

APPLICATION AS NOTIFIED

**L McClean & J McLean
(RM260484)**

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:

Lindsay McClean and Julia McClean

What is proposed:

To lawfully establish an existing swing mooring on the bed and surface of Lake Wakatipu (Whakātipu-Wai-Māori) requiring land use consents from the Otago Regional Council and the Queenstown Lakes District Council.

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

On the southern side of the Frankton Arm to the north of 639 Peninsula Road, Kelvin Heights, Queenstown within Whakātipu-Wai-Māori at the following GPS coordinates:

-45.043967 S 168.686736 E (WGS84 Decimal Degrees Format)

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

<https://www.qldc.govt.nz/services/resource-consents/notified-resource-consents#limited-not-rc> or via our edocs website using **RM260484** as the reference <https://edocs.qldc.govt.nz/Account/Login>

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

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

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

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

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

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

30 July 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 (Lindsay McClean and Julia McClean, julia_mcclean@hotmail.com) as soon as reasonably practicable after serving your submission to Council:

C/- Ruth Mackay
ruth@southernplanning.co.nz
Southern Planning Limited

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: 1 July 2026

Address for Service for Consent Authority:

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

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

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

THE OTAGO REGIONAL COUNCIL

Applicant:	L McClean & J McClean
RM reference:	RM260484
Application:	Application under Section 88 of the Resource Management Act 1991 (RMA) for land use consents from the Otago Regional Council (ORC) and the Queenstown Lakes District Council (QLDC) to lawfully establish an existing swing mooring (M57) on the southern shoreline of the Frankton Arm, Lake Whakatipu (Whakātipu-Wai-Māori).
Location:	Bed and surface of Whakātipu-Wai-Māori, to the north of 639 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))
ORC ORP:W Notations:	MA3 (Waahi tapu and/or Waiwhakaheke)
Activity Status:	Discretionary
Decision Date	1 July 2026

SUMMARY OF DECISIONS

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

1. 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 ORP:W, on 23 March 1994, a deed was made to transfer the power to determine applications for land use consent for activities / structures affecting lakes from the ORC to the QLDC pursuant to Section 13(1)(a) of the RMA. In accordance with this deed, in an email dated 7.5.26, 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 proposal and the receiving environment at Sections 3.1-3.2 of the report entitled "*Resource Consent Application to Lawfully Establish an Existing Swing Mooring, Identified as M57, Lindsay McClean & Julia McClean, Lake Wakatipu, April 2026*", prepared by Ruth Mackay of Southern Planning Limited, 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 adopted in part for the purpose of this report with the following summary:

Consent is sought to lawfully establish under the RMA an existing swing mooring for a single vessel, located on the southern shoreline of the Frankton Arm within Whakātipu-Wai-Māori. The proposal relates to existing mooring permit¹ 57 ("M57") which is currently located at the following GPS coordinates (as shown in Figure 1 below):

-45.04396667 S, 168.68673611 E (WGS84 Decimal Degree Format)

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



Figure 1: Location of existing swing mooring M57 (outlined blue), to the north of 639 Peninsula Road (the Applicant's property indicated by a red star) in relation to surrounding moorings and features.

Of note, the GPS coordinates that have been used within the application documents use both the Degrees, Minutes, Seconds format (including the mooring inspection report), and the Decimal Degrees format (such as within the AEE). In accordance with the standard (and preferred) QLDC mooring inspection form, all coordinates have been converted to the WGS84 Decimal Degree Format for the purposes of this report. Regardless of the GPS format used, M57 is in the location shown in Figure 1 above.

The Applicant has advised that the mooring was established around 1995 after liaising with the Harbourmaster at the time. The Applicant has demonstrated that they hold a QLDC mooring permit for the mooring.

The Applicant has advised that they volunteer a restriction to limit the use of M57 to a vessel no greater than 7.5m 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 longer any 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:

Rules that are treated as operative under s86F:

- 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.

Note: As per the advice note under Section 4.2.1 of the AEE, the Applicant has taken a conservative approach in triggering discretionary activity resource consent pursuant to Rule 21.15.8 relating to any structure or mooring that passes across or through the surface of any lake or river or is attached to the bank of any lake and river, other than where fences cross lakes and rivers. It is not considered necessary to trigger PDP Rule 21.15.8 given the location of M57 is within the Frankton Arm, an area which provides for moorings as a restricted discretionary activity pursuant to Rule 21.15.7.

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

2.3 THE OTAGO REGIONAL COUNCIL PLAN: WATER

Whakātipu-Wai-Māori is a Statutory Acknowledgement Area under the Ngāi Tahu Claims Settlement Act 1998, which is recognised within the ORP:W and is a relevant consideration for the assessment of this application under the ORP:W, and for providing guidance on actual and potential effects.

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

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

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

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

2.4 ACTIVITY STATUS SUMMARY

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

The QLDC processing planner has consulted with Maritime New Zealand as per requirements of s.89A. In an email dated 7 May 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, as accepted in section 5.1 of the Applicant’s AEE, all permanent structures and moorings within a lake require resource consent under the PDP, and the ORP:W. As such, there is no permitted baseline relevant to the placement of a structure on the lake bed.

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

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

In terms of the ongoing use of a structure, I note 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.

The repair, maintenance, extension, alteration, replacement or reconstruction of a structure is also permitted by the ORP:W provided the structure is replaced or reconstructed in the same location as the original structure; and there is no permanent change to the scale, nature or functions of the structure.

I consider the permitted baseline as it relates to the disturbance of the lakebed associated with the installation of the mooring, the ongoing use of this structure once lawfully established, and the maintenance and repair of the mooring 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 contrary². As such this will be taken into consideration in the assessment that follows.

² 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 Harbourmaster, Mr Ricky Campbell, 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:

- 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;*
- whether the structure enables the use of public water ferry services and/or water based transport.*

Relevant to the above, the Applicant has provided an assessment of effects within the AEE at the following sections:

- Effects on Visual, Landscape and Amenity Values (Section 5.3.1);
- Effects on Navigation and Water Safety (Section 5.3.2);
- Effects on Recreational Use (Section 5.3.3)

Of note, the other parts of the assessment contained within Section 5.3 of the AEE (being sections 5.3.4 Lake Bed and Ecological Effects and 5.3.5) Effects on Mana Whenua and Cultural Values [sic] are not relevant to an assessment of the proposal under the PDP). These sections will be considered as part of the assessment of the ORP:W further below.

The assessment contained in section 5.3.1-5.3.3 of the AEE is considered to adequately address the above matters of discretion, and is therefore adopted for the purposes of this report. An additional assessment to supplement the assessment follows in relation to navigational and water safety matters:

i. Navigation and water safety

An assessment of the proposal in relation to matters pertaining to navigation and water safety address matters of discretion points b and d), cited above.

As outlined in the QLDC Mooring Booklet 2026 and within the mooring permit, the safety and maintenance of a mooring is the responsibility of the registered mooring owner. The whole system must be inspected

every two years to remove kinks and replace worn components. Further, inspection must be conducted by a suitably qualified professional. These requirements are consistent with the ORC permitted activity standards outlined in Section 3.3.2 above.

Submitted as part of the application is a mooring inspection report, carried out on 20 January 2026 by Mr Gary 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 M57 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.

Based on a total swing radius of 20 metres (including 9m vessel), the QLDC Harbourmaster initially identified that there was a swing radius conflict with adjacent moorings M58 (unconsented) and 397 (consented by RM030684), the location of which are shown in Figure 1 above. Before the QLDC Harbourmaster could support the application, he advised that these swing radius conflicts would need to be addressed (and removed).

To remedy these concerns, the QLDC Harbourmaster recommended that a vessel using M57 be restricted to an overall length of 7.5m, and that the length of tackle associated with M57 be reduced by 3m. In an email dated 20 June 2026³, these recommendations were volunteered by the Applicant resulting navigational safety concerns being resolved.

On this basis, it is considered that lawfully establishing M57 in its current location with the mitigation proposed will result in no more than minor adverse effects on navigational safety on Whakātipu-Wai-Māori.

ii. 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 Regional Plan: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*

The Applicant has provided an assessment of effects at Sections 5.3.4 (Lake Bed & Ecological Effects) and 5.3.5 (Effects on Manu Whenua [*sic*] & Cultural Values) of the AEE which relate to an assessment of the proposal under the ORP:W. This assessment is considered adequate and is adopted for the purposes of this report with the following additional assessment in relation to Schedule 1 of the ORP:W:

i. 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.

³ Publicly viewable within the “Planning” folder within QLDC’s eDocs system searching under the reference “RM260484”: <https://edocs.qldc.govt.nz/>

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.

*ii. **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:

The Applicant has provide an assessment of effects on persons at Section 5.7 of the AEE, which is considered adequate and is adopted for the purposes of this report with the following additional assessment:

Adjacent mooring permit holders:

As noted earlier in this report under navigational safety (Section 3.3.3 above), the QLDC Harbourmaster has confirmed that any existing navigational safety concern associated with M57, such as a swing radius conflict with adjacent moorings, can be remediated by shortening the overall length of tackle by 3m and limiting the size of a vessel using M57 to 7.5m. The Applicant has subsequently volunteered these restrictions, removing any swing radius conflict with adjacent moorings (58 which does not have an approved resource consent and 397 which has a valid resource consent). On this basis, adjacent permit holders are not considered to be adversely affected by the proposal.

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

Decision made by



Rebecca Holden
CONSULTANT PROCESSING PLANNER

Jane Sinclair
INDEPENDENT COMMISSIONER

6.0 APPENDICES LIST

APPENDIX 1 – Applicant's AEE

APPENDIX 2 – Navigational Safety Report

APPENDIX 1 – APPLICANT’S AEE

APPENDIX 2 – NAVIGATIONAL SAFETY REPORT FOR M57

TechnologyOne ECM Document Summary

Printed On 30-Jun-2026

Class	Description	Doc Set Id / Note Id	Version	Date
PUB_ACC	Form 9	9540519	1	25-Apr-2026
PUB_ACC	Assessment of Environmental Effects (AEE)	9540520	1	25-Apr-2026
PUB_ACC	Appendix [A] - Site Plan	9540523	1	25-Apr-2026
PUB_ACC	Appendix [B] - Mooring Inspection Report	9540522	1	25-Apr-2026
PUB_ACC	Appendix [C] - Mooring Permit	9540521	1	25-Apr-2026
PUB_ACC	APA - Land Information New Zealand (LINZ)	9601013	1	15-May-2026



APPLICATION FOR RESOURCE CONSENT FOR A WATER-BASED ACTIVITY



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

PLEASE COMPLETE ALL MANDATORY FIELDS* OF THIS FORM.

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



APPLICANT //

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

*Applicant's Full Name / Company / Trust: **Lindsay McClean & Julia McClean**
(Name Decision is to be issued in)

*All trustee names (if applicable): **N/A**

Contact Name if Company or Trust: **N/A**

*Postal Address: **639 Peninsula Road, Kelvin Heights, Queenstown**

*Post code:

9300

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

*Email Address: **julia_mcclean@hotmail.com**

*Phone Numbers: Day **022 475 2909**

Mobile:

The Applicant is:

Owner

Lessee

Occupier

Other - Please Specify



Our preferred methods of corresponding with you are by email and phone.
The decision will be sent to the Correspondence Details via email unless requested otherwise.



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

Name & Company: **Ruth Mackay (Southern Planning Group)**

Phone Numbers: Day **0210 898 7017**

Mobile:

Email Address: **ruth@southernplanning.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: **Julia & Lindsay McClean**

*Postal Address: **639 Peninsula Road, Kelvin Heights,
Queenstown**

*Post code:

9300

*Please provide an email AND full postal address.

*Email: **julia_mcclean@hotmail.com**



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 of Lake Wakatipu
North-west of 639 Peninsula Road, Kelvin Heights

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: 168.686782 & Latitude: -45.043933

For any land based areas:

Legal Description:

Owners/Occupiers:

District Plan Zone:

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

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

N/A



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?
If 'yes' please provide information below YES NO

Water based hazards.



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:



CONSENT(S) APPLIED FOR



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

lawfully establish an existing swing mooring (M57) on the southern shoreline of the Frankton Arm



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 **24/7**

(dates / duration)

to provide for **N/A**

(number persons)

Brief description of activity:

To lawfully establish an existing swing mooring (M57) on the southern shoreline of the Frankton Arm.

Further Description to be provided in an assessment attached. See below.



OTHER CONSENTS

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

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



Yes



No



N/A

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



Yes



No



N/A



APPLICATION NOTIFICATION

Are you requesting public notification for the application?



Yes



No

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



INFORMATION REQUIRED TO BE SUBMITTED //

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

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



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



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



Details of any associated land based buildings or structures, parking areas.
Details of any signage & locations.



A Safety Management Plan



Noise report (if relevant)



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



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



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.



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

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

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.



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) ** **Ruth Mackay**

Digitally signed by Ruth Mackay
Date: 2026.04.25 17:23:22 +12'00'

Full name of person lodging this form **Ruth Mackay**

Firm/Company **Southern Planning Group**

Dated **4/25/26**

**If this form is being completed on-line you will not be able, or required, to sign this form and the on-line lodgment 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.

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:

- (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;
- (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.

Information provided within the Form above

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

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));

ASSESSMENT OF ENVIRONMENTAL EFFECTS

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.

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



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



Assessment of Environmental Effects

**Resource Consent Application to
Lawfully Establish an Existing Swing
Mooring, Identified as M57**

Lindsay McClean & Julia McClean

Lake Wakatipu

April 2026



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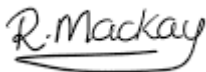
9 Purpose and Principles of the Act 22

1 The Applicant and Property Details

To:	Queenstown Lakes District Council
Applicant:	Lindsay McClean & Julia McClean
Site Address:	Lake Wakatipu
Address for Service:	Lindsay McClean & Julia McClean C/- Southern Planning Group PO Box 1081 Queenstown, 9348 ruth@southernplanning.co.nz Attention: Ruth Mackay
Legal Description:	N/A
Site Area:	N/A
Operative District Plan Zone:	Rural General Zone
Proposed District Plan Zone:	Rural Zone (Water) <i>Wāhi Tūpuna overlay - #33 Whakātipu-Wai-Māori (Lake Wakātipu)</i>
Summary of Reasons for Consent:	Resource consent is required to lawfully establish an existing swing mooring (M57) on the southern shoreline of the Frankton Arm, Lake Wakatipu.

Appendices

- Appendix [A]** Site Plan
- Appendix [B]** Mooring Inspection Report
- Appendix [C]** Mooring Permit



.....

Ruth Mackay

25 April 2026

2 Executive Summary

The applicant applies for a land use consent to lawfully establish an existing swing mooring (M57) on the southern shoreline of the Frankton Arm, Lake Wakatipu, adjacent to 639 Peninsula Road, Kelvin Heights, Queenstown.

The site is contained in the Rural General Zone under the Operative District Plan (ODP) and within the Rural Zone under the Proposed District Plan (PDP).

Overall, the status of the application is that of a **discretionary** activity.

This Assessment of Effects has been prepared in accordance with the requirements of Section 88 and Schedule 4 of the Resource Management Act 1991 (the Act) and is intended to provide the information necessary for a full understanding of the activity for which consent is sought, and any actual or potential effects of the proposal may have on the environment.

The Assessment of Effects considers the effects of the proposal and determines that the proposal will have less than minor adverse effects on the environment. Public notification is not requested, and nor are any persons considered to be adversely affected by the proposal.

The proposal is consistent with, and therefore not contrary to, the objectives and policies of the District and Regional Plans. Overall, the proposal is consistent with the purpose and principles of the Act and accords with the definition of sustainable management under Part 2 of the Act.

3 Description of the Proposal

3.1 Overview

Resource consent is sought to lawfully establish a swing mooring on the southern shoreline of the Frankton Arm, Lake Wakatipu, adjacent to 639 Peninsula Road, Kelvin Heights, Queenstown. The purpose of the mooring is for the personal use of the applicant.

The proposal relates to an existing swing mooring, identified as mooring M57 which is currently located at the following GPS coordinates:

- Longitude 168.686782
- Latitude -45.043933

A site plan identifying the location of the mooring is contained within **Appendix [A]**, and shown below in figure 1:



Figure 1: Location of Mooring M57

Mr Garry Wright, of Wright Building and Diving Services Ltd, has prepared an Inspection Report in support of the application, and this is contained within **Appendix [B]**.

The existing mooring permit is also included as **Appendix [C]** for completeness.

3.2 Receiving Environment

Mooring M57 is located within the Frankton Arm of Lake Wakatipu. The land immediately adjoining the lake boundary is identified as a Designated Area, D184, with purposes relating to Recreation Reserve and Esplanade Reserve. The designated land is predominantly used as a walking and cycling track along Kelvin Heights.

As demonstrated in figure 1 above, there are a number of existing moorings established along this stretch of the shoreline, and these form part of the receiving environment.

3.3 Application Determination

It is understood that in 1994 the ORC transferred some of its functions, powers and duties of determining applications for land use consents to the QLDC, pursuant to s.13(1)(a) of the RMA. The functions transferred include the determination of land use consents for activities and structures affecting lakes. As such, this application seeks land use consent under both the QLDC PDP and the ORC Regional Plan: Water for Otago.

Consent is sought for a term of 35 years under the Otago Regional Plan: Water for Otago.

4 Statutory Considerations

4.1 QLDC - Operative District Plan

Under the ODP, the site is contained within the Rural Zone.

It is understood that the subject PDP provisions that are relevant to this application are beyond appeal. As such, the relevant provisions are treated as operative, with the standards and provisions relating to the ODP no longer considered to be applicable.

4.2 QLDC - Proposed District Plan

The site is contained within the Rural Zone in terms of the PDP. The proposal requires the following resource consents under the PDP.

4.2.1 Chapter 21 – Rural Zone

- A **restricted discretionary** activity resource consent pursuant to Rule 21.15.7 for jetties and/or moorings in the Frankton Arm.

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; and
 - g. whether the structure enables the use of public water ferry services and/or water based transport.
- A **discretionary** activity resource consent pursuant to Rule 21.15.8 for any structure or mooring that passes across or through the surface of any lake or river or is attached to the bank of any lake and river, other than where fences cross lakes and rivers.

Note: this rule has been included as a conservative approach, however the location of M57 is within the Frankton Arm, which provides for moorings in

accordance with Rule 21.15.7. Should QLDC determine that Rule 21.15.8 does not apply, we agree to remove this from the application.

4.3 ORC - Otago Regional Plan: Water for Otago

The proposal requires resource consent under the Regional Plan: Water for Otago 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.

4.4 Overall Status

The overall status of the proposal is that of a **discretionary** activity.

5 Assessment of Effects

In accordance with Section 88 and Schedule 4 of the Act an assessment is made of any actual and potential effects on the environment that may arise from the proposal is required with any details of how any adverse effects may be avoided, remedied or mitigated. Accordingly, below is an assessment of effects relative to the scale and significance of the proposed activity.

The assessment of effects has addressed the following categories:

- Permitted Baseline
- Effects on Visual, Landscape & Amenity Values
- Effects on Navigation & Water Safety
- Effects on Recreational Use
- Lake Bed & Ecological Effects
- Effects on Manuwhenua & Cultural Values

5.1 Permitted Baseline

Sections 95D(b), 95E(2)(a) and 104(2) of the Act provide discretion to Council (for the purposes of forming an opinion as to the actual or potential effects) to disregard any adverse effects of the proposal on the environment (or on a person) if a District or Regional Plan or National Environmental Standard permits an activity with that effect.

In this instance, all structures that pass through the lake surface requires consent under the District Plan, and there is no permitted baseline relevant to this proposal.

In addition, all structures fixed in, on, under or over the bed of any lake or river requires resource consent under the Regional Plan, and there is no permitted baseline relevant to this proposal.

5.2 Alternative locations or methods

The proposed activity will not result in any significant adverse effects on the environment. Alternative locations are therefore not considered necessary.

5.3 Assessment of the actual and potential effects

The following areas of consideration apply in terms of assessing the actual and potential effects on the environment.

5.3.1 Effects on Visual, Landscape & Amenity Values

While the broader landscape of Lake Wakatipu has high scenic and landscape values, the Frankton Arm is considered to have a more modified landscape character due to its location in proximity to urbanised areas and existing infrastructure. The location is surrounded by residential development and established reserve areas.

The proposal seeks to retain the existing swing mooring in its current location. From public and private viewpoints, the buoy and any associated vessel will be visible at the water surface, as is the case currently. The mooring forms an existing part of the Frankton Arm and has been a feature of this shoreline for many years. As demonstrated in figure 1 above, there are a number of existing moorings and jetties established along this stretch of the shoreline. The visibility of buoys and associated berthed vessels is not uncommon in this area, such that the proposal will not introduce new or unfamiliar visual elements. The mooring is not visually prominent at a landscape scale, particularly when viewed against the broad expanse of the lake, and will not obstruct any public or private views, nor be viewed as a dominant structure within the lake.

The existing mooring does not materially alter landform, water patterns, or natural processes, and the proposal is consistent with the established use of the lake for mooring and boating activities.

The presence of moorings within the Frankton Arm of Lake Wakatipu are an anticipated component of recreational amenity in this area. The mooring will be nestled within the marine environment, where recreational boating activities are common. The mooring is considered to be compatible with the visual, landscape and amenity values of the surrounding area and will not detract from wider landscape values.

As the proposal seeks to lawfully establish the existing mooring, the proposal will not increase the number of moorings, or berthed vessels, in this area such that visual effects of the associated structures and use will remain unchanged.

Overall, the proposal is considered to be compatible with the visual, landscape and amenity values of the surrounding area and effects in this regard are less than minor.

5.3.2 Effects on Navigation & Water Safety

Potential navigational and water safety effects relate to obstruction, collision risk, and interference with established vessel movements. The mooring is clearly identifiable as a result of the buoy at water surface level, which assists in reducing the risk of any accidental collision. The wider Frankton Arm area contains multiple jetties and moorings such that users of the lake will be accustomed to navigating around such features.

Mr Garry Wright, of Wright Building and Diving Services Ltd, has prepared an Inspection Report in support of the application, and this is contained within **Appendix [B]**. A copy of the Mooring Permit is also contained within **Appendix [C]**. It is understood that the QLDC Planner will reach out to the Harbourmaster for comment as is standard practice for such applications.

Of note the Inspection Report identifies that some of the mooring elements are assessed to be in poor condition. These elements are proposed to be replaced or upgraded accordingly, and conditions of consent are invited in this regard.

Mooring M57 is located in proximity to the shoreline where a low speed environment exists. In accordance with the QLDC Navigational Safety Bylaw 2025, vessels shall not exceed a speed of 5 knots within 200m of the shore, or any structure (including the mooring). As such, it is considered that navigation and water safety will be maintained and effects in this regard will be less than minor.

5.3.3 Effects on Recreational Use

The Frankton Arm area of Lake Wakatipu is a highly valued and frequently used part of the lake for recreational boating activities, as well as other water based activities. The proposal will not diminish the recreational experience of other users of the lake, including other mooring owners. The proposal is not considered to diminish recreational experiences by other lake users, as the mooring forms part of the receiving environment where moorings are anticipated in this particular location. The location of mooring is also located outside of the general public swimming and recreational areas, such that its location and use will not impede recreational use of the lake by other users.

A public reserve area is located to the south of the mooring location and provides a walking and cycling track along Kelvin Heights. The proposal will not result in any impediment to the existing uses or recreational activities associated with the reserve areas and public use.

Overall, the mooring is considered to be in keeping with the anticipated uses within the Frankton Arm of Lake Wakatipu, and the proposal will not adversely affect or

diminish other recreational uses and/or experiences. Effects on other lake users are therefore considered to be less than minor.

5.3.4 Lake Bed & Ecological Effects

The Inspection Report confirms that mooring M57 is existing in the bed of Lake Wakatipu. Any future disturbance of the bed of the lake associated with M57 will be limited to maintenance, repairs, upgrades and a potential future replacement if deemed necessary at a later date. The QLDC PDP permits minor repairs, maintenance or alterations of existing operational moorings pursuant to Rule 21.15.4; while the ORC Regional Plan: Water permits repairs, maintenance or replacement of any structure that is fixed to the bed of any lake pursuant to Rules 13.1.1.1, 13.3.1.1, 13.3.1.2, 13.5.1.1.

Given the permitted activity status of any future lake bed disturbance for repair, maintenance, alteration or replacement purposes, any potential adverse effects will be negligible and will align with activities anticipated by the respective plans.

In terms of aquatic habitat and fauna, the mooring will not impede on fish movements or migration, and will not materially reduce the available habitat. Additionally, as the mooring is located within the lake, no adverse effects are anticipated in relation to any wetlands or indigenous vegetation.

The applicant is prepared to accept conditions of consent requiring that all reasonable precautions are taken to ensure that no waste products enter the lake, which will assist in mitigating any potential adverse ecological effects.

Overall, the proposal will maintain the existing environment and will not reduce life-supporting capacity of Lake Wakatipu.

5.3.5 Effects on Manu Whenua & Cultural Values

Lake Wakatipu is identified as a Statutory Acknowledgment under schedule 75 of the Ngai Tahu Claims Settlement Act 1998. It is understood that the QLDC Planner will provide a copy of the application to the relevant iwi governance entities as is standard practice for such applications.

The location of the mooring is also within a Wāhi Tūpuna overlay - #33 Whakātipu-Wai-Māori (Lake Wakātipu). Chapter 39 of the PDP describes the area as follows:

- *The name 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, Rākaihautū 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 hold the same value for Kāi Tahu to this day. It also has Statutory Acknowledgement status under the Ngāi Tahu Claims Settlement Act 1998.*

The manawhenua values associated with the lake are:

- *Whakapapa, rakatirataka, kaitiakitaka, mana, mauri.*
- *Wāhi taoka, mahika kai, ara tawhito.*

The potential threats affecting the Wāhi Tūpuna area are:

- *Damming, activities affecting water quality*
- *Buildings and structures, utilities*
- *Earthworks*
- *Subdivision and development*
- *New roads or additions/alterations to existing roads, vehicle tracks and driveways*
- *Commercial and commercial recreational activities*

Schedule 1D of the Region Plan: Water for Otago also identifies the spiritual or cultural beliefs, values or uses associated with water bodies of significance to Kāi Tahu.

The QLDC PDP permits structures within an identified Wāhi Tūpuna area pursuant to Rule 39.4.2. The proposal seeks consent to lawfully establish the existing mooring and will not result in any additional adverse effects beyond the current situation. The location of the mooring is appropriate and is in an area where such structures can be reasonably anticipated. The proposal is not considered to adversely affect or undermine Manawhenua values attributed to the site or surrounding area to a minor, or more than minor, degree.

5.4 Hazardous substances

The proposed activity does not involve the use of hazardous substances and installations.

5.5 Discharge of contaminants

The proposal does not include the discharge of any contaminant.

5.6 Mitigation measures

Aside from the imposition of standard conditions of consent, it is considered that no further mitigation measures are required for the proposal.

5.7 Identification of interested or affected persons

In considering the adverse effects on persons via Section 95E(2), 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.

As is standard practice for such applications, it is anticipated that the QLDC Planner will request comment from the QLDC Harbourmaster and Maritime NZ; and will also

notify the relevant iwi governance entities due to the lake's status as a Statutory Acknowledgement Area.

The application seeks to lawfully establish the existing mooring, such that the proposal does not introduce any new structures or use. The visibility of buoys and associated berthed vessels is not uncommon in this area, such that the proposal will not introduce new or unfamiliar visual elements. The proposed mooring is not visually prominent at a landscape scale, particularly when viewed against the broad expanse of the lake, and will not obstruct any public or private views, nor be viewed as a dominant structure within the lake.

Any potential adverse effects on the owners and occupiers of the adjacent sites are considered to be negligible due to the nature, scale and location of the mooring and the significant separation distance between the activity and the property boundaries. The proposal will not result in any adverse effects in relation to views/outlook or general residential amenity.

There are a number of other moorings clustered with M57, however it is unknown if the surrounding moorings have resource consent approval. Notwithstanding this, the location of the mooring remains unchanged, such that any effects will be comparable to the existing situation, and less than minor. Additionally, the Inspection Report confirms that the mooring is fit for purpose.

The proposal will not result in any impediment to the existing uses and recreational activities associated with the adjoining Recreation Reserve and Esplanade Reserve. Access to this area remains unaffected. While the buoy and associated vessel will be intermittently visible from this location, the structures are anticipated and not uncommon in this area. Effects on users of the public track are therefore considered to be less than minor.

The proposal is not considered to diminish recreational experiences by other lake users, as the mooring forms part of the receiving environment where moorings are anticipated in this particular location. Effects in this regard will be less than minor.

Overall, adverse effects on the owners and occupiers of the adjacent sites, owners of the adjacent moorings, users of the adjoining reserve areas, users of the lake, and all other persons, are considered to be less than minor, and there are no persons considered adversely affected by this proposal.

5.8 Monitoring

No monitoring is required other than standard conditions of consent.

5.9 Customary rights

The proposed activity will have no effect on any customary rights.

6 Notification

Public and limited notification matters of consideration are detailed below.

6.1 Section 95A: Public Notification

In terms of Section 95A(1), a consent authority must follow the steps set out in Section 95A, in the order given, to determine whether to publicly notify an application for a resource consent. The four steps within Section 95A(1) are addressed below.

Step 1: Mandatory public notification in certain circumstances

The following matters are noted:

- The applicant is not requesting public notification of the proposal (Section 94A(3)(a)).
- Provided a further information is reasonable, the applicant is unlikely to refuse to provide information or refuse the commissioning of a report under Section 92(2)(b) of the Act (Section 95A(3)(b)).
- The application does not seek to exchange recreation reserve land under Section 15AA of the Reserves Act 1977 (Section 95A(3)(c))

Based on the above, mandatory public notification of the application is not required.

Step 2: Public notification precluded in certain circumstances

The following matters are noted:

- Public notification is not precluded by any rule or national environmental standard (Section 95A(5)(a)).
- The proposal is not a controlled activity, a restricted discretionary/discretionary subdivision or a residential activity, a boundary activity or a prescribed activity (Section 95A(5)(b)(i)(ii)(iii)(iv)).

Based on the above, public notification of the application is not precluded.

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

The following matters are noted:

- Public notification of the proposal is not specifically required by a rule or a national environmental standard (Section 95A(8)(a)).

- The consent authority decides, in accordance with Section 95D, that the proposal will have or is likely to have adverse effects on the environment that are more than minor (Section 95A(8)(b)). The assessment included in this application concludes that the effects will not be more than minor.

Step 4: Public notification in special circumstances

The following is noted:

- It is considered that there are no special circumstances that warrant the proposal being publicly notified (Section 95A(9)). Consideration as to whether limited notification should occur is addressed below.

6.2 Section 95B: Limited Notification

Section 95B(1) requires a decision on whether there are any affected persons under Section 95E. 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.

Step 1: Certain affected groups and affected persons must be notified

Limited notification is not required under Step 1 as the proposal does not affect customary rights groups, customary marine title groups, nor is it on, adjacent to or may affect land subject to a statutory acknowledgement (Section 95B(2)-(4)).

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 or Regional Plan or national environmental standard that precludes limited notification (Section 95B(6)(a)).
- The proposal is not a controlled activity or a prescribed activity (Section 95B(6)(b)).

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

Limited notification is not precluded under Step 3 as the proposal is not a boundary activity where the owner of the infringed boundary has provided their approval, nor is the proposal a prescribed activity (Section 95B(7)).

Limited notification is not precluded under Step 3 as the proposal falls into the 'any other activity' category and the effects of the proposal are assessed in the application.

The assessment in this application takes into consideration the exclusions of Section 95E(2) and (3), when assessing the proposal will have or is likely to have adverse effects on persons that are minor or more than minor (but not less than minor).

Step 4: Further limited notification in special circumstances

It is considered that there are no special circumstances that apply to the application which warrants limited notification.

7 Statutory Assessment

Clause 2(1)(g) of Schedule 4 of the Resource Management Act 1991 requires an assessment against any relevant planning documents that are referred to in Section 104(1)(b) of this legislation. Such documents include:

- A national environmental standard
- Other regulations
- A national policy statement
- A New Zealand coastal policy statement
- A regional policy statement or proposed regional policy statement
- A plan or proposed plan

7.1 Operative District Plan

The relevant provisions of the PDP are now treated as operative and therefore the proposal no longer requires consent under the provisions of the ODP, such that the objectives and policies of the ODP are disregarded, and an assessment against the PDP objectives and policies is provided below.

7.2 Proposed District Plan

Relevant Objectives and Policies from the PDP are contained in the following Chapters of the PDP:

- Chapter 3 – Strategic Direction
- Chapter 6 – Landscapes – Rural Character
- Chapter 21 – Rural Zone
- Chapter 39 – Wāhi Tūpuna

These Chapters are addressed below:

7.2.1 Chapter 3 – Strategic Direction

Objective 3.2.4 and its associated policies seek to protect the District's distinctive natural environments and ecosystems.

Objective 3.2.6 and its associated policies seek to ensure that the District's residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety.

Objective 3.2.7 and its associated policies seek to nurture the partnership between Council and Ngāi Tahu.

The proposal will maintain the existing environment and will not reduce the life-supporting capacity of Lake Wakatipu, such that the natural environment and ecosystems will be unaffected by the proposal. The existing mooring will be used by the applicant for private purposes and will ensure that the existing recreational activities can continue to be lawfully undertaken, in a manner that does not result in any adverse effects in terms of navigational and water safety. The QLDC Planner will notify the relevant Iwi groups of the application due to the lake being identified as a Statutory Acknowledgement Area.

Overall, the proposal is considered to be consistent with the relevant objectives and policies of Chapter 3.

7.2.2 Chapter 6 – Landscapes – Rural Character

Objective 6.3.5 and its associated policies seek to manage activities on lakes and rivers. Policy 6.3.5.2 is of particular relevance as it seeks to recognise the character of the Frankton Arm including the established jetties and wharves, and provide for their maintenance, upgrade or expansion.

The proposed mooring is located adjacent to a highly developed urban area. The PDP recognises that the District's lakes play an important role as a recreational resource, with the proposed mooring servicing a functional need. The proposed mooring is of a scale and in a location that maintains the established landscape character and visual amenity values associated with the Frankton Arm.

Overall, the proposal is considered to be consistent with the relevant objectives and policies of Chapter 6.

7.2.3 Chapter 21 – Rural Zone

Objective 21.2.3 and its associated policies seek to ensure that the life supporting capacity of water is safeguarded through the integrated management of the effects of activities, in conjunction with the ORC plans and strategies.

Objective 21.2.12 and its associated policies seek to ensure that 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.

The proposal will maintain the existing environment and will not reduce the life-supporting capacity of Lake Wakatipu. Conditions of consent will assist in managing

or mitigating any potential adverse effects such that appropriate safeguards will be put in place. The proposed mooring is located within an already modified urban environment including other existing moorings and jetties adjacent to the residential zoned land. The natural character of the lake is already recognised as a modified area, and this proposal will provide for recreational activities that are appropriate and anticipated within Lake Wakatipu.

Overall, the proposal is considered to be consistent with the relevant objectives and policies of Chapter 21.

7.2.4 Chapter 39 – Wāhi Tūpuna

Objective 39.2.1 and its associated policies seek to ensure that Manawhenua values, within identified wāhi tūpuna areas, are recognised and provided for.

The location of the mooring is also within a Wāhi Tūpuna overlay - #33 Whakātīpu-Wai-Māori (Lake Wakātīpu). As assessed above, the location of the mooring is appropriate and is in an area where such structures can be reasonably anticipated. The proposal is not considered to adversely affect or undermine Manawhenua values attributed to the site or surrounding area.

Overall, the proposal is considered to be consistent with the relevant objective and policies of Chapter 39.

7.3 Otago Regional Plan: Water for Otago (ORP:W)

Relevant Objectives and Policies from the ORP:W are contained in the following Chapters:

- Chapter 5 – Natural and Human Use Values of Lakes and Rivers
- Chapter 7 – Water Quality
- Chapter 8 – The Beds and Margins of Lakes and Rivers

These Chapters are addressed below:

7.3.1 Chapter 5 – Natural and Human Use Values of Lakes and Rivers

The relevant objectives and policies of Chapter 5 seek to maintain or enhance the natural and human use values, while protecting lakes and rivers and their margins from inappropriate subdivision, use or development. Public access is to be maintained/enhanced.

Lake Wakatipu is identified in Schedule 1D as MA3 (Waahi tapu) and is recognised to have spiritual values of importance to Kāi Tahu. The location of the mooring in the modified urban environment is appropriate and will not adversely affect the natural and human values identified in the ORP:W. The proposal will ensure that public access to and along the lake is effectively maintained.

Overall, the proposal is considered to be consistent with the relevant objectives and policies of Chapter 5.

7.3.2 Chapter 7 – Water Quality

The relevant objectives and policies of Chapter 7 seek to maintain water quality in Otago lakes, while enabling discharge in a way that maintains water quality and supports natural and human use values.

There are no community water supplies or consented water takes in proximity to the mooring's location, and the proposal is not anticipated to cause adverse erosion, sedimentation, instability or flooding effects. The proposal is not considered to adversely affect aesthetic values or recreational opportunities. The proposal will not compromise the water quality of Lake Wakatipu.

Overall, the proposal is considered to be consistent with the relevant objectives and policies of Chapter 7.

7.3.3 Chapter 8 – The Beds and Margins of Lakes and Rivers

The relevant objectives and policies of Chapter 8 seek to maintain the stability and function of structures located in, on, under or over the bed or margin of any lake or river; to minimise water clarity caused by bed disturbance, and to not affect the habitat of fish.

The ORP;W permits disturbance of a lake bed, where the works are for with repair, maintenance, alteration or replacement purposes. Any future permitted works will be negligible and will align with activities anticipated by the ORP;W. The proposal will not impede on fish movements or migration, and will not materially reduce the available habitat.

Overall, the proposal is considered to be consistent with the relevant objectives and policies of Chapter 8.

7.4 Operative Regional Policy Statement 2019 & Proposed Regional Policy Statement 2021

After taking into consideration the operative and proposed Regional Policy Statements for Otago, the policy direction given by the District Plan and ORP;W is considered to be certain and complete as it relates to this application and, such that there is no need to revert to higher order planning instruments.

Notwithstanding this, the proposal is considered to be consistent with the relevant objectives and policies of both the Operative Regional Policy Statement and the Proposed Regional Policy Statement and will achieve the environmental results anticipated by these Policy Statements.

7.5 The Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008

Queenstown and the wider areas are identified as being within the Takitimu Me Ona Uri - High Country and Foothills within the Iwi Management Plan.

Consideration has been given to Section 3.4.13 which deals with Cultural Landscapes and Wāhi Tapu. The Queenstown Lakes District Council has recently added a Wāhi Tūpuna overlay to its Proposed District Plan maps. The location of the mooring is within a Wāhi Tūpuna overlay - #33 Whakātipu-Wai-Māori (Lake Wakātipu). As assessed above, the location of the mooring is appropriate and is in an area where such structures can be reasonably anticipated. The proposal is not considered to adversely affect or undermine Manawhenua values attributed to the site or surrounding area. More broadly, the Iwi Management Plan acknowledges the importance of water and protecting this resource. The proposal is associated with an existing mooring, and no physical works within the lake are proposed, nor are they anticipated, by this application. For these reasons the proposal will ensure that water quality as a whole is not unduly compromised.

Overall, it is considered that the proposal is consistent with the outcomes sought by the Iwi Management Plan.

8 Section 104 of the Act

Section 104 of the Act states when considering an application, the consent authority must, subject to Part 2 of the Act, have regard to:

- Any actual and potential effects on the environment of allowing the activity;
- Any relevant provisions of a plan or proposed plan;
- Any other matters the consent authority considers relevant and reasonably necessary to determine the application.

As outlined in the application, the proposed activity will not result in any adverse effects on the environment that are more than minor, any potential effects have been avoided, remedied or mitigated to an extent that such are less than minor. Further, the proposed activity is not contrary to the relevant objectives and policies of the District or Regional Plans, and finally, there are no other matters relevant to the assessment of the application.

9 Purpose and Principles of the Act

The purpose of Act is to promote the sustainable management of natural and physical resources. Sections 6, 7 and 8 also require consideration.

Section 6 relates to matters of national importance. The matters of relevance to this application are considered to be:

- (a) *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (d) *the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers*
- (e) *the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*

The proposed mooring is located within an already modified urban environment including other existing moorings and jetties adjacent to the residential zoned land. The proposal will ensure that public access to and along the lake is effectively maintained. Although the site is located within a Wāhi Tūpuna mapped area, the proposal is not considered to adversely affect or undermine Manawhenua values attributed to the site or surrounding area.

Section 7 of the Act states that achieving the purpose of the Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to:

- (a) *kaitiakitanga:*
 - (aa) *the ethic of stewardship:*
 - (b) *the efficient use and development of natural and physical resources:*
 - (ba) *the efficiency of the end use of energy:*
 - (c) *the maintenance and enhancement of amenity values:*
 - (d) *intrinsic values of ecosystems:*
 - (e) *[Repealed]*
 - (f) *maintenance and enhancement of the quality of the environment:*

- (g) *any finite characteristics of natural and physical resources:*
- (h) *the protection of the habitat of trout and salmon:*
- (i) *the effects of climate change:*
- (j) *the benefits to be derived from the use and development of renewable energy.*

The proposed activity accords with the relevant matters that particular regard shall be given to in terms of Section 7 of the Act.

There are no matters under Section 8 of the Act that require consideration with respect to the proposed activity.

For the reasons outlined in the application, the proposed activity is consistent with the purpose and principles of the Act and the associated matters under Part 2 of the Act.

The proposed activity involves an efficient use of natural and physical resources and such will be undertaken in a manner which avoids, remedies and mitigates potential adverse effects on the environment. Overall, it is considered that the proposal is consistent with the purpose and principles of the Act and therefore accords with the definition of sustainable management.



Location of Buoys are based on the mooring block for Swing Radius analysis. The mooring block location was based on various aerial photo overlays to assume the correct position and rope length.

Buoy Number 57
 Permit Holder: Lindsay McClean
 NZMG: N 5564893 E 2170287

Existing Buoy Number 58
 Permit Holder: W&L Sutherland
 NZMG: N 5564907 E 2170308

Existing Buoy Number M397
 Permit Holder: Russell McKenzie
 NZMG: N 5564865 E 2170261

Existing Buoy Number 56
 Permit Holder: AK&LE McKenzie
 NZMG: N 5564843 E 2170255

Boat mooring swing radius of 7.75m

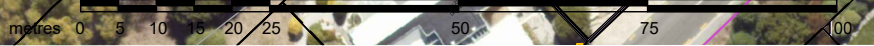
Swing radius extent of 6.5m boat

643 Peninsula Road

Peninsula Road

Scale 1 : 2500

Scale 1 : 1000



REV.	DATE:	REVISION DETAILS:	DRAWN:	CHECKED:
E	03/03/26	Proposed buoy relocation removed	SR	BM
D	24/02/26	Jetty and Buoy removed for Staged consent purposes	SR	BM
C	10/01/23	Additional Buoy Added	SR	BM
B	11/11/22	Buoys Removed, Swing Radius Altered, Boat for scale added	SR	BM
A	25/10/22	Initial release	SR	BM

WARNING NOTE:
 This resource consent plan has been prepared for the client from field survey and existing records for the purpose of a proposed subdivision on the land. It is to read in conjunction with our terms of engagement to Scott Freeman. It should not be used by the client company for any other purpose. The plan is not to be relied on by any other person for any purpose whatsoever.

DATE: 03 March 2026
 BY: Steve Ruffili
 Scale: As shown
 Original Plan A3
 DRAWING & ISSUE No. 5745.1R.1E

TITLE:
**McClellan Mooring Buoy
 643 Peninsula Road**

PO Box 2493
 Wakatipu 9349
 Ph 03 442 3466
 Fax 03 442 3469
 Email admin@ascl.co.nz

Swing mooring inspection & Information form

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

Please Print All Details Clearly

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

Mooring Location (Lake): Wakatipu

Mooring Permit #: **57**

Mooring Owners Name: Lindsay & Susan McClean

Mooring Owners Address: 639 Peninsula Road

Mooring Owners Postal Address (if different): PO Box 6002 Queenstown 9348

Mooring Owners Phone No: 0274335806

Mooring Owners Email Address: Lindsay@mcclean.co.nz

Emergency contact Number: Sue 02040073582

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

Name of vessel using mooring: No Name

Vessel MNZ Registration Number: Vessel Identification: Doesn't have one

Vessel Type: Commercial Powered Craft **Recreational Powered Craft** Yacht Other

If "Other" please outline type of vessel : _____

Length of Vessel: approx. 6.5m Weight of Vessel: approx. 1400kg

Vessel Colour(s): White with blue trim

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

Details of Mooring – (Mooring Inspector To Complete)

GPS Position of mooring: (WGS84 Decimal Degrees):

LAT: 45*02' 38.28 S

LON: 168*41'12.25 E

IS THIS A CONFIRMED TRUE BLOCK LOCATION?: Yes

Inspection Date: 20/01/2026 Water Depth at location at time of inspection: 6m

Calculated total swing radius of mooring at lowest lake level: 11m

Lake level at time of inspection 310.168m

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: **Yes – Boat attachment and top section replaced**

Was vessel on mooring at time of inspection: **Yes**

Checklist – (Mooring Inspector To Complete) Note: If non-traditional mooring system is in use and this table is not fit for purpose,

	Checked Y/N	COMPONENT	DETAILS		Condition (% & notes)	Existing	Replaced
TOP SECTION	✓	Floats	Numbered: Yes	Type: Orange A4	Some UV damage	✓	
			Colour: Yellow	Type: foam filled	Good		
	✓	Shackle(s)	Number: 1 st Diameter: 25mm std	Moused: Y	Condition: New		✓
			Number: 2nd Diameter: 16mm tested	Moused: Y	Condition: New		
✓	Chain	Length: 3m	Diameter: 13mm Min D – 12mm	Condition OK	✓		
MIDDLE/RISER/RIDE	✓	Shackle(s)	Number: 3rd Diameter: 12mm tested	Moused: Y	Condition Good	✓	
	✓	Swivel	Diameter: 16mm steel		Condition Good	✓	
	✓	Shackle(s)	Number: 4th Diameter: 12mm tested	Moused: Y	Condition Good	✓	
	✓	Riser/Ride/Middle chain	Length: 4.5m	D: 13mm Min D: 12mm	Condition: Good	✓	
	✓	Shackle(s)	Number: 5th Diameter: 16mm std	Moused: Y	Condition Poor	✓	
BOTTOM	✓	Ground chain	Length: 5.5m	D: 20mm Min D: 10mm	Condition Poor	✓	
	✓	Block Shackle	Diameter: Buried	Moused: U/K	Condition Buried	✓	
	✓	Block Ring	Diameter: Buried		Buried – unable to feel or see	✓	
	✓	Block(s)	Is block visible?: N	Weight (dry) est : U/K	Block buried. Unsure of type / size or attachments. Owner may know what was installed	✓	
			Dimensions: U/K	Type: U/K			

details and observations can be provided on a separate page.

Inspectors Observations

Has Block Shifted or become buried? [Yes - Buried](#)

Inspectors Further Comments:

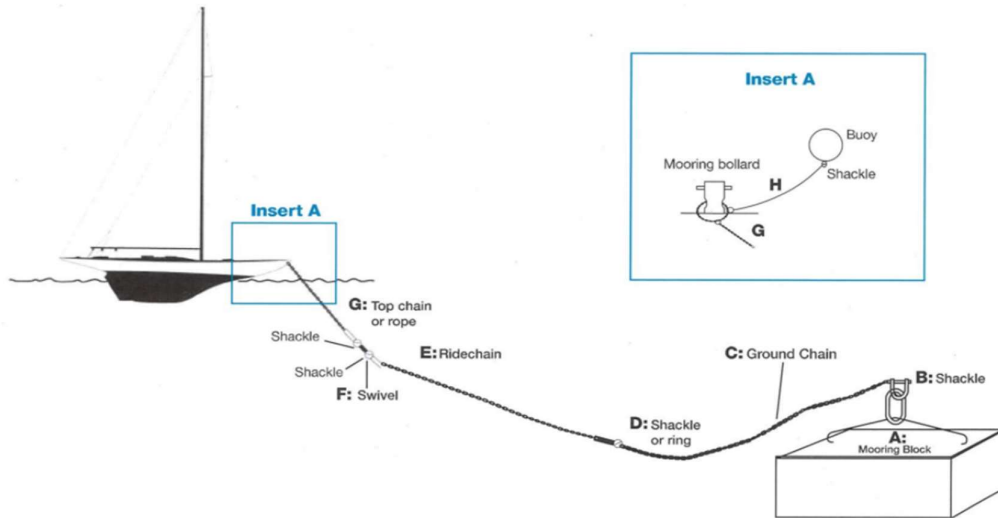
The boat attachment has been replaced with new 30mm rope with a thimble and a 16mm S/S shackle, .5m of 13mm new chain attached to top chain

Mooring Diagram – (Mooring Inspector To Complete)

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

As per table above

FIGURE 1
MOORING SYSTEM



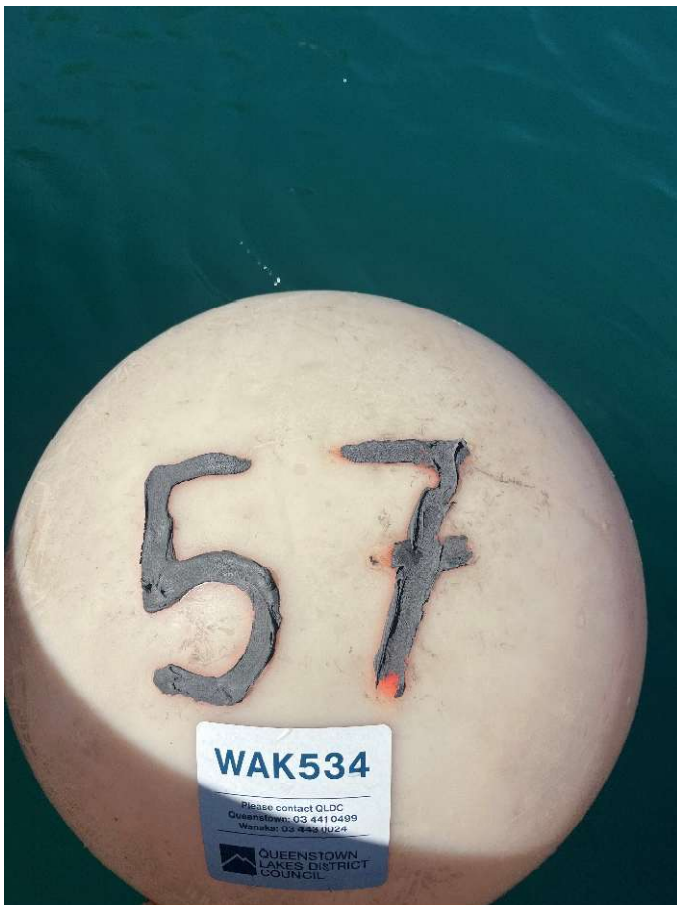
Pictures – (Mooring Inspector To Complete)

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

This picture shows standard mooring compenents used on most standard moorings but can vary



Mooring 57



Declaration – (Mooring Inspector To Complete)

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

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

Company Undertaking inspection -

Company undertaking Inspection: ___Wright Building and Diving Services Ltd_____

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

Company Postal Address: __a/a_____

Name of person completing inspection: ___Garry Wright_____

Signature of person completing inspection:  _____

Date: ___20/01/2026_____

Harbourmasters Document Review – (To Be Completed By Harbourmaster)

Document Reviewed on: (Inset Date): _____

Document Reviewed by: _____

Harbourmaster Comments:

Harbourmaster Signoff

Name: _____

Signature: _____

Date: _____

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

Resource Consent Application considerations

Will the system be upgraded?

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

Will block be replaced?

Will existing Block be removed?

Vessel Length:

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



MOORING PERMIT

Issued under the Navigation Safety Bylaw 2025

Mooring Number: 57

Description of mooring: Swing Mooring

Name to whom permit is granted: Lindsay R McClean

Waterway: Lake Wakatipu

Position of mooring: Longitude 168.686782

Status: Unconsented

Latitude -45.043933

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.

Our Ref RU-6352

Your Ref N/A

7/05/2026

Lindsay McClean & Julia McClean
C/- Ruth Mackay
ruth@southernplanning.co.nz

Dear Lindsay McClean & Julia McClean

Affected Party Approval Resource Consent for Mooring #57 Survey Plan

This approval is specific to the above application and is for the purpose of s95 RMA only.

It is not indicative of any associated arrangement with the Commissioner of Crown Lands or other statutory approval which may be required from Land Information New Zealand in regards to the proposed activity.

You are required to obtain a separate authorisation from the Commissioner of Crown Lands in order to undertake any activities on land owned or administered by Land Information New Zealand.

This approval is based on a review of the following documents:

- Survey Plan
- #57 Mooring Permit
- Assessment of Environmental Effects (AEE)

Yours sincerely



Dale Thompson
Customer Regulatory Specialist
Crown Property



AFFECTED PERSON'S APPROVAL

FORM 8A



Resource Management Act 1991 Section 95

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM

Lindsay & Julia McClean

PERSON AFFECTED PERSON'S DETAILS

I/We Toitū Te Whenua Land Information New Zealand (LINZ) as Commissioner of Crown Lands

Are the owners/occupiers of

The bed of Lake Wakatipu

LIST DETAILS OF PROPOSAL

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

Lawfully establish an existing swing mooring (M57) on the southern shoreline of the Frankton Arm, Lake Wakatipu.

at the following subject site(s):

Lake Wakatipu



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



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

MAGNIFYING GLASS WHAT INFORMATION/PLANS HAVE YOU SIGHTED



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

Aurum Survey Plan dated 03.03.2026 & Mooring Permit dated 01.07.2025



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 (under delegated authority)	
	Contact Phone / Email address crownproperty@linz.govt.nz	
	Signature 	Date 7/5/2026

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.