

APPLICATION AS NOTIFIED

M McKanny

(RM260138)

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:

M McKanny

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 25 Willow Place, Kelvin Heights, Queenstown within Whakātipu-Wai-Māori at the following GPS coordinates:

-45.028144 S, 168.724053 E (WGS84 Decimal Degree Format)

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

<https://www.qldc.govt.nz/services/resource-consents/notified-resource-consents#limited-not-rc> or via our edocs website using **RM260138** 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:

15 June 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 (M McKanny, mark.mckanny@nz.panasonic.com) as soon as reasonably practicable after serving your submission to Council:

C/- Kylie Columb
Kylie@vivianespie.co.nz
Vivian + Espie 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: 15 May 2026

Address for Service for Consent Authority:

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

Phone
Email
Website

03 441 0499
rcsubmission@qldc.govt.nz
www.qldc.govt.nz

TechnologyOne ECM Document Summary

Printed On 15-May-2026

Class	Description	Doc Set Id / Note Id	Version	Date
PUB_ACC	[A] Form 9	9380418	1	19-Feb-2026
PUB_ACC	AEE - Updated activity status	9510941	1	13-Apr-2026
PUB_ACC	Response to email - M Mckanny (M99), RM260138	9528640	1	20-Apr-2026
PUB_ACC	[B] Location Plan	9380417	1	19-Feb-2026
PUB_ACC	[C] Mooring Inspection Report	9380416	1	19-Feb-2026
PUB_ACC	[D] Mooring Permit	9380415	1	19-Feb-2026
PUB_ACC	[E] - ORC to QLDC transfer of powers	9380414	1	19-Feb-2026
PUB_ACC	LINZ APA	9510942	1	13-Apr-2026



APPLICATION FOR RESOURCE CONSENT OR
FAST TRACK RESOURCE CONSENT

FORM 9: GENERAL APPLICATION



Under Section 87AAC, 88 & 145 of the Resource Management Act 1991 (Form 9)

PLEASE COMPLETE ALL **MANDATORY FIELDS*** OF THIS FORM.

Please make sure that you are completing the correct form for your consent application type. This form provides mandatory contact information and details of your application and must be completed in full. If the incorrect form is used, or if information or supporting materials are missing (as per Appendix 5), your application will be rejected, and you will need to resubmit your application in full.



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: **Mark McKanny**

(Name decision is to be issued in)

All trustee names (if applicable):

*Contact name for company or trust:

*Postal Address: **15 Willow Place, Kawarau Falls, 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: **mark.mckanny@nz.panasonic.com**

*Phone Numbers: Day **+64 21 946219**

Mobile:

*The Applicant is:



Owner



Prospective Purchaser (of the site to which the application relates)



Occupier



Lessee

Other - Please Specify:



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

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



CORRESPONDENCE DETAILS // If you are acting on behalf of the applicant e.g. agent, consultant or architect please fill in your details in this section.

*Name & Company: **Kylie Columb - Vivian Espie**

*Phone Numbers: Day **034414189**

Mobile:

*Email Address: **kylie@vivianespie.co.nz**

*Postal Address: **Unit 1/211B Glenda Drive, Frankton, Queenstown**

*Postcode:
9300



INVOICING DETAILS //

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

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

Applicant:



Agent:



Other - Please specify:

Email:



Post:



*Attention:

*Postal Address:

*Post code:

*Please provide an email AND full postal address.

*Email:



OWNER DETAILS // Please supply owner details for the subject site/property if not already indicated above

Owner Name:

Owner Address:

Owner Email:

If the property has recently changed ownership please indicate on what date (approximately) AND the names of the previous owners:

Date:

Names:



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.

*Please select a preference for who should receive any invoices.

Details are the same as for invoicing



Applicant:

Landowner:

Other, please specify:

*Attention:

*Email:

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



DETAILS OF SITE // Legal description field must list legal descriptions for all sites pertaining to the application. Any fields stating 'refer AEE' will result in return of the form to be fully completed.

*Address / Location to which this application relates:

Bed of Lake Wakatipu on the southern shores of the Frankton Arm, off the Kelvin Peninsula, directly north of 25 Willow Place, Queenstown
GPS location: Longitude 168.72406E / Latitude - 45.028167S

*Legal Description: Can be found on the Record Title or Rates Notice – e.g Lot DP xxx (or valuation number)

N/A - Lake Bed

District Plan Zone(s): **Rural Zone (Water)**



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

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

YES

NO

Is there a dog on the property?

YES

NO

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

YES

NO

If 'yes' please provide information below

The mooring is located in Lake Wakatipu, 30m off the shoreline



PRE-APPLICATION MEETING OR URBAN DESIGN PANEL

Have you had a pre-application meeting with QLDC or attended the urban design panel regarding this proposal?

Yes

No

Copy of minutes attached

If 'yes', provide the reference number and/or name of staff member involved:



CONSENT(S) APPLIED FOR // * Identify all consents sought // ALSO FILL IN OTHER CONSENTS SECTION BELOW

Land Use Consent

If the application type you are applying for is not listed it is because it has its own application form which you will need to complete instead of using this form i.e.

Land Use Consent includes earthworks

s127 Change or Cancellation of Consent Condition
s221 Change or Cancellation of Consent Notice

Land Use Consent combined with s127 and/or s221

Boundary / Marginal or Temporary Activity Notice
Outline Plan

Subdivision Consent

Designations

These forms can be downloaded here



QUALIFIED FAST-TRACK APPLICATION UNDER SECTION 87AAC

Controlled Activity Land Use

If your consent qualifies as a fast-track application under section 87AAC, tick here to opt out of the fast track process



BRIEF DESCRIPTION OF THE PROPOSAL //

*Please complete this section, any form stating 'refer AEE' will be returned to be completed with a description of the proposal

*Consent is sought to:

Establish Mooring #99 on the bed of Lake Wakatipu



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



OTHER CONSENTS

Is consent required under a National Environmental Standard (NES)?

- NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2012

An applicant is required to address the NES in regard to past use of the land which could contaminate soil to a level that poses a risk to human health. Information regarding the NES is available on the website

<https://environment.govt.nz/publications/national-environmental-standard-for-assessing-and-managing-contaminants-in-soil-to-protect-human-health-information-for-landowners-and-developers/>

You can address the NES in your application AEE OR by selecting ONE of the following:

This application does not involve subdivision (excluding production land), change of use or removal of (part of) a fuel storage system. Any earthworks will meet section 8(3) of the NES (including volume not exceeding 25m³ per 500m²). Therefore the NES does not apply.

I have undertaken a comprehensive review of District and Regional Council records and I have found no record suggesting an activity on the HAIL has taken place on the piece of land which is subject to this application.

NOTE: depending on the scale and nature of your proposal you may be required to provide details of the records reviewed and the details found.



OTHER CONSENTS // CONTINUED

I have included a Preliminary Site Investigation undertaken by a suitably qualified person.

An activity listed on the HAIL has more likely than not taken place on the piece of land which is subject to this application. I have addressed the NES requirements in the Assessment of Environmental Effects.

Any other National Environmental Standard

Yes

N/A

Do you need any consent(s) from Otago Regional Council?

Yes

N/A

If Yes have you applied for it?

Yes

No

If Yes supply ORC Consent Reference(s)

If ORC Earthworks Consent is required would you like a joint site visit ?

Yes

No



INFORMATION REQUIRED TO BE SUBMITTED //

Attach to this form any information required (see below & appendices 1 - 5).

To be accepted for processing, your application should include the following:

Record of Title for the property (no more than 3 months old) and copies of any consent notices and covenants (Must be official order copy from LINZ <https://www.linz.govt.nz/>).

A plan or map showing the locality of the site, topographical features, buildings etc.

A site plan at a convenient scale.

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

An AEE (Assessment of Effects).

An AEE is a written document outlining how the potential effects of the activity have been considered along with any other relevant matters, for example if a consent notice is proposed to be changed. 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.



Your application must be submitted via our online Community Portal. Please see **Appendix 5 - Requirements for Naming of Documents** for how documents should be named.



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 - Land Use and Subdivision Resource Consent fees - please select from drop down list below

\$3638 - Land Use Non-complying Activities (overall consent status) ▼

APPLICATION & DECLARATION

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



If lodging this application as **the Applicant:**

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

OR:



If lodging this application as **agent of the Applicant:**

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



PLEASE TICK

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

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

Full name of person lodging this form **Kylie Columb**

Firm/Company **Vivian Espie**

Dated **19 February 2026**

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



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));



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.



UNDER THE FOURTH SCHEDULE TO THE ACT:

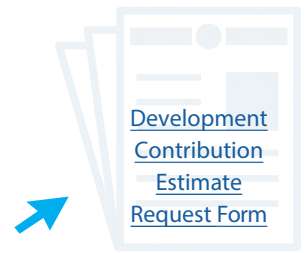
- An application for a subdivision consent must also include information that adequately defines the following:
 - (a) the position of all new boundaries:
 - (b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan:
 - (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips:
 - (d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips:
 - (e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A:
 - (f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A):
 - (g) the locations and areas of land to be set aside as new roads.

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 Rooding)

[Click here for more information on development contributions and their charges](#)

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



Please note that some land use consents can be dealt with as fast-track land use consent. This term applies to resource consents where they require a controlled activity and no other activity. A 10-day processing time applies to a fast-track consent.

If the consent authority determines that 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.

A fast-track application may cease to be a fast-track application under section 87AAC(2) of the Act.

It's important that all your documents are named correctly - it helps us to process your application quickly and efficiently.

If you do not follow the required naming convention, your application will be rejected.

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

AEE (Assessment of Environmental Effects)

Landscape Report

Engineering Report

Affected Party Approval/s

Ecological Report

Traffic Report

Record of Title including the title identifier at the end and to be separate documents if multiple titles i.e. Record of Title 12345, Record of Title 678910
Must be official order copy from Land Information New Zealand (LINZ) and includes copy of LT.

Covenants, Consent Notices, Easement Instruments etc including the title identifier at end and to be separate documents
i.e. Consent Notice 123456, Easement Instrument 123456, Covenant 123456

Geotechnical Report

Urban Design Report

PREPARED FOR MARK MCKANNY
19 FEBRUARY 2025
#J2559

ASSESSMENT OF ENVIRONMENTAL EFFECTS

RETROSPECTIVE RESOURCE
CONSENT TO ESTABLISH MOORING
#99 ON THE BED OF LAKE WAKATIPU

NORTH OF 25 WILLOW PLACE,
KELVIN PENINSULA.

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Quality assurance

Prepared by	Kylie Columb	Planner	17 February 2026
Reviewed by	Blair Devlin	Director/Senior Planner	17 February 2026

1. Key Information

Address	Southern shore of Frankton Arm of Lake Wakatipu, directly north of 25 Willow Place, Kelvin Peninsula GPS location: Longitude 168.72406E / Latitude - 45.028167S
Legal Description	N/A – Lake Bed
Site Area	N/A
Owners	Land Information New Zealand (LINZ) is the administrator for the Lake Bed
Occupiers	N/A
Applicant	Mark McKanny
Operative District Plan Zoning	Rural General Zone (Water)
Designations & Special Provisions	Within an area identified as 'All structures and moorings non-complying except for jetties and boatsheds'
Proposed District Plan Zoning	Rural Zone (Water)
Designations & Special Provisions	Wahi Tupuna Number 33– Whakatipu-wai-Maori (Lake Wakatipu)
Proposed Activity	Retrospective resource consent to establish mooring #99 on the bed of Lake Wakatipu for personal use, directly north of 25 Willow Place, Kelvin Peninsula.
Consents Required	<p>Operative District Plan <u>Rural General Zone:</u> The Proposed District Plan rules identified below are not under appeal. The equivalent rules of the ODP must now be treated as inoperative pursuant to section 86F of the RMA.</p> <p>Proposed District Plan <u>Rural Zone:</u></p> <ul style="list-style-type: none"> • Rule 21.15.7 for moorings in the Frankton Arm, identified as the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan web mapping application shall be a restricted discretionary activity. Discretion is restricted to matters listed a-g. • Rule 21.15.8 for moorings that pass across or through the surface of any lake, shall be a discretionary activity. <p>Otago Regional Plan: Water</p> <ul style="list-style-type: none"> • A discretionary activity pursuant to Rule 13.2.3.1 as the proposal involves the (retrospective) placement of a structure, fixed in, on, under or over the bed of a lake. <p>Overall, the proposal is a discretionary activity.</p>
Written Approvals/Consultation	<ul style="list-style-type: none"> • The applicant has consulted with Land Information New Zealand (LINZ) • The applicant has not consulted with Aukaha or Te Ao Mārama Incorporated as it is anticipated that the application will progress on a (limited) notified basis.
Other consents/permits	Mooring Permit 99: Attachment [D]

2. Introduction

This report is submitted as part of the application by Mark McKanny (“the Applicant”) for a retrospective resource consent to establish a mooring on the southern shore of the Frankton Arm of Lake Wakatipu, off Kelvin Peninsula in Queenstown. The completed Form 9 is appended as Attachment [A] and a location plan is appended as Attachment [B]. The purpose of this report is to provide sufficient information to enable a full understanding of the proposal and any effects that the proposal may have on the environment.

3. Existing Environment

3.1 Subject site and surrounding environment

Mooring #99 is located on the southern shores of the Frankton Arm of Lake Wakatipu as shown in Figure 1 below. Lake Wakatipu falls within the Rural (Water) Zone in the Proposed District Plan (PDP). The mooring is located approximately 30m north of the shoreline, directly opposite 25 Willow Place in the Kelvin Heights Peninsula (refer to Figure 2). A location plan is appended as Attachment [B].

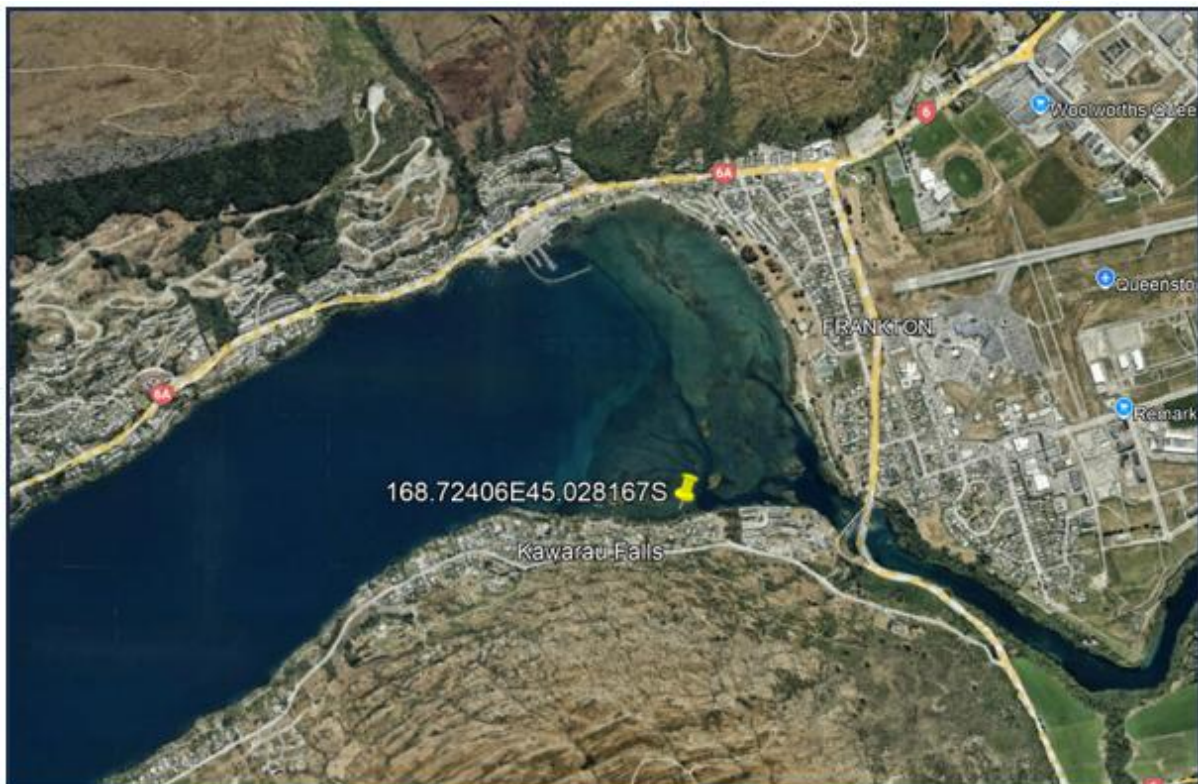


Figure 1: Location of proposed mooring indicated by the yellow pin (identified on Google Earth using the GPS co-ordinates)



Figure 2: Location of proposed mooring north of Willow Place, Kelvin Heights Peninsula – source QLDC GIS

Figure 2 above is an aerial image of mooring #99 set amongst other moorings (represented by the yellow, orange and grey dots). Jetties, slipways and boat sheds can be seen along the lakeshore. To the south of the proposed mooring (on the landward side of the shore) is a reserve area with willow trees dotted along the shoreline. Beyond the reserve is the Kelvin Peninsula Trail, Willow Place and the low-density residential development of Kelvin Heights. The applicant, Mark Mckanny, lives in close proximity to the mooring as indicated in Figure 2 by the red star.

3.2 Background

It is unclear exactly when the mooring was established and no clear records of its approval are available. The applicant, who lives at 15 Willow Place, acquired the mooring from a neighbour in February 2025, and it is understood that the neighbour owned the mooring for many years prior.

Since its acquisition, the applicant arranged for repairs and maintenance of mooring #99, which was undertaken by Wright Building and Diving Services Ltd and included replacing one of the buoys and checking/repairing the chain link and shackles. The applicant obtained a permit for the mooring through QLDC and paid the associated licensing fees (QLDC mooring permit appended as Attachment [D]). Retrospective resource consent is now being sought to formally establish this existing mooring in order to comply with the recent QLDC mooring consent requirements, and to ensure the mooring is compliant and up to date with statutory requirements.

4. The Proposal

This is a proposal to seek retrospective resource consent to formally establish mooring #99 for the personal use of the applicant, who lives next to the mooring at 15 Willow Place, to moor his boat: a 16ft, 161 Hamilton Jet.

The GPS location of the mooring is longitude 168.72406E / latitude - 45.028167S, which is approximately 30m north of the lake shore, adjacent to Willow Place in the Kelvin Peninsula (location plan appended in Attachment [B]). The mooring itself is a steel encased concrete mooring block, with a diameter of 1.2m and a weight of approximately 600kgs (refer to Inspection Report appended as Attachment [C]). The mooring is a swing mooring attached with a chain extending from the weight to the surface of the lake similar to the 'Mooring System' diagram in Figure 3. Two orange buoys are attached to the chain and are the only component visible on the surface of the lake.

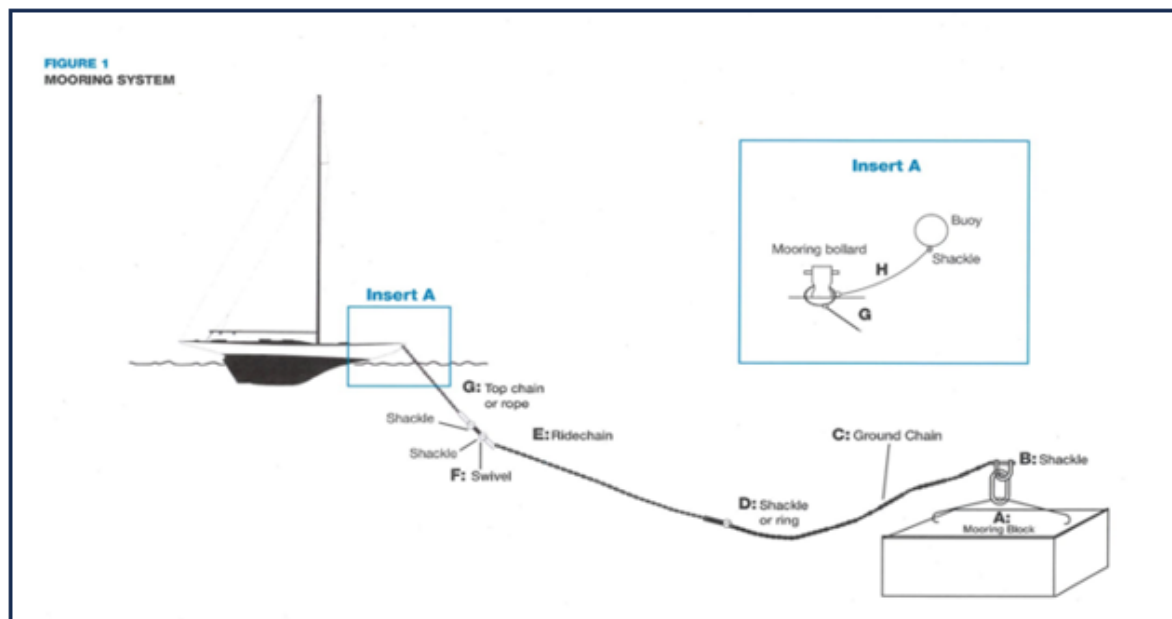


Figure 3: Diagram of the mooring system

As noted in the background section, it is unclear exactly when the mooring was established in the lakebed, however we are of the understanding that it was utilised by the previous owners for many years.

Approximately one year ago the applicant acquired the mooring, and enlisted Wright Building and Diving Services Ltd to undertake repairs and maintenance of the mooring. To accompany this application, a formal inspection of the mooring was undertaken on 20th January 2026, also by Wright Building and Diving Services Ltd. The Report on this inspection is appended as Attachment [C], and states that the rings, shackles and chains of the mooring system are in good condition. It is anticipated that the mooring will be inspected every 2 years as per QLDC requirements. The current QLDC mooring permit, which is valid from 1 July 2025 – 30 June 2026, is appended as Attachment [D].

5. Matters Requiring Consent

5.1 Operative District Plan

The subject site is zoned Rural General under the Operative District Plan. There are no relevant rules under the ODP as the relevant rules under the PDP must now be treated as operative pursuant to s86F.

5.2 Proposed District Plan

The subject site is zoned Rural (Water) and the proposal requires consent under the following rules:

- A **restricted discretionary** activity pursuant to Rule 21.15.7 for moorings in the Frankton Arm, identified as the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan web mapping application. 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 pursuant to Rule 21.15.8 for moorings that pass across or through the surface of any lake.

Overall, the proposal is a **discretionary** activity.

5.4 Otago Regional Plan: Water

In 1993 a deed was made to transfer the power to determine applications for land use consent for activities / structures affecting lakes from the Otago Regional Council (ORC) to the Queenstown Lakes District Council (QLDC) pursuant to Section 13(1)(a) of the RMA (refer Attachment [E]). In accordance with the aforementioned deed the application has been considered under the relevant provisions of the Regional Council Plan: Water. The proposal requires consent under the following rule:

- A **discretionary** activity pursuant to Rule 13.2.3.1 as the proposal involves the (retrospective) placement of a structure, fixed in, on, under or over the bed of a lake.

As the mooring block is already in place, no consents are sought to discharge sediment associated with placement of the mooring block on the lakebed.

Overall, the application is considered to be a **discretionary** activity under the ORC Regional Water Plan.

5.5 Summary of Consents Required

The application is considered to be:

- a **discretionary** activity under the PDP; and
- a **discretionary** activity under the ORC regional Water Plan

Overall, the activity status is considered to be a **discretionary** activity.

5.6 Scope of Application

This application is for all matters requiring resource consent under the District Plans, rather than for the specific list of consent matters / non-compliances identified above by the author. As such, if the Council is of the view that resource consent is required for alternative or additional matters to those identified in this Assessment of Effects on the Environment (AEE), it has the discretion to grant consent to those matters as well as or in lieu of those identified in this AEE. If the Council is of the view that the activity status of any of the matters requiring consent is different to that described in this AEE, or that some or all of the matters requiring consent should be bundled or unbundled in a way that results in a different outcome to that expressed in this AEE, the Council has the ability under Section 104(5) of the RMA to process the application regardless of the type of activity that the application was expressed to be for.

6. Statutory Considerations

6.1 Section 104 – Matters for Assessment

Section 104(1) of the Act requires the Council to have regard to the following matters, subject to Part 2 of the Act:

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

Section 104(2) of the RMA states that, in considering the effects on the environment of allowing an activity, a consent authority may disregard an adverse effect if a national environmental standard or the plan permits an activity with that effect.

Section 104(3) states that a consent authority must not have regard to trade competition or the effects of trade competition, or any effect on a person who has given written approval to the application.

6.2 Section 104B – Discretionary Activities

Under section 104B, a consent authority processing an application for a discretionary activity may grant or refuse a resource consent application, and if it grants the application, may impose conditions under section 108.

7. Assessment of Environmental Effects

The assessment matters listed within PDP Rule 21.15.7 (a-g) for jetties and moorings in the Frankton Arm have been used as a basis to structure the assessment of effects, which have been summarised into the following headings.

- Landscape, visual and amenity
- Navigation and water safety
- Effects on recreation
- Cumulative effects
- Effects on the lakebed
- Cultural Values

7.1 Permitted Baseline

Minor repairs, maintenance or alterations of existing operational jetties and moorings are a permitted activity. However, as no records can be found in relation to the establishment of the mooring many years ago, the permitted baseline is not considered to apply.

7.2 Effects on landscape, visual and amenity

When the mooring is not in use, the two small orange buoys are the only component visible on the surface of the lake (refer to the photos in Attachment [C]). Given the small scale of these visible elements and their location amongst several other existing moorings, it is considered that mooring will not be visibly prominent and will be compatible with the existing pattern of water based activity on the lake front near Willow Place. Furthermore, the landscape character along Willow Place has been modified and comprises a number of moorings, jetties, slipways and boat sheds as shown in Figure 2 above. It is considered that these features form part of the established visual character of this part of lake.

When occupied by a boat, the mooring will be visible to a wider catchment area, however it will be viewed in the context of other boats and water based activities, and against a backdrop of residential development. Willow Place, the Kelvin Heights Trail, the lake edge vegetation and reserve area provide an element of separation from the lake shore and the surrounding residences. This section of the Peninsula is a developed residential zone, such that it is considered that a boat on the lake will be in keeping with the character of the area and not dominate or detract from public or private views.

Overall, it is considered that the proposed mooring accords with the anticipated landscape character of the surrounding environment. Any adverse effects on landscape, visual and amenity values are considered to be less than minor.

7.3 Navigation and water safety

The mooring is approximately 30m north of the lake shore and at least 15m away from the nearest Jetty (47). The vessel to be moored is a 16ft (approximately 4.8m) 161 Hamilton Jet. While it is noted that the passage between the mooring and the jetty is relatively constrained, this area is not a thoroughfare for boats, or a primary boating route, due to the shallow lake depth and existing moorings. Vessels (including the Queenstown Water Taxis) operate north of the mooring. The 5-knot maximum speed buoy is located further north, confirming that the main passageway for boating activities is north of the 5-knot maximum speed buoy/the willow islands.

A mooring inspection report is appended as Attachment **[C]**, with a section on Page 5 for the QLDC Harbour Master to review and complete. It is expected that the QLDC Harbour Master will provide formal feedback to Council once this application is lodged.

Subject to any recommendations from the Harbour Master and with regard to the mooring system, location and vessel size, this proposal is not considered to interfere with navigation or impose any undue safety risk to other lake users.

7.4 Effects on recreation

The Kelvin Peninsula trail passes directly adjacent to the mooring location. The Frankton Arm is also frequently used for recreational boating. The type of recreational experience varies depending on the activity undertaken, however with all activities (i.e., walking, running, cycling, motorised boating/non-motorised boating), the moorings are not anticipated to diminish the recreational experience of people using public areas around the shoreline. The boat which will be attached to the mooring may provide a point of visual interest for pedestrians on the Kelvin Peninsula trail, however this is not considered to adversely affect the recreational experience of users.

7.5 Cumulative effects

In considering cumulative effects of the proposal on the natural landscape, particular regard has been given to the extent existing and potential development may already have compromised the visual coherence and naturalness of the landscape. The location plan appended as Attachment **[B]** illustrates that the proposed mooring is to be located within a cluster of existing moorings with at least five jetties and four boat sheds for private use within a 400m radius. It is acknowledged that this proposal gives rise to the presence of one more buoy / boat in this part of Lake Wakatipu.

In this instance, given the location of the proposed mooring amongst an existing cluster of water related activity, any adverse cumulative effect is considered to be small / less than minor, as it reflects/fits the existing character of this part of the lake. Additionally, the spread of moorings along the foreshore area is contained within the immediate vicinity of existing boating structures.

7.6 Effects on the lakebed

The mooring block has already been constructed and already located on the bed of the lake to anchor the chain that a boat would moor against. Retrospective resource consent from ORC is also sought as part of this application. As the block has already been installed, no additional works are proposed and therefore the proposal will not result in additional disturbance of the lakebed. In addition, as per the QLDC Swing Mooring Booklet – January 2026, it is a requirement that the whole system must be inspected every two years to evaluate its condition and replace worn components, and inspection must be conducted by a suitably qualified professional. A condition of consent with regard to regular inspection is anticipated which will consequently mitigate any adverse effects with regard to protecting the natural ecosystems of the lakebed.

7.7 Cultural Values

Lake Wakatipu is identified as a Statutory Acknowledgement Area under the Ngai Tahu Claims Settlement Act 1998. The mooring is located within Wāhi Tūpuna Site 33 as specified in Schedule 39.6 of the PDP. In this schedule, Whakātipu-wai-Māori (Lake Wakatipu) is recognised as being key in numerous Kāi Tahu pūrakau (stories) and has a deep spiritual significance for mana whenua. For generations, Whakātipu-wai-Māori also supported nohoaka (seasonal settlements), kāika (settlements), mahika kai (food gathering) as well as transportation routes for pounamu.

Accordingly, the following documents have been reviewed in the context of this application:

- Kāi Tahu Ki Otago Natural Resource Management Plan 2005
- The Cry of the People, Te Tangi a Tauira – Ngai Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008

In addition, an assessment of the Wahi Tupuna chapter of the PDP (Chapter 39) has been included in this section.

7.7.1 Kāi Tahu Ki Otago Natural Resource Management Plan 2005 Chapter 5: Otago Region

The Kai Tahu Iwi Management Plan sets out the issues, objectives and policies related to the management of the natural environment covering Ngai Tahu's tribal area, including Lake Wakatipu. Chapter 5 of the Kāi Tahu Iwi Management Plan discusses general issues, objectives and policies for all catchments across the Otago region. A summary of the most relevant provisions is provided in the table below.

5.3.2 Wai Maori General Issues	<ul style="list-style-type: none"> • Current water management does not adequately address Kāi Tahu ki Otago cultural values. • Cross mixing of water. • Deteriorating water quality. • Lack of consideration given to Kāi Tahu ki Otago cultural values in water research. • The fundamental question of ownership of water resources remains unresolved. • Damming. • Lack of adequate minimum flows that provide for Kāi Tahu ki Otago cultural values. • Setting of minimum flows may not appropriately consider social, biological and cultural needs.
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5.3.3 Wai Maori General Objectives	<ul style="list-style-type: none"> i. The spiritual and cultural significance of water to Kāi Tahu ki Otago is recognised in all water management. ii. The waters of the Otago Catchment are healthy and support Kāi Tahu ki Otago customs. iii. There is no discharge of human waste directly to water. iv. Contaminants being discharged directly or indirectly to water are reduced. v. Flow regimes and water quality standards are consistent with the cultural values of Kāi Tahu ki Otago and are implemented throughout the Otago Region and lower Waitaki Catchment.
5.3.4 Wai Māori General Policies	<ul style="list-style-type: none"> 1. To require an assessment of instream values for all activities affecting water. 2. To promote the cultural importance of water to Kāi Tahu ki Otago in all water management within the Otago Region and Lower Waitaki Catchment. 3. To promote co-ordinated research into water-related issues that provides for Kāi Tahu ki Otago input. 4. To protect and restore the mauri of all water. 5. To encourage the use of the Cultural Health Index as a tool for monitoring waterways. 6. To oppose any further cross mixing of waters. 7. To promote to the Otago Regional Council and Environment Canterbury minimum flow levels, flow regimes, lake levels and lake operating levels for lakes and rivers that recognise and provide for Kāi Tahu ki Otago cultural values and the healthy functioning of associated ecosystems.
5.8.1.6-8 Cultural Landscape policies	<p>To require that jetties and other structures in the foreshore area are controlled to minimise adverse environmental impacts and to ensure access by Kāi Tahu ki Otago to culturally significant areas.</p>

The waterways of Otago are a significant feature of the region, and water plays an important role in the spiritual beliefs and cultural traditions of Kāi Tahu. While the issues, objectives and policies outlined in the table are quite broad in scope, in terms of this proposal, the location and use of the mooring will minimise adverse environmental effects and not unduly restrict access to Lake Wakatipu or to culturally significant areas. Regular maintenance of the mooring (2 yearly inspections as per QLDC requirements) will contribute to healthy water quality and ecosystems. As the mooring has already been established on the lakebed, no further disturbance to the lakebed is required as part of this proposal. The proposal is considered to be consistent with the intention of Chapter 5 of the Kāi Tahu Iwi Management Plan.

New jetties and moorings are “controlled” through the PDP which ensures adverse effects are minimised.

7.7.2 Kāi Tahu Ki Otago Natural Resource Management Plan 2005 Chapter 10: Clutha/Mata-au Catchments

Chapter 10 also contains separate issues and policies for matters such as: Wai Māori; Wahi Tapu; Mahika Kai and Biodiversity; and Cultural Landscapes. The following is an assessment of the proposal against the Cultural Landscapes chapter, which is the most relevant to this application.

10.5.2 Cultural Landscapes Issues in the Clutha/Mata-au Catchment	<p>Extensive spread of jetties and moorings in particular in Lake Wakātipu, Lake Wānaka and Lake Hāwea and adjacent to nohoaka sites.</p>
10.2.3 Jetties and Moorings	<ul style="list-style-type: none"> 6. To require the development of a strategy in conjunction with the Queenstown Lakes District Council to investigate the viability of public moorings in the Queenstown Lakes District. 7. To require that all moorings situated in the vicinity of nohoaka and camping sites to be publicly available. 8. To require jetties to be at a fixed location and any effects of earthworks or from the ongoing operation of jetties and be remedied or mitigated.

	9. To require jetties and moorings to be located where they will not impede or restrict access to lakes, rivers and wetlands.
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As noted in the table above, the 'extensive spread of jetties and moorings' is raised as an 'issue in' the Kai Tahu Iwi Management Plan. The relevant Policy 6 is to require development of a strategy with QLDC to investigate the viability of *public moorings*. There is no known strategy with QLDC regarding public moorings, and the proposal is for retention of a existing private mooring. Policy 6 therefore is aimed more at QLDC and does not apply to the proposal.

The proposed mooring is to be located within a cluster of other moorings and jetties in a reasonably domesticated area. As mentioned, moorings along the foreshore in this part of the Frankton Arm is contained within the immediate vicinity of existing boating structures, thereby reducing the spread of moorings across the wider unoccupied and undeveloped areas of Lake Wakatipu.

With regard to provision 10.2.3, the mooring is not known to be situated in the vicinity of any nohoaka and camping sites. Nor will it unduly impede or restrict access to Lake Wakatipu. Based on the guidance available from the Kai Tahu Ki Otago Natural Resource Management Plan 2005, the proposal will not adversely affect cultural values.

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

This iwi management plan sets out objectives and policies related to Climate Change, Air, High Country and Foothills for the entire Otago Region. The following table highlights the provisions that are most relevant to this proposal.

3.4	High Country and Foothills
3.4.9	General Water Policy
3.4.9-1	Ensure protection and enhancement of the mauri or life supporting capacity of all high country and foothill waterways.
3.4.9-2	Advocate that all management decisions shall take into account the protection and survival of indigenous species of flora and fauna (rare and not rare and including taonga species contained in the Ngāi Tahu Claims Settlement Act 1998) in their natural habitats and ecosystems.
3.4.9-12	Promote the use of native species in new developments as a means of reducing the risk of plant pest spread.
3.4.14	Protecting sites of significance in High Country and Foothill Areas
3.4.14-1	Ensure that Ngāi Tahu ki Murihiku are able to effectively exercise their role as kaitiaki over wāhi tapu and wāhi taonga in Murihiku.
3.4.14-6	Avoid compromising unidentified, or unknown, sites of cultural significance as a consequence of ground disturbance associated with land use, subdivision and development.
3.4.14-9	Applications for activities in areas of cultural significance where there are no known sites but the likelihood of finding sites is high, may require one or more of the following (at the cost of the applicant): a. site visit; b. archaeological survey (walk over/test pitting), or a full archaeological description, by an archaeologist approved by Ngāi Tahu Ki Murihiku; c. cultural impact assessment; d. cultural monitoring; e. accidental discovery protocol agreement; archaeological authority; f. other (e.g. consent conditions).

3.4.14-12	Ensure that resource consent applicants are aware that liaising with iwi on the cultural impacts of a development does not constitute an archaeological assessment or iwi approval for a given proposal. An archaeological assessment requires follow up in respect to consultation.
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The site is identified as wahi tupuna and is not wahi tapu or wahi taonga. The proposal avoids the compromising of unidentified sites of cultural significance as no further ground disturbance to the lakebed is required. The proposed mooring does not restrict or impede access to existing sites of significance. While this iwi management plan is more of a 'high level' document it has still been given relevant consideration in the context of this application. Overall, the proposal is not considered to be contrary to the policies outlined above.

7.7.4 Chapter 39 PDP: Wāhi Tūpuna

Chapter 39 seeks to ensure that activities within identified wāhi tūpuna areas are appropriately managed to protect manawhenua values within those areas. Wāhi Tūpuna 33 is Whakātipu-wai-Māori (Lake Wakatipu). Identified threats for this wāhi tūpuna include:

- a. Damming, activities affecting water quality
- b. Buildings and structures, utilities
- c. Earthworks
- d. Subdivision and development
- e. New roads or additions/alterations to existing roads, vehicle tracks and driveways
- f. Commercial and commercial recreational activities

This proposal is not considered to give rise to any of the abovementioned threats to Wāhi Tūpuna 33. No physical works are required to the lakebed or the surface of the lake that will affect water quality. This mooring is for the personal use of the applicant and will not be used for commercial purposes. No adverse effects are anticipated with regard to Whakātipu-wai-Māori and the associated manawhenua values.

7.8 Summary

The proposed mooring has already been established on the lakebed of Lake Wakatipu, nearby other existing moorings located in the vicinity. This area of the Frankton Arm is known for its modified and domesticated character and associated boating activities (jetties and moorings). Overall, the relevant effects (guided by the matters of discretion) have been considered, and the assessment of environmental effects above concludes that the proposed mooring will not result in adverse effects on the environment that are more than minor.

8. Effects on persons

The bed of Lake Wakatipu is crown property and is managed by Toitu Te Whenua – Land Information New Zealand (LINZ) - on behalf of the Commissioner of Crown Lands. Affected party approval is currently being sought from LINZ. No other consultation has been undertaken as it is anticipated that the application will progress on a (limited) notified basis. The following parties will most likely be considered potentially affected:

- Aukaha (on behalf of Te Rūnanga o Ōtākou and Hokonui Rūnanga)

- Te Ao Marama Incorporated (on behalf of Ngā Papatipu Rūnaka ki Murihiku: Te Rūnaka o Awarua, Hokonui Rūnanga, Ōraka-Aparima Rūnaka, and Waihopai Rūnaka)

9. Notification Assessment

9.1 Public Notification

Step 1 – Mandatory public notification

- We are not requesting public notification of the application.
- Provided a request is reasonable, we are unlikely to refuse to provide further information or refuse the commissioning of a report under Section 92(2)(b) of the Act. The application does not involve exchange of recreation reserve land.
- The application does not seek to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

Accordingly, mandatory public notification of the application is not required.

Step 2 – Public notification precluded

- Public notification is not precluded by any rule or national environmental standard.
- The proposal is not for a controlled activity or a boundary activity.
- The proposal is not a prescribed activity

Accordingly, public notification of the application is not precluded.

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

- There are no rules or NES that require public notification.
- The proposal will not have adverse effects that are more than minor.

Step 4 – Special circumstances (s95(9))

- No special circumstances exist in relation to this application.

This application can be processed without public notification.

9.2 Limited Notification

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

- Lake Wakatipu is a statutory acknowledgement area. As Aukaha and Te Ao Marama have not been consulted and therefore have not provided their written approval, this will trigger the requirement for affected persons under step 1.

Step 2 – Limited notification precluded in certain circumstances

- Not applicable as limited notification is required by step 1.

Step 3 – Certain Affected Persons Must be Notified

- Consideration of affected parties is required in accordance with section 95E. LINZ, as the owner of the lake bed, Aukaha and Te Ao Marama are considered to be affected in a minor way by the proposal.

Step 4 – Special circumstances

- No special circumstances exist in relation to this proposal.

This application must be processed on a limited-notified basis.

10. Policy Framework

10.1 Otago Regional Policy Statement 2019

Otago's Regional Policy Statement (ORPS) became fully operative on 4 March 2024. Regional and District Plans must give effect to it. The relevant objectives and policies are contained within Part B, Chapter 3 of the RPS as follows:

Objective 3.1 - The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded

Policy 3.1.1 Fresh water

Safeguard the life-supporting capacity of fresh water and manage fresh water to:

a) Maintain good quality water and enhance water quality where it is degraded, including for:

- i. Important recreation values, including contact recreation; and,*
- ii. Existing drinking and stock water supplies;*

b) Maintain or enhance aquatic:

- i. Ecosystem health;*
- ii. Indigenous habitats; and,*
- iii. Indigenous species and their migratory patterns.*

....

d) Maintain or enhance, as far as practicable:

- i. Natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers;*
- ii. Coastal values supported by fresh water;*
- iii. The habitat of trout and salmon unless detrimental to indigenous biological diversity; and*
- iv. Amenity and landscape values of rivers, lakes, and wetlands;*
- e) Control the adverse effects of pest species, prevent their introduction and reduce their spread;*

Policy 3.1.2 Beds of rivers, lakes, wetlands, and their margins

Manage the beds of rivers, lakes, wetlands, their margins, and riparian vegetation to:

- a) Safeguard the life supporting capacity of fresh water;*
- b) Maintain good quality water, or enhance it where it has been degraded;*

...

d) Maintain or enhance ecosystem health and indigenous biological diversity;

e) Maintain or enhance, as far as practicable:

- i. Their natural functioning and character; and*
- ii. Amenity values;*

f) Control the adverse effects of pest species, prevent their introduction and reduce their spread;

and, ...

Water quality, the natural functioning of the lake and the amenity and landscape values of Lake Wakatipu will be maintained. At a high level, the proposal is considered to be in accordance with the relevant objectives and policies within the RPS.

10.2 Proposed Otago Regional Policy Statement 2021 – Appeals Version

The Proposed Otago Regional Policy Statement 2021 (pRPS 21) was notified on 26 June 2021 sets the direction for future management of Otago's natural and physical resources.

LF-WAI-01 – Te Mana o te Wai

Otago's water bodies and their health and well-being are protected, and restored where they are degraded, so that the mauri of those water bodies is protected, and the management of land and water recognises and reflects that:

- (1) water is the foundation and source of all life – na te wai ko te hauora o ngā mea katoa,*
- (2) there is an integral kinship relationship between water and Kāi Tahu whānui, and this relationship endures through time, connecting past, present and future,*
- (3) each water body has a unique whakapapa and characteristics,*
- (4) fresh water, land, and coastal water have a connectedness that supports and perpetuates life,*
- (4A) protecting the health and well-being of water protects the wider environment,*
- (5) Kāi Tahu exercise rakatirataka, manaakitaka and their kaitiakitaka duty of care and attention over wai and all the life it supports, and*
- (6) all people and communities have a responsibility to exercise stewardship, care, and respect in the management of fresh water.*

LF-FW-01A – Visions set for each FMU and rohe

In each FMU and rohe in Otago and within the timeframes specified in the freshwater visions in LF-VM-02 to LF-VM-06:

- (1) healthy freshwater and estuarine ecosystems support healthy populations of indigenous species (including non-diadromous galaxiids and Canterbury mudfish) and mahika kai that are safe for consumption,*
- (2) the interconnection of land, freshwater (including springs, groundwater, ephemeral water bodies, wetlands, rivers, and lakes) and coastal water is recognised,*
- (3) fish passage within and between catchments is provided for except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats,*
- (4) the form, function and character of water bodies reflects their natural characteristics and natural behaviours to the extent reasonably practicable,*
- (5) the ongoing relationship of Kāi Tahu with wāhi tūpuna, including access to and use of water bodies, is sustained,*
- (6) the health of the water supports the health of people and their connections with water bodies,*
- (7) sustainable land and water management practices:*
 - (a) support food and fibre production and the continued social, economic, and cultural well-being of Otago's people and communities, and*
 - (b) improve the resilience of communities to the effects of climate change, and*
 - (c) ensure communities are appropriately serviced by community water supplies, and other three waters infrastructure,*
- (8) direct discharges of wastewater to water bodies are phased out to the extent reasonably practicable, and*
- (9) freshwater is managed as part of New Zealand's integrated response to climate change and renewable electricity generation activities are provided for.*

The proposal will not adversely affect the health and wellbeing of the lake, nor will it impact on the relationship of Kāi Tahu with wāhi tūpuna and access to and use of Lake Whakatipu. The proposal is considered to be in accordance with the relevant objectives and policies within the pRPS 21.

10.3 Otago Regional Plan: Water for Otago

Section 5.3 of the Regional Water Plan promotes the protection, maintenance or enhancement of spiritual and cultural beliefs, natural character and amenity values of Otago's lakes and rivers. The maintenance of public access and the protection of heritage values are also key principles. As detailed above in the Assessment of Environmental Effects, the proposed mooring will not significantly affect the natural character or visual amenity values of Lake Wakatipu.

Section 8 focusses on the protection of the lakebed and its complex and dynamic natural systems. In this instance, retrospective consent is sought so the proposal will not cause any bed disturbance or affect stability of the bed or banks, or the flood and sediment carrying capacity of any lake, or fish migration. In addition, the proposal will not affect water quality, amenity values, or downstream users.

Overall, the proposal is consistent with the relevant provisions contained within the Otago Regional Plan: Water.

10.4 Operative District Plan

The objectives and policies of the ODP are no longer considered relevant as there are no rules triggered by which to implement the objectives and policies.

10.5 Proposed District Plan

The relevant objectives and policies are contained within Chapters 3 (Strategic Direction), 6 (Landscapes), 21 (Rural), and 39 (Wāhi Tūpuna) of the PDP. Chapter 3 has already been considered in section 7 of this report so has not been included in the assessment below.

Chapter 3 (Strategic Direction)

Strategic Objective 3.2.4 - The distinctive natural environments and ecosystems of the District are protected.

The relevant provisions of Chapter 3 seek to ensure the natural character of the beds and margins of the District's lakes, rivers and wetlands are preserved, or enhanced where possible, and protected from inappropriate subdivision, use and development. These provisions also seek to maintain or enhance the water quality and functions of the District's lakes, rivers and wetlands.

The natural character, water quality and function of the lake will be maintained as this proposal is for retrospective consent to formally establish a mooring that has been established in its location for a number of years. Therefore, no disturbance to the lakebed is required. A recent inspection of the mooring has been undertaken, and the individual components of the mooring system (rings, shackles, chains) are reported to be in good condition. The ongoing 2 yearly inspection of the mooring will ensure that the delicate natural ecosystem of the lake is maintained and protected.

Strategic Objective 3.2.5 - The retention of the District's distinctive landscapes.

These provisions seek to protect the landscape and visual amenity values and the natural character of Outstanding Natural Landscapes and Outstanding Natural Features from adverse effects of subdivision, use and development that are more than minor and/or not temporary in duration. In this instance, the proposed mooring is set amongst a cluster of other moorings, jetties and boat sheds in a highly modified part of the Frankton Arm. The proposal is therefore considered compatible within the existing landscape and will not affect the District's distinctive landscapes, including the Frankton arm, will be retained.

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

Chapter 6 (Landscapes – Rural Character)

Objective 6.3.5 Managing Activities on Lakes and Rivers

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

- a. protects the values of Outstanding Natural Features and Outstanding Natural Landscapes; and*
- b. maintains the landscape character of Rural Character Landscapes and maintains or enhances their visual amenity values.*

The Frankton Arm is not identified as being ONL, ONF or RCL in the PDP.

Policy 6.3.5.2 - Recognise the character of the Frankton Arm including the established jetties and wharves, and provide for their maintenance, upgrade or expansion.

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

The objective and associated policies above recognise that the lakes and rivers are a significant element of the national and international identity of the District and provide for a wide range of amenity and recreational opportunities. In addition, the presence of moorings in the Frankton Arm are accepted as part of the character modified environment. Overall, the mooring is an appropriate recreational activity for its location and the proposal is considered to be consistent with the relevant objectives and policies contained within Chapter 6 of the PDP.

Chapter 21 (Rural)

21.2.12 Objective - 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.

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

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

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

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

The proposal has had regard to statutory obligations, Wāhi Tūpuna and the spiritual beliefs, and cultural traditions of tangata whenua, although consultation has yet to commence. The use of the mooring will not hinder public access to a wide range of recreational experiences on the lakes and their margins. The natural character and nature conservation values of the lakes is able to be maintained, and the proposal does not adversely affect any nesting and spawning areas, or the intrinsic value of ecosystem services and areas of indigenous fauna habitat and recreational values.

Overall, it is considered that the proposal is consistent with the relevant objectives and policies contained within Chapter 21.

11. Other Matters

Section 104(1)(c) of the Act permits Council to have regard to “any other matter the consent authority considers relevant and reasonably necessary to determine the application”.

11.1 QLDC Navigation Safety Bylaw 2025

This bylaw applies to the navigable waters and foreshore within the area of Queenstown Lakes District. The purpose of the bylaw (with regard to structures and moorings) is to regulate the placement and maintenance of moorings and maritime facilities.

Part 8 of the Navigation Safety Bylaw 2025 states the following;

47 Mooring permits

47.1 No person may place a mooring in any waters, or moor any vessel in any navigable waters, other than in accordance with a mooring permit issued by the Council.

47.2 The Council may issue a mooring permit subject to conditions determined by the Council in accordance with requirements specified under clause 52.

47.3 The Council may prescribe fees associated with moorings and mooring permits in accordance with clause 53.

47.4 Mooring permit holders shall take all care to ensure that the mooring is used in a lawful manner and use moorings at their own risk.

47.5 Mooring permits may be transferred in accordance with terms and conditions prescribed by the Council, including the payment of the applicable fee.

The applicant has a current mooring permit from QLDC (appended as Attachment [D]), which was issued on 1 July 2025 and is valid until 30 June 2026, and has paid the associated mooring fees. It is understood that once this permit expires, the applicant will need to obtain a new permit.

11.2 Otago Regional Council Navigation Safety Bylaw 2020

This Bylaw applies to all waters in the Otago Region including the territorial sea and all inland waters apart from the navigable waters in the Queenstown Lakes District Council area, which are administered by QLDC. As such, the ORC Navigation Safety Bylaw does not apply to this proposal.

11.3 National Policy Statement for Freshwater Management 2020 updated 2025 (NPS-FM)

The NPS-FM provides legally binding direction to local councils on managing freshwater to restore and protect its health, prioritising the concept of *Te Mana o te Wai*. It requires regional councils to set long-term visions, establish limits on resource use, and monitor ecosystem health and human contact, with a focus on reversing degradation within a generation. The following objective is considered most relevant to this proposal –

2.1 Objective (1) The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:

(a) first, the health and well-being of water bodies and freshwater ecosystems

(b) second, the health needs of people (such as drinking water)

(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

The proposal enables the applicant to provide for their social, economic, and cultural wellbeing in a way that is consistent with NPS-FM. Overall, the proposal is consistent with the relevant objectives of the NPS-FM.

12. Conclusion

Retrospective resource consent is sought to establish a mooring on the south side of the Frankton Arm, Lake Wakatipu. Overall, it is concluded that the proposed activity is not likely to have any adverse effects on the environment that are more than minor. The proposal is consistent with the relevant objectives and policies of the PDP, the ORPS's, and meets the purpose and principles of the Resource Management Act 1991.

Attachments

Attachment **[A]**: Form 9

Attachment **[B]**: Location Plan

Attachment **[C]**: Mooring Inspection Report

Attachment **[D]**: Mooring Permit 99

Attachment **[E]**: ORC to QLDC transfer of powers

13 April 2026

Queenstown Lakes District Council
 Private Bag 50072
QUEENSTOWN 9348

Attention: Rebecca Holden

Dear Rebecca,

**RM260138 – MARK MCKANNY APPLICATION FOR MOORING M99,
 ADJACENT TO WILLOW PLACE, KAWARAU FALLS, QUEENSTOWN**

Thank you for your email in relation to land use consent RM260138, and for sending through the navigational safety report for the mooring M99, prepared by the QLDC Harbourmaster.

As outlined in the above correspondence, two issues were identified with regard to the location of M99.

1. The Harbourmaster identified a potential swing radius conflict with two surrounding moorings - M100 and WAK668 (shown in the image below).
2. M25 is located in a shallow part of the lake and lakebed scour can be seen in aerial images.



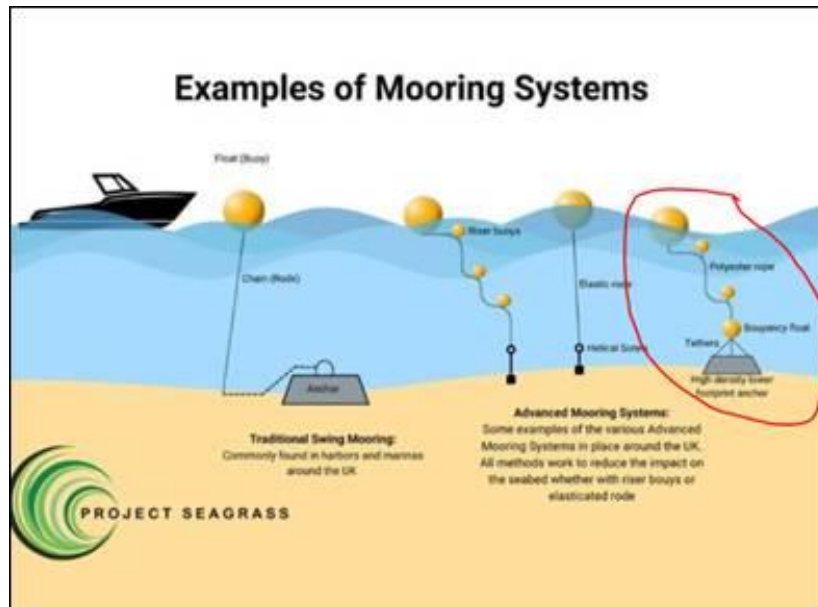
An alternative location for M99 has been recommended, however this area around Willow Place has been used for moorings for decades and is near to the applicant's property (15 Willow Place). It is the applicant's preference to keep the mooring in its current location.

Therefore, in relation to issue 1. above, the following measures are proposed to address the swing radius conflict:

- Reduce the maximum length of boat permitted to be attached to the mooring.
 - The swing radius for the mooring is 7.5 metres (as outlined in the Mooring Inspection Report). Based on a vessel with a maximum length of 9.0 metres, the total swing radius is 16.5m.
 - As the applicant owns Hamilton Jetboat, which is only 16ft (4.9m), it is proposed that the maximum length of vessel permitted to be moored to M99 be reduced to 7.0 metres. A condition of consent is invited in this regard. **This would reduce the total swing radius to 15.0 metres.**
- Slightly reduce the length of the chain as necessary to further reduce the swing radius if required.

In relation to issue 2. above, the following measure is proposed to mitigate the effects of the mooring being located in a shallow area of the lake, and the potential for further lakebed scour.

- It is proposed to add a single subsurface chain float to the existing swing mooring system, to raise the chain off the lakebed (typically placed between the ground chain and the riser chain). Essentially, this will lift the ground chain off the bottom and prevent it from dragging across the lakebed as the boat swings. An example of such floats is shown in the diagram below.



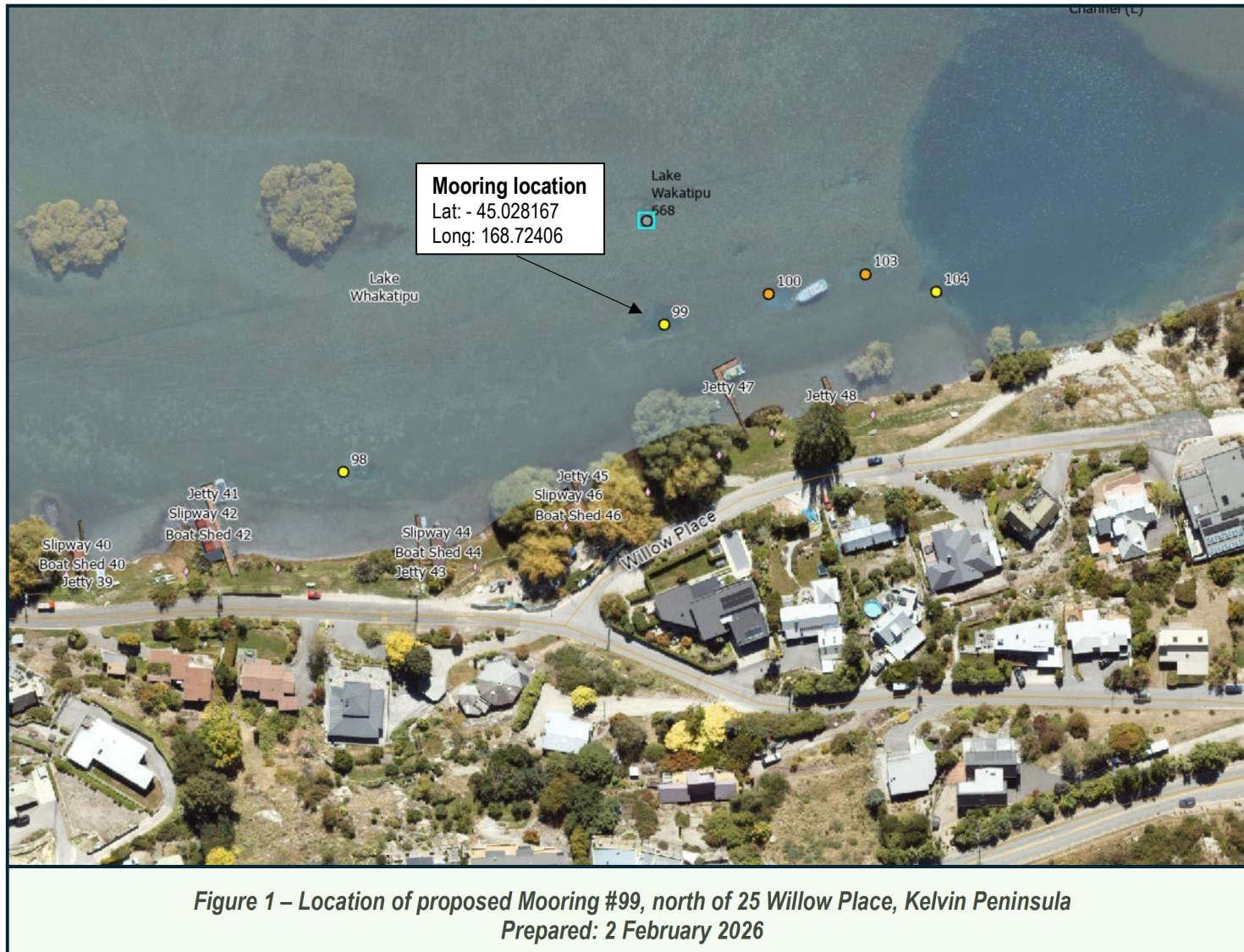
As noted above, lifting the mooring chain will prevent lakebed scour and avoid the need for any regional discharge consents.

The applicant lives in very close proximity to the existing mooring and will therefore address/mitigate the swing radius conflict and lakebed scour as described above, rather than move the mooring to a new location.

Please feel free to contact me if you require further information.

Yours faithfully,

Kylie Columb
PLANNER



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 #: **99**

Mooring Owners Name: Mark McKanny

Mooring Owners Address:

Mooring Owners Postal Address (if different):

Mooring Owners Phone No:

Mooring Owners Email Address:

Emergency contact Number:

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

Name of vessel using mooring: **161 Hamilton Jet**

Vessel MNZ Registration Number: Vessel Identification:

Vessel Type: Commercial Powered Craft Recreational Powered Craft Yacht Other

If "Other" please outline type of vessel : _____

Length of Vessel: **approx. 16ft**

Weight of Vessel: **approx. weight 750kg length**

Vessel Colour(s):

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

Details of Mooring – (Mooring Inspector To Complete)

GPS Position of mooring: (WGS84 Decimal Degrees):

LAT: **45*01' 41.32 S**

LON: **168*43' 26.59 E**

IS THIS A CONFIRMED TRUE BLOCK LOCATION?: **Yes**

Inspection Date: **20/01/2026**

Water Depth at location at time of inspection: **4m**

Calculated total swing radius of mooring at lowest lake level: **7.5m**

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: **No**

Was vessel on mooring at time of inspection: **No**

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: A4 Pink	Good	✓	
			Colour: Orange	Type: Foam Filled	Good		
	✓	Shackle(s)	Number: 1 st Diameter: 19mm Stainless steel	Moused: Y	Condition: Good	✓	
			Number: Diameter:	Moused:	Condition:		
✓	Chain	Length: 2m	Diameter: 13mm Min D : 12mm	Condition OK	✓		
MIDDLE/RISER/RIDE	✓	Shackle(s)	Number: 2 nd Diameter: 13mm tested	Moused: Y	Condition Good	✓	
	✓	Swivel	Diameter: 16mm		Condition Good	✓	
	✓	Shackle(s)	Number: 3 rd Diameter: 10mm tested	Moused: Y	Condition Good	✓	
	✓	Riser/Ride/Middle chain	Length: 4m	D: 13mm Min D: 13mm	Condition: Good	✓	
	✓	Shackle(s)	Number: 4 th Diameter: 13mm tested	Moused: Y	Condition Good	✓	
BOTTOM	✓	Ground chain	Length: 3m	D: 20mm Min D: 19mm	Condition Good	✓	
	✓	Block Shackle	Diameter: 16mm tested	Moused: Y	Condition Good	✓	
	✓	Block Ring	Diameter: 20mm chain around wheel hub		Good	✓	
	✓	Block(s)	Is block visible?: Y	Weight (dry) est : 600kg approx..	Good	✓	
			Dimensions: 1.2m diameter – very heavy duty	Type: Steel tractor wheel			

details and observations can be provided on a separate page.

Inspectors Observations

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

Inspectors Further Comments:

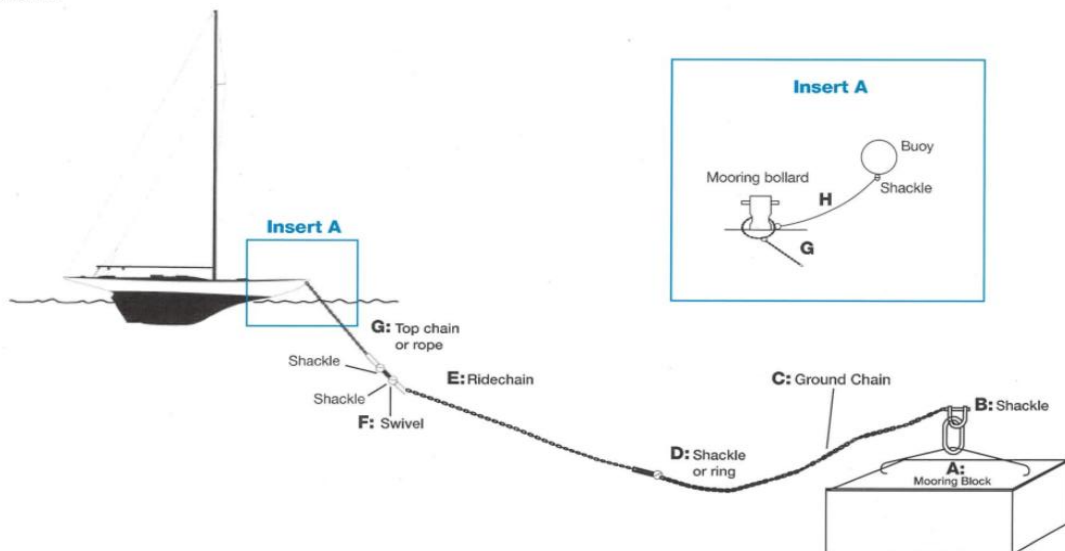
Boat attachment is 1.5m of 10mm chain and a 13mm shackle in good condition.

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 components used on most standard moorings but can vary

**Mooring 99**

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: 99

Description of mooring: Swing Mooring

Name to whom permit is granted: Mark Mckanny

Waterway: Lake Wakatipu

Position of mooring: Longitude: 168.72406

Status: Unconsented

Latitude: -45.028167

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.

THIS DEED is made the 23rd 45 day of March 1998

BETWEEN THE OTAGO REGIONAL COUNCIL ("the Region") of the one part

AND THE QUEENSTOWN-LAKES DISTRICT COUNCIL ("the District") of the other part.

both being bodies corporate constituted under S.37L of the Local Government Act 1974, the Region being a regional council and the District being a territorial authority.

WHEREAS the regional boundary of the Region includes an area that is also within the boundary of the District ("the Land")

AND WHEREAS pursuant to S.33 of the Resource Management Act 1991 ("the Act") the Region has agreed to transfer in respect of the Land certain of its functions, powers or duties as defined below to the District.

AND WHEREAS the District has agreed to assume such functions, powers or duties on the terms and conditions as are agreed herein the Region and the Council being satisfied that the transfer is desirable on all of the following grounds, namely the District to which the transfer is made represents the appropriate community of interest relating to the exercise or performance of the function, power or duty and efficiency and technical or special capability or expertise

AND WHEREAS the Region duly served notice on the Minister for the Environment

AND WHEREAS the Region has duly completed the special consultative procedure specified in S.716A of the Local Government Act 1974 and no submissions to the proposed transfer have been received

AND WHEREAS the proposed transfer is made expressly on the terms and in accordance with the said S.33 in particular subss (1), (3), (8) and (9) thereof

NOW THEREFORE THIS DEED WITNESSETH

1. THE region DOETH HEREBY TRANSFER to the District in respect of the Land the functions, powers or duties of:

- (a) determining applications for land use consent, consent for which is required to be obtained pursuant to S.13(1)(a) of the Act within the land;

- (b) administering, monitoring and supervising the implementation of consents given by the District pursuant hereto;
- (c) issuing of any consent required under bylaws promulgated under the Harbours Act 1950 in respect of any of the structures mentioned in subclause (a) hereof;
- (d) enforcement as provided in Part XII of the Act and as provided in the Harbours Act 1974 in respect of any of the above structures.

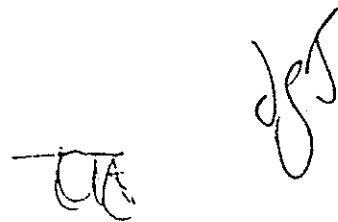
2. THE District HEREBY AGREES TO AND ACCEPTS to undertake these functions, powers and duties subject to the terms of this agreement and the said S.33.

3. ON receipt of land use consent applications in respect of structures which:

- (a) are located or proposed to be located on the bed of rivers; or
- (b) are solid or effectively solid structures (as distinct from open, piled structures); or
- (c) involve excavation of the bed, disturbance of the shoreline or significant disturbance of the lake bed; or
- (d) are owned or proposed by the District

the District will forthwith advise the Region of the receipt and nature of the application and the Region may at its discretion in any particular case resume the functions, powers and duties of processing and determining any application and of administering the consents at any time prior to the commencing of a hearing where such is held prior to determination of an application where no hearing is held.

4. THE District shall have all of the functions, powers and duties given under the Act or Local Government Act 1974 or any other power thereunto enabling to recover all costs incurred by it in the carrying out of the functions, powers and duties hereby transferred but shall have no right to call on a contribution to costs in respect thereof from the Region.



5. THE District shall report to the Region at six monthly intervals in such manner as may be agreed from time to time between the parties on the exercise of the functions, powers and duties hereby transferred.

6. THE District may relinquish the transfer of the functions, powers and duties agreed hereby following consultation with the Region and upon one month's notice following such consultation.

7. THIS agreement may be modified or varied by agreement in writing made between the parties.

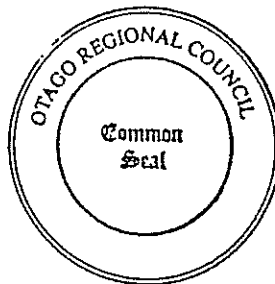
8. THE Region may change or revoke the transfer of any function or power transferred hereby at any time by notice in writing to the District.

IN WITNESS WHEREOF the parties have executed this deed the day and year first before written.

THE COMMON SEAL of THE OTAGO REGIONAL COUNCIL

was hereunto affixed in the presence of:

[Handwritten signature]
.....
[Handwritten signature]
.....

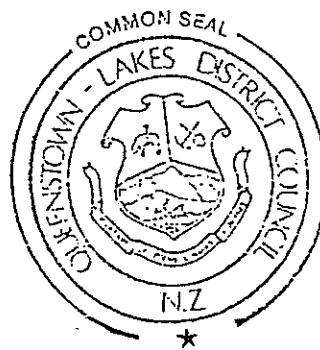


Chairperson

Director Corporate Services

THE COMMON SEAL of THE QUEENSTOWN-LAKES DISTRICT COUNCIL was hereunto affixed in the presence of:

[Handwritten signature]
.....
[Handwritten signature]
.....
lkl cs



AFFECTED PERSON'S APPROVAL

FORM 8A



Resource Management Act 1991 Section 95



RESOURCE CONSENT APPLICANT'S NAME AND/OR RM

Mark McKanny (RM260138)



AFFECTED PERSON'S DETAILS

I/We Land Information New Zealand

Are the owners/occupiers of
The bed of Lake Wakatipu, Queenstown



DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:
formally (and retrospectively) establish mooring #99 on the bed of Lake Wakatipu.

at the following subject site(s):
The bed of Lake Wakatipu - on the southern shores of the Frankton Arm, north of Willow Place in Kelvin Peninsula.
GPS location: Longitude 168.72406E / Latitude - 45.028167S



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.




WHAT INFORMATION/PLANS HAVE YOU SIGHTED



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



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) Mark Hayden on behalf of the Commissioner of Crown Lands	
	Contact Phone / Email address crownproperty@linz.govt.nz	
	Signature 	Date 25/03/2026

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.