard to structures on water bodies.

The proposed activity requires resource consent under the Otago Regional Plan: Water for the following reason:

- A **discretionary** activity resource consent pursuant to Rule 13.2.3.1 for the erection or placement of any structure fixed in, on, under, or over the bed of any lake or river, or any Regionally Significant Wetland. In this case the proposal seeks retrospective placement of a mooring block on the bed of Lake Whakatipu.

6.2 Activity Status and Assessment Matters

Overall, the development is a discretionary activity.

Section 104, 104B & 104C of the Resource Management Act (RMA) set out the relevant assessment matters for resource consent applications carrying the non-complying activity status.

104 Consideration of applications

(1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to–

- *a) any actual or potential effects on the environment of allowing the activity; and*
- *b) any relevant provisions of—*
  - *(i) a national environmental standard:*
  - *(ii) other regulations:*
  - *(iii) a national policy statement:*
  - *(iv) a New Zealand coastal policy statement:*
  - *(v) a regional policy statement or proposed regional policy statement:*
  - *(vi) a plan or proposed plan; and*
- *c) any other matter the consent authority considers relevant and reasonably necessary to determine the application*

104B Determination of applications for discretionary or non-complying activities

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority –

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

104C Determination of applications for restricted discretionary activities

(1) When considering an application for a resource consent for a restricted discretionary activity, a consent authority must consider only those matters over which—

- *a) a discretion is restricted in national environmental standards, wastewater environmental performance standards, stormwater environmental performance standards, infrastructure design solutions, or other regulations:*
- *b) it has restricted the exercise of its discretion in its plan or proposed plan.*

(2) The consent authority may grant or refuse the application.

(3) However, if it grants the application, the consent authority may impose conditions under section 108 only for those matters over which—

- *a) a discretion is restricted in national environmental standards, wastewater environmental performance standards, stormwater environmental performance standards, infrastructure design solutions, or other regulations:*
- *b) it has restricted the exercise of its discretion in its plan or proposed plan.*

7.0 PERMITTED BASELINE

The permitted baseline provides a clear baseline from which any effect beyond this can be assessed. In this case there is no permitted baseline as all structures that pass through the lake surface requires consent under the PDP.

8.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

8.1 Effects on the Environment

The relevant assessment matters are found in Part 5 (Rural) of the ODP, Chapter 21 and 39 of the PDP have been considered in the assessment below, though as a discretionary (Regional Plan: Water) and non-complying activity (ODP/ PDP) the assessment is not limited to these matters.

8.1.1 Views, Landscape and Visual Amenity

Patch Landscape Architecture describes the landscape, the proposal, and makes an assessment of the landscape and visual amenity effects of the mooring, with particular regard to the assessment matters in the Rural Chapter of the PDP relating to ONLs- attached as **Appendix 4**. Patch Landscapes considers that the proposal will enhance the recreational character in this part of the lake.

There is acknowledgment that the mooring will not meet the 'reasonably difficult to see' threshold, however in the context of the existing and surrounding environment, regardless of its visibility, the mooring and its associated vessel will have a less than minor effect considering it's nestled in amongst a marine environment, where there is an expectation of boats and recreational boating activity.

Patch Landscapes assesses that although there will be some visibility of mooring and associated vessel, the resultant visual effect will be well absorbed by the surrounding highly urbanised and vegetated context and the dominant and vast lake and mountain landscape. Patch Landscapes considers the proposal to have effects on landscape character that are no more than a very low degree, being less than minor.

8.1.2 Cumulative Effects

Patch Landscapes has assessed cumulative effects resulting from the proposed mooring in amongst the other existing moorings in the area. Patch Landscapes considers that Lake Whakatipu still maintains a high degree of natural character, and that the mooring contributes to the recreational character and quality of the immediate landscape, having minimal influence on the more natural attributes and values of the wider natural lake and mountain ONL. The cumulative effects caused by the proposal are considered to be very low / less than minor.

8.1.3 Recreational Use and Safety and Navigation

The proposal would not diminish the recreational experience of the water as used by other people. Nor would the mooring introduce clutter or congestion to any new areas within Lake Whakatipu, given the presence of many other boats and moorings in this location. In fact, the presence of the mooring will reduce congestion to the marina as one less boat will be launched each appropriate boating day.

The Harbourmaster is responsible for ensuring navigational safety to other vessels and users, and this is managed through Council permits. The permit for this mooring is attached at **Appendix 6**. The issuing of this permit implies the mooring will not interfere with navigation or impose any undue safety risk. The mooring is designed in such a way to allow for the rise and fall of the surface of water, yet only allow enough swing of the chain from the anchor so that it does not cause any safety issues or nuisance to other lake or mooring users. The mooring is placed an adequate distance from any other nearby moorings to avoid conflict, which the previous Harbourmaster advised to be 25m – 30m, to allow for swing.

The mooring is for private use, and unlikely to be used by public given the presence of a vessel during the busy boating seasons, and its proximity to the lake edge. If a boat were in distress to need to moor up at this proximity to the lake edge, it is more likely they would boat directly to the shoreline.

8.1.4 Effects on Lakebed and Water

The structure of the mooring is a small precast concrete block on the lakebed and an attached chain and buoy which has been installed 35+ years ago. Considering the time since installation, it is likely the mooring anchor is now part of the existing environment on the lakebed and provides somewhat of an environment for flora and fauna. If the mooring were to be removed or replaced, it is anticipated the effects on the lakebed and water to be greater than if it is kept in place, considering the disturbance to the lakebed and water quality from removal.

Given the minimal scale of the structure/s and no lakebed disturbance, any adverse effects on the lakebed and water will be less than minor.

8.1.5 Wāhi Tūpuna

Lake Whakatipu is number 34 in the Schedule of Wāhi Tūpuna in the PDP, described as 'In tradition, Rākaihoutū dug the lakes with his kō known Tūwhakarōria. The Lake is key in numerous Kāi Tahu pūrakau (stories) and has a deep spiritual significance for mana whenua. For generations, the Lake also supported nohoaka, kāika, mahika kai as well as transportation routes for pounamu. The knowledge of these associations holds the same value for Kāi Tahu to this day. It also has Statutory Acknowledgement status under the Ngāi Tahu Claims Settlement Act 1998.'[i].

Manawhenua values are identified as being Wāhi taoka[ii], mahika kai[iii], ara tawhito[iv], with 'buildings and structures' being listed as a potential threat. A mooring is considered a structure by definition in the PDP. It is noted no consent is required under Chapter 39, however Lake Whakatipu is a Statutory Acknowledgment area, and consultation with tangata whenua is encouraged when implementing a proposal which may have effects on Mauri, Wāhi taonga or Wāhi Tūpuna.

Te Ao Marama and Aukaha have been consulted with, as explained in section 5.0 above. No response to any consultation with assessment on manawhenua values has been forthcoming. However, given the nature and scale of the proposal, being an existing mooring that has been in place for at least 35 years, it is not considered likely to have any effect on Tangata Whenua. No physical works are proposed, and the mooring anchor is of good quality, ensuring it is now part of the physical environment on the lakebed. The landscape assessment provides an assessment of the visual and landscape effects, including cumulative effects on the lake surface, concluding the effects are less than minor. For these reasons it is unlikely there will be any adverse effects on Wāhi Tūpuna, however it is acknowledged manawhenua are an important factor in that assessment, and applicant continues to welcome comment from Ngai Tahu.

Patch Landscapes has made an assessment of the effects on the landscape and concludes the effects are less than minor. For these reasons, the proposal is consistent with the direction of the Landscape Schedules for this Priority Area.

8.2 Effects on Persons

The Harbourmaster has previously considered the mooring location to be appropriate due to the record of permits which have been issued for the mooring since 2015. As such, it can be considered that the mooring does not impose any undue safety risk to or inconvenience to other uses of the lake. There are not considered to be

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[i] Chapter 39 of the PDP, Section 39.6- Schedule of Wāhi Tūpuna

[ii] Resources, places and sites treasured by tangata whenua. These valued places reflect the long history and association of Ngāi Tahu with the Queenstown Lakes District.

[iii] Mahinga kai refers to the gathering of food and natural materials, the places where those resources are sourced, and the traditions, customs and collection methods. Mahinga kai remains one of the cornerstones of Ngāi Tahu culture.

[iv] Trails and routes. A network of trails crossed the region linking the permanent villages with seasonal inland campsites and the coast, providing access to a range of mahika kai resources and inland stone resources, including pounamu and silcrete.

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any adverse effects on users of the nearby moorings or Lake Whakatipu in respect to navigation and water safety matters.

The mooring is set amongst existing moorings in this area of the lake and will not be perceivable, or impactful when viewed by any persons.

It is therefore considered that any adverse effects on the owners and occupiers of residential properties will be less than minor.

The mooring is intermittently visible in places from the lakefront walkway, although they would be visible among a cluster of existing boats and moorings. Any adverse effects on the users of the lakeside resulting from the mooring are less than minor.

8.3 Summary of Assessment of Effects

Overall, considering the scale, nature and context of the existing moorings, and the long-term presence of the mooring, creating part of the existing environment, the proposed activity is not likely to have adverse effects on the environment or persons that are minor or more than minor.

9.0 OBJECTIVES AND POLICY ASSESSMENT

9.1 Operative District Plan

The relevant objectives and policies are contained within Part 4 (District Wide Issues) and Part 5 (Rural Areas) of the Operative District Plan.

9.1.1 District Wide

Part 4.1.4 of District Wide- Nature Conservation

Objective 1 - Nature Conservation Values

The protection and enhancement of indigenous ecosystem functioning and sufficient viable habitats to maintain the communities and the diversity of indigenous flora and fauna within the District.

Improved opportunity for linkages between the habitat communities.

The preservation of the remaining natural character of the District's lakes, rivers, wetlands and their margins.

The protection of outstanding natural features and natural landscapes.

The management of the land resources of the District in such a way as to maintain and, where possible, enhance the quality and quantity of water in the lakes, rivers and wetlands.

The protection of the habitat of trout and salmon.

Policy 1.2 *To promote the long term protection of sites and areas with significant nature conservation values.*

Policy 1.13 *To maintain or enhance the natural character and nature conservation values of the beds and margins of the lakes, rivers and wetlands.*

The proposal will not affect any ecosystem functioning or habitats of flora and fauna, given the nature and scale of the mooring. Now the anchor has been placed, it will not restrict the flourishment of aquatic flora or fauna on or around the placement area. The mooring will have very little effect on the natural landscape of the lake, as it

will be clustered in amongst existing moorings, in an area where the natural landscape is no longer 'untouched', but altered to one within an area of the lake where boats are permanently, or semi-permanently located on the surface of the lake, as assessed by Patch Landscapes. This use of the lake close to the shore in this area is anticipated; and as such the proposal would not have an effect on the natural landscape of the lake.

Part 4.3 of District Wide- Takata Whenua

The lake is a statutory declaration area, and as such the Otago and Southland runanga may consider the lake and water as waahi taoka.

Objective 3 - Waahi Tapu and Waahi Taoka Recognition and protection of places of burial, other waahi tapu, and all waahi taoka, as places of cultural and traditional importance to Kai Tahu.

Policy 3.3 *To establish appropriate communication contact points between the Council and the kaitiaki runanga for the District to ensure information and consultation occurs.*

Te Ao Marama and Aukaha have been consulted about the application, in recognition that Lake Whakatipu is Wāhi Tūpuna. On-going consultation from the applicant is occurring, to establish any manawhenua concerns, however with very little input from TAMI and Aukaha, it is difficult to assess. As such, considering little response with any concerns, it is assessed that the proposal will retain protection of the lake with its cultural importance to manawhenua considering the existing nature, and small scale of the mooring.

Part 4.6.3 of District Wide- Surface of Lakes and Rivers

Recreational activities undertaken in a manner which avoids, remedies or mitigates, their potential adverse effects on:

- *natural conservation values and wildlife habitats,*
- *other recreational values,*
- *public health and safety,*
- *takata whenua values, and*
- *general amenity values.*

Policy 2 *To enable people to have access to a wide range of recreation experiences on the lakes and rivers, based on the identified characteristics and environmental limits of the various parts of each lake and river.*

Policy 3 *On each lake and river, to provide for the range of recreational experiences and activities which are most suited to and benefit from the particular natural characteristics.*

Policy 12 *To avoid adverse effects on the public availability and enjoyment of the margins of the lakes and rivers.*

The proposal will not affect natural conservation values or wildlife habitats due to the scale and nature, and the mooring will have very little impact upon the lakebed or surface. The proposal does not inhibit other recreational users utilising this part of the lake, as the mooring is in a permanent location, and other users can manoeuvre around the buoy if necessary. As demonstrated in **Appendix 6**, mooring permit fees for the structure have been paid, which demonstrates the Harbourmaster support to the location of the mooring in terms of navigational safety.

The beach in this location is not one boats could launch at. As such, generally other boat users use this part of the lake mainly for recreational purpose, but are restricted to a speed of 5 knots this near to the shore. It is noted that the mooring is outside the designated ski lane area within Kelvin Heights. Kayakers, swimmers and

paddleboarders also use this area of lake, but the buoys do not inhibit this use, or provide any danger to these users to the speed restrictions in the immediate are of the mooring. The buoy will also not inhibit any access to the lake edge by the public due to their location.

General amenity values of this part of the lake are not adversely affected by the presence of a mooring. There are other moorings in this area, and boats in this vicinity are an accepted, and unobtrusive feature on the lake edge. As such, amenity values will not be degraded by the presence of the mooring.

9.1.4 Part 5- Rural Areas

Objective 1 - Character and Landscape Value

To protect the character and landscape value of the rural area by promoting sustainable management of natural and physical resources and the control of adverse effects caused through inappropriate activities.

Policy 1.1 *Consider fully the district wide landscape objectives and policies when considering subdivision, use and development in the Rural General Zone.*

Policy 1.7 *Preserve the visual coherence of the landscape by ensuring all structures are to be located in areas with the potential to absorb change.*

The buoy is located an area where moorings are already clustered, a short distance from the shore edge. The mooring is viewed against these existing boats and moorings, and any effects of this mooring will be discernible. This area of Lake Whakatipu is beautiful; however, it is not an untouched, remote area of the lake with no recreational or boating activity. The existing boats located in this area create a marine backdrop when viewing the lake, which in itself is not unattractive. Boats in this proximity to the shoreline and yacht club should be an anticipated use in this area. The area is able to absorb the proposed change, as the mooring does not give rise to adverse effects.

9.2 Proposed District Plan

The relevant objectives and policies of the PDP can be found in Chapter 3 (Strategic Direction), Chapter 6 (Landscapes), Chapter 21 (Rural) and Chapter 39 (Wāhi Tūpuna). Those with an * are currently under appeal.

9.2.1 Chapter 3- Strategic Direction

Objective 3.2.4.3 *The natural character of the beds and margins of the District's lakes, rivers and wetlands is preserved, or enhanced where possible, and protected from inappropriate subdivision, use and development.*

Objective 3.2.4.4 *The water quality and functions of the District's lakes, rivers and wetlands are maintained or enhanced.*

Objective 3.2.4.5 *Public access to the natural environment is maintained or enhanced.*

Objective 3.2.4.6 *The values of significant indigenous vegetation and significant habitats of indigenous fauna are protected.*

Policy 3.3.30 *Protect the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes.*

Policy 3.3.49 *Avoid significant adverse effects on wāhi tūpuna within the District*

As assessed by Patch Landscapes, the natural character of the lake margin is eroded through urban and recreational development, but the attributes and values of the wider ONL are largely maintained. The proposal

protects the ONL. The use and structure is not considered inappropriate in this context or area, considering the anticipated use of this part of the lake, nearby the marina and amongst other buoys and vessels. The water quality and functions of the lake is maintained through the presence of the mooring.

Public access to the natural environment is enhanced through the mooring installation to provide further access by the recreational users of the vessel to be moored. The values of indigenous vegetation and fauna are protected, as no physical changes to the mooring is proposed.

As assessed below, significant adverse effects on wāhi tūpuna are avoided, as the mooring has been in place for decades, and no physical works are proposed to the mooring as part of this proposal. The structure is small in nature, and clustered amongst other maritime uses.

9.2.2 Chapter 6- Landscape

Policy 6.3.3.5 *Maintain the open landscape character of Outstanding Natural Features and Outstanding Natural Landscapes where it is open at present.*

Policy 6.3.5.1 *Manage the location, intensity and scale of structures on the surface and margins of water bodies including jetties, moorings and infrastructure recognising the functional needs of these activities, and the importance of lakes and rivers, including as a commercial recreation, tourism, transport and recreational resource, and ensure these structures are at a scale or in a location that, as far as practicable:*

a. protects the values of Outstanding Natural Features and Outstanding Natural Landscapes; and

b. maintains the landscape character of Rural Character Landscapes and maintains or enhances their visual amenity values.

Policy 6.3.5.4 *Provide for appropriate commercial and recreational activities on the surface of water bodies that do not involve construction of new structures.*

Patch Landscapes assesses that the Frankton Arm foreshore is characterised by a combination of natural and human elements. Park Street, Frankton Road, Frankton Marina, Kawarau Falls, and Kelvin Heights are five of the most developed areas on the Arm. The Frankton Arm of lake Whakatipu is located adjacent to these highly modified residential areas where the once natural character of the foreshore has been eroded by considerable development. Even though the foreshore is now dotted with boats, jetties, mooring and human artifacts, the natural character of the wider lake ONL remains unaffected. The physical, geological, and topographical attributes associated with the Frankton Arm foreshore will not be affected by the proposed mooring. The vegetation on the foreshore will similarly be unaffected by the proposed moorings. Overall, the proposed moorings will not affect the physical landscape or have a significant adverse effect on the physical attributes of the wider ONL.

The location of the mooring is such that it is amongst other moorings in the vicinity. The landscape quality, character and amenity values of the area are therefore unchanged as a result of the proposal as the environment remains unchanged. The landscape is already established as one that contains existing moorings and boats in the vicinity, and therefore the landscape is not affected by the proposal. There is a functional need for locating moorings around and near the marina, within the lake which provides recreational opportunities. Therefore, the mooring is appropriately located in amongst a cluster of other moorings and is of a scale and location that protects the values of the ONL.

There are no appropriate commercial activities which allow for mooring boats, other than the marina which is cost prohibitive for the applicants. As such, the construction of the moorings is not otherwise provided for.

9.2.3 Chapter 21- Rural

Objective 21.2.12 The natural character of lakes and rivers and their margins is protected or enhanced, while also providing for appropriate activities, including recreation, commercial recreation and public transport.

Policy 21.2.12.1 Have regard to statutory obligations, wāhi tūpuna and the spiritual beliefs, and cultural traditions of tangata whenua where activities are undertaken on the surface of lakes and rivers and their margins.

Policy 21.2.12.2 Enable people to have access to a wide range of recreational experiences on the lakes and rivers, and their margins, while having regard to environmental and safety constraints of the various parts of each lake and river.

Policy 21.2.12.5 Protect, maintain or enhance the natural character and nature conservation values of lakes, rivers and their margins from inappropriate activities with particular regard to nesting and spawning areas, the intrinsic value of ecosystem services and areas of indigenous fauna habitat and recreational values.

Policy 21.2.12.6 Recognise and provide for the maintenance and enhancement of public access to and enjoyment of the margins of the lakes and rivers.

Policy 21.2.12.7 Ensure that the location, design and use of structures and facilities are such that any adverse effects on visual qualities, safety and conflicts with recreational and other activities on the lakes and rivers are avoided, remedied or mitigated.

The natural character of the lake margin in this area is modified through the presence of the marina, clusters of existing moorings, and jetties. They're visible with a backdrop of urbanisation around the Frankton Arm. As such, with the mooring in this location, the natural character of the lake margin is protected, whilst providing for the appropriate recreational activity of boating on the lake- an anticipated use of the lake and area. The mooring will enable the applicant to have access to the recreational experience on the lake by enabling their boat to be located in this area over the boating seasons, and in turn will provide for the enhancement of public access to the enjoyment of the lake. With the yearly permit renewal, it is considered the safety constraints of this part of the lake have been well assessed and adhered to.

Effects on wāhi tūpuna has been assessed above and below.

Given the nature and scale of the proposal, it will not give rise to effects on the natural character or nature conservation values of the lake; and as assessed above, is not an inappropriate use of the lake in this location. A regular recreational boat user in this part of the lake will be aware of spawning nesting areas of birds within and alongside the lake and will avoid those parts of the lake.

As assessed in Section 9.1.3 above, the mooring is in a location which will avoid conflicts with other users of the lake and will not have adverse effects on the visual qualities of the lake considering its cluster amongst other moorings in an urbanised area.

9.2.4 Chapter 39- Wāhi Tūpuna

Objective 39.2.1 Manawhenua values, within identified wāhi tūpuna areas, are recognised and provided for.

**Policy 39.2.1.2 Recognise that the effects of activities may require assessment in relation to Manawhenua values when that activity is listed as a potential threat within an identified wāhi tūpuna area, as set out in Schedule 39.6.*

**Policy 39.2.1.3 Within identified wāhi tūpuna areas:*

a. *avoid significant adverse effects on Manawhenua values and avoid, remedy or mitigate other adverse effects on Manawhenua values from subdivision, use and development listed as a potential threat in Schedule 39.6; and*

b. *avoid, remedy or mitigate adverse effects on Manawhenua values from subdivision, use and development within those identified wāhi tūpuna areas in the urban environment where potential threats have not been identified in Schedule 39.6.*

**Policy 39.2.1.4 Encourage early consultation with Manawhenua when appropriate to understand the effects of any activity on Manawhenua values in an identified wāhi tūpuna area.*

With regards to Policy 39.2.1.3, this is not applicable as a mooring is not considered 'subdivision and development', as defined in the PDP.

No consent is required under Chapter 39, however as Lake Whakatipu is a Statutory Acknowledgement area, consultation with tangata whenua is encouraged when implementing a proposal which may have effects on Mauri, Wāhi taonga or Wāhi Tūpuna. Ngai Tahu have been consulted for the proposal, through correspondence with Te Ao Marama and Aukaha. Comments have been sought for any concerns, however no response to any consultation has been forthcoming. However, given the nature and scale of the proposal, being an existing mooring/s that has been in place for 30+ years, and no physical changes are proposed, it is not considered likely to have an adverse effect on Tangata Whenua.

9.3 Otago Regional Plan: Water (2022)

The relevant objectives and policies of the Regional Plan can be found in Part 4, which seeks to ensure consistency with the values of Kai Tahu whanui, Part 5, which focuses on ONLs, naturalness, flora and fauna, ecosystem, water supply values, amenity values and existing lawful activities associated with the regions lakes and rivers. Part 6 and 7 apply provisions around water quantity and quality respectively, and Part 8 seeks to maintain the stability of beds and banks of lakes and rivers, to minimise reductions in water clarity caused by bed disturbance, and to avoid, remedy or mitigate any adverse effect of activities that occur within the bed of lakes and rivers. The proposed mooring will result in no further disturbance of the lakebed for the establishment of the mooring as it has been in place for over a decade. In addition, the long-term effects that may result on the bed of the lake, are sufficiently limited given the small area of lake that will be occupied by the mooring structure. The presence of the mooring and associated vessel is considered to be consistent with the objectives and policies of these relevant parts of the Plan.

9.4 Summary of Objective and Policy Assessment

Overall, it is considered that the proposal will be consistent and not contrary with the ODP, PDP and the Otago Regional Plan: Water.

10.0 THE MATTERS IN PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

Together with Section 5, subsection 7 (b), (c) and (f) are relevant, and Section 8 of Part 2 of the Act.

Lake Whakatipu and its margin will continue to be protected whilst the mooring is present.

In Environment Court case Wakatipu Environment Society Incorporated vs QLDC (C180/99), the court conceded that "Just because an area is or contains an outstanding natural landscape does not mean that development is automatically inappropriate". In the assessment above, the reasons why the proposal is not inappropriate have been extensively traversed, and therefore the ONL will be protected from inappropriate structures.

Public access along the lake margin is maintained and enhanced through this proposal.

The lake is subject of a Statutory Acknowledgment- the values of the lake will be protected by the careful installation and use of the mooring, as detailed above.

There is no risk of natural hazards to this proposal.

As assessed in full above, the proposal will enable the efficient use of natural and physical resources under section 7(b); and the effects on the landscape are adequately mitigated. The proposal will maintain and enhance amenity values of Lake Whakatipu and the surrounding area as described in the assessment above, under section 7(c). It will maintain the quality of the environment under section 7(f) and protect the finite characteristics of the ONL and other natural and physical resources in accordance with section 7(g).

The principles of the Treaty of Waitangi have been taken into account throughout this proposal.

Overall, the purpose of Part 2 of the Act has been achieved by way of location, nature and scale, and protection of natural and physical resources, all of which ensure that the matters in sections 5 to 8 are achieved.

11.0 CONCLUSION

The proposal seeks to retrospectively consent an existing mooring in The Frankton Arm, Lake Whakatipu. Overall, the proposal is anticipated to result in effects that are less than minor on the environment and on people considering the nature, scale and context of the mooring and its location. The proposal is also consistent with and not contrary to the policy direction provided within both the operative and proposed District Plans, and the Otago Regional Plan: Water. Accordingly, it is considered that the proposal can be approved on a non-notified basis.

APPENDIX 2 – NAVIGATIONAL SAFETY REPORT FOR M48

NAVIGATIONAL SAFETY COMMENTS – RESOURCE CONSENT APPLICATION

TO: Rebecca Holden

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

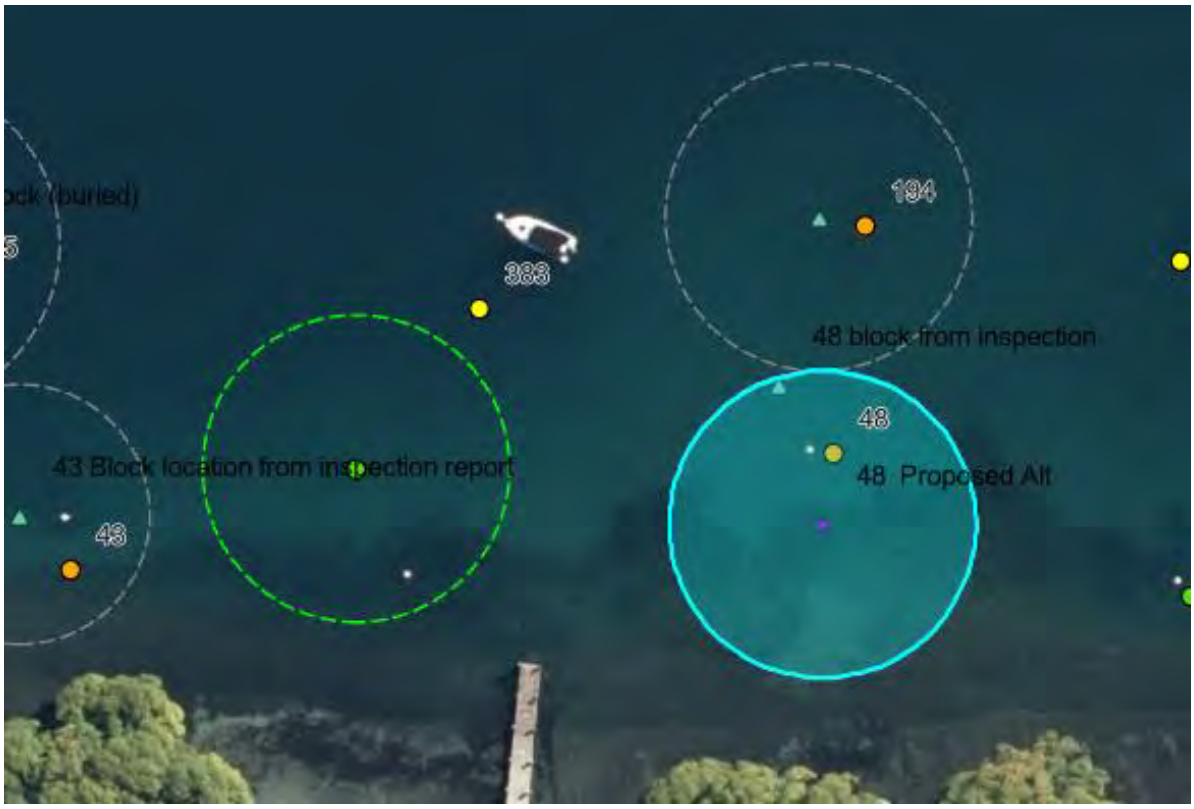
DATE: 21th September 2026

APPLICATION DETAILS	
REFERENCE	RM260683
APPLICANT	MacFarlane investments Limited
APPLICATION TYPE & DESCRIPTION	Land use consent to lawfully establish an existing swing mooring (M48) within the Frankton Arm of Lake Wakatipu.
ADDRESS	Southern side of the Frankton Arm of Lake Wakatipu, Queenstown
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	27.07.2026
WORKING DAYS AT TIME OF REQUEST	0
FINAL DATE FOR FURTHER INFORMATION REQUESTS	03.08.2026
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 – M48

Latitude	-45.044836 / 45° 02' 41.41" S
Longitude	168.684275 / 168° 41' 03.39" E



Brief Description of Proposal	A Resource Consent application has been filed in respect of their existing mooring (M48) located within the Frankton Arm, Lake Wakatipu. The purpose of this resource Consent application is to legalise an existing mooring located at the above location. The application requires Harbourmaster comment on navigational safety, including mooring spacing, potential swing-radius conflict, and whether the mooring arrangement is fit for purpose. The applicant supplied a subsurface mooring inspection survey completed by Wright Building and Dive Services on 03.04.2026. The Harbourmaster's assessment relies on the information supplied in that report, including the reported mooring location, configuration and vessel length assumptions.
History	RM260683
Waterbodies	Location: Lake Wakatipu

SAFETY MANAGEMENT COMMENTS	A resource consent application for mooring M48 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 M194 (processing). Using the supplied GPS coordinates, mooring block location, survey specifications, and a vessel length of up to 9.0 metres overall, the mooring has been assessed as currently being in conflict with this neighbouring mooring. 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 Moorings **M383** has been identified. However, as this moorings 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 for this mooring and it is not possible to undertake a reliable assessment of whether a conflict exists or to what level. Please note: The applicant has agreed to relocate the mooring to the identified position to resolve an existing swing-radius conflict. Approval is therefore contingent on relocation to the coordinates identified in this report. Should the conflict with **M194** be resolved, there would be no navigational safety concerns preventing support for the application.
Safety Operation Plan (SOP) comments	Nil Required.
Maritime comment obtained?	Planner to assess

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 occupiers 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:
Maximum vessel size allowance: 9.0 (length overall)
The mooring is relocated from its current position to the coordinates detailed in this report.

5.0 FINAL COMMENT

On the information provided, the application can be supported from a navigational safety perspective contingent upon the mooring being relocated to the coordinates detailed in this report.

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

TechnologyOne ECM Document Summary

Printed On 15-Oct-2026

Class	Description	Doc Set Id / Note Id	Version	Date
PUB_ACC	Form 9 - Water Based	9699370	1	18-Jun-2026
PUB_ACC	Assessment of Environmental Effects (AEE)	9697169	1	17-Jun-2026
PUB_ACC	Appendix 2 - Correspondence Aukaha	9697168	1	17-Jun-2026
PUB_ACC	Appendix 3 - Correspondence Te Ao Marama Incorporated (TAMI)	9697167	1	17-Jun-2026
PUB_ACC	Appendix 4 - Mooring Inspection Report	9697166	1	17-Jun-2026
PUB_ACC	Appendix 5 - Frankton Arm Moorings - Landscape Assessment Package	9697172	1	17-Jun-2026
PUB_ACC	Appendix 6 - Mooring Permit 48	9697171	1	17-Jun-2026
PUB_ACC	LINZ APA	10235479	1	20-Aug-2026

APPLICATION FOR RESOURCE CONSENT

FOR A WATER-BASED ACTIVITY

QUEENSTOWN LAKES DISTRICT COUNCIL

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 processing.

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: MacFarlane Investments Limited
(Name Decision is to be issued in)

*All trustee names (if applicable): John L Thompson

Contact Name if Company or Trust:

*Postal Address: 685 Peninsula Road, Kelvin Heights, Queenstown

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

*Post code: 9300

*Email Address: jlt@agirwealth.com.au

*Phone Numbers: Day

Mobile: 027 944 7927

The Applicant is:

- [x] 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: John Edmonds and Associates - Hayden Bewley

Phone Numbers: Day 0224307025

Mobile:

Email Address: hayden@jea.co.nz

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:

*Please provide an email AND full postal address.

*Post code:

*Email:

Document Set ID: 9699370
Version: 1, Version Date: 18/06/2026

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:

Frankton Arm, Lake Wakatipu, Queenstown

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)

Longitude 168.684292 Latitude -45.044783

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), specifiy 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:

Document Set ID: 9699370
Version: 1, Version Date: 18/06/2026

CONSENT(S) APPLIED FOR

- [ ] Land use consent to establish and operate a water based activity comprising:
- [x] 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 Lake Wakatipu (Lake / River)

The activity will operate per the submitted AEE (dates / duration)

to provide for (number persons)

Brief description of activity:

Resource Consent for the continued use of an existing swing mooring on Lake Wakatipu

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
- [x] 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:

- [x] 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)
- [x] Demonstrate compliance with the most up to date QLDC Swing Moorings Booklet (if relevant)
- [x] Details of any associated land based buildings or structures, parking areas. Details of any signage & locations.
- [ ] A Safety Management Plan
- [ ] Noise report (if relevant)
- [x] 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
Land Information New Zealand

- [x] 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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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

PRIVACY INFORMATION

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.

A list of Charges and Fees is available on our website.

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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 and use the application reference on the invoice for your payment.

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

$2668 - Land Use Discretionary (overall consent status)

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.

☑ PLEASE TICK 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 Hayden Bewley

Firm/Company John Edmonds and Associates | Dated 3/16/26

**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.

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Section 2 of the District Plan provides additional information on the information that should be submitted with a land use or subdivision consent.

The RMA (Fourth Schedule to the Act) requires the following:

1 INFORMATION MUST BE SPECIFIED IN SUFFICIENT DETAIL

- Any information required by this schedule, including an assessment under clause 2(1)(f) or (g), must be specified in sufficient detail to satisfy the purpose for which it is required.

2 INFORMATION REQUIRED IN ALL APPLICATIONS

- (1) An application for a resource consent for an activity (the activity) must include the following:

Information provided within the Form above

- (a) a description of the activity:
- (b) a description of the site at which the activity is to occur:
- (c) the full name and address of each owner or occupier of the site:
- (d) a description of any other activities that are part of the proposal to which the application relates:
- (e) a description of any other resource consents required for the proposal to which the application relates:

Include in an attached Assessment of Effects (see Clauses 6 & 7 below)

- (f) an assessment of the activity against the matters set out in Part 2:
- (g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b).

(2) The assessment under subclause (1)(g) must include an assessment of the activity against—

- (a) any relevant objectives, policies, or rules in a document; and
- (b) any relevant requirements, conditions, or permissions in any rules in a document; and
- (c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).

(3) An application must also include an assessment of the activity's effects on the environment that—

- (a) includes the information required by clause 6; and
- (b) addresses the matters specified in clause 7; and
- (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

ADDITIONAL INFORMATION REQUIRED IN SOME APPLICATIONS

- An application must also include any of the following that apply:
  - (a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1)):
  - (b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A)):

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Clause 6: Information required in assessment of environmental effects

- (1) An assessment of the activity's effects on the environment must include the following information:
    - (a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:
    - (b) an assessment of the actual or potential effect on the environment of the activity:
    - (c) if the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use:
    - (d) if the activity includes the discharge of any contaminant, a description of—
        - (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
        - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment:
    - (e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect:
    - (f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:
    - (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:
    - (h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).

(2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

(3) To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not—

- (a) oblige the applicant to consult any person; or
- (b) create any ground for expecting that the applicant will consult any person.

CLAUSE 7: MATTERS THAT MUST BE ADDRESSED BY ASSESSMENT OF ENVIRONMENTAL EFFECTS

- (1) An assessment of the activity's effects on the environment must address the following matters:
    - (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:
    - (b) any physical effect on the locality, including any landscape and visual effects:
    - (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:
    - (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:
    - (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:
    - (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.

(2) The requirement to address a matter in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

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A2 APPENDIX 2 // Development Contributions

Will your resource consent result in a Development Contribution and what is it?

- A Development Contribution can be triggered by the granting of a resource consent and is a financial charge levied on new developments. It is assessed and collected under the Local Government Act 2002. It is intended to ensure that any party, who creates additional demand on Council infrastructure, contributes to the extra cost that they impose on the community. These contributions are related to the provision of the following council services:
    - Water supply
    - Wastewater supply
    - Stormwater supply
    - Reserves, Reserve Improvements and Community Facilities
    - Transportation (also known as Roading)

Click here for more information on development contributions and their charges

OR Submit an Estimate request *please note administration charges will apply

Development Contribution Estimate Request Form

A3 APPENDIX 3 // Naming of documents guide

While it is not essential that your documents are named the following, it would be helpful if you could title your documents for us. You may have documents that do not fit these names; therefore below is a guide of some of the documents we receive for resource consents. Please use a generic name indicating the type of document.

- Application Form
- Assessment of Environmental Effects (AEE)
- Affected Party Approval/s
- Safety Management Plan
- Traffic Report

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Assessment of Effects on the Environment

Resource Consent for an Existing Mooring

The Frankton Arm, Lake Whakatipu

For John Thompson

June 2026

Document Set ID: 9697169
Version: 1, Version Date: 17/06/2026

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Appendix 2 Correspondence- Aukaha

Appendix 3 Correspondence- Te Ao Marama Incorporated (TAMI)

Appendix 4 Mooring Inspection Report

Appendix 5 Other Relevant Information

Appendix 6 QLDC Bylaw Permit

1.0 INTRODUCTION

This Assessment of Effects on the Environment report (AEE), inclusive of appendices, has been prepared in accordance with Schedule 4 of the Resource Management Act (RMA). Together these documents provide:

- A description of the application site and surrounding environment;
- A description of the proposal;
- Identification and assessment of relevant RMA statutory provisions; and
- A conclusion.

The applicant seeks consent for an existing mooring within the Frankton Arm, Lake Whakatipu . The location of the mooring is as shown in red below:

Figure 1- Location of Mooring

2.0 SITE DESCRIPTION AND SURROUNDS

The mooring is existing and located in The Frankton Arm, lake Whakatipu. The mooring is currently nestled in amongst other existing moorings in the vicinity, as shown in Figure 1 above. GPS coordinates for the mooring are Latitude: −45.044674 Longitude: 168.681123 as provided in **Appendix 6**.

Lake Wakatipu and the surrounding mountain topography display a high degree of natural character. Frankton Arm is relatively isolated from the rest of the lake and surrounded by a mix of high density and lower density residential development. The surrounding development is buffered in places by recreation reserves and the vegetated foreshore. The Frankton Track, which follows the entirety of the Frankton Arm shoreline from the Queenstown Gardens to the Wakatipu Yacht Club, passes through a variety of residential, parkland and natural character areas.

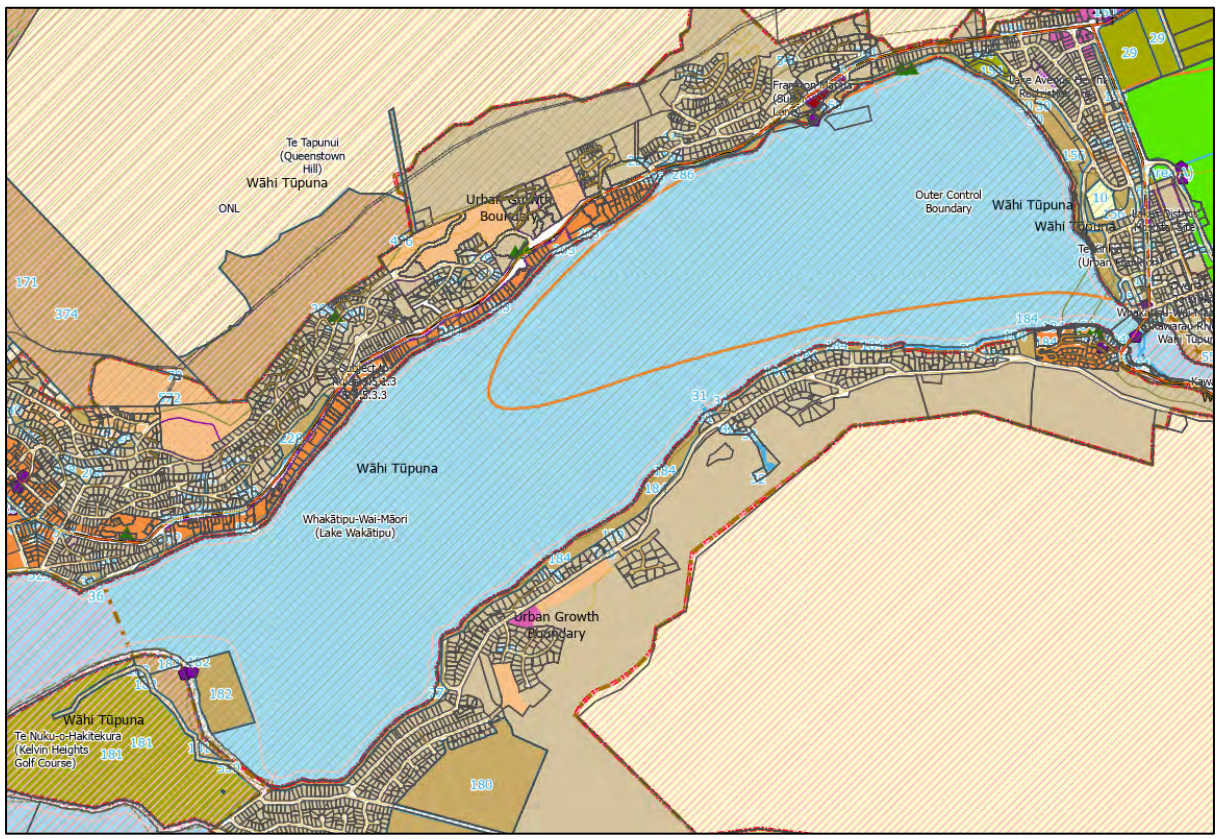

Figure 2: Zoning of the Frankton Arm

The land surrounding Frankton Arm has been zoned primarily for lower and high density residential development (Figure 2). Residential and recreational activity in the higher density and mixed-use development areas around Park Street, the Frankton Track parallel to Frankton Road/SH6 (**Frankton Road**), Frankton Marina, Kawarau Falls, and the stretch of beach between Bay View Recreation Reserve and Kelvin Heights golf course (**Kelvin Heights**) have eroded the natural character of the foreshore. Within these extensively developed areas, there exist brief sections of the shoreline adorned with willows and leafy foliage that feel removed from the surrounding urbanity. However, the presence of houses, apartments, staircases, retaining walls, jetties, moorings, and kayaks is ubiquitous in these areas, and their prevalence tends to diminish the overall sense of naturalness of the foreshore.

From near and far, Frankton Arm is seen in conjunction with the elevated roche moutonnée features including Peninsula Hill and the surrounding mountains including the Remarkables range to the southeast, Cecil and Walter Peak to the west, and Queenstown Hill and Ben Lomond to the northwest. This highly legible mountain and lake landscape impresses a memorable sense of naturalness. Overall, the combination of the natural

landscape, recreational elements, residential areas, and reserves make the Frankton Arm foreshore an important and enjoyable part of the Queenstown experience for both locals and visitors. The varied character areas offer different and memorable perspectives of the glacially carved mountain and lake landscape that has become synonymous with the region.

3.0 BACKGROUND

In 1989, the Lakes District Waterway Authority Control Bylaw was in place to control any structure (mooring and breakwater) in the lake. Licences under this Bylaw were granted by the Harbourmaster and worked in conjunction with the Reserve Management Plan. There were no references to resource consents required under the Town and Country Planning Act 1977.

In 1991 following the introduction of the Resource Management Act, the Transitional District Plan (TDP) was made operative. When the TDP was first initiated within the district, the surface of lakes and rivers were not zoned, thereby not requiring resource consents under any particular zone rules. Unbeknownst to most however, resource consent was required by s13A of the RMA, where jetties and moorings required a non-complying activity consent under s374(4) of the RMA. S374(4) outlined that any activity not specifically referred to within a previous plan (in this case, Town & Country Ordinances) such as structures that pass through the surface of the lake are non-complying activities.

The Operative District Plan came into effect in 2003, which required consent for structures and moorings, and currently, the Proposed District Plan is largely operative, and zones Lake Whakatipu as Rural, with an Outstanding Natural Landscape (ONL) overlay, whereby consent is required under the Rural Zone chapter for structures and moorings passing across or through the surface of any lake or river.

4.0 DESCRIPTION OF THE PROPOSAL

The proposal seeks retrospective resource consent to install and retain a swing mooring in the location shown above. The mooring consists of the following elements:

Structural Element	Description
Fixing to lakebed	1 tonne concrete mooring block to anchor on the lakebed
Buoy	Brightly coloured A4 windy buoy (approx. 600mm in diameter)
Link from lakebed to buoy	Chain and rope combination from block to buoy, with swivel below the surface of the water; and from buoy to boat. These chains/ropes are long enough to swing, but not to interfere with other moorings or boats.

The mooring structure has the following permissions from the QLDC Harbourmaster and Land information New Zealand:

License	Number
Mooring Bylaw Permit	Complete and attached as **Appendix 6**
Land Information New Zealand – Affected Party Approval	Pending

The boat moored at this buoy is the applicant's private vessel, which is a 6metre Fibreglass Pleasure Boat however the applicant reserves the right to moor future vessels, which are restricted by weight (rather than length) by the Otago Regional Council. This vessel is moored between December and February each year.

The mooring has been in position since 2010 and no changes to it are proposed. It is believed to have been installed in accordance with the QLDC guidance on placement of moorings. A QLDC bylaw permit has been obtained and fees have been paid for the mooring to QLDC per **Appendix 6**.

5.0 CONSULTATION

The following parties have been consulted with as part of this application.

- Harbourmaster- Cougar Security

The Harbourmaster (Phil Wiel) has been consulted via phone call on 13th April 2023, who provided feedback that if the mooring had a bylaw permit, then they should be satisfied that the mooring is adequately placed and maintained, and they will provide input into the resource consent process if the Council seek their input. No further communication was had with Harbourmaster on this proposal.

From previous discussions with the previous Harbourmaster (Marty Black), feedback was that moorings should be located 25 – 30m away from other moorings to allow for swing. With that requirement, Marty Black was satisfied that the moorings are safely placed.

- Aukaha

Aukaha was contacted initially on the 4th October 2022 via their website. A phone call followed, and further email correspondence (16th January 2023). Aukaha made the applicant aware via phone call and then via email on the 10th February 2023 that they were in discussions with QLDC with a number of different concerns hoping to be resolved between the two parties regarding a number of existing moorings and to contact the Council for more information. Until these concerns had been resolved, Aukaha reserved their input into the individual resource consent process. A follow up email to Aukaha was sent on the 14th April 2023, but no response received from Aukaha. Phone calls remained unanswered after the 10th February. See attached correspondence with Aukaha at **Appendix 2**.

- Te Ao Marama Inc (TAMI)

TAMI were contacted on the 3rd October 2022 via email, and a follow up email sent 7th December 2022. TAMI responded with an email stating that their key staff member that works on this type of query is out of the office, and that a meeting should be organised to discuss. Follow up emails were sent 16th January 2023, 31st March 2023 and again on 14th April. No response was provided to any of these emails, other than an email stating they had no further information. Phone calls remained unanswered. See attached correspondence with TAMI at **Appendix 3**.

6.0 DISTRICT PLAN PROVISIONS

Lake Whakatipu is zoned Rural General under the Operative District Plan (ODP), and Rural under the Proposed District Plan (PDP). The PDP classifies Lake Whakatipu as Outstanding Natural Landscape (ONL) and has surface water annotations that classify whether a mooring or structure in certain locations around The Frankton Arm are a non-complying activity. If this annotation does not apply, moorings and structures fall into a discretionary activity under Chapter 21 of the PDP.

Lake Whakatipu is subject to a Statutory Acknowledgment in terms of the Ngai Tahu Claims Settlement Act 1998, and a Wāhi Tūpuna overlay in the PDP whereby the mana whenua values identified are wāhi taoka, mahika kai, ara tawhito.

The Operative District Plan remains applicable to this application, in that the PDP Rural Chapter is not entirely operative given there are unresolved appeals to some provisions. There are however no specific appeals to the relevant rules applicable to this application, and therefore under Section 86F of the RMA, should be treated as operative (and any previous rule as inoperative). As such, no consent is required under the ODP, but consent is sought under the PDP as below.

6.1 Proposed District Plan (PDP)

- A **restricted discretionary** activity resource consent pursuant to Rule 21.15.7 for a mooring to the east of the Outstanding Natural Landscape Line (Kelvin Peninsula to Park Street in **Figure 1**) in the Frankton Arm.

  Discretion is restricted to the following matters:

  - 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;
  - whether the structure causes an impediment to craft manoeuvring and using shore waters.
  - the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline;
  - the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect;
  - whether the structure will be used by a number and range of people and craft, including the general public;
  - the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design; and
  - whether the structure enables the use of public water ferry services and/or water based transport.

<u>Otago Regional Water Plan</u>

During the integration of the RMA into the territorial and regional authority frameworks, Otago Regional Council transferred some of their functions, powers and duties of determining applications for land use consents to QLDC. The function transferred in 1994 related to the consents required to be obtained pursuant to s.13(1)(a) of the Act within the land, to achieve efficiencies and avoid overlaps between district and regional council regulations with regard to structures on water bodies.

The proposed activity requires resource consent under the Otago Regional Plan: Water for the following reason:

- A **discretionary** activity resource consent pursuant to Rule 13.2.3.1 for the erection or placement of any structure fixed in, on, under, or over the bed of any lake or river, or any Regionally Significant Wetland. In this case the proposal seeks retrospective placement of a mooring block on the bed of Lake Whakatipu.

6.2 Activity Status and Assessment Matters

Overall, the development is a discretionary activity.

Section 104, 104B & 104C of the Resource Management Act (RMA) set out the relevant assessment matters for resource consent applications carrying the non-complying activity status.

104 Consideration of applications

(1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to–

- *a) any actual or potential effects on the environment of allowing the activity; and*
- *b) any relevant provisions of—*
  - *(i) a national environmental standard:*
  - *(ii) other regulations:*
  - *(iii) a national policy statement:*
  - *(iv) a New Zealand coastal policy statement:*
  - *(v) a regional policy statement or proposed regional policy statement:*
  - *(vi) a plan or proposed plan; and*
- *c) any other matter the consent authority considers relevant and reasonably necessary to determine the application*

104B Determination of applications for discretionary or non-complying activities

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority –

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

104C Determination of applications for restricted discretionary activities

(1) When considering an application for a resource consent for a restricted discretionary activity, a consent authority must consider only those matters over which—

- *a) a discretion is restricted in national environmental standards, wastewater environmental performance standards, stormwater environmental performance standards, infrastructure design solutions, or other regulations:*
- *b) it has restricted the exercise of its discretion in its plan or proposed plan.*

(2) The consent authority may grant or refuse the application.

(3) However, if it grants the application, the consent authority may impose conditions under section 108 only for those matters over which—

- *a) a discretion is restricted in national environmental standards, wastewater environmental performance standards, stormwater environmental performance standards, infrastructure design solutions, or other regulations:*
- *b) it has restricted the exercise of its discretion in its plan or proposed plan.*

7.0 PERMITTED BASELINE

The permitted baseline provides a clear baseline from which any effect beyond this can be assessed. In this case there is no permitted baseline as all structures that pass through the lake surface requires consent under the PDP.

8.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

8.1 Effects on the Environment

The relevant assessment matters are found in Part 5 (Rural) of the ODP, Chapter 21 and 39 of the PDP have been considered in the assessment below, though as a discretionary (Regional Plan: Water) and non-complying activity (ODP/ PDP) the assessment is not limited to these matters.

8.1.1 Views, Landscape and Visual Amenity

Patch Landscape Architecture describes the landscape, the proposal, and makes an assessment of the landscape and visual amenity effects of the mooring, with particular regard to the assessment matters in the Rural Chapter of the PDP relating to ONLs- attached as **Appendix 4**. Patch Landscapes considers that the proposal will enhance the recreational character in this part of the lake.

There is acknowledgment that the mooring will not meet the 'reasonably difficult to see' threshold, however in the context of the existing and surrounding environment, regardless of its visibility, the mooring and its associated vessel will have a less than minor effect considering it's nestled in amongst a marine environment, where there is an expectation of boats and recreational boating activity.

Patch Landscapes assesses that although there will be some visibility of mooring and associated vessel, the resultant visual effect will be well absorbed by the surrounding highly urbanised and vegetated context and the dominant and vast lake and mountain landscape. Patch Landscapes considers the proposal to have effects on landscape character that are no more than a very low degree, being less than minor.

8.1.2 Cumulative Effects

Patch Landscapes has assessed cumulative effects resulting from the proposed mooring in amongst the other existing moorings in the area. Patch Landscapes considers that Lake Whakatipu still maintains a high degree of natural character, and that the mooring contributes to the recreational character and quality of the immediate landscape, having minimal influence on the more natural attributes and values of the wider natural lake and mountain ONL. The cumulative effects caused by the proposal are considered to be very low / less than minor.

8.1.3 Recreational Use and Safety and Navigation

The proposal would not diminish the recreational experience of the water as used by other people. Nor would the mooring introduce clutter or congestion to any new areas within Lake Whakatipu, given the presence of many other boats and moorings in this location. In fact, the presence of the mooring will reduce congestion to the marina as one less boat will be launched each appropriate boating day.

The Harbourmaster is responsible for ensuring navigational safety to other vessels and users, and this is managed through Council permits. The permit for this mooring is attached at **Appendix 6**. The issuing of this permit implies the mooring will not interfere with navigation or impose any undue safety risk. The mooring is designed in such a way to allow for the rise and fall of the surface of water, yet only allow enough swing of the chain from the anchor so that it does not cause any safety issues or nuisance to other lake or mooring users. The mooring is placed an adequate distance from any other nearby moorings to avoid conflict, which the previous Harbourmaster advised to be 25m – 30m, to allow for swing.

The mooring is for private use, and unlikely to be used by public given the presence of a vessel during the busy boating seasons, and its proximity to the lake edge. If a boat were in distress to need to moor up at this proximity to the lake edge, it is more likely they would boat directly to the shoreline.

8.1.4 Effects on Lakebed and Water

The structure of the mooring is a small precast concrete block on the lakebed and an attached chain and buoy which has been installed 35+ years ago. Considering the time since installation, it is likely the mooring anchor is now part of the existing environment on the lakebed and provides somewhat of an environment for flora and fauna. If the mooring were to be removed or replaced, it is anticipated the effects on the lakebed and water to be greater than if it is kept in place, considering the disturbance to the lakebed and water quality from removal.

Given the minimal scale of the structure/s and no lakebed disturbance, any adverse effects on the lakebed and water will be less than minor.

8.1.5 Wāhi Tūpuna

Lake Whakatipu is number 34 in the Schedule of Wāhi Tūpuna in the PDP, described as 'In tradition, Rākaihoutū dug the lakes with his kō known Tūwhakarōria. The Lake is key in numerous Kāi Tahu pūrakau (stories) and has a deep spiritual significance for mana whenua. For generations, the Lake also supported nohoaka, kāika, mahika kai as well as transportation routes for pounamu. The knowledge of these associations holds the same value for Kāi Tahu to this day. It also has Statutory Acknowledgement status under the Ngāi Tahu Claims Settlement Act 1998.'[i].

Manawhenua values are identified as being Wāhi taoka[ii], mahika kai[iii], ara tawhito[iv], with 'buildings and structures' being listed as a potential threat. A mooring is considered a structure by definition in the PDP. It is noted no consent is required under Chapter 39, however Lake Whakatipu is a Statutory Acknowledgment area, and consultation with tangata whenua is encouraged when implementing a proposal which may have effects on Mauri, Wāhi taonga or Wāhi Tūpuna.

Te Ao Marama and Aukaha have been consulted with, as explained in section 5.0 above. No response to any consultation with assessment on manawhenua values has been forthcoming. However, given the nature and scale of the proposal, being an existing mooring that has been in place for at least 35 years, it is not considered likely to have any effect on Tangata Whenua. No physical works are proposed, and the mooring anchor is of good quality, ensuring it is now part of the physical environment on the lakebed. The landscape assessment provides an assessment of the visual and landscape effects, including cumulative effects on the lake surface, concluding the effects are less than minor. For these reasons it is unlikely there will be any adverse effects on Wāhi Tūpuna, however it is acknowledged manawhenua are an important factor in that assessment, and applicant continues to welcome comment from Ngai Tahu.

Patch Landscapes has made an assessment of the effects on the landscape and concludes the effects are less than minor. For these reasons, the proposal is consistent with the direction of the Landscape Schedules for this Priority Area.

8.2 Effects on Persons

The Harbourmaster has previously considered the mooring location to be appropriate due to the record of permits which have been issued for the mooring since 2015. As such, it can be considered that the mooring does not impose any undue safety risk to or inconvenience to other uses of the lake. There are not considered to be

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[i] Chapter 39 of the PDP, Section 39.6- Schedule of Wāhi Tūpuna

[ii] Resources, places and sites treasured by tangata whenua. These valued places reflect the long history and association of Ngāi Tahu with the Queenstown Lakes District.

[iii] Mahinga kai refers to the gathering of food and natural materials, the places where those resources are sourced, and the traditions, customs and collection methods. Mahinga kai remains one of the cornerstones of Ngāi Tahu culture.

[iv] Trails and routes. A network of trails crossed the region linking the permanent villages with seasonal inland campsites and the coast, providing access to a range of mahika kai resources and inland stone resources, including pounamu and silcrete.

any adverse effects on users of the nearby moorings or Lake Whakatipu in respect to navigation and water safety matters.

The mooring is set amongst existing moorings in this area of the lake and will not be perceivable, or impactful when viewed by any persons.

It is therefore considered that any adverse effects on the owners and occupiers of residential properties will be less than minor.

The mooring is intermittently visible in places from the lakefront walkway, although they would be visible among a cluster of existing boats and moorings. Any adverse effects on the users of the lakeside resulting from the mooring are less than minor.

8.3 Summary of Assessment of Effects

Overall, considering the scale, nature and context of the existing moorings, and the long-term presence of the mooring, creating part of the existing environment, the proposed activity is not likely to have adverse effects on the environment or persons that are minor or more than minor.

9.0 OBJECTIVES AND POLICY ASSESSMENT

9.1 Operative District Plan

The relevant objectives and policies are contained within Part 4 (District Wide Issues) and Part 5 (Rural Areas) of the Operative District Plan.

9.1.1 District Wide

Part 4.1.4 of District Wide- Nature Conservation

Objective 1 - Nature Conservation Values

The protection and enhancement of indigenous ecosystem functioning and sufficient viable habitats to maintain the communities and the diversity of indigenous flora and fauna within the District.

Improved opportunity for linkages between the habitat communities.

The preservation of the remaining natural character of the District's lakes, rivers, wetlands and their margins.

The protection of outstanding natural features and natural landscapes.

The management of the land resources of the District in such a way as to maintain and, where possible, enhance the quality and quantity of water in the lakes, rivers and wetlands.

The protection of the habitat of trout and salmon.

Policy 1.2 *To promote the long term protection of sites and areas with significant nature conservation values.*

Policy 1.13 *To maintain or enhance the natural character and nature conservation values of the beds and margins of the lakes, rivers and wetlands.*

The proposal will not affect any ecosystem functioning or habitats of flora and fauna, given the nature and scale of the mooring. Now the anchor has been placed, it will not restrict the flourishment of aquatic flora or fauna on or around the placement area. The mooring will have very little effect on the natural landscape of the lake, as it

will be clustered in amongst existing moorings, in an area where the natural landscape is no longer 'untouched', but altered to one within an area of the lake where boats are permanently, or semi-permanently located on the surface of the lake, as assessed by Patch Landscapes. This use of the lake close to the shore in this area is anticipated; and as such the proposal would not have an effect on the natural landscape of the lake.

Part 4.3 of District Wide- Takata Whenua

The lake is a statutory declaration area, and as such the Otago and Southland runanga may consider the lake and water as waahi taoka.

Objective 3 - Waahi Tapu and Waahi Taoka Recognition and protection of places of burial, other waahi tapu, and all waahi taoka, as places of cultural and traditional importance to Kai Tahu.

Policy 3.3 *To establish appropriate communication contact points between the Council and the kaitiaki runanga for the District to ensure information and consultation occurs.*

Te Ao Marama and Aukaha have been consulted about the application, in recognition that Lake Whakatipu is Wāhi Tūpuna. On-going consultation from the applicant is occurring, to establish any manawhenua concerns, however with very little input from TAMI and Aukaha, it is difficult to assess. As such, considering little response with any concerns, it is assessed that the proposal will retain protection of the lake with its cultural importance to manawhenua considering the existing nature, and small scale of the mooring.

Part 4.6.3 of District Wide- Surface of Lakes and Rivers

Recreational activities undertaken in a manner which avoids, remedies or mitigates, their potential adverse effects on:

- *natural conservation values and wildlife habitats,*
- *other recreational values,*
- *public health and safety,*
- *takata whenua values, and*
- *general amenity values.*

Policy 2 *To enable people to have access to a wide range of recreation experiences on the lakes and rivers, based on the identified characteristics and environmental limits of the various parts of each lake and river.*

Policy 3 *On each lake and river, to provide for the range of recreational experiences and activities which are most suited to and benefit from the particular natural characteristics.*

Policy 12 *To avoid adverse effects on the public availability and enjoyment of the margins of the lakes and rivers.*

The proposal will not affect natural conservation values or wildlife habitats due to the scale and nature, and the mooring will have very little impact upon the lakebed or surface. The proposal does not inhibit other recreational users utilising this part of the lake, as the mooring is in a permanent location, and other users can manoeuvre around the buoy if necessary. As demonstrated in **Appendix 6**, mooring permit fees for the structure have been paid, which demonstrates the Harbourmaster support to the location of the mooring in terms of navigational safety.

The beach in this location is not one boats could launch at. As such, generally other boat users use this part of the lake mainly for recreational purpose, but are restricted to a speed of 5 knots this near to the shore. It is noted that the mooring is outside the designated ski lane area within Kelvin Heights. Kayakers, swimmers and

paddleboarders also use this area of lake, but the buoys do not inhibit this use, or provide any danger to these users to the speed restrictions in the immediate are of the mooring. The buoy will also not inhibit any access to the lake edge by the public due to their location.

General amenity values of this part of the lake are not adversely affected by the presence of a mooring. There are other moorings in this area, and boats in this vicinity are an accepted, and unobtrusive feature on the lake edge. As such, amenity values will not be degraded by the presence of the mooring.

9.1.4 Part 5- Rural Areas

Objective 1 - Character and Landscape Value

To protect the character and landscape value of the rural area by promoting sustainable management of natural and physical resources and the control of adverse effects caused through inappropriate activities.

Policy 1.1 *Consider fully the district wide landscape objectives and policies when considering subdivision, use and development in the Rural General Zone.*

Policy 1.7 *Preserve the visual coherence of the landscape by ensuring all structures are to be located in areas with the potential to absorb change.*

The buoy is located an area where moorings are already clustered, a short distance from the shore edge. The mooring is viewed against these existing boats and moorings, and any effects of this mooring will be discernible. This area of Lake Whakatipu is beautiful; however, it is not an untouched, remote area of the lake with no recreational or boating activity. The existing boats located in this area create a marine backdrop when viewing the lake, which in itself is not unattractive. Boats in this proximity to the shoreline and yacht club should be an anticipated use in this area. The area is able to absorb the proposed change, as the mooring does not give rise to adverse effects.

9.2 Proposed District Plan

The relevant objectives and policies of the PDP can be found in Chapter 3 (Strategic Direction), Chapter 6 (Landscapes), Chapter 21 (Rural) and Chapter 39 (Wāhi Tūpuna). Those with an * are currently under appeal.

9.2.1 Chapter 3- Strategic Direction

Objective 3.2.4.3 *The natural character of the beds and margins of the District's lakes, rivers and wetlands is preserved, or enhanced where possible, and protected from inappropriate subdivision, use and development.*

Objective 3.2.4.4 *The water quality and functions of the District's lakes, rivers and wetlands are maintained or enhanced.*

Objective 3.2.4.5 *Public access to the natural environment is maintained or enhanced.*

Objective 3.2.4.6 *The values of significant indigenous vegetation and significant habitats of indigenous fauna are protected.*

Policy 3.3.30 *Protect the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes.*

Policy 3.3.49 *Avoid significant adverse effects on wāhi tūpuna within the District*

As assessed by Patch Landscapes, the natural character of the lake margin is eroded through urban and recreational development, but the attributes and values of the wider ONL are largely maintained. The proposal

protects the ONL. The use and structure is not considered inappropriate in this context or area, considering the anticipated use of this part of the lake, nearby the marina and amongst other buoys and vessels. The water quality and functions of the lake is maintained through the presence of the mooring.

Public access to the natural environment is enhanced through the mooring installation to provide further access by the recreational users of the vessel to be moored. The values of indigenous vegetation and fauna are protected, as no physical changes to the mooring is proposed.

As assessed below, significant adverse effects on wāhi tūpuna are avoided, as the mooring has been in place for decades, and no physical works are proposed to the mooring as part of this proposal. The structure is small in nature, and clustered amongst other maritime uses.

9.2.2 Chapter 6- Landscape

Policy 6.3.3.5 *Maintain the open landscape character of Outstanding Natural Features and Outstanding Natural Landscapes where it is open at present.*

Policy 6.3.5.1 *Manage the location, intensity and scale of structures on the surface and margins of water bodies including jetties, moorings and infrastructure recognising the functional needs of these activities, and the importance of lakes and rivers, including as a commercial recreation, tourism, transport and recreational resource, and ensure these structures are at a scale or in a location that, as far as practicable:*

a. protects the values of Outstanding Natural Features and Outstanding Natural Landscapes; and

b. maintains the landscape character of Rural Character Landscapes and maintains or enhances their visual amenity values.

Policy 6.3.5.4 *Provide for appropriate commercial and recreational activities on the surface of water bodies that do not involve construction of new structures.*

Patch Landscapes assesses that the Frankton Arm foreshore is characterised by a combination of natural and human elements. Park Street, Frankton Road, Frankton Marina, Kawarau Falls, and Kelvin Heights are five of the most developed areas on the Arm. The Frankton Arm of lake Whakatipu is located adjacent to these highly modified residential areas where the once natural character of the foreshore has been eroded by considerable development. Even though the foreshore is now dotted with boats, jetties, mooring and human artifacts, the natural character of the wider lake ONL remains unaffected. The physical, geological, and topographical attributes associated with the Frankton Arm foreshore will not be affected by the proposed mooring. The vegetation on the foreshore will similarly be unaffected by the proposed moorings. Overall, the proposed moorings will not affect the physical landscape or have a significant adverse effect on the physical attributes of the wider ONL.

The location of the mooring is such that it is amongst other moorings in the vicinity. The landscape quality, character and amenity values of the area are therefore unchanged as a result of the proposal as the environment remains unchanged. The landscape is already established as one that contains existing moorings and boats in the vicinity, and therefore the landscape is not affected by the proposal. There is a functional need for locating moorings around and near the marina, within the lake which provides recreational opportunities. Therefore, the mooring is appropriately located in amongst a cluster of other moorings and is of a scale and location that protects the values of the ONL.

There are no appropriate commercial activities which allow for mooring boats, other than the marina which is cost prohibitive for the applicants. As such, the construction of the moorings is not otherwise provided for.

9.2.3 Chapter 21- Rural

Objective 21.2.12 The natural character of lakes and rivers and their margins is protected or enhanced, while also providing for appropriate activities, including recreation, commercial recreation and public transport.

Policy 21.2.12.1 Have regard to statutory obligations, wāhi tūpuna and the spiritual beliefs, and cultural traditions of tangata whenua where activities are undertaken on the surface of lakes and rivers and their margins.

Policy 21.2.12.2 Enable people to have access to a wide range of recreational experiences on the lakes and rivers, and their margins, while having regard to environmental and safety constraints of the various parts of each lake and river.

Policy 21.2.12.5 Protect, maintain or enhance the natural character and nature conservation values of lakes, rivers and their margins from inappropriate activities with particular regard to nesting and spawning areas, the intrinsic value of ecosystem services and areas of indigenous fauna habitat and recreational values.

Policy 21.2.12.6 Recognise and provide for the maintenance and enhancement of public access to and enjoyment of the margins of the lakes and rivers.

Policy 21.2.12.7 Ensure that the location, design and use of structures and facilities are such that any adverse effects on visual qualities, safety and conflicts with recreational and other activities on the lakes and rivers are avoided, remedied or mitigated.

The natural character of the lake margin in this area is modified through the presence of the marina, clusters of existing moorings, and jetties. They're visible with a backdrop of urbanisation around the Frankton Arm. As such, with the mooring in this location, the natural character of the lake margin is protected, whilst providing for the appropriate recreational activity of boating on the lake- an anticipated use of the lake and area. The mooring will enable the applicant to have access to the recreational experience on the lake by enabling their boat to be located in this area over the boating seasons, and in turn will provide for the enhancement of public access to the enjoyment of the lake. With the yearly permit renewal, it is considered the safety constraints of this part of the lake have been well assessed and adhered to.

Effects on wāhi tūpuna has been assessed above and below.

Given the nature and scale of the proposal, it will not give rise to effects on the natural character or nature conservation values of the lake; and as assessed above, is not an inappropriate use of the lake in this location. A regular recreational boat user in this part of the lake will be aware of spawning nesting areas of birds within and alongside the lake and will avoid those parts of the lake.

As assessed in Section 9.1.3 above, the mooring is in a location which will avoid conflicts with other users of the lake and will not have adverse effects on the visual qualities of the lake considering its cluster amongst other moorings in an urbanised area.

9.2.4 Chapter 39- Wāhi Tūpuna

Objective 39.2.1 Manawhenua values, within identified wāhi tūpuna areas, are recognised and provided for.

**Policy 39.2.1.2 Recognise that the effects of activities may require assessment in relation to Manawhenua values when that activity is listed as a potential threat within an identified wāhi tūpuna area, as set out in Schedule 39.6.*

**Policy 39.2.1.3 Within identified wāhi tūpuna areas:*

a. avoid significant adverse effects on Manawhenua values and avoid, remedy or mitigate other adverse effects on Manawhenua values from subdivision, use and development listed as a potential threat in Schedule 39.6; and

b. avoid, remedy or mitigate adverse effects on Manawhenua values from subdivision, use and development within those identified wāhi tūpuna areas in the urban environment where potential threats have not been identified in Schedule 39.6.

**Policy 39.2.1.4 Encourage early consultation with Manawhenua when appropriate to understand the effects of any activity on Manawhenua values in an identified wāhi tūpuna area.*

With regards to Policy 39.2.1.3, this is not applicable as a mooring is not considered 'subdivision and development', as defined in the PDP.

No consent is required under Chapter 39, however as Lake Whakatipu is a Statutory Acknowledgement area, consultation with tangata whenua is encouraged when implementing a proposal which may have effects on Mauri, Wāhi taonga or Wāhi Tūpuna. Ngai Tahu have been consulted for the proposal, through correspondence with Te Ao Marama and Aukaha. Comments have been sought for any concerns, however no response to any consultation has been forthcoming. However, given the nature and scale of the proposal, being an existing mooring/s that has been in place for 30+ years, and no physical changes are proposed, it is not considered likely to have an adverse effect on Tangata Whenua.

9.3 Otago Regional Plan: Water (2022)

The relevant objectives and policies of the Regional Plan can be found in Part 4, which seeks to ensure consistency with the values of Kai Tahu whanui, Part 5, which focuses on ONLs, naturalness, flora and fauna, ecosystem, water supply values, amenity values and existing lawful activities associated with the regions lakes and rivers. Part 6 and 7 apply provisions around water quantity and quality respectively, and Part 8 seeks to maintain the stability of beds and banks of lakes and rivers, to minimise reductions in water clarity caused by bed disturbance, and to avoid, remedy or mitigate any adverse effect of activities that occur within the bed of lakes and rivers. The proposed mooring will result in no further disturbance of the lakebed for the establishment of the mooring as it has been in place for over a decade. In addition, the long-term effects that may result on the bed of the lake, are sufficiently limited given the small area of lake that will be occupied by the mooring structure. The presence of the mooring and associated vessel is considered to be consistent with the objectives and policies of these relevant parts of the Plan.

9.4 Summary of Objective and Policy Assessment

Overall, it is considered that the proposal will be consistent and not contrary with the ODP, PDP and the Otago Regional Plan: Water.

10.0 THE MATTERS IN PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

Together with Section 5, subsection 7 (b), (c) and (f) are relevant, and Section 8 of Part 2 of the Act.

Lake Whakatipu and its margin will continue to be protected whilst the mooring is present.

In Environment Court case Wakatipu Environment Society Incorporated vs QLDC (C180/99), the court conceded that "Just because an area is or contains an outstanding natural landscape does not mean that development is automatically inappropriate". In the assessment above, the reasons why the proposal is not inappropriate have been extensively traversed, and therefore the ONL will be protected from inappropriate structures.

Public access along the lake margin is maintained and enhanced through this proposal.

The lake is subject of a Statutory Acknowledgment- the values of the lake will be protected by the careful installation and use of the mooring, as detailed above.

There is no risk of natural hazards to this proposal.

As assessed in full above, the proposal will enable the efficient use of natural and physical resources under section 7(b); and the effects on the landscape are adequately mitigated. The proposal will maintain and enhance amenity values of Lake Whakatipu and the surrounding area as described in the assessment above, under section 7(c). It will maintain the quality of the environment under section 7(f) and protect the finite characteristics of the ONL and other natural and physical resources in accordance with section 7(g).

The principles of the Treaty of Waitangi have been taken into account throughout this proposal.

Overall, the purpose of Part 2 of the Act has been achieved by way of location, nature and scale, and protection of natural and physical resources, all of which ensure that the matters in sections 5 to 8 are achieved.

11.0 CONCLUSION

The proposal seeks to retrospectively consent an existing mooring in The Frankton Arm, Lake Whakatipu. Overall, the proposal is anticipated to result in effects that are less than minor on the environment and on people considering the nature, scale and context of the mooring and its location. The proposal is also consistent with and not contrary to the policy direction provided within both the operative and proposed District Plans, and the Otago Regional Plan: Water. Accordingly, it is considered that the proposal can be approved on a non-notified basis.

Aukaha
KIA KAHA, AU KAHA

4 October 2022

John Edmonds & Associates

Level 2, 36 Shotover Street

Queenstown 9300

New Zealand

Dear Jo

Mooring Permits

Tēnā Koe

Thank you for engaging our services at Aukaha. We have opened a file for this workstream:

Client Name	John Edmonds & Associates
Who instructed us	Jo Fyfe
Who we will report to	Te Rūnanga o Moeraki, Kāti Huirapa Ki Puketeraki Rūnanga, Te Rūnanga o Ōtākou and Te Rūnanga o Hokonui
Job Number	J004663
What we will do for you	An Aukaha consents officer/planner will liaise with each of the Rūnaka whose takiwā includes the site the application relates to. The application will be summarised (including an assessment of cultural values) and sent to representatives at the Rūnaka who have the mandate to reply. Once a reply from all Rūnaka has been received, a letter will be sent to you with their response. An invoice will be sent out to you on the 20th of the month.
Who will do the work	Tania Richardson or Charlotte Boyt

Hourly rates exclusive of GST	Our fee for this work will be calculated based on the time we spend charged at our hourly rates. Our current hourly rates exclusive of GST, office expenses and disbursements are: Consents Administrator: $120.00 Consents Officer: $170.00 Intermediate Planner: $200.00 Ecologist: $220.00 Senior Planner/General Manager: $240.00 Mana whenua consultation: $250.00

Terms and Conditions

Our standard terms of engagement are attached to this letter. A copy of this was also provided in Schedule One of the Consent Application Form.

If you have any questions regarding this letter or our terms, please ask. We look forward to working with you.

Kā mihi,

Aukaha (1997) Ltd

E: consents@aukaha.co.nz

T: 03 477 0071

Standard Terms of Engagement – Aukaha (1997) Ltd

These Standard Terms of Engagement ('Terms') apply in respect of all work carried out by us for you, except to the extent that we otherwise agree with you in writing.

Aukaha (1997) Limited

266 Hanover Street, Dunedin Central, Dunedin 9016, New Zealand

PO BOX 446, Dunedin 9054

Phone - 03 477 0071

consents@aukaha.co.nz www.aukaha.co.nz

1. Services

1.1. The services which we are to provide for you are outlines in our engagement letter.

2. Financial

2.1. ***Fees***:

2.1.1. The fees which we will charge or the manner in which they will be arrived at, are set out in our engagement letter.

2.1.2. If the engagement letter specifies a fixed fee, we will charge this for the agreed scope of our services. Work which falls outside that scope will be charged on an hourly rate basis. We will advise you as soon as reasonably practicable if it becomes necessary for us to provide services outside the agreed scope and if requested, give you an estimate of the likely amount of the further costs.

2.1.3. Where our fees are calculated on an hourly basis, the hourly rates are set out in our engagement letter. The differences in those rates reflect the experience and specialisation of our professional staff. Time spent is recorded in 5 minute units, with time rounded up to the next unit of 5 minutes.

2.1.4. All fees related to consents processing are liable for payment regardless of whether your application is approved or declined.

2.2. ***Disbursements and expenses*** In providing services, we may incur disbursements or have to make payments to third parties on your behalf. These will be included in our invoice to you when the expense is incurred. We may require an advance payment for the disbursements or expenses which we will be incurring on your behalf.

2.3. ***GST (if any):*** Is payable by you on our fees and charges.

2.4. ***Invoices:***

2.4.1. For services other than consent applications, we will send interim invoices to you, usually monthly and on completion of the matter, or termination of our engagement. We may also send you an invoice when we incur a significant expense.

2.4.2. For consent applications, we will usually send you an invoice on completion of the job, or termination of our engagement. We may also send you a progress invoice if we incur a significant expense or where a job continues longer than three months' duration.

2.5. ***Payment:***

2.5.1. Our fees and other charges are payable within 14 days of the date of the invoice, unless alternative arrangements have been made with us.

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2.5.2. We may require interest to be paid on any amount which is overdue. Interest may be calculated at the rate 2.0 percent per month from the date payment become due until the overdue amount is actually paid.

2.5.3. If we consider that debt recovery is required to recover our fee through a debt collector or through proceedings with the Court initiated by us, then you agree that you will be responsible for all of the reasonable costs and disbursements incurred in recovering our costs, on an indemnity basis. Our reasonable costs include, without limitation, legal costs, costs of a debt collection agency, any process servers' fee and expenses associated with locating you.

2.6. ***Security:*** We may ask you to pre-pay amounts to us, or to provide security for our fees and expenses. You authorise us to debit against amounts pre-paid by you any fees, expenses or disbursements for which we have provided an invoice, regardless of whether the permitted timeframe for payment has passed.

2.7. ***Third Parties:*** Although you may expect to be reimbursed by a third party for our fees and expenses, and although our invoices may at your request or with your approval be directed to a third party, nevertheless you remain responsible for payment to us if the third party fails to pay us.

3. Privacy of Information

3.1. Information concerning you will be used by us to provide consultancy services, and may also be used to obtain credit or other references, and to undertake credit management. You authorise us to obtain from any person, or release to any person, any information necessary for those purposes and you authorise any person to release information to us that we require for those purposes.

3.2. Subject to the above, we will treat all information we hold about you as private and confidential, and will not disclose any information we hold on your behalf or about you unless necessary to provide the service as set out in the engagement letter.

4. Communications

4.1. We do not accept any liability for loss arising from non-receipt of any communication, including computer email communications.

4.2. We will communicate with you and others by electronic means. These methods may be subject to interference, interception, viruses or other defects in the communication. Although we will take reasonable care that all electronic communications to you are safe and secure, we do not accept any responsibility for any loss or damage suffered by you in connection with an electronic communication.

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5. Termination

5.1. You may terminate our services at any time by giving us written notice.

5.2. We may terminate our services at any time, by giving you written notice.

5.3. If our engagement is terminated, you must pay us all monies owing to us up to the date of termination.

6. Complaints Procedure

6.1. We pride ourselves on providing high quality services on behalf of manawhenua. Please let us know if you are not satisfied with our services as soon as possible.

6.2. If you have a complaint about our services, please refer your complaint to either our Office Manager or the Divisional Manager in the first instance.

7. General

7.1. These terms apply to any current engagement and also to any future engagement, whether or not we send you another copy of them.

7.2. We are entitled to change these Terms from time to time, in which case we will send you amended Terms.

7.3. Our relationship with you is governed by New Zealand law and New Zealand courts have non-exclusive jurisdiction.

8. Agreement

8.1. If we do not hear to the contrary, we will assume that you agree with all of the above terms and will proceed accordingly.

8.2. If you do not agree with all of the above terms, please notify us in writing as soon as possible after the date the terms were provided to you. Services will be put on hold until an agreed set of terms are recorded in writing and signed by both parties.

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From: Jo.Fyfe
To: Te Ao Marama Office
Subject: RE: Multiple Moorings- Lake Wakatipu and Lake Wanaka
Date: Friday, 31 March 2023 3:07:00 pm
Attachments: image002.png
image003.png

Kia ora Riria,

I'm following this up again- are you able to please connect me with your key staff member that this work concerns?

Thank you.

Nga mihi,

Jo

JOHN EDMONDS & ASSOCIATES

JO FYFE
BSc, Assoc.NZPI
planner – director – Wanaka
022 158 8509 | 03 450 0009
jo.fyfe@jea.co.nz | **www.jea.co.nz**
Level 1, 24 Dungarvon Street, Wanaka 9343
PO Box 95, Queenstown 9300

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From: Te Ao Marama Office <office@tami.maori.nz>
Sent: Wednesday, December 7, 2022 3:33 PM
To: Jo.Fyfe <Jo.Fyfe@jea.co.nz>
Subject: RE: Multiple Moorings- Lake Wakatipu and Lake Wanaka

Kia Ora Jo,

Thank you for contacting us at Te Ao Marama, our key staff member that this work concerns is currently out of office completing site visits and will not be back in office until mid-way through next week.
I will consult with the a forementioned staff member regarding this, and I will get back to you with a pathway forward.
While we would like to arrange a time to meet with you as soon as possible, it may not be possible for this to occur before Christmas.
If you have any further concerns or inquiries, please do not hesitate to contact me.

Nga Mihi,

Riria Cairns-Hakiwai
Kaiwhakahaere Tari
Ph: (03) 9311242
E: riria@tami.maori.nz

TE AO MARAMA INC.

From: Jo.Fyfe <Jo.Fyfe@jea.co.nz>
Sent: Wednesday, 7 December 2022 3:11 p.m.
To: Te Ao Marama Office <office@tami.maori.nz>
Subject: RE: Multiple Moorings- Lake Wakatipu and Lake Wanaka

> WARNING: This is an EXTERNAL email from Jo.Fyfe@jea.co.nz. Please consider safe cyber security practices.

Kia ora TAMI office,

I'm just following up this email I sent direct to Stevie-Rae but perhaps should have come to this email address.

Does TAMI have any interest in these existing mooring resource consent applications in either Wanaka or Wakatipu?

Ngā mihi,

Jo

JEA JOHN EDMONDS & ASSOCIATES

JO FYFE
BSc, Assoc.NZPI
planner – director – Wanaka
022 158 8509 | 03 450 0009
jo.fyfe@jea.co.nz | **www.jea.co.nz**
Level 1, 24 Dungarvon Street, Wanaka 9343
PO Box 95, Queenstown 9300

The content of this email is confidential and may be legally privileged. If it is not intended for you, please email the sender immediately and destroy the original message.

From: Jo.Fyfe
Sent: Monday, 3 October 2022 2:17 PM
To: stevie@tami.maori.nz
Cc: Hayden Bewley <Hayden.Bewley@jea.co.nz>
Subject: Multiple Moorings- Lake Wakatipu and Lake Wanaka

Kia ora Stevie-Rae,

We are working on behalf of a number of mooring owners of existing moorings. The Council have recently identified that there are quite a number of existing and long standing moorings that are unconsented under the RMA (up to 300), as they were established under previous legislation, in which those permits have lapsed. Therefore consent is now required retrospectively for these moorings.

We have clients in Queenstown (Frankton Arm), and Wanaka (Roys Bay, Eely Point, Glendhu Bay) in this same situation, and are commencing the process of obtaining consent for these existing moorings.

We are keen to engage with you in the first instance to understand if there are any values that you see may be compromised in these applications, or any red flags that we can discuss/work through prior to lodgement with the Council, with the aim in obtaining written approval for these applications prior to lodgement with the Council.

We are also interested in understanding if there are any ways to streamline the consultation process with yourselves, given we may have quite a number of consents to lodge over the coming months.

Additionally, an indication of costs for input would be extremely helpful for us to understand upfront, so we can pass this into the clients.

Could we set up a phone call/meeting at some stage over the coming days to discuss please?

Ngā mihi,

Jo

JOHN EDMONDS & ASSOCIATES

JO FYFE
BSc, Assoc.NZPI
planner – director – Wanaka
022 158 8509 | 03 450 0009
jo.fyfe@jea.co.nz | **www.jea.co.nz**
Level 1, 24 Dungarvon Street, Wanaka 9343
PO Box 95, Queenstown 9300

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Neither the recipient nor any other person should act upon it without our separate written authorization of reliance. If you have received this message in error, please notify us immediately and destroy this message.

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 – Kelvin Grove

Mooring Permit #: **48 / WAK585**

Mooring Owners Name: John Thompson

Mooring Owners Address:

Mooring Owners Postal Address (if different):

Mooring Owners Phone No:

Mooring Owners Email Address:

Emergency contact Number:

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

Name of vessel using mooring:

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: Weight of Vessel:

Vessel Colour(s):

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*02' 41.02S

LON: 168*41'03.25E

IS THIS A CONFIRMED TRUE BLOCK LOCATION?: Yes

Inspection Date: 03/4/2026 Water Depth at location at time of inspection: 4m

Calculated total swing radius of mooring at lowest lake level: 10m

Lake level at time of inspection: 309.669m

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: No

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Checklist – (Mooring Inspector To Complete)

Note: If non-traditional mooring system is in use and this table is not fit for purpose,

	Checked Y/N	COMPONENT	DETAILS		Condition (% & notes)	Existing	Replaced
TOP SECTION	✔	Floats	Numbered: Yes	Type: Orange A4	Good	✔	
			Colour: Blue	Type: foam filled buoy	Good	✔	
	✔	Shackle(s)	Number: 1st Diameter: 13mm std	Moused: Y	Condition: OK	✔	
	✔	Shackle(s)	Number: 2nd Diameter: 20mm std	Moused: Y	Condition: OK	✔	
	✔	Chain	**Length: 3.5m**	Diameter: 13mm Min D: 12mm	Condition: Good	✔	
MIDDLE/RISER/RIDE	✔	Shackle(s)	Number: 3rd Diameter: 13mm tested	Moused: Y	Condition: Good	✔	
	✔	Swivel	Diameter: 16mm	Steel	Condition: Good	✓	
	✔	Shackle(s)	Number: 4th Diameter: 13mm tested	Moused: Y	Condition: OK	✔	
	✔	Riser/Ride/Middle chain	**Length: 3m**	D: 13mm Min D: 9mm	Condition: Good	✔	
	✔	Shackle(s)	Number: 5th Diameter: 13mm tested	Moused: Y	Condition; Good	✔	
BOTTOM	✔	Ground chain	**Length: 4.5m**	D: 20mm Min D: 20mm	Condition: Good	✔	
	✔	Block Shackle	Diameter: 20mm tested	Moused: Y	Condition: Good	✔	
	✔	Block Ring	Diameter: 25mm galv chain		Condition: OK	✔	
	✔	Block(s)	Is block visible?: Yes	Weight (dry) est : 1050kgs	OK	✔	
			Dimensions: 1m x 1m x 500mm	Type: Concrete block			

details and observations can be provided on a separate page.

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Inspectors Observations:

Has Block Shifted or become buried? No

Inspectors Further Comments:

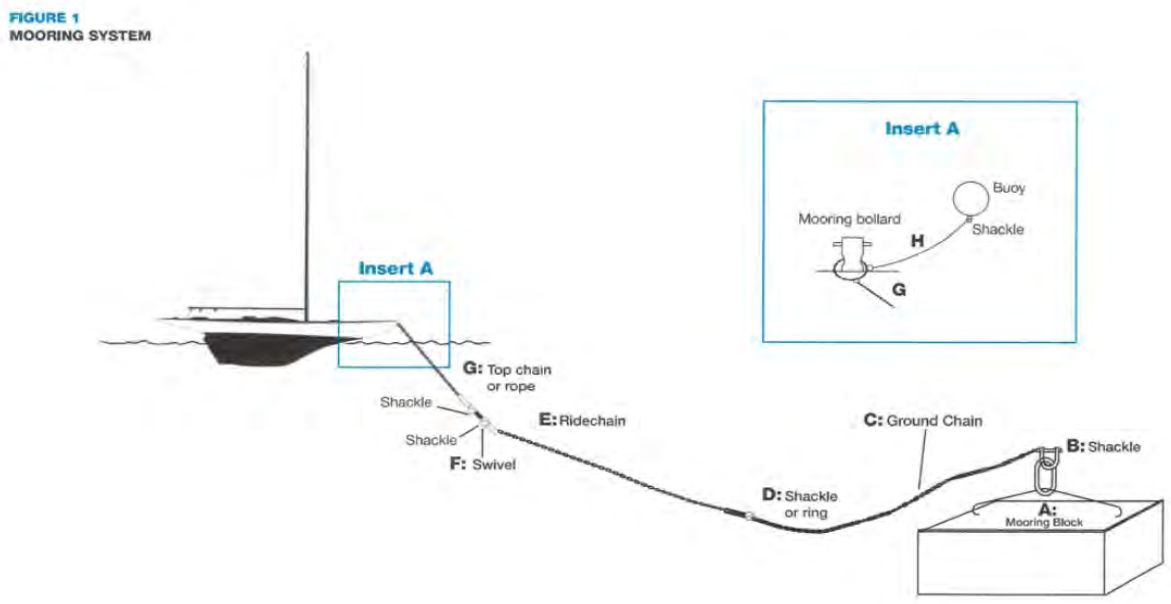
Boat attachment is 2m of 13mm chain

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



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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 compenents used on most standard moorings but can vary.

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

Mooring 48 / WAK585

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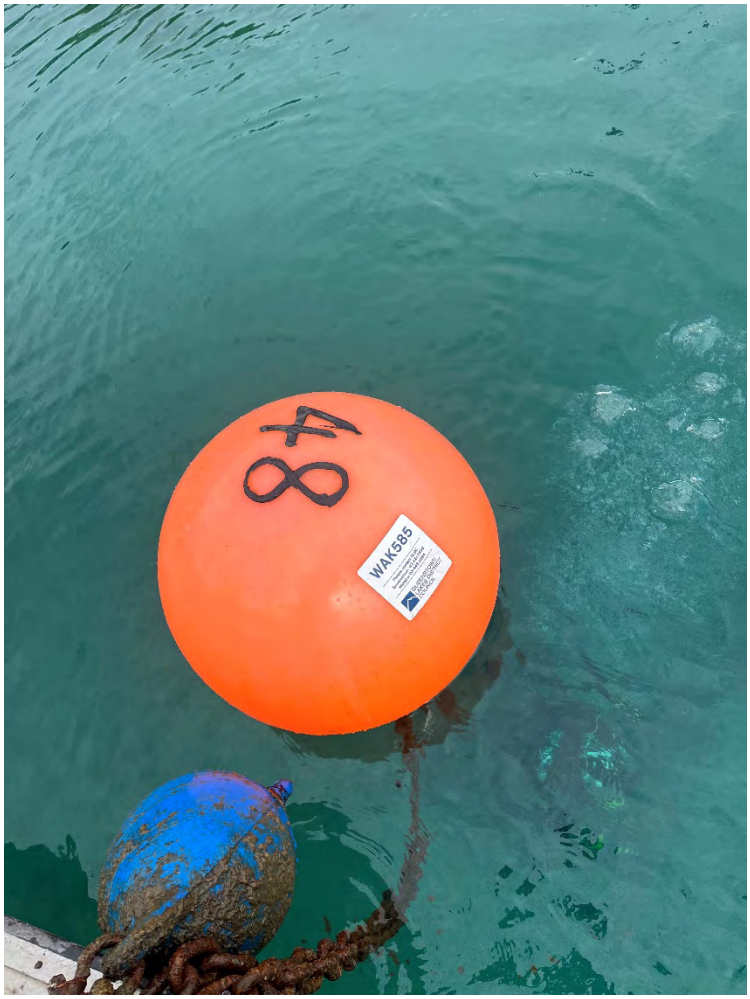

Declaration – (Mooring Inspector To Complete)

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:_____

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Date:____03/4/2026_____.

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

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to be securely moored and remain un-damaged.

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LANDSCAPE ASSESSMENT REPORT

Frankton Arm Moorings

29 May 2023

Document prepared by	Jessica Zuban
Document reviewed by	Stephen Skelton
Status	Resource Consent
Issued	29 May 2023

2

This report has been prepared by Patch Limited on the instructions of the Client. It is solely for the Client's use for the purpose for which it is intended in accordance with the agreed scope of work. Patch Limited does not accept any liability or responsibility in relation to the use of this report contrary to the above, or to any person other than the Client. Any use or reliance by a third party is at that party's own risk. Where information has been supplied by the Client or obtained from other external sources, it has been assumed that it is accurate, without independent verification, unless otherwise indicated. No liability or responsibility is accepted by Patch Limited for any errors or omission to the extent that they arise from inaccurate information provided by the Client or any external source.

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1. INTRODUCTION

1.1. This report provides an assessment of the landscape character and visual amenity effects of 19 moorings in the Frankton Arm of Lake Wakatipu. This report includes:

- A description of the landscape,
- A description of the proposal,
- A landscape assessment,
- Conclusion,
- Appendix A – Landscape Schedule Assessment,
- Attachment A – Graphic Attachments.

2. DESCRIPTION OF THE LANDSCAPE

2.1. Lake Wakatipu was formed by glacial processes during the last ice age. During the retreat of the Wakatipu Glacier, the trough left behind was eventually filled with water creating Lake Wakatipu. It is New Zealand 's third largest lake stretching approximately 80 kilometers in length. The lake is fed by several rivers and streams with the primary source being the Dart River which drains from the Main Divide into the lake from the north near the town of Glenorchy. While Lake Wakatipu once drained to the south to the Mataura and Oreti Rivers, today the lake has one outlet, the Kawarau River, which flows east out from the Frankton Arm of Lake Wakatipu to join the Clutha River near Cromwell, then east through Otago and Southland to Balclutha and the Pacific Ocean.

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2.2. The Frankton Arm of Lake Wakatipu is a distinct natural feature of the lake created by the divergence of the Wakatipu Glacier as it encountered the Remarkables Mountain, separating it into eastern and southern flows. As the Frankton Arm heads the lake's outlet, the deposition of lake sediment has gradually altered the profile and characteristics of the glacial trough and influenced the shape and depth of the arm we see today. The Frankton Arm separates the distinct roche moutonnée landforms of Queenstown Hill to the north and Peninsula Hill to the south. At the eastern end of Frankton Arm, Lake Wakatipu drains into the Kawarau River under the Kawarau Falls Bridge.

2.3. While the bulk of Lake Wakatipu and the surrounding mountain topography display a high degree of natural, open character, Frankton Arm is encircled by a mix of high density and lower density

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urban development. In places, the urban development is buffered from the surface of the lake by recreation reserves and a vegetated foreshore. In other parts of the Arm, urban development encroaches immediately onto the foreshore. The Frankton Track, which follows the entirety of the Frankton Arm foreshore between the Queenstown Gardens to the Wakatipu Yacht Club, passes through a variety of residential, parkland and natural character areas.

2.4. The land surrounding Frankton Arm is zoned primarily for lower and high-density residential development (**Figure 1**). Residential and recreational activities are most evident in the higher density and mixed-use areas around Park Street, the lands between Frankton Road/SH6 and the lake including the Frankton Marina (**Frankton Road**), the south-eastern edge of the Arm near the Kawarau Falls Bridge and the stretch of foreshore between Bay View Recreation Reserve and Kelvin Heights Golf Course (**Kelvin Heights**). These urban areas have eroded the natural character of the arm's edges and to a degree, the foreshore of the arm. Within these more extensively developed areas exist small areas of natural and open character. However, these more natural and open character areas are still adorned with urban elements including paths, staircases, retaining walls, jetties, moorings, boats, play equipment, huts and other elements which tend to diminish the sense naturalness of the foreshore. 4

2.5. There are two notable stretches of the foreshore that do not display the same extent of urban character prevalent in the balance of the Frankton Arm. The Frankton Recreation Reserve on the east side of the lake embodies an open, parkland character evidenced by the large open areas of grassland edged by a gravel beach lined with willows. Another less urban character area is the Frankton Recreation Reserve off Peninsula Road (**Peninsula Reserve**) which occupies a stretch of land on the south side of the lake, west of Loop Road and east of Mincher Road. This stretch of the foreshore displays a more wild, natural character, featuring steep banks, rocky bluffs, rank grass, pockets of native and exotic vegetation and a much lower frequency of urban elements.

2.6. The amenity experienced on the Frankton Arm varies based on the position and experience of the receptor, be they on foot, in a car, in an aircraft, on a boat or from a private place. From most vantages Frankton Arm is seen in conjunction with the elevated roche moutonnée features including Peninsula Hill and the surrounding mountains including the Remarkables range to the southeast, Cecil and Walter Peak to the west, and Queenstown Hill and Ben Lomond to the

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northwest. These highly legible and iconic mountain and lake landscapes impresses a memorable sense of place which can be held from the more urban confines of Frankton Arm.

2.7. The surface of Frankton Arm serves as a valued recreation area for boating and other water-based activities. The Kelvin Peninsula and narrow inlet into Frankton Arm from the wider body of the lake provides shelter from the prevailing winds and waves such that boating activity can occur within the arm during more turbulent weather events. The arm itself hosts at least three boat ramps and five ski lanes and is part of the corridor which is used by commercial jet boats which access the Kawarau and Shotover Rivers from Queenstown Bay. To facilitate and enhance these recreational opportunities, boat houses, jetties, moorings, locked boats on the foreshore and other boating infrastructure such as the Frankton Marina and Earnslaw Slip form part of the receiving landscape. Overall, the Frankton Arm is a unique part of the Queenstown landscape offering one of the few urban/lake interfaces in the district and distinctly contributing to the memorability and overall sense of the place.

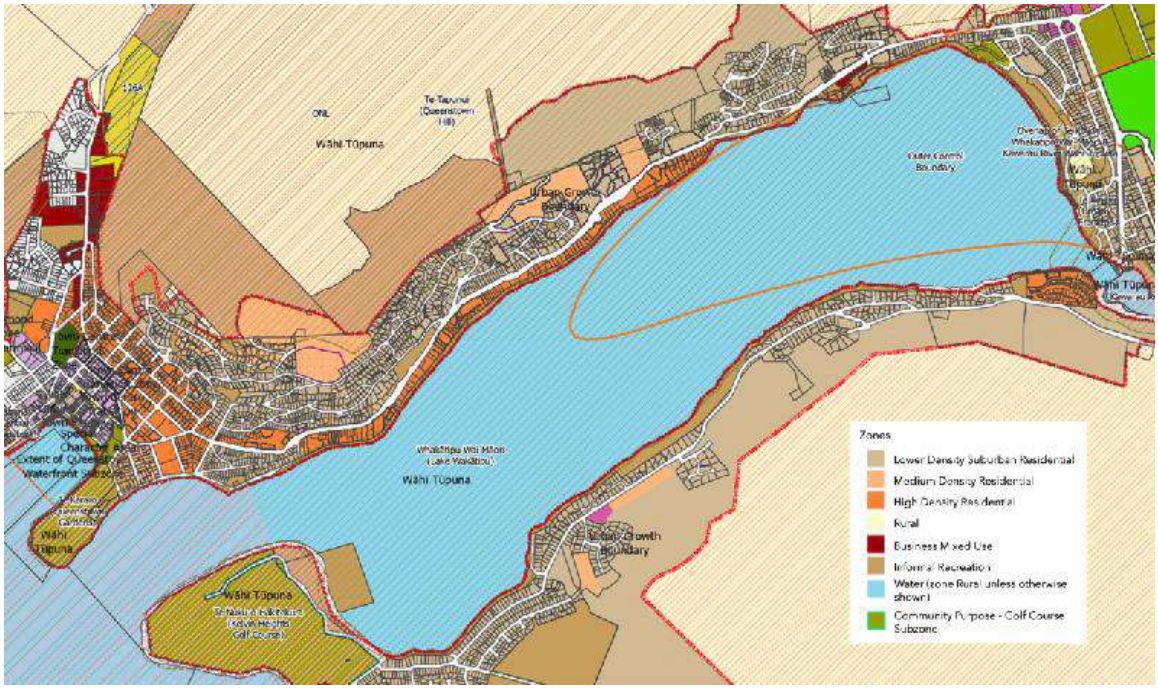

Figure 1: Stage 1, 2 and 3 Decisions and Appeals PDP Map shows the zoning around Frankton Arm, which is predominantly lower and high density residential

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3. DESCRIPTION OF THE PROPOSAL

3.1. A detailed description of the proposal is contained within the Assessment of Environmental Effects which forms part of this application.

3.2. Approval is sought for 19 moorings in Frankton Arm, Lake Wakatipu. These moorings currently exist within the Frankton Arm. For ease of reference, the moorings have been divided into five clusters based on their locations which include: Park Street, Frankton Road, Frankton Marina, Kawarau Falls and Kelvin Heights (**Figure 2**).

3.3. Typical moorings are manifested visibly as round orange buoys approximately 1m in diameter. These buoys are attached to an anchor on the lake bottom. Attached to the moorings can be a range of vessels of different sizes and external appearance. In general, the size of the vessel is dictated by the swing of the mooring, and the largest vessel (yacht) could be up to 12m in length. The associated vessels may be anchored for varying amounts of time throughout the year and the type of vessel may change at each mooring.

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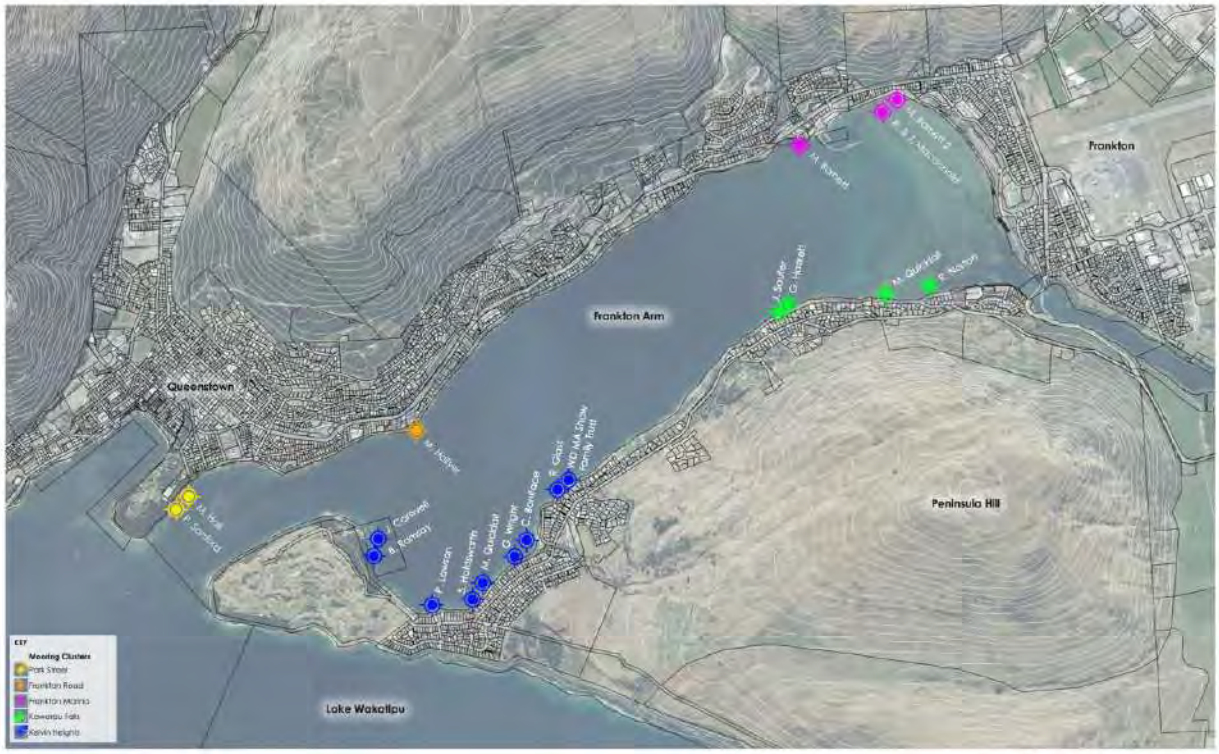

Figure 2: Locations of proposed moorings within defined clusters

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4. LANDSCAPE ASSESSMENT

Methodology

4.1. In undertaking this assessment, Patch visited the site to view the existing moorings. The moorings were viewed from key locations along the lake edge, tracks and public roads and photographs were taken using a DSLR camera. These photographs are attached to this report (**Attachment A and Images 1-12**). The effects of the proposal were considered within the frame of the statutory matters listed below and that assessment was undertaken in accordance with the Te Tangi a Te Manu Aotearoa New Zealand Landscape Assessment Guidelines.

Extent of Effect

4.2. In assessing the extent of effects, this report uses the following seven-point scale:

very high, high, moderate-high, moderate, moderate-low, low, very low.

An effects rating of moderate–low corresponds to a 'minor' adverse effects rating. An adverse effects rating of "low' or 'very low' corresponds to a 'less than minor' adverse effects rating.

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4.3. This report uses the following definitions:

- **Landscape** – embodies the relationship between people and place: It is the character of an area, how the area is experienced and perceived, and the meanings associated with it. An area as perceived by people, including how the area is experienced, understood, interpreted, and regarded.
- **Landscape effect** – is a consequence of changes in a landscape's physical attributes on that landscape's values. Change is not an effect: landscapes change constantly. It is the implications of change on landscape values that are relevant. While an effect arises from changes to physical attributes, the consequences on landscape values relate to a landscape's physical, associative, and perceptual dimensions.
- **Visual effects** – are a subset of landscape effects. They are consequences of change on landscape values as experienced in views[1].

[1] NZILA. Te Tangi a Te Manu Aotearoa New Zealand Landscape Assessment Guidelines. April 2021.

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Landscape Category

4.4. The moorings are within the Lake Wakatipu Outstanding Natural Landscape (ONL) and Wāhi Tūpuna overlay as shown on the Stage 1, 2 and 3 Decisions and Appeals Proposed District Plan (PDP) Map.

4.5. Two of the proposed moorings off Park Street (P. Sanford and M. Hall) are also located in the Queenstown Bay and Environs Priority Area (**PA**) ONL.

Statutory Considerations

4.6. The proposed moorings are within the Rural Zone and Outstanding Natural Landscape. This report will provide an assessment of the proposal against the landscape relevant matters contained within Chapter 21 – Rural Zone – Section 21.21.1 – Assessment Matters (Landscape) for Outstanding Natural Features and Outstanding Natural Landscapes as derived from the Decision No. {2023} NZEnvC 58 dated 31 March 2023.

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4.7. Two moorings (P. Sanford, M. Hall) are also within the Queenstown Bay and Environs PA ONL and are assessed against the landscape values identified in Schedule 21.22 for Queenstown Bay and Environs PA ONL.

Visibility Overview

4.8. The proposed moorings are visible from many surrounding public and private places. There are a total of 19 moorings sited within five clusters. The overall visibility of each cluster is detailed below.

Park Street (P. Sanford, M. Hall)

4.9. These moorings are sited at the western end of Frankton Arm in the narrow stretch of lake that separates Queenstown from the Kelvin Heights Peninsula. This is the entrance to the Frankton Arm. The land and foreshore within the vicinity of the moorings are characterized by the parkland character of the Queenstown Gardens, including the ice arena, skate park, boat houses and residential development which is in the vicinity of this part of the foreshore.

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4.10. From the southern side of the Queenstown Gardens and from Park Street, the proposed moorings are visible (**Images 1-2a, 3a**). As viewed from the north, the treed slopes of the Kelvin Heights Peninsula act as a natural, vegetated backdrop to the buoys and moored vessels (**Image 1**). From Park Street, the moorings are viewed in the context of open water and the distant shores of Cecil Peak (**Image 2a**). At the eastern end of Park Street and start of the Frankton Track, the moorings are viewed against a densely vegetated backdrop of conifers that surround the Queenstown Gardens (**Image 3a**). The moorings are also visible across the lake from parts of the Kelvin Peninsula Trail and from within the Kelvin Heights golf course and seen in the context of the vegetated backdrop of the Queenstown Gardens and the urban areas of Queenstown.

Frankton Road (M. Hollyer)

4.11. This mooring is discretely located adjacent to a thick bank of willows. The character of this area is defined by a densely vegetated foreshore edge which separates the natural character of the surface of Lake Wakatipu from the distinctly urban areas and visitor accommodation between the surface of the lake and Frankton Road. The jetty is visible for approximately 20m from a slightly elevated stretch of the Frankton Track (**Image 4**). The mooring may also be visible from a distance of over 1km away on the other side of the lake near Bay View Reserve and Kelvin Beach (**Image 12b**).

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Frankton Marina (M. Barnett, R. & J. Macdonald and M. Barnett 2)

4.12. The moorings are located either side of the marina on the eastern end of the Frankton Arm. This part of the Frankton Arm is distinctly urban in character hosting the Frankton Marina and the commercial areas adjacent to Sugar Lane. One mooring (M. Barnett) is visible through a gap between the existing vegetation and Coastguard building on the Frankton Track (**Image 5**). As it sits behind (to the west of) the marina, it is relatively screened from easternly vantages on the Frankton Beach foreshore and adjacent roads. The other moorings (R. & J. Macdonald and M. Barnett 2) are located on the east side of the marina. They can be seen from places on Frankton Beach, Sugar Lane and Shoreline Road (**Image 6a**). These moorings are seen in the context of the extensive surrounding foreshore development (e.g. jetties, boats and moorings) at the marina and may also be seen from across the lake from a distance of over a 1km (**Image 7**).

Kawarau Falls (J. Sauter, G. Haskett, M. Quickfall, R. Norton)

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4.13. These moorings are located near the Kawarau Falls high density area on the stretch of foreshore between the Hilton Hotel and western end of Loop Road. This area is characterized by urban type development and sees frequent lake activity from both the commercial jet boat operators and water taxis which access the Hilton Hotel. Two moorings are adjacent to and visible from Willow Place. R. Norton is visible from the eastern end of Willow Place for approximately 300m where it meets the Frankton Track (**Image 7**), and M. Quickfall from the western end of the road where it is visible through gaps in the foreshore vegetation (**Image 8**). The other two moorings in this cluster are located further west on a section of the foreshore more removed from the the urban activities associated with the Hilton Hotel. These moorings (J. Sauter and G. Haskett) are visible from an elevated 100m portion of the Frankton Track through gaps in the vegetation (**Image 9**). These moorings may also be seen from northerly vantages near Frankton Beach from a distance of over a 1km (**Image 6b**).

Kelvin Heights (J. Carswell, B. Ramsay, P. Lawson, S. Holdsworth, M. Quickfall, G. Wright, C. Boniface, WD MA Show Family Trust)

4.14. This cluster of moorings spans the stretch of foreshore from the Peninsula Reserve to the Kelvin Heights golf course. This area is characterized by the residential and urban areas of Kelvin Heights. The recreational values of this part of the Frankton Arm are high as it offers one of the most sheltered parts of Lake Wakatipu. Two moorings are discreetly located east of the Bay View Boat Ramp (R. Glass, WD MA Show Family Trust) around a gentle bend in the Frankton Track visible through gaps in the vegetation (**Images 10**). Five of the moorings (P. Lawson, S. Holdsworth, M. Quickfall, G. Wright, C. Boniface) are located between the Bay View Boat Ramp and the eastern edge of the Kelvin Beach, and two moorings (J. Carswell, B. Ramsay) are located on the western end of Kelvin Beach within the Kelvin Peninsula Recreation Reserve (PT SEC 25 SEC 26 BLK I CONEBURN SD KEL VIN). These moorings are visible from Bay View Reserve, Kelvin Beach and from the Frankton Track through gaps in the vegetation (**Images 11-13b**) and seen in the context of adjacent development at Bay View Recreation Area, the Wakatipu Yacht Club and the TSS Earnslaw Slipway. These moorings may also be seen across the lake on the Frankton Track on the east of Park Street from a distance of over a 1km (**Images 2b, 3b, 4, 6a**).

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All Moorings

4.15. From the various public and private places along Frankton Road, Sugar Lane, Lake Avenue, Peninsula Road the surface of Lake Wakatipu and elevated vantages on Queenstown Hill and Peninsula Hill, the proposed moorings may be visible. From the more distant viewpoints (**Image 14 - View from Lake Avenue**), the moorings are very small elements difficult to separate from the other urban accompaniments of the surrounding lands and recede into the views of the much wider mountain and lake landscape.

21.21.1 PDP – Rural Zone – Outstanding Natural Features and Outstanding Natural Landscapes

4.16. The following part of this report provides a summary of the landscape character and visual amenity effects as directed by Chapter 21 of the District Plan.

21.21.1.1 Landscape Values (SP 3.3.43, SP 3.3.45)

4.17. The Frankton Arm foreshore is characterised by a combination of natural and human elements. Park Street, Frankton Road, Frankton Marina, Kawarau Falls, and Kelvin Heights are five of the most developed areas on the Arm. The proposed moorings are located in logical positions adjacent to these highly modified residential areas where the once natural character of the foreshore has been eroded by considerable development. Even though the foreshore is now dotted with boats, jetties, mooring and human artifacts, the natural character of the wider lake ONL remains unaffected. The physical, geological, and topographical attributes associated with the Frankton Arm foreshore will not be affected by the proposed moorings. The vegetation on the foreshore will similarly be unaffected by the proposed moorings. Overall, the proposed moorings will not affect the physical landscape or have a significant adverse effect on the physical attributes of the wider ONL.

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4.18. The subject moorings reinforce the distinct character and experiential and associative attributes of the Frankton Arm. The lake and mountain landscape have highly legible glacial origins that will remain unaffected by the proposed moorings. The aesthetic values associated with the foreshore have largely been influenced by human settlement patterns and associated recreational features including boats, jetties, and moorings. These artifacts contribute to the memorability of the lake

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as a recreational destination. The historical and heritage associations of the lake as a place of recreation will be maintained, and the cultural and spiritual values are shared and recognised.

4.19. The quality and character of Frankton Arm in Lake Wakatipu is shaped by the wider natural landscape as well as the significant residential development on its shores. The proposed moorings are sited in logical positions where they accord the recreational character of the foreshore. The proposal will not adversely affect the physical, sensory and associative quality and character of the lake ONL to a more than very low degree.

21.21.1.2 Visibility

4.20. The overall visibility of the moorings is discussed above. None of the proposed moorings detract from public or private views. Five of the moorings are not visible from public roads, but only visible through gaps in the vegetation as viewed from the Frankton Track which include M. Hollyer (Frankton Road), J. Sauter and G. Haskett (Kawarau Falls), and R. Glass and WD MA Show Family Trust (Kelvin Heights).

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4.21. The buoys themselves are brightly coloured, low-lying features in the landscape and are similar to the speed restriction buoys found near the marina, yacht club, and western outlet to the wider lake. They form part of the distinct character of the Frankton Arm foreshore. Each buoy could have a vessel of any size moored for any duration of time. While the 19 moorings will be visible from many public and private places near the lakefront, albeit to varying extents, including the Frankton Track, Frankton Road, and Peninsula Road, overall, the proposed moorings will not be visually prominent features in the landscape.

4.22. Generally, the views of the moorings are contained to the narrow body of water that is Frankton Arm and viewed against the backdrop of the adjacent shoreline approximately 1km distant. The exception being the two moorings off Park Street, which are viewed from one vantage out onto the open waters of Lake Wakatipu and Cecil Peak 3.5km to the southwest. Most of proposed moorings are well integrated into the surrounding residential development, and in a sense, hidden “in plain sight” as they blend into the surrounding jetties, boats, and other recreational elements and form part of the distinct character of Frankton Arm.

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4.23. Seven of the proposed 19 moorings are on the periphery of the highly developed areas and are considered less visually integrated with the surrounding development. Namely these include M. Hollyer (near Frankton Road), R. & J. Macdonald and M. Barnett 2 (east of the Frankton Marina), and to a lesser extent G. Haskett and J. Sauter (west of Willow Place) and R. Glass and WD MA Show Family Trust (east of Bay View Recreation Reserve). Their positions encroach into the more natural areas of the foreshore (or parkland areas in the case of R. & J. Macdonald and M. Barnett 2 east of the Frankton Marina). However, the moorings themselves are not the only recreational elements present in these lesser developed areas and are all seen in combination with other boats and jetties (apart from M. Hollyer near Frankton Road which is discretely located in the willows below the track). It is considered that these moorings exist in more open areas, but in the context of the perceiving landscape, the buoys largely maintain the open space and open character of the landscape.

4.24. While the moorings and associated vessels cannot be screened or hidden from view, their presence reinforces the distinct character of the arm. The moorings along with the existing jetties, boats, kayaks and other urban and maritime elements provide for and enhance users' experience in these parts of the landscape. Their presence does not detract from the visual amenity of the wider lake ONL, but contributes to the existing visual amenity and landscape character experienced and anticipated in Frankton Arm.

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4.25. While the moorings are generally visible elements on the surface of the lake which are not able to be mitigated through any screening, they are not visually prominent, do not break the line of and ridge, hill or slope, or significantly detract from public or private views, and are considered appropriate elements in the context of the surrounding landscape. From some proximate viewsheds, the moorings and any vessels attached to them, will be visible, but views to the highly valued lake and mountain landscape will be not affected to a more than very low degree.

*21.21.1.3 Design and Density of Developmen*t

4.26. The proposed moorings are located in five areas on different stretches of the foreshore of Frankton Arm. The foreshore adjacent to these five areas has become increasingly developed as evidenced by the residential and mixed-use zoning of adjacent land. Within each of these areas, the proposed moorings are generally aggregated with other urban elements.

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4.27. The Park Street moorings are located just south of the Queenstown Ice Arena near a cluster of boat sheds on the rocky beach. These moorings are adjacent to the Queenstown Gardens Community Purpose zone and near Medium and High Density residential areas. There are other existing moorings here, which are generally tucked to the west of the existing jetty. The proposed moorings are not too distant from the shore and sufficiently aggregated with the existing development in the area least sensitive to change in this recreational corner of Park Street.

4.28. The Frankton Road mooring is relatively isolated. It is located on the stretch of land between Park Street and the Frankton Marina adjacent to an area designated High Density residential. On this stretch of the foreshore, the Frankton Tracks winds through some mature willow trees, and passes by the odd staircase up the steep slope to the elevated residential area. As the receptor moves east, high density apartments and hotels become more frequent and proximate to the walking track. As many of these building service visitors, there is minimal private recreational development on this part of the foreshore. However, the resort style development on the north side of the track has highly modified the natural character of the Frankton Arm edge. The subject mooring is tucked away in a leafy cove where the track gently rises away from the lake and enters this urban character area. While the mooring is not well integrated with other foreshore development, the odd boat or jetty is still common in this part of the landscape and its discreet location is considered appropriate.

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4.29. The Frankton Marina moorings are located either side of this highly urbanised part of the Frankton Arm. The mixed-use development area on Sugar Lane is distinctly urban and devoid of natural character as there is minimal vegetation or green space. The two moorings in combination with the marina itself stretch out and expand the marine area into the foreshore. This aggregation of development generally extends from the parking lot in front of the Frankton Campground to the just past the Boatshed Cafe. A number of jetties are present along Sugar Lane contributing to the wider marina character area. The mooring to the west (M. Barnett) is considered to be well aggregated with the existing development. The moorings to the east (R. & J. Macdonald and M. Barnett 2) are part of a less densely organised swathe of moorings that extend to the Frankton Campground and adjacent Frankton Reserve in an area slightly more sensitive to change. The moorings generally blend into the marina development and are sufficiently aggregated.

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4.30. The Kawarau Falls moorings are located to the west of the Hilton Hotel in the stretch of foreshore between Willow Place and Loop Road. Near Willow Place there are several small islands dominated by willows as well as several jetties and moored boats. Two moorings (M. Quickfall and R. Norton) are located amidst this established recreational area. While visible from the road, they are aggregated with existing development and in a part of the landscape least sensitive to change. The other moorings (J. Sauter and G. Haskett) are located further west in a smaller node of moorings. They can be viewed from an elevated vantage along a short stretch of the Frankton Track just before the Peninsula Reserve. The proposed moorings are part of a small cluster of moorings in the part of the lake, and are considered to be aggregated with existing development, but to a lesser degree than the moorings near Willow place. They are also, however, only visible from the Frankton Track as there are no adjacent public roads with views to the foreshore. Therefore, the more discreet location is still considered to be appropriate in this context.

4.31. The Kelvin Heights moorings are located in a stretch of water between the Peninsula Reserve and the Kelvin Heights Golf Course. The Bay View Recreation Reserve, Kelvin Beach, Wakatipu Yacht Club and the Earnslaw Slipway that surround these moorings display strong urban characteristics. 15
The moorings are adjacent to a lower density residential area which has an established vegetated and recreational character as evidenced by boats, kayaks, swings, and numerous jetties that dot the foreshore. This sheltered part of the lake is a practical place to site moorings. While the easternmost moorings in this group are not strongly connected to the establish recreation zone on the west side of the bay, they are on a stretch of the foreshore that has several existing jetties and are discreetly located and least visible. The remaining seven moorings are all sufficiently aggregated in a place which will result in the least impact to landscape character.

4.32. Overall, the subject moorings are generally located in areas characterised by significant residential development. While the subject moorings and associated vessels increase the visual presence of human influence, these effects are concentrated around the urbanised edge of Frankton Arm. The existing settlement patterns and zoning shown on the PDP Maps confer that these areas are likely to experience increased infill development on the undeveloped lots.

4.33. Aggregating development on the foreshore in each of the identified development area reduces the sprawl of vessels along the shoreline and any resultant visual effects, preserving the more

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natural character areas around the lake. Conversely, aggregating development also increases the degree of human influence and density of structures in certain parts of the lake which could over time result in an over-densification of urban elements in parts of the lake. However, it is considered that the proposed design and density of the moorings is appropriate and will result in very low adverse effects on landscape character.

21.21.1.4 Cumulative Effects

4.34. Frankton Arm is not void of human influence and the existing residential and recreational development has shaped the landscape's quality, character and amenity. It is understood several jetties and moorings have been approved through the resource consenting process on the surface of Lake Wakatipu within Frankton Arm, it is considered that this existing, consented and permitted development forms part of the relevant landscape character area and should be considered when assessing cumulative effects on landscape values.

4.35. Generally, foreshore development is concentrated in pockets around the lake where urban development is highest. The proposal is not considered to have reached a threshold whereby the landscape cannot visually absorb the proposed moorings and associated vessels. The moorings contribute to the distinct character and quality of the Frankton Arm landscape and have minimal influence on the highly natural attributes and values of the wider natural lake and mountain ONL. Overall, any adverse cumulative effects caused by the proposal on the quality, character or visual amenity will be very low in extent.

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4.36. It is noted, however, that as more moorings and jetties are consented on the periphery of the Frankton Arm, the spread of recreational urban elements into more natural parts of the lake will become more evident, which could lead to adverse cumulative effects on the wider lake. The tree-lined, leafy portions of the Frankton Track between high density clusters of recreational foreshore development provide respite from the urbanity. Future moorings would be more appropriately located around the Park Street, Frankton Marina, Kawarau Falls, Bay View Recreation Reserve and the Wakatipu Yacht Club areas to prevent sprawl and resultant adverse character and amenity effects associated with lining the entirety of the Frankton Arm with boats. It may be beneficial to demarcate the edges of these development areas or set a limit to the number of vessels within each area to preserve the more natural stretches of foreshore which

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are distinct from the urban edges in that they hold fewer urban elements and more natural characteristics.

Landscape Schedules – Queenstown Bay and Environs PA ONL

4.37. Two of the moorings (P. Sanford and M. Hall) are within the Queenstown Bay and Environs Landscape Priority Area ONL (**PA**). The matters under the PDP Assessment Matters 21.22.13 have been considered and described in table format included as **Appendix A** to this report. The following provides a summary of the detailed assessment.

Physical, Associative and Perceptual Attributes and Values

4.38. The physical attributes of the Queenstown Bay PA are characterised by the landform, vegetation, and land use patterns. The subject moorings will be sited on the foreshore of the lake off Park Street near several existing boat sheds and a jetty at the southeastern corner of the Queenstown Gardens. The moorings are consistent with the recreational land use patterns that characterise this area. The physical values embodied in the landform, vegetation, and hydrological features associated with the Queenstown Bay PA will not be adversely affected by the moorings. 17

4.39. The associative attributes of the Queenstown Bay PA include historic and recreation values. The subject moorings will be consistent with the historic use of the lake for transport and recreation. The moorings will form part of the important recreational amenity associated with the water-based activity on the lake.

4.40. Perceptual attributes associated with the PA include the aesthetic amenity, memorability and naturalness of the landscape. From the Queenstown Gardens, the lake-edge trails enjoy outstanding views out toward the broader lake and mountain context. The subject moorings will form part of the foreground in views towards the Kelvin Heights golf course and Remarkables Mountains. The moorings will create a desirable juxtaposition of recreational development within the frame of the spectacular natural landscape. The naturalness and memorability of the more dominant lake and mountain landscape will not be significantly adversely affected by the proposal.

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4.41. Overall, the subject moorings within the Queenstown Bay PA will not adversely affect the physical, associative and perceptual values of the landscape.

Landscape Capacity

4.42. There is very limited capacity for additional jetties and boatsheds in the PA. The subject moorings are very small in scale and the associated vessels may be up to 12m in length. The addition of two buoys and boats to the foreshore landscape at the corner of Park Street and the Queenstown Gardens is sympathetic in scale, appearance, and character in this recreational area.

5. CONCLUSION

5.1. The Frankton Arm is an extension of the main body of Lake Wakatipu, acting as the sole outlet of the lake into what becomes the Kawarau River. The Frankton Arm is distinct in its character in that it is encircled by urban development and the land that encircles the arm shelters that portion of the lake from prevailing winds and waves, rendering it a popular place for recreational activities, particularly boating. The extent of urban elements adjacent to the lake's foreshore is not present in other parts of Lake Wakatipu, nor is the shelter provided by the adjacent lands, making the Frankton Arm a valued water body for its amenity values and recreational opportunities.

5.2. The proposal seeks to establish and legally permit 19 existing moorings in the Frankton Arm of Lake Wakatipu. The proposed moorings are small orange buoys that float on the surface of the lake generally near the foreshore and accommodate boats including yachts up to 12 meters in length with varying external appearances. It is understood that other moorings and jetties and other boat related activities and structures are already approved within some of the areas subject to this proposal. Those existing urban elements and the urban character of the lands which encircle Frankton Arm render it a body of water which has a higher capacity to absorb recreational elements such as moorings than say other more natural parts of Lake Wakatipu. While the subject moorings can be seen from many locations including the Frankton Track, the surface of the lake, nearby public roads and private residences, they form part of the expected

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and anticipated character and in this part of the lake and do not adverse the effect the wider views of the lake and mountain ONL.

5.3. It is considered that the character effects presented by these moorings are attuned to the distinct character of Frankton Arm and its associated recreational values and adjacent urban activities. While the moorings and associated vessels may be visible from surrounding public and private places, any resultant visual effects will be well absorbed and subservient to the vast lake and mountain landscape. Overall, is considered that the proposal will adversely affect landscape character and visual amenity to a no more than very low degree.

Prepared by:
Jessica Zuban

Landscape Architecture Associate

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Reviewed by:

Steve Skelton

Registered Landscape Architect

patch
PO BOX 1634, Queenstown, 9348 · +64 (0)3 409 2878 · +64 (0)21 020 99933
steve@patchlandscape.co.nz · www.patchlandscape.co.nz

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APPENDIX A – Variation to the Proposed District Plan – 30 June 2022

21.22.11 Rural Zone – Landscape Schedules – Queenstown Bay and Environs Priority Area ONL

Physical Attributes and Values	***Important landforms and land types*** *1. 1. The glacier carved basin of the Whakatipu Valley, which split into two ice tongues when it met the Remarkables, with the terminal moraine deposited at its southern end (at Kingston) leading to the damming of the valley and creation of the lake.* *2. The small peninsula landforms of Te Kararo (Queenstown Gardens) and Te Nuku-o-Hakitekura (Kelvin Heights Golf Course).* 3. *Range of lakeshore and fluvial processes and landforms that have modified the largely glacially derived and dominated landscape. These landforms tend to be of small scale.*	The subject moorings will be sited near the foreshore of the lake. They will not affect the physical attributes and values associated with the glacially derived landform and lakebed.
	Important ecological features and vegetation types *4. Whakatipu Waimāori (Lake Whakatipu), notable for its largely undeveloped mountain context, scale (at 80 km in length, it is New Zealand's longest lake, and, at 291 km², its third largest), depth (with its floor being below sea level), high water quality (used for urban Queenstown water supply), distinctive shape (dog leg), unmodified lake level (with a seiche period of 26.7 minutes, which causes the water level to rise and fall some 200mm in Queenstown Bay) and highly dynamic character (as a consequence of its scale and the effects of weather).*	The subject moorings will be located off the southern shores of the Queenstown Gardens next to a stand of conifers. They will not affect the important ecological features and vegetation associated with the Queenstown Bay Priority Area (PA).

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	5. *Ornamental pond in Te Kararo (Queenstown Gardens).* 6. *Particularly noteworthy indigenous vegetation features include:* a. *Small pockets of remnant mountain beech and grey shrubland along the lake edge between Fernhill and Sunshine Bay. In places that are stands of wilding blue gum (Eucalytpus globulus).* 7. *Other distinctive vegetation types include:* *a. The proliferation of mature exotic specimen trees along the lake shore between Queenstown and Sunshine Bay and at Te Kararo (Queenstown Gardens). Species include: Abies grandis (grand fir), Abies nordmanniana (Algerian fir), Araucaria araucana (monkey puzzle), Populus nigra 'Italica' (Lombardy poplar), Quercus velutina (black oak), Quercus rubra (red oak), Tsuga heterophylla (western hemlock), Sequoiadendron giganteum (wellingtonia), Salix babylonica (weeping willow), Tilia x europaea (lime). Pseudotsuga menziesii (Douglas fir) is a dominant species at Te Kararo (Queenstown Gardens) forming a protective forest around much of the gardens.* *b. The rose garden and other largely exotic amenity plantings throughout Te Kararo (Queenstown Gardens).* *c. Mown grass areas studded with specimen trees along the lake edge between Queenstown and Fernhill.*	

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	d. Amenity plantings of indigenous trees and shrubs have been established along the walking track between Sunshine Bay and Queenstown. *e. Coniferous and amenity plantings throughout Te Nuku-o-Hakitekura (Kelvin Heights Golf Course).* *f. Southern Rata re-establishment on Queenstown Gardens periphery and presence of notable solitary specimen trees.* *8. Animal pest species include feral cats, ferrets, stoats, weasels, rabbits, possums, rats and mice.* *9. Plant pest species include wilding conifers, hawthorn, buddleia, broom and gorse.*	
	Land use patterns and features *10. Te Kararo (Queenstown Gardens) and Te Nuku-o-Hakitekura (Kelvin Heights Golf Course) with a wide range of recreational uses (described below).* *11. 11. Te Kararo (Queenstown Gardens) features include;* *a. operational facilities to manage the park e.g., the depot;* *b. Amenity display structures: Conservatory;* *c. Daytime parking for Freedom Camping.* *12. The reserve or open space zoning of almost all of the land-based part of the area under the District Plan.* *13. The walkway along the lake edge between Queenstown and Sunshine Bay forms a linkage of the Aotearoa's national*	The subject moorings and associated vessels will be located off Park Street adjacent to several existing boat sheds and a jetty at the southeastern corner of the Queenstown Gardens. The moorings appear consistent with the recreational land use patterns that characterise this area.

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	walkway, the Te Araroa Trail passing through the ONL along the lakefront via the Wakatipu Track. *14. The Urban Growth Boundary (UGB) of Queenstown and Kelvin Heights which adjoins the lake edge within the PA.* *15. Uses on the lake including tourism and recreation-based activities (e.g., the Earnslaw, kayaking, scenic cruising/touring, jet boating, sailing, parasailing and recreational boating, jet skiing and water sports, water taxis, barges).* *16. Other neighbouring land uses which have an influence on the landscape character of the area due to their scale, character, and/or proximity include: the commercial development in central Queenstown, residential development at Sunshine Bay, Fernhill, Queenstown Hill and Kelvin Heights, Glenorchy Queenstown Road, Bob's Peak and the Skyline gondola and building.*	
	Important archaeological and heritage features and their locations *17. The numerous protected exotic specimen trees throughout Te Kararo (Queenstown Gardens) and along the lake shore between Queenstown and Fernhill.* *18. Queenstown Gardens and Plantation Reserve Block, including the Queenstown Gardens Gate (District Plan reference 13).* *19. William Rees Memorial, Hakitekura Plaque, and Scott Rock Memorial, Queenstown Gardens (District Plan references 24-26).* *20. Queenstown Bowling Club Pavilion, Queenstown Gardens (District Plan reference 65).*	The subject moorings will not affect any important archaeological or heritage features.

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	21. Shipping navigation beacon at the end of the Gardens Peninsula (District Plan reference 221). *22. Rifle butt adjacent to the lake esplanade (District Plan reference 220, archaeological site E41/305).* *23. Kelvin Peninsula midden/oven site (archaeological site E41/13).*	
	Mana whenua features and their locations *24. The entire area is ancestral land to Kāi Tahu whānui and, as such, all landscape is significant, given that whakapapa, whenua and wai are all intertwined in te ao Māori.* *25. Much of the ONL is within the mapped wāhi tūpuna Whakatipu Waimāori (Lake Whakatipu). Whakatipu Waimāori is a Statutory Acknowledgement under the Ngāi Tahu Claims Settlement Act 1998.* *26. It also includes the mapped wāhi tūpuna Te Nuku-o-Hakitekura (Kelvin Heights Golf Course) and Te Kararo (Queenstown Gardens.*	The subject moorings are located in wāhi tūpuna, a site of significance to Maori. The physical features that contribute to wāhi tūpuna being significant will not be adversely affected by this proposal.
Associative Attributes and Values	***Mana whenua associations and experience*** *27. Kāi Tahu whakapapa connections to whenua and wai generate a kaitiaki duty to uphold the mauri of all important landscape areas.* *28. The name Whakatipu-wai-māori (or Whakatipu Waimāori) originates from the earliest expedition of discovery made many generations ago by the tupuna Rākaihautū and his party from the Uruao waka. In tradition, Rākaihoutū dug the lakes with his*	The deep significance Whakatipu-wai-māori and mana whenua associations and experience will not be adversely affected by the subject moorings.

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	kō known as Tūwhakarōria. The Lake is key in numerous Kāi Tahu pūrakau (stories) and has a deep spiritual significance for mana whenua. *29. For generations, the lake supported nohoaka, kāika, mahika kai as well as transportation routes for pounamu. The knowledge of these associations hold the same value for Kāi Tahu to this day.* *30. Te Nuku-o-Hakitekura is related to the feats of Hakitekura, the famous Kāti Māmoe woman who was the first person to swim across Whakatipu-wai-māori.* *31. Te Kararo was the site of a kāika (permanent settlement).* 32. *The mana whenua values associated with this ONL include, but may not be limited to wāhi taoka, tauraka waka, kāika, ara tawhito and mahika kai.*	
	Important historic attributes and values *33. Early Māori occupation around the lakeshore.* *34. Historic recreational use of the lake, lakeshore, and gardens.* *35. Historic use of the lake for transport.* *36. The early establishment and continued use of the gardens as a public reserve.*	The historic use of the lake for transport and recreation will be reinforced by the subject moorings.
	Important shared and recognised values *37. The descriptions and photographs of the area in tourism publications.* *38. The popularity of the postcard views from Te Nuku-o-Hakitekura (Kelvin Heights Golf Course), the various lake-edge trails and the*	The lake-edge trails and water-based activities form part of the important shared and recognised values associated with the Queenstown Bay PA. The subject moorings will form part of the shared identity of the lake.

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	waters across the lake to Cecil Peak and Walter Peak and the broader mountain context, as an inspiration/subject for art and photography. 39. *The very high popularity of the Te Kararo (Queenstown Gardens), Te Nuku-o-Hakitekura (Kelvin Heights Golf Course), the various lake-edge trails and water-based activities on the lake. The very close proximity of this recreational feature to Queenstown urban area also plays a role.* 40. *The critical role of Whakatipu Waimāori (Lake Whakatipu), Te Kararo (Queenstown Gardens), Te Nukuo-Hakitekura (Kelvin Heights Golf Course), the various lake-edge trails and water-based activities on the lake in shaping the identity of Queenstown.*	
	Important recreation attributes and values 41. *Te Kararo (Queenstown Gardens), botanical gardens by the town centre that is home to a wide range of recreational uses (children's playground, lawn bowls, frisbee golf, tennis, skate boarding, skating, BMX biking, ice skating, ice hockey, walking and jogging, cycling, picnicking, outdoor events, peaceful contemplation).* 42. *Te Nuku-o-Hakitekura (Kelvin Heights Golf Course), which includes the golf course and a sculpture walk around the lake edges of the golf course, used by walkers, joggers, cyclists, and picnickers.*	The subject moorings are used to anchor boats for water-based activities. They form part of the important recreational identity of the lake.

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	43. The Queenstown Trail around the lake edge of Te Kararo (Queenstown Gardens) and Te Nuku-oHakitekura (Kelvin Heights Golf Course). *44. Walking, running, cycling and picnicking along the lake-edge trail between Queenstown and Sunshine Bay.* *45. Water-based activities including: swimming, kayaking, sailing, paddle boarding, boating, jet skiing.* *46. Fishing for rainbow trout, brown trout, and chinook salmon in Whakātipu-Wai-Māori.* *47. Glenorchy - Queenstown Road as a key scenic route in close proximity.* *48. Band rotunda at the Queenstown Gardens; music, contemplation, performance arts.*	
Perceptual (Sensory) Attributes and Values	***Legibility and expressiveness attributes and values*** *49. The area's natural landforms, land type and hydrological features (described above), which are highly legible and expressive of the landscape's formative geomorphic processes.*	The perceptual attributes and values associated with the legibility of the glacially carved landscape will not be affected by the subject moorings.
	Particularly important views to and from the area *50. The postcard views from Te Kararo (Queenstown Gardens), Te Nuku-o-Hakitekura (Kelvin Heights Golf Course), the various lake-edge trails, Glenorchy - Queenstown Road and the dynamic waters of the lake to Cecil Peak and Walter Peak and the*	From the Queenstown Gardens, the lake-edge trails enjoy outstanding views out toward the broader lake and mountain context. The subject moorings will form part of the foreground in views towards the Kelvin Heights Golf Course and Remarkables Mountains. The subject moorings will create a desirable juxtaposition of recreational development within the frame of the spectacular natural landscape.

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	broader mountain context. The frequent movement of vessels on the lake adds to the interest of the outlook. *51. Iconic mid to long-range views from central Queenstown, across the waters of Whakatipu Waimāori (Lake Whakatipu)to the rugged and dramatic landforms of Cecil Peak, Walter Peak and the broader mountain context framing the lake. The seemingly undeveloped and green finger of Te Kararo (Queenstown Gardens) and almost continuous fringe of green along the northern lake edge (Queenstown to Sunshine Bay) adds to the appeal of the outlook.* *52. In all views, the striking juxtaposition of urban development alongside the grandeur of the natural landscape adds to the spectacle.*	
	Naturalness attributes and values *53. The very close proximity of urban development and level of human activity within the area inevitably colours the impression of naturalness within the PA ONL. Nonetheless, the contrast created between the area and its urban context due to the dominance of more natural landscape elements (i.e., water or vegetation) together with the largely unmodified underlying landform character (glacial lake and legible peninsulas) means that the area displays at least a moderate-high level of naturalness. Historic forestry land uses throughout the broader mountain context serve to ensure that the exotic vegetation*	The subject moorings are located near the existing boat sheds and jetty on the south side of the Queenstown Gardens. The moorings contrast with the high level of naturalness of the surrounding landscape. The naturalness of the more dominant lake and mountain landscape will not be significantly adversely affected by the proposal.

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	character of much of the landward area is not discordant or incongruous within the wider high-value landscape setting. *54. The general avoidance of structures along the lake edge within the PA, excepting the jetties and boat sheds, etc. on the south side of Te Kararo (Queenstown Gardens).*	
	Memorability attributes and values *55. The highly memorable views of the Whakatipu Waimāori (Lake Whakatipu) and its surrounding mountain frame.* *56. The sense of Te Kararo (Queenstown Gardens) as a place of beauty and tranquillity close to central Queenstown.*	The subject moorings form part of the amenity of Lake Wakatipu. The memorable views toward the highly legible mountain and lake landscape will not be adversely affected by the moorings.
	Transient attributes and values *57. The ever-changing patterning of light and weather across the lake.* *58. Human activity on the lake.* *59. Autumn leaf colour and seasonal loss of leaves associated with the exotic vegetation around the lake edges and throughout Te Kararo (Queenstown Gardens) and Te Nuku-o-Hakitekura (Kelvin Heights Golf Course).*	The subject moorings will form part of the transient boating activity associated with the lake.
	Remoteness and wildness attributes and values *60. A localised sense of remoteness along the lake edge trails within the PA ONL, where intervening landforms and/or vegetation screen views to nearby development and the focus is confined to the lake and broader undeveloped mountain context.*	The views enjoyed from the trail that follows the lake's edge around the Queenstown Gardens changes as the observer rounds the peninsula. To the north, the landscape around Queenstown centre is highly urbanised. To the west, the observer departs the urban context and enters the highly natural wider lake and mountain landscape.

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		Returning south into Frankton Arm, human influence again becomes evident, albeit to a lesser extent than the northern side of the peninsula. This area is characterised by recreational development within the Gardens and on the foreshore and residential development on Park Street and across the arm in Kelvin Heights. The moorings are appropriate in this recreational hub on the south side of the Gardens.
	Aesthetic attributes and values *61. The experience of the values identified above from a wide range of public viewpoints.* *62. More specifically, this includes:* *a. The highly attractive and engaging large-scale composition created by the tree-lined glacial lake and 'green' peninsulas set within a broader mountain context seen either individually or collectively, juxtaposed beside an urban context.* *b. At a finer scale, the following aspects contribute to the aesthetic appeal:* *i. The highly dynamic qualities of the lake waters in terms of natural processes (wind and wave action, etc.) and human activity.* *ii. The general absence of structures and the dominance of vegetation along the lake edges.*	The subject moorings can be seen from the Frankton Track on the south side of the Gardens and from Park Street. Views southwest toward the Kelvin Heights Golf Course and Remarkables Mountains are coloured by this pocket of recreational development in which the moorings are sited. The juxtaposition of the urban context with the wider natural landscape forms part of this amenity enjoyed in this part of the foreshore. The moorings can also be viewed from the northeast, where Cecil Peak and the wider lake to the southwest forms the background. This view is fleeting and seen from a highly residential corner of Park Street. Out on the end of the peninsula the absence of human artifacts on the foreshore is important. Here, Cecil Peak and the highly natural wider ONL are seen in their full glory, independent from the surrounding urban development.

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	iii. The limited level of built modification evident within the landward parts of the PA, which forms a marked contrast to the urban context and imbues an impression of 'green relief'. *iv. The mature trees throughout the area which contribute to the scenic appeal.*	The subject development does not adversely affect any views that are not already coloured by recreational development and the aesthetic attributes and values of the ONL.
Summary of Landscape Values	***Physical*** *63. High physical values due to the high-value landforms, vegetation features, hydrological features and mana whenua features in the area.*	The physical values embodied in the landform, vegetation and hydrological features of the Queenstown Bay PA will not be adversely affected by the moorings.
	Associative *64. Very High associative values relating to:* *a. The mana whenua associations of the area.* *b. The historic features of the area.* *c. The strong shared and recognised values associated with the area.* *d. The significant recreational attributes of Whakatipu Waimāori (Lake Whakatipu), Te Kararo (Queenstown Gardens), Te Nuku-o-Hakitekura (Kelvin Heights Golf Course) and the lake-edge trails.*	The Queenstown Bay PA has significant associative attributes including a strong recreational character on parts of the lake's edge and foreshore. The subject development is sited in a recreational hub on the south side of the Gardens and accords with the existing character. The moorings will form part of the important amenity associated with the water-based recreation on the lake.
	Perceptual *65. High perceptual values relating to:* *a. The high legibility and expressiveness values of the area deriving from the visibility of physical attributes that enable a clear understanding of the landscape's formative processes.*	The urban and recreational elements in conjunction with the mountain and lake landscape make up the highly appealing amenity of the Queenstown Bay PA. The expressiveness of the ONL is not adversely affected by the subject moorings. The location of the moorings does not detract from the sense of tranquillity or remoteness experienced at the western end of the peninsula.

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	b. The high aesthetic and memorability values of the area as a consequence of its distinctive and highly appealing composition of natural landscape elements juxtaposed beside Queenstown. The visibility of the area from Queenstown, Glenorchy-Queenstown Road, and sections of the Queenstown Trail network, along with the area's transient values, play an important role. *c. A sense of tranquillity and green relief at Te Kararo (Queenstown Gardens).* *d. A localised sense of remoteness and wildness along the lake edge trails where views to nearby urban development are screened by landforms and/or vegetation.*	
Landscape Capacity	***i. commercial recreational activities*** *– limited landscape capacity for activities that integrate with, and complement/enhance, existing recreation features; are located to optimise the screening and/or camouflaging benefit of natural landscape elements; designed to be of a sympathetic scale, appearance, and character; integrate appreciable landscape restoration and enhancement; enhance public access; and protect the area's ONL values.*	n/a
	ii. visitor accommodation and tourism related activities *- very limited landscape capacity to absorb visitor accommodation within existing buildings or building platforms. No landscape capacity for tourism related activities.*	n/a

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	iii. urban expansions *– no landscape capacity.*	n/a
	iv. intensive agriculture *– no landscape capacity.*	n/a
	v. earthworks *– very limited landscape capacity for earthworks associated with public access tracks, that protect naturalness and expressiveness attributes and values, and are sympathetically designed to integrate with existing natural landform patterns.*	n/a
	vi. farm buildings *– no landscape capacity.*	n/a
	vii. mineral extraction *– no landscape capacity*	n/a
	viii. transport infrastructure *– very limited landscape capacity for trails that are: located to integrate with existing networks; designed to be of a sympathetic appearance and character; integrate landscape restoration and enhancement; and protect the area's ONF values. No landscape capacity for other transport infrastructure.*	n/a
	ix. utilities and regionally significant infrastructure *– very limited landscape capacity for infrastructure that is buried or located such that they are screened from external view. In the case of utilities such as overhead lines or cell phone towers which cannot be screened, these*	n/a

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	should be designed and located so that they are not visually prominent and/or co-located with existing infrastructure.	
	x. renewable energy generation *– no landscape capacity.*	n/a
	xi. production forestry *– no landscape capacity.*	n/a
	xii. rural living *– no landscape capacity.*	n/a
	xiii. jetties and boatsheds – *very limited landscape capacity for additional jetties and boatsheds that are co-located with existing features, designed to be of a sympathetic scale, appearance, and character; integrate appreciable landscape restoration and enhancement (where possible); enhance public access; and protect the area's ONL values.*	The two subject mooring buoys are very small in scale and the associated vessels may be up to 12m in length and anchored for varying amounts of time throughout the year. The addition of two buoys and boats to the foreshore landscape at the corner of Park Street and the Queenstown Gardens is considered to be sympathetic in scale, appearance, and character in this recreational area. The proposed development will be in accordance with and protect the PA's physical, associative and perceptual values described above.

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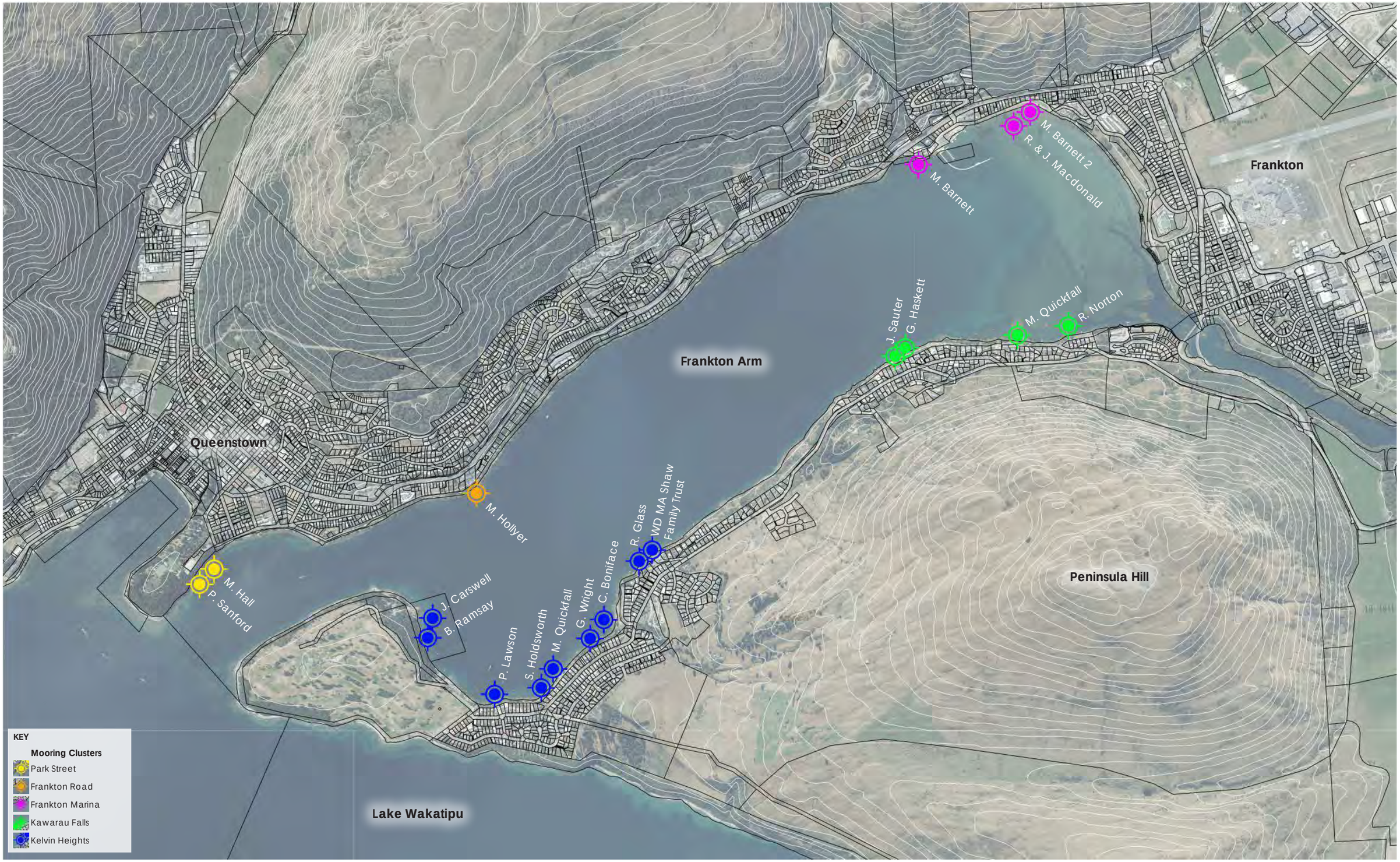

patch

Reference : PA22700 IS03

Scale: 1:10,000 @ A3

0 100 200 350 500m
SCALE = 1:10,000 AT A1

FRANKTON ARM MOORINGS
Visual Assessment
Context Map
29 May 2023

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Version: 1, Version Date: 17/06/2026

patch

Reference : PA22700 IS03

Scale: 1:10,000 @ A3

0 100 200 350 500m
SCALE = 1:10,000 AT A1

FRANKTON ARM MOORINGS
Visual Assessment
Locations
29 May 2023

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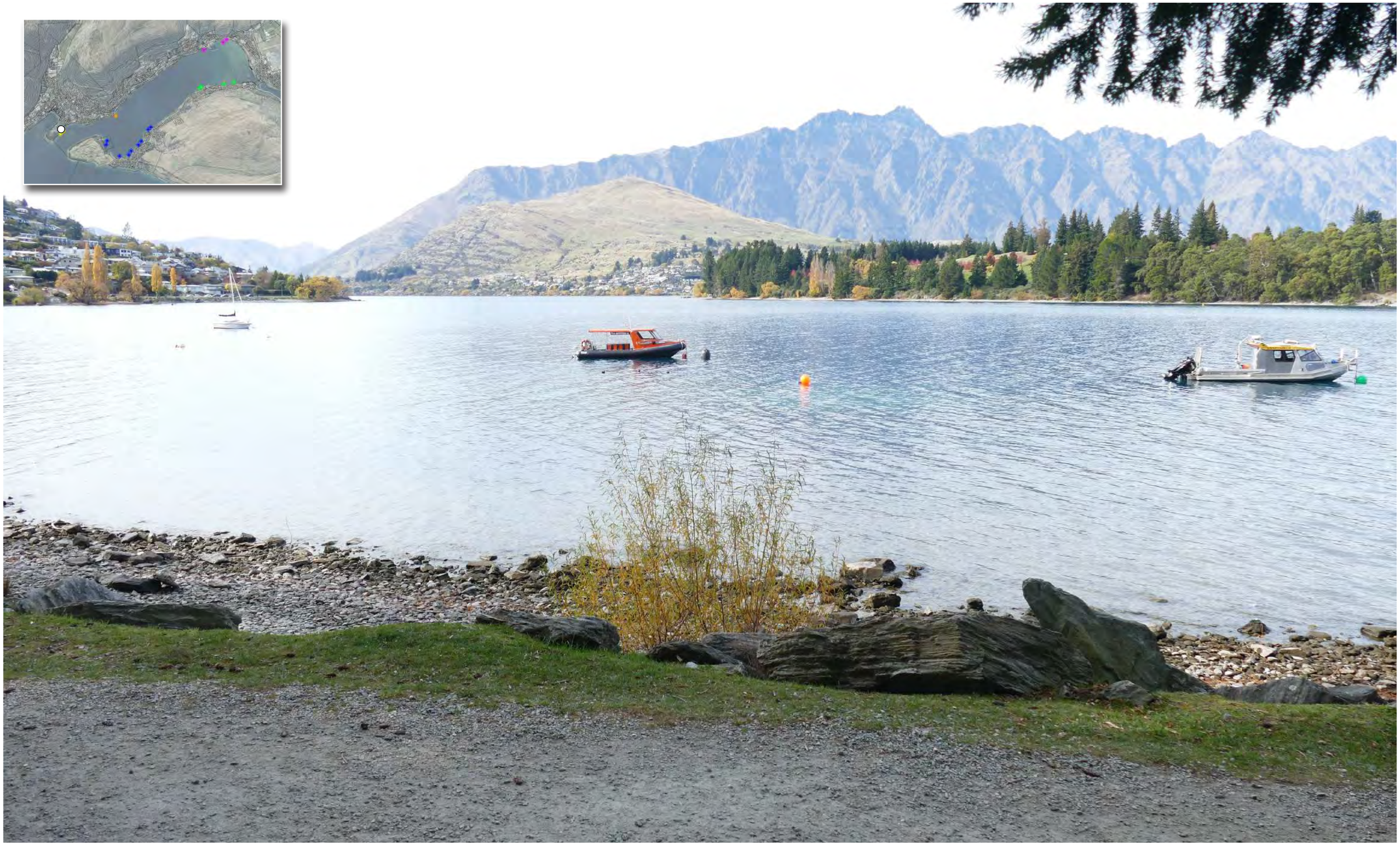
Image 1



25mm photo - 8 May 2023 at 1:20 pm

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Image 2a

50mm photo - 8 May 2023 at 12:48 pm

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Image 2b

50mm photo - 8 May 2023 at 12:50 pm

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Image 3a

50mm photo - 8 May 2023 at 12:54 pm

Document Set ID: 9697172
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Image 3b

50mm photo - 8 May 2023 at 12:54 pm

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Image 4

50mm photo - 8 May 2023 at 12:54 pm

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Image 5

25mm photo - 8 May 2023 at 2:15 pm

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Image 6a

50mm photo - 8 May 2023 at 2:24 pm

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Image 6b

50mm photo - 8 May 2023 at 2:24 pm

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Image 7

Panorama - 24 May 2023 at 1:10 pm

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Version: 1, Version Date: 17/06/2026

Image 8

25mm photo - 24 May 2023 at 1:14 pm

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Image 9

Panorama - 24 May 2023 at 1:35 pm

Document Set ID: 9697172
Version: 1, Version Date: 17/06/2026

Image 10

Panorama - 24 May 2023 at 1:47 pm

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Version: 1, Version Date: 17/06/2026

Image 11

25mm photo - 8 May 2023 at 3:09 pm

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Image 12a

25mm photo - 8 May 2023 at 3:39 pm

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Image 12b

25mm photo - 8 May 2023 at 3:40 pm

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Image 13a

25mm photo - 24 May 2023 at 1:56 pm

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Image 13b

25mm photo - 24 May 2023 at 1:56 pm

patch

Reference : PA22700 IS03

FRANKTON ARM MOORINGS
Visual Assessment
Images
29 May 2023

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Image 14

25mm photo - 8 May 2023 at 3:53 pm

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QUEENSTOWN LAKES DISTRICT COUNCIL

www.qldc.govt.nz

MOORING PERMIT

Issued under the Navigation Safety Bylaw 2025

Mooring Number: 48

Name to whom permit is granted: John L Thompson

Waterway: Lake Wakatipu

Status: Unconsented

Description of mooring: Swing Mooring

Position of mooring: Longitude 168.684292

Latitude -45.044783

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.

AFFECTED PERSON'S APPROVAL

FORM 8A

QUEENSTOWN LAKES DISTRICT COUNCIL

Resource Management Act 1991 Section 95

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM

RM260681, RM260682 & RM260683

AFFECTED PERSON'S DETAILS

I/We MacFarlane Investments Limited

Are the owners/occupiers of

Mooring 194, 178, 48

DETAILS OF PROPOSAL

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

Continue the use of an existing mooring at GPS Co Ordinates

LAT: 45*02' 40.57S LON: 168*41'03.44E
LAT: 45*02' 41.02S LON: 168*41'03.25E
LAT: 45*02' 27.10S LON: 168*41' 25.93E

at the following subject site(s):

Lake Whakatipu

☑ 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.

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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)
Land Information New Zealand

Contact Phone / Email address
Crownproperty@linz.govt.nz

Signature

Date
20/08/2026

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.

QUEENSTOWN LAKES DISTRICT COUNCIL
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