

APPLICATION AS NOTIFIED

P KENNEDY

(RM220212)

File Number RM220212

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:

Patrick Kennedy

What is proposed:

To lawfully establish an existing swing mooring (M206), on the bed and surface of Lake Wānaka, adjacent to the Wānaka Marina, 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:

To the south of the Wānaka Marina, within Roys Bay, Lake Wānaka at the following GPS coordinates:

-44.6922 S 169.134011 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 RM220212 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:

4 September 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 (Patrick Kennedy, csa@xtra.co.nz) as soon as reasonably practicable after serving your submission to Council:

C/- Kristy Jennings
kristy@centralrm.co.nz
 Central Resource Management 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: 7 August 2026

Address for Service for Consent Authority:

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

Phone
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03 441 0499
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**NOTIFICATION ASSESSMENT UNDER s95A AND s95B OF THE RESOURCE
MANAGEMENT ACT 1991 (RMA)**

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

THE OTAGO REGIONAL COUNCIL

Applicant:	P Kennedy
RM reference:	RM220212
Application:	Application under Section 88 of the Resource Management Act 1991 (RMA) for land use consents from the Otago Regional Council and the Queenstown Lakes District Council to lawfully establish an existing swing mooring (M206), on the bed and surface of Lake Wānaka, adjacent to the Wānaka Marina.
Location:	Bed and surface of Lake Wānaka, Roys Bay
Legal Description:	N/A (Lake Bed)
QLDC Zoning:	ODP: Rural General PDP: Rural (Water)
QLDC District Plan Notations:	Wāhi Tūpuna Site 34 (Wānaka (Lake Wānaka)) Outstanding Natural Landscape (ONL) (Landscape Priority Area 21.22.20)
ORC ORP:W Notations:	MA3 (Waahi tapu and/or Waiwhakaheke)
Activity Status:	Non-complying
Decision Date	6 August 2026

SUMMARY OF DECISIONS

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

1. SUMMARY OF PROPOSAL AND SITE DESCRIPTION

1.1 Background

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

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

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

Of relevance to the processing of this application under the ORP:W, on 23 March 1994, a deed was made to transfer the power to determine applications for land use consent for activities / structures affecting lakes from the ORC to the QLDC pursuant to Section 13(1)(a) of the RMA. In accordance with this deed, in an email dated 4.5.22, the ORC confirmed that QLDC could process this application seeking consent under the ORP:W on its behalf.

1.2 Summary of Proposal

The Applicant has provided a brief description of the proposal and the site in Sections 3.1 and 3.2 of the report entitled "*P Kennedy, Resource Consent Application, Roys Bay, Wanaka, May 2022*", prepared by Kristy Jennings of Central Resource Management Limited, and submitted as part of the application (hereon referred to as the Applicant's AEE and attached as *Appendix 1*). This description is considered adequate and is adopted in part for the purpose of this report with the following corrections/additions:

Consent is sought to lawfully establish under the RMA an existing swing mooring for a single vessel up to 6.5 meters in overall length, located on the surface of Lake Wānaka near the Wānaka Marina, Roys Bay. The proposal relates to existing mooring permit¹ 206 ("M206") which is located at the following GPS coordinates (as shown in Figure 1 below):

-44.6922 S 169.134011 E (WGS84 Decimal Degree Format)

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

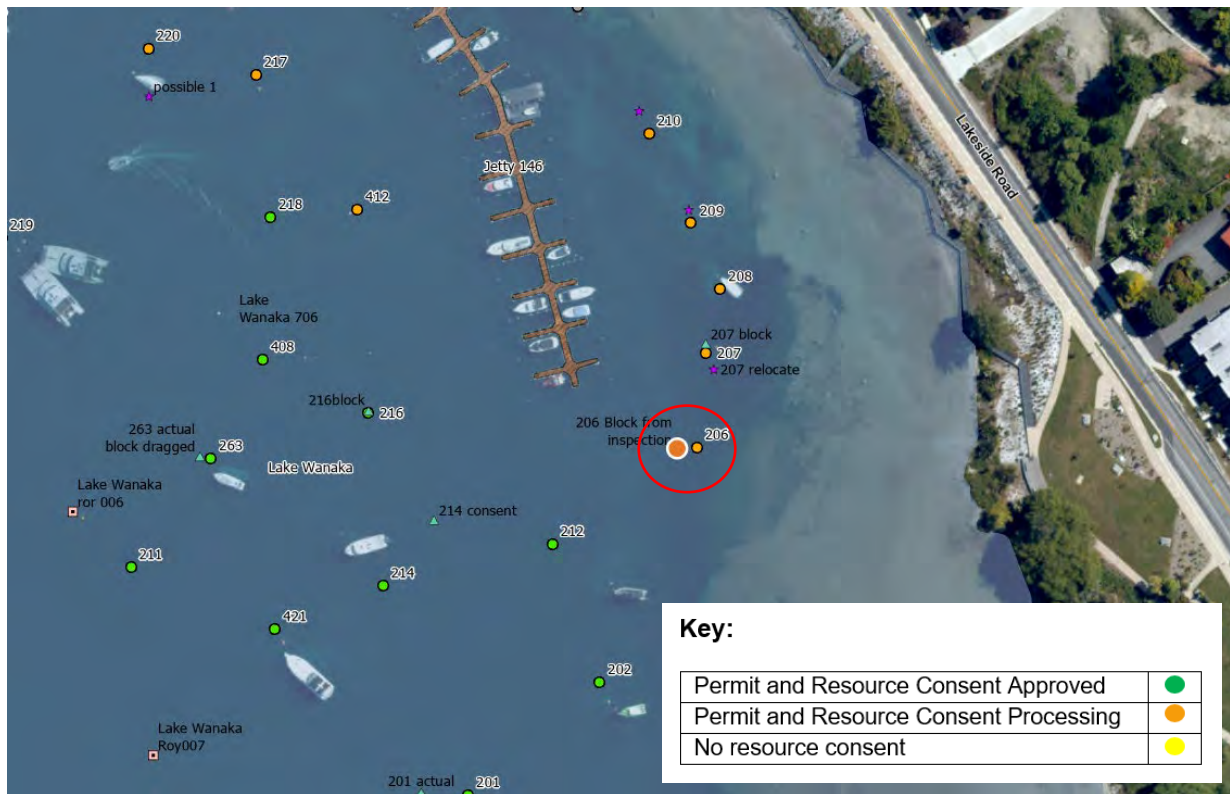


Figure 1: location of existing swing mooring M206 (circled red), in relation to surrounding moorings and features.

Of note, the GPS coordinates cited in the AEE, which are in the New Zealand Map Grid format, are incorrect, placing the mooring approximately 45m further south than its confirmed (and correct) location, which is shown in Figure 1. The location for M206 shown in Figure 1 above aligns with the GPS coordinates cited within the submitted inspection report, which are in the WGS84 Decimal Degree ("DD") format.

The application has subsequently been amended during the processing of this consent to address navigational safety concerns raised by the QLDC Harbourmaster in relation to moorings located behind the Wānaka Marina (discussed further in Section 3.3.3 below). Consent is now sought for M206 to be used by a vessel up to 6.5m in overall length (rather than 10m as identified within the AEE).

The Applicant has advised that the date the existing mooring was established is unknown, as it was established by a previous owner. The Applicant has demonstrated that they hold a QLDC mooring permit for the mooring.

1.3 Site and Surrounds Description

The proposed mooring is located within Roys Bay, which is identified as being within Landscape Priority Area 21.22.20. Lake Wānaka is also contained within Wāhi Tūpuna Site 34 (Wānaka (Lake Wānaka)) and therefore holds cultural and spiritual significance to Manawhenua² of this District.

As can be seen in Figure 1 above, the proposed mooring is situated to the south of the Wānaka Marina. There are a number of other moorings surrounding the proposed mooring location, either holding an RMA resource consent, or are un-consented. To the south-east of the Marina is Wānaka Domain, which contains a walking track located between Lakeside Road and the lake, jetties, boat ramps, and parking areas.

² The spelling of "Manawhenua" used throughout this report is consistent with the QLDC PDP, unless cited otherwise.

2. ACTIVITY STATUS

2.1 QLDC DISTRICT PLANS

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

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

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

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

2.1.1 OPERATIVE DISTRICT PLAN

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

2.1.2 PROPOSED DISTRICT PLAN

The subject site is zoned Rural (water) in the PDP. The proposed mooring is located within Wāhi Tūpuna Site 34 (Wānaka (Lake Wānaka)) and within an Outstanding Natural Landscape (ONL) (Landscape Priority Area 21.22.20). Lake Wānaka is also a Statutory Acknowledgement Area under the Ngāi Tahu Claims Settlement Act 1998, as recognised within the PDP. While these provisions do not contain rules that might trigger the need for a resource consent, they are particularly relevant for the assessment of this application and for providing guidance on actual and potential effects.

The proposed activity requires resource consent under the PDP for the following reason³:

- A **non-complying** activity resource consent pursuant to Rule 21.15.9 for any structure or mooring that passes across or through the surface of any lake or river in locations on the District Plan web mapping application where moorings are shown as being non-complying. It is proposed to establish a swing mooring that passes through the surface of Lake Wānaka and is attached (anchored) to the bed of the lake in an area shown as being non-complying on the District Plan web mapping application.

Note: The Applicant has triggered a discretionary activity resource consent pursuant to Rule 21.15.8 for any structure or mooring that passes across or through the surface of any lake or river or is attached to the bank of any lake and river, other than where fences cross lakes and rivers. However, with reference to QLDC's District Plan GIS layer, the "Surface Water and Queenstown Trail Annotation" indicates that within the area where M206 is located (to the south of the Wānaka Marina), all structures and moorings are non-complying. As such, it is considered the relevant PDP rule is Rule 21.15.9.

Overall, the application is considered to be a **non-complying** activity under the PDP.

2.2 THE REGIONAL PLAN: WATER FOR OTAGO

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

³ Rules that are treated as operative under s86F.

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

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

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

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

2.3 ACTIVITY STATUS SUMMARY

Overall, the application is considered to be:

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

The application as a whole will be considered as a **non-complying** activity.

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

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

3. SECTION 95A – PUBLIC NOTIFICATION

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

3.1 Step 1 – Mandatory public notification

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

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

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

Therefore, public notification is not required by Step 1.

3.2 Step 2 – Public notification precluded

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

The proposal is not:

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

Therefore, public notification is not precluded under Step 2.

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

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

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

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

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

Effects that must be disregarded:

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

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

Written correspondence/evidence of consultation has also been provided as part of the application from the Guardians of Lake Wanaka. However, this is not considered to be written approval under s95D(e) of the RMA as it was not accompanied by the required Form 8A.

The QLDC processing planner has consulted with Maritime New Zealand as per requirements of s.89A. In an email dated 7.4.23, Maritime NZ confirmed they had no comment on the application.

Section 4.2 of the AEE states that written approval from Aukaha and Te Ao Marama Incorporated (who represent the interests of Kāi Tahu in this District) had been approached for comment. In an email dated 24/02/2025, the applicant confirmed that written approval from these parties was no longer being sought.

Effects that may be disregarded:

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

3.3.2 Permitted Activities (s95D(b))

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

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

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

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

It is considered that the permitted baseline as it relates to the disturbance of the lakebed associated with the installation of the mooring, and the ongoing use of this structure once lawfully established to be of some relevance to the proposal because it is assumed that the Applicant will comply with the permitted

standards under the ORP:W given they have not sought consent to the contrary⁴. As such this will be taken into consideration in the assessment that follows.

3.3.3 Assessment: Effects On The Environment

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

The Applicant seeks resource consent under both the ORP:W and the PDP to lawfully establish a swing mooring system (M206) located adjacent to the Wānaka Marina. An assessment relevant to each Council plan follows.

Of note, the Applicant has provided a very brief Assessment of Effects at section 4.1 of the Applicant's AEE which is applicable to an assessment under the PDP only. This assessment is adopted in part for the purposes of this report, with the following additional assessment:

Expert reports

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

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

A] Assessment under the QLDC Proposed District Plan

The matters of discretion in Rule 21.15.7, which is a rule for the same activity within a different lake, being the Frankton Arm of Whakatipu-wai-maori, provides helpful guidance for matters to consider under the non-complying activity status. Also of relevance to an assessment under the PDP are the potential threats listed in Schedule 39.6 of the PDP.

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

- i.* Landscape, visual and amenity effects;
- ii.* Navigation and water safety;
- iii.* Effects on recreation;
- iv.* Cumulative effects;
- v.* Cultural effects.

i. Landscape, visual and amenity effects;

Lake Wānaka is shown on PDP Planning Maps as being located within an ONL (and within Landscape Priority Area 21.22.20). The PDP gives direction that the location, intensity and scale of structures on the surface and margins of water bodies, including jetties and moorings, should be managed in a way that recognises the functional needs of these activities, reflecting the importance of lakes and rivers as a commercial recreation, tourism, transport and recreational resource. However, that is while ensuring that these structures are at a scale or in a location that, as far as practicable, protects the values of ONLs/ONFs.

The Applicant seeks consent to lawfully establish existing swing mooring M206 in its current location, adjacent to the Wānaka Marina. Although the mooring will be visible to a wide catchment area, including from the surface of Lake Wānaka and the adjoining shoreline, as can be seen in Figure 1 above, being able to see the mooring or a berthed vessel in this location is not unusual or unexpected. Many of these moorings have been lawfully established through the RMA (green dots within Figure 1) or have formed part of the environment for a long period. Lawfully establishing M206 in its current location under the application will not alter this.

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

Of note, moorings around the Wānaka marina, and the cluster south of Eely Point are a recognised element within this part of Roys Bay, as identified in Landscape Priority Schedule 21.22.20 of the PDP. Acknowledging though that the landscape capacity for additional jetties, boatsheds, lake structures and moorings in Roys Bay that are within the existing spatial extent of consented moorings is stated in the same schedule to be very limited⁵. This application is not for an additional new mooring.

On this basis, it is accepted that the proposal is in keeping with what can be reasonably expected in a location which provides boat access to the lake. The location of the mooring is approximately 65m from the shoreline and will not obstruct any public views nor dominate the shore scape. The mooring is compatible with the scenic and amenity values associated with this part of Lake Wānaka. As such, the proposal will have a negligible effect on the natural character of this bay and is considered to be compatible with the existing scenic and amenity values at this location.

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

ii. Navigation and water safety

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

The Applicant commissioned a mooring inspection which was carried out on 23 January 2024 by Lakes Marine Limited who are accepted as being suitably qualified to undertake this work. Based on the mooring specifications detailed within the inspection report, swing radius for M206 was able to be calculated. Swing radius is a circle on the water in which a vessel will rotate around its mooring block or anchor and takes into consideration the length of the berthed vessel, the depth of the mooring block, and the total length of “tackle”. The maximum swing radius is calculated at low water level, which is when the mooring “tackle” will be fully extended in high winds (or a high tidal flow), representing the maximum distance the vessel is from the mooring block.

Although initial concern was raised by the QLDC Harbourmaster regarding the location of M206, potential swing radius conflicts (with other vessels and the marina), the size of vessel using M206 (which could impede access behind the marina for other vessels), the Applicant has since revised the proposal to reduce the size of vessel using M206 to a maximum length of 6.5m (noting 10m was originally proposed). Using the supplied GPS coordinates, mooring block location, survey specifications, and a vessel length of up to 6.5 metres overall, the QLDC Harbourmaster has confirmed that there are no navigational safety concerns relating to this mooring, within any swing radius overlap with adjacent moorings being within a safe allowable limit. This conclusion is accepted for the purposes of this report.

On this basis, it is considered that the proposal will result in no more than minor adverse effects on navigational safety on Lake Wānaka.

iii. Effects on recreation;

As shown in Figure 1 above, the Wānaka Marina, public boat ramps, jetties and other maritime features are located in the immediate vicinity of M206. This mooring is also located to the west and north of land containing a Recreation Reserve. Roys Bay is well utilised by the public; having landside facilities such as toilets, a playground, parking and picnic/grass areas, a boat ramp and jetties.

⁵ The author of the Roys Bay PA, Landscape Architect Ms Helen Mellsop, has confirmed that when preparing the schedule of landscape values an assumption was made that all existing moorings adjacent to the Wānaka Marina and south of Eely Point were “consented”. As such, reference to “consented” moorings within Schedule 21.22.20 has been interpreted as including all existing moorings in this area, whether they have been consented under the RMA or not.

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

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

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

iv. Cumulative effects;

The proposal seeks to lawfully establish a swing mooring system located to adjacent to the Wānaka Marina. This mooring is already in the lake, and was recognised as forming an existing element of the environment, as described within Schedule 21.22.20 of the PDP. As noted above, the proposal is not for an additional new mooring. As such, any cumulative effect resulting from congestion and clutter around the shoreline is considered to be negligible and will not give rise to any adverse cumulative effect on the environment.

v. Cultural effects;

The PDP recognises Ngāi Tahu as a partner in the management of the District's natural and physical resources through the implementation of the District Plan. As well as being a Statutory Acknowledgement Area, the PDP also identifies Lake Wānaka as being located within Wāhi Tūpuna Site 34 within Schedule 39.6. Lake Wānaka is described as being key in numerous Kāi Tahu⁶ pūrakau (stories) and has a deep spiritual significance for the Manawhenua whose takiwā includes the lake. Lake Wānaka was also a wāhi mahika kai rich with tuna (eel) which were caught, preserved, and transported back to the kāika nohoaka of coastal Otago. The knowledge of whakapapa, traditional trails, tauraka waka, mahika kai and other taoka associated with Lake Wānaka remain important to Kāi Tahu today.

Although Schedule 39.6 of the PDP provides some guidance, it is acknowledged that input from Kāi Tahu (who are the Manawhenua of this District) is required in order to fully understand the effects the proposed moorings within Statutory Acknowledgement Areas and wāhi tūpuna areas have on cultural values. Of relevance, some of the threats to wāhi tūpuna area 34 include activities affecting water quality, and buildings and structures.

The application does not contain any information from Kāi Tahu on the cultural effects its mooring may or may not have on Kāi Tahu cultural values.

Without input from Kāi Tahu on cultural effects, the proposal can be seen as a potential threat to the values that Lake Wānaka holds for Manawhenua. In considering the location of this mooring within an already modified environment adjacent to the Wānaka Marina and other surrounding moorings and lakeside features, it is considered that adverse cultural effects on the environment are minor.

vi. Summary of effects under the PDP

Overall, given the assessment above and that within the AEE, it is considered that any adverse effects on the environment relating to an assessment under the PDP in terms of landscape, visual and amenity effects (including cumulative effects), navigation and water safety, and recreation values, will be no more than minor. Adverse effects on cultural values will be minor.

B] Assessment under the ORP:Water

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

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

⁶ A Māori Term defined in the PDP as meaning "the collective of individuals who descend from Ngāi Tahu, Kāti Māmoe and Waitaha who are Manawhenua in the Queenstown Lakes District".

i. Effects on the lake bed/ecological values;

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

In terms of ecological values, it is acknowledged that aquatic pest species are present in the lakes, including Lagarosiphon which is identified and controlled by the ORP:W. Lagarosiphon has the potential to be caught on vessels and transferred to other waterbodies, or be transferred to the Districts lakes where moorings are used by vessels that are also used in other waters. Moorings may encourage this transfer. Additionally, discharge of contaminants from vessels could also affect water quality including from fuel, oil or wastewater if discharged when moored. In the email dated 7.3.25, the Applicant volunteered conditions of consent to ensure that all reasonable precautions are taken to minimise the spread of pest plants and aquatic weed, and ensuring no waste product enters the lake when the mooring is in use. Adverse effects on the environment in this regard are therefore considered to be no more than minor and appropriately remedied/mitigated.

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

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

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

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

Schedule 1B of the ORP:W identifies lakes and rivers where the water taken is used for public water supply purposes. There are two water supplies from Lake Wānaka identified in Schedule 1B of the ORP:W. However, the subject mooring will not affect either of these, being separated a considerable distance from the take located on the eastern side of Roys Bay.

Schedule 1C lists registered historic places. There are no historic places/features listed within the vicinity of the subject mooring.

Schedule 1D identifies the spiritual and cultural beliefs, values and uses associated with water bodies of significance to Kāi Tahu. As outlined in the assessment of cultural effects relevant to the QLDC application and PDP, the proposal can be seen as a potential threat to the values that Lake Wānaka holds for Kāi Tahu.

As stated above under the QLDC application assessment, the application does not contain any information from Kāi Tahu on the effects its mooring may or may not have on Kāi Tahu cultural values. Without input from Kāi Tahu on cultural effects, the proposal has to be seen as a potential threat to the values that Lake Wānaka holds for Manawhenua. In considering the location of this mooring within an already modified environment and other surrounding moorings, it is considered that adverse cultural effects on the environment are minor.

iii. Summary of effects under the ORP:W

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

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

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

3.4 Step 4 – Public Notification in Special Circumstances

There are no special circumstances in relation to this application.

4. LIMITED NOTIFICATION (s95B)

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

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

Determination under s95B(2)

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

Determination under s95B(3)

The consent authority must determine –

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

The proposed mooring is to be located in and attached to the lakebed of Lake Wānaka which is subject to a Statutory Acknowledgement made in accordance with the Ngāi Tahu Claims Settlement Act 1998 (which is an Act specified in Schedule 11 of the RMA).

In determining if the person to whom the Statutory Acknowledgement is made is an affected person under section 95E, the consent authority is not required to necessarily find Kāi Tahu affected, but requires the acknowledgement to be taken into account in determining whether they are affected (that is whether they are affected in a manner different from the public generally).

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

Te Rūnanga / Rūnaka o Ngāi Tahu

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

The proposed mooring involves the placement of a permanent structure on the bed of Lake Wānaka. The proposal can therefore be seen as a potential threat to the values that Lake Wānaka holds for Manawhenua.

Based on the conclusions reached within Section 3.3.3 of this report, and taking into consideration the Statutory Acknowledgement of Lake Wānaka, the effects on Kāi Tahu will be minor for the purposes of section 95E of the RMA.

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

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

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

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

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

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

Boundary activity

The proposal is not a boundary activity.

Any other activity

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

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

- a) The consent authority **may** disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect (a "permitted baseline"). Section 3.3.2 above sets out the relevance of the permitted baseline to this application.
- b) The consent authority **must** disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and
- c) The consent authority **must** have regard to every relevant statutory acknowledgement specified in [Schedule 11](#).

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

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

4.3.2 Assessment: Effects on Persons

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

Surrounding land owners:

The owners/occupiers of properties along Lakeside Road, located opposite the Wānaka Marina, may have visual access to M206.

As outlined above, this mooring forms an anticipated part of Roys Bay, being located within a cluster of existing moorings and adjacent to nearby features such as the Wānaka Marina. Further, the proposed mooring is a small element in the context of the surrounding landscape.

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

Adjacent mooring permit holders:

As noted earlier in this report under navigational safety (Section 3.3.3 above), the QLDC Harbourmaster has confirmed there are no navigational safety issues relating to the location of M206, and any swing radius overlap with surrounding moorings is within acceptable limits.

As such there are no adjacent mooring permit holders who are considered to be adversely affected.

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

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

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

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

Special circumstances do not apply that require limited notification.

5. NOTIFICATION DETERMINATION

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

Prepared by

Decision made by




Rebecca Holden
CONSULTANT PROCESSING PLANNER

Jane Sinclair
INDEPENDENT COMMISSIONER

6. APPENDICES LIST

APPENDIX 1 – Applicant's AEE

APPENDIX 2 – Navigational Safety Report (206)

APPENDIX 1 – APPLICANT’S AEE



P Kennedy

Resource Consent Application

Roys Bay, Wanaka

May 2022

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1.0 APPLICATION DETAILS

Applicant:	P Kennedy
Site Location:	Roy's Bay, Wanaka
Legal Description:	Lake Wanaka
Computer Freehold Register:	N/A
Area:	N/A
Zone:	Rural

Resource Consent is sought to legalise and existing swing mooring in Roy's Bay, Lake Wanaka.

The following assessment of environmental effects has been prepared in accordance with Schedule 4 of the Resource Management Act 1991.

2.0 RELEVANT DISTRICT PLAN REQUIREMENTS

Under the Queenstown Lakes District Council Proposed District Plan the subject site is zoned Rural and requires resource consent for the following reasons:

- A **discretionary** resource consent pursuant to rule 21.15.7 which relates to any mooring which passes across or through the surface of any lake and is located outside of the non-complying zone.

Under the Otago Regional Council Regional Plan: Water, resource consent is required for the following reasons:

- A **discretionary** resource consent pursuant to rule 13.2.3.1 which relates to the placement of a structure on the lake bed.

The Otago Regional Council has delegated its responsibilities under Section 13(1)(a) of the RMA to the Queenstown Lakes District Council.

3.0 DESCRIPTION OF PROPOSAL

3.1 Proposal

Resource consent is sought to legalise an existing swing mooring within Roy's Bay, Lake Wanaka.

The mooring has been in place for many years (exact establishment date is unknown as it was done by a previous owner). The annual LINZ fees have been paid each year by the current owner since they have owned it.

The proposed mooring is to be used for private recreational use and has moored boats up to 10 metres in length (measured at water line) and consent is sought for boats up to 10 metres to continue to use the mooring.

The coordinates as per the QLDC permit are as follows:

N 5605637
E 2203659

It is confirmed that the mooring is outside of the non-complying line than runs along the shoreline.

3.2 Site Description

The site is located within Roy's Bay, Lake Wanaka.

The grid reference on the QLDC permit is:

N 5605637

E 2203659

4.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

4.1 Effects on the Environment

It is considered that the existing mooring and boats to be accommodated are in keeping with other moorings and boats within the vicinity. The mooring is located within a cluster of other moorings and is therefore not visually obtrusive.

Any adverse effects created by the proposed mooring are considered to be less than minor.

4.2 Affected Parties and Consultation

LINZ have been approached for comment and once received will be forwarded to Council.

Maritime NZ have been approached for comment by Council.

Aukaha have been approached and followed up a considerably number of times for comment and once/if received will be forwarded to Council.

Te Ao Marama have been approached for comment and once received will be forwarded to Council.

With regards to Fish and Game, comment has not been sort. The mooring is existing and therefore there is no disturbance to the lakebed. The mooring is used for yachts which have very little effect on lake bed disturbance compared with a jet or powerboat that can frequent the area as a permitted activity. It is therefore considered that Fish and Game are not affected by the application.

QLDC have advised that the planning team with liaise with Cougar Security – QLDC Harbour Master/QLDC property team as necessary therefore approval has not been sought.

No other parties are considered to be adversely affected by this application.

5.0 SECTION 95 NOTIFICATION

A consent authority must publically notify an application if it concludes that under s95D of the Resource Management Act 1991 that the proposed activity will have or is likely to have adverse effects on the environment that are more than minor. Additionally, Section 95B(1) requires a decision to be made as to whether any persons are considered to be adversely affected (s95E) in relation to the activity. The proposed activity as outline above, is not likely

to have adverse effects on the environment that are more than minor and no persons are considered to be adversely affected.

The applicant has not requested public notification (s95A(2)(b)), no rule or national environmental standard requires public notification of the application (s95A(2)(c)) and there are no special circumstances that exist in relation to the application that would require public notification (s95A(4)).

The application should therefore proceed on a non-notified basis.

6.0 OBJECTIVES AND POLICIES

Proposed District Plan

6.3.5 Managing Activities on Lakes and Rivers

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. (SO 3.2.1, 3.2.1.1, 3.2.1.8, 3.2.1.9, 3.2.4, 3.2.4.1, 3.2.4.3, 3.2.4.4, 3.2.5.5, 3.2.5.6, 3.2.5, 3.2.5.2, 3.2.5.3, 3.2.5.4, 3.2.5.5, 3.2.5.6, 3.2.4.7 and SP 3.3.2, 3.3.20, 3.3.24, 3.3.25, 3.3.30, 3.3.34, 3.3.35).

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. (SO 3.2.1, 3.2.1.9, 3.2.4, 3.2.1.4, 3.2.4.3, 3.2.4.4, 3.2.4.5, 3.2.4.6, 3.2.5, 3.2.5.2, 3.2.5.3, 3.2.5.4, 3.2.5.5, 3.2.5.6, 3.2.4.7 and SP 3.3.20, 3.3.24, 3.3.25, 3.3.30).

6.3.4.4 Provide for appropriate commercial and recreational activities on the surface of water bodies that do not involve construction of new structures. (SO 3.2.1, 3.2.1.1, 3.2.4, 3.2.4.3, 3.2.4.4, 3.2.4.5, 3.2.4.6, 3.2.4.7, 3.2.5, 3.2.5.2, 3.2.5.5, 3.2.5.6, and SP 3.3.2, 3.3.30, 3.3.34, 3.3.35).

The mooring has been in place for many years and therefore has been a feature of Lake Wanaka. The mooring is surrounded by others and so fits in with the surrounding environment.

Rural

21.2.11 Objective - The natural character of lakes and rivers and their margins is protected, maintained or enhanced, while providing for appropriate activities on the surface of lakes and rivers, including recreation, commercial recreation and public transport.

Policies

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

21.2.11.2 Enable people to have access to a wide range of recreational experiences on the lakes and rivers, based on the identified characteristics and environmental limits of the various parts of each lake and river.

21.2.11.3 Avoid or mitigate the adverse effects of frequent, large-scale or intrusive commercial activities such as those with high levels of noise, vibration, speed and wash, in particular motorised craft, in areas of high passive recreational use, significant nature conservation values and wildlife habitat.

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

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

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

21.2.11.8 Encourage development and use of water based public ferry systems including necessary infrastructure and marinas, in a way that avoids adverse effects on the environment as far as possible, or where avoidance is not practicable, remedies and mitigates such adverse effects.

21.2.11.9 Take into account the potential adverse effects on nature conservation values from the boat wake of commercial boating activities, having specific regard to the intensity and nature of commercial jet boat activities and the potential for turbidity and erosion.

21.2.12.10 Ensure that the nature, scale and number of commercial boating operators and/or commercial boats on waterbodies do not exceed levels such that the safety of passengers and other users of the water body cannot be assured.

Aukaha have been approached for their approval on behalf of the Iwi however never responded and are therefore, along with the fact that the mooring has been there long term, considered not to be affected.

The mooring is going to continue to be used for recreational purposes which meets the above policies.

As the mooring has been existing for many years, it is already part of the visual landscape. The mooring is surrounded by other moorings of a similar nature and so is integrated with in the environment.

7.0 PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

The proposal is consistent with Part 2 of the Resource Management Act 1991, being the sustainable management of natural and physical resources, whilst also protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

APPENDIX 2 – NAVIGATIONAL SAFETY REPORT (206)

NAVIGATIONAL SAFETY COMMENTS – RESOURCE CONSENT APPLICATION

TO: Rebecca Holden

FROM: Craig Fahey, Waterways Regulatory Services Manager & Harbourmaster

DATE: 05th August 2026

APPLICATION DETAILS	
REFERENCE	RM220212
APPLICANT	Patrick Kennedy
APPLICATION TYPE & DESCRIPTION	Resource Consent Application for existing mooring – Lake Wanaka
ADDRESS	5 Heaton Rhodes Place, Christchurch 8022
MOORING NUMBER - IDENTIFIER	M206
LOCATION	Lake Wanaka, Roys Bay
ACTIVITY STATUS	Complying
VALUATION NUMBER	

REQUEST DETAILS	
FROM (PROCESSING PLANNER)	Rebecca Holden
DATE OF REQUEST	07.03.2025
WORKING DAYS AT TIME OF REQUEST	0
FINAL DATE FOR FURTHER INFORMATION REQUESTS	
DATE REPORT REQUIRED BY:	
INDICATION OF NOTIFICATION	Limited Notification
TYPE OF COMMENT REQUIRED	Email
REQUESTED AREAS OF COMMENT	Navigation Safety and Water Safety

MOORING LOCATION DIAGRAM – M206

Latitude -44.6922 / 44° 41' 31.92" S

Longitude 169.134011 / 169° 08' 02.44" E



Please note: Circles projected represent calculated zero allowable overlap limit (ZOL)

1.0 OVERVIEW

Brief Description of Proposal	Mr Kennedy has made a Resource Consent application in respect of his existing mooring(M206) located in Roys Bay, Lake Wanaka. The purpose of this resource Consent application is to legalise an existing mooring located at the above location. The application requires Harbourmaster comment on navigational safety, including mooring spacing, potential swing-radius conflict, and whether the mooring arrangement is fit for purpose. The applicant supplied a subsurface mooring inspection survey for M60, completed by Wright Building and Dive Services on 28.04.2026. The Harbourmaster's assessment relies on the information supplied in that report, including the reported mooring location, configuration and vessel length assumptions.
History	RM220212
Waterbodies	Location: Lake Wanaka, Roys Bay

SAFETY MANAGEMENT COMMENTS	A Resource Consent application in regard to the mooring M206 was filed with the Queenstown Lakes District Council on in March 2022. The applicant-supplied mooring inspection report has been reviewed to inform Harbourmaster comment on navigational safety matters. Assessment approach For moorings in congested areas, the assessment considers whether the mooring arrangement provides adequate separation from nearby moorings having regard to the applicant-supplied survey information, vessel length, mooring design, water depth and separation between mooring blocks. Mooring Swing Radius Based on the applicant-supplied sub-surface mooring survey, the assessed swing radius overlaps with surrounding moorings M207(processing). Using the supplied GPS coordinates, mooring block location, survey specifications, and a vessel length of up to 6.5 metres overall, the mooring has been assessed as remaining within the allowable overlap limit for these neighbouring moorings. This assessment was informed by an accepted methodology, developed with input from a recognised naval engineer, for assessing safe permitted swing overlap between moorings. On the information currently provided, the assessed mooring arrangement does not raise navigational safety concerns that would prevent the application from being supported.
Safety Operation Plan (SOP) comments	Nil Required.
Maritime comment obtained?	No Comment Required from Maritime NZ

3.0 LEGISLATION

- Maritime Transport Act 1994
- Navigation Safety Bylaw 202

4.0 RECOMMENDED CONDITIONS/ADVICE NOTES

Advice Note:

The use of a Mooring is at the occupiers risk. Compliance with spacing criteria does not guarantee that boat-to-boat contact will never occur and Council is not liable for any damage to occupying boats, or for damage to a third party arising from the use of a Mooring by the occupier or mooring owner. The mooring owner-is responsible for maintaining and keeping the mooring in good order in accordance with all technical specifications for operation and maintenance, mooring rules, approved consent requirements, permit conditions, and all relevant regulations and legislation. The mooring owner must understand and follow good mooring practice at all times and must safely navigate in accordance with all regulations and Bylaws.

Conditions:

Vessel Length 6.5M maximum
Please see notes above.

5.0 FINAL COMMENT

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

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

TechnologyOne ECM Document Summary

Printed On 06-Aug-2026

Class	Description	Doc Set Id / Note Id	Version	Date
PUB_ACC	Form 9	7188045	1	24-Mar-2022
PUB_ACC	AEE with Updated Mooring Coordinates 29/04/2022	7226005	1	04-May-2022
PUB_ACC	Swing Mooring Report _ M206 Kennedy	7913000	1	08-Feb-2024
PUB_ACC	Mooring Permit 206 2025 - 2026	10203383	1	06-Aug-2026
PUB_ACC	Email from Guardians of Lake Wanaka supporting retrospective resource consent applications for swing moorings in Lake Wanaka 15 12 23	7866867	1	19-Dec-2023
PUB_ACC	LINZ APA - Form 8A	8523063	1	18-Mar-2025



APPLICATION FOR RESOURCE CONSENT FOR A WATER-BASED ACTIVITY



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

PLEASE COMPLETE ALL MANDATORY FIELDS* OF THIS FORM.

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

APPLICANT //

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

*Applicant's Full Name / Company / Trust: **Patrick Kennedy**

(Name Decision is to be issued in)

*All trustee names (if applicable):

Contact Name if Company or Trust:

*Postal Address: **5 Heaton Phodes Place, Christchurch**

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

*Post code:

8022

*Email Address: **csa@xtra.co.nz**

*Phone Numbers: Day

Mobile: **0272263585**

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 via email unless requested otherwise.



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

Name & Company: **Kristy Jennings - Central Resource Management Ltd**

Phone Numbers: Day

Mobile: **021443139**

Email Address: **kristy@centralrm.co.nz**

INVOICING DETAILS //

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

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

Applicant:

☒

Agent:

☐

Other, please specify:

Email:

☐

Post:

☐

*Attention: **P Kennedy**

*Postal Address: **5 Heaton Rhodes Place, Cashmere, CHCH**

*Please provide an email AND full postal address.

*Post code:

8022

*Email: **csa@xtra.co.nz**



DEVELOPMENT CONTRIBUTIONS INVOICING DETAILS //

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

Please select a preference for who should receive any invoices.

Details are the same as above

☐

Applicant:

☐

Landowner:

☐

Other, please specify:

*Attention:

*Email:

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



DETAILS OF SITE

Address / Location to which this application relates: describe as commonly known e.g. name or area of waterbody, proximity to any well-known landmark, or grid reference. Include land address for base of activity/landing points:

Lake Wanaka

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

Numerous

For any land based areas:

Legal Description:

Owners/Occupiers:

District Plan Zone:



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

Waterbased site



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



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



Existing use certificate

To legalise an existing swing mooring



BRIEF DESCRIPTION OF THE PROPOSAL

Consent is sought to undertake a water-based activity on **Lake Wanaka**

(Lake / River)

The activity will operate **24/7**

(dates / duration)

to provide for **1 boat/craft**

(number persons)

Brief description of activity:

To legalise an existing swing mooring

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



OTHER CONSENTS

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

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



Yes



N/A



INFORMATION REQUIRED TO BE SUBMITTED //

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

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



A site plan or map showing the locality and extent of the activity.

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

A Safety Management Plan



Noise report (if relevant)



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

Consultation required with:

Aukaha

Te Ao Marama INC

Fish & Game New Zealand

Consultation required where relevant:

Guardians of Lake Wanaka

Guardians of Lake Hawea

Department of Conservation

Land Information New Zealand



An Assessment of Effects (AEE).

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

Address the relevant provisions of the District Plan and affected parties including who has or has not provided written approval. See [Appendix 1](#) for more detail.We prefer to receive applications electronically – see Appendix 3 - [Naming of Documents Guide](#)

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

Each document should be no greater than 10mb



PRIVACY INFORMATION

The information you have provided on this form is required so that your application can be processed under the Resource Management Act 1991 and may also be used in statistics collected and provided to the Ministry for the Environment and Queenstown Lakes District Council. The information will be stored on a public register and may be made available to the public on request or on the company's or the Council's websites.



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 and granting of resource consents (including certificates of compliance and existing use certificates).

Invoiced sums are payable by the 20th of the month after the work was undertaken. If unpaid, the processing of an application, provision of a service, or performance of a function will be suspended until the sum is paid. You may also be required to make an additional payment, or bring the account up to date, prior to milestones such as notification, setting a hearing date or releasing the decision. In particular, all charges related to processing of a resource consent application are payable **prior to issuing of the decision**. Payment is due on the 20th of the month or **prior to the issue date – whichever is earlier**.

If your application is notified or requires a hearing you will be requested to pay a notification deposit and/or a hearing deposit. An applicant may not offset any invoiced processing charges against such payments.

Section 357B of the Resource Management Act provides a right of objection in respect of additional charges. An objection must be in writing and must be lodged within 15 working days of notification of the decision.

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.

MONITORING FEES – Please also note that if this application 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.

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

A list of Consent Charges is available on the on the Resource Consent Application Forms section of the QLDC website. If you are unsure of the amount to pay, **please call 03 441 0499** and ask to speak to our duty planner.

Please ensure to **reference any banking payments correctly**. Incorrectly referenced payments may cause delays to the processing of your application whilst payment is identified.

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 and will be invoiced monthly as work on the application continues. Please note that if the Applicant has outstanding fees owing to Council in respect of other applications, Council may choose to apply the initial fee to any outstanding balances in which case the initial fee for processing this application may be deemed not to have been paid.



PAYMENT // An initial fee must be paid prior to or at the time of the application and proof of payment submitted.

37

Please reference your payments as follows:

Applications yet to be submitted: RM followed by first 5 letters of applicant name e.g RMJONES

Applications already submitted: Please use the RM# reference that has been assigned to your application, this will have been emailed to yourself or your agent.

Please note processing will not begin until payment is received (or identified if incorrectly referenced).

I confirm payment by:



Bank transfer to account 02 0948 0002000 000 (If paying from overseas swiftcode is – BKNZNZ22)



Invoice for initial fee requested and payment to follow



Manual Payment at reception (can only be accepted once application has been lodged and acknowledgment email received with your unique reference number)

*Reference **RMKENNEDY**

*Amount Paid

\$2,200 - Discretionary

(For required initial fees refer to website for Resource Consent Charges or speak to the Duty Planner by phoning 03 441 0499)

*Date of Payment **3/24/22**

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 **Kristy Jennings**

Firm/Company **Central Resource Management Ltd**

Dated **3/22/24**

**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;

Information provided within the Form above

- (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).

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

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

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

ADDITIONAL INFORMATION REQUIRED IN SOME APPLICATIONS

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

Clause 6: Information required in assessment of environmental effects

- (1) An assessment of the activity's effects on the environment must include the following information:
 - (a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity;
 - (b) an assessment of the actual or potential effect on the environment of the activity;
 - (c) if the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use;
 - (d) if the activity includes the discharge of any contaminant, a description of—
 - (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
 - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment;
 - (e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect;
 - (f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted;
 - (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved;
 - (h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).
- (2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.
- (3) To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not—
 - (a) oblige the applicant to consult any person; or
 - (b) create any ground for expecting that the applicant will consult any person.

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

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

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

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

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

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



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

Application Form 9

Assessment of Environmental Effects (AEE)

Affected Party Approval/s

Safety Management Plan

Traffic Report



P Kennedy

Resource Consent Application

Roys Bay, Wanaka

May 2022

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1.0 APPLICATION DETAILS

Applicant:	P Kennedy
Site Location:	Roy's Bay, Wanaka
Legal Description:	Lake Wanaka
Computer Freehold Register:	N/A
Area:	N/A
Zone:	Rural

Resource Consent is sought to legalise and existing swing mooring in Roy's Bay, Lake Wanaka.

The following assessment of environmental effects has been prepared in accordance with Schedule 4 of the Resource Management Act 1991.

2.0 RELEVANT DISTRICT PLAN REQUIREMENTS

Under the Queenstown Lakes District Council Proposed District Plan the subject site is zoned Rural and requires resource consent for the following reasons:

- A **discretionary** resource consent pursuant to rule 21.15.7 which relates to any mooring which passes across or through the surface of any lake and is located outside of the non-complying zone.

Under the Otago Regional Council Regional Plan: Water, resource consent is required for the following reasons:

- A **discretionary** resource consent pursuant to rule 13.2.3.1 which relates to the placement of a structure on the lake bed.

The Otago Regional Council has delegated its responsibilities under Section 13(1)(a) of the RMA to the Queenstown Lakes District Council.

3.0 DESCRIPTION OF PROPOSAL

3.1 Proposal

Resource consent is sought to legalise an existing swing mooring within Roy's Bay, Lake Wanaka.

The mooring has been in place for many years (exact establishment date is unknown as it was done by a previous owner). The annual LINZ fees have been paid each year by the current owner since they have owned it.

The proposed mooring is to be used for private recreational use and has moored boats up to 10 metres in length (measured at water line) and consent is sought for boats up to 10 metres to continue to use the mooring.

The coordinates as per the QLDC permit are as follows:

N 5605637
E 2203659

It is confirmed that the mooring is outside of the non-complying line than runs along the shoreline.

3.2 Site Description

The site is located within Roy's Bay, Lake Wanaka.

The grid reference on the QLDC permit is:

N 5605637

E 2203659

4.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

4.1 Effects on the Environment

It is considered that the existing mooring and boats to be accommodated are in keeping with other moorings and boats within the vicinity. The mooring is located within a cluster of other moorings and is therefore not visually obtrusive.

Any adverse effects created by the proposed mooring are considered to be less than minor.

4.2 Affected Parties and Consultation

LINZ have been approached for comment and once received will be forwarded to Council.

Maritime NZ have been approached for comment by Council.

Aukaha have been approached and followed up a considerably number of times for comment and once/if received will be forwarded to Council.

Te Ao Marama have been approached for comment and once received will be forwarded to Council.

With regards to Fish and Game, comment has not been sort. The mooring is existing and therefore there is no disturbance to the lakebed. The mooring is used for yachts which have very little effect on lake bed disturbance compared with a jet or powerboat that can frequent the area as a permitted activity. It is therefore considered that Fish and Game are not affected by the application.

QLDC have advised that the planning team with liaise with Cougar Security – QLDC Harbour Master/QLDC property team as necessary therefore approval has not been sought.

No other parties are considered to be adversely affected by this application.

5.0 SECTION 95 NOTIFICATION

A consent authority must publically notify an application if it concludes that under s95D of the Resource Management Act 1991 that the proposed activity will have or is likely to have adverse effects on the environment that are more than minor. Additionally, Section 95B(1) requires a decision to be made as to whether any persons are considered to be adversely affected (s95E) in relation to the activity. The proposed activity as outline above, is not likely

to have adverse effects on the environment that are more than minor and no persons are considered to be adversely affected.

The applicant has not requested public notification (s95A(2)(b)), no rule or national environmental standard requires public notification of the application (s95A(2)(c)) and there are no special circumstances that exist in relation to the application that would require public notification (s95A(4)).

The application should therefore proceed on a non-notified basis.

6.0 OBJECTIVES AND POLICIES

Proposed District Plan

6.3.5 Managing Activities on Lakes and Rivers

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. (SO 3.2.1, 3.2.1.1, 3.2.1.8, 3.2.1.9, 3.2.4, 3.2.4.1, 3.2.4.3, 3.2.4.4, 3.2.5.5, 3.2.5.6, 3.2.5, 3.2.5.2, 3.2.5.3, 3.2.5.4, 3.2.5.5, 3.2.5.6, 3.2.4.7 and SP 3.3.2, 3.3.20, 3.3.24, 3.3.25, 3.3.30, 3.3.34, 3.3.35).

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. (SO 3.2.1, 3.2.1.9, 3.2.4, 3.2.1.4, 3.2.4.3, 3.2.4.4, 3.2.4.5, 3.2.4.6, 3.2.5, 3.2.5.2, 3.2.5.3, 3.2.5.4, 3.2.5.5, 3.2.5.6, 3.2.4.7 and SP 3.3.20, 3.3.24, 3.3.25, 3.3.30).

6.3.4.4 Provide for appropriate commercial and recreational activities on the surface of water bodies that do not involve construction of new structures. (SO 3.2.1, 3.2.1.1, 3.2.4, 3.2.4.3, 3.2.4.4, 3.2.4.5, 3.2.4.6, 3.2.4.7, 3.2.5, 3.2.5.2, 3.2.5.5, 3.2.5.6, and SP 3.3.2, 3.3.30, 3.3.34, 3.3.35).

The mooring has been in place for many years and therefore has been a feature of Lake Wanaka. The mooring is surrounded by others and so fits in with the surrounding environment.

Rural

21.2.11 Objective - The natural character of lakes and rivers and their margins is protected, maintained or enhanced, while providing for appropriate activities on the surface of lakes and rivers, including recreation, commercial recreation and public transport.

Policies

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

21.2.11.2 Enable people to have access to a wide range of recreational experiences on the lakes and rivers, based on the identified characteristics and environmental limits of the various parts of each lake and river.

21.2.11.3 Avoid or mitigate the adverse effects of frequent, large-scale or intrusive commercial activities such as those with high levels of noise, vibration, speed and wash, in particular motorised craft, in areas of high passive recreational use, significant nature conservation values and wildlife habitat.

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

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

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

21.2.11.8 Encourage development and use of water based public ferry systems including necessary infrastructure and marinas, in a way that avoids adverse effects on the environment as far as possible, or where avoidance is not practicable, remedies and mitigates such adverse effects.

21.2.11.9 Take into account the potential adverse effects on nature conservation values from the boat wake of commercial boating activities, having specific regard to the intensity and nature of commercial jet boat activities and the potential for turbidity and erosion.

21.2.12.10 Ensure that the nature, scale and number of commercial boating operators and/or commercial boats on waterbodies do not exceed levels such that the safety of passengers and other users of the water body cannot be assured.

Aukaha have been approached for their approval on behalf of the Iwi however never responded and are therefore, along with the fact that the mooring has been there long term, considered not to be affected.

The mooring is going to continue to be used for recreational purposes which meets the above policies.

As the mooring has been existing for many years, it is already part of the visual landscape. The mooring is surrounded by other moorings of a similar nature and so is integrated with in the environment.

7.0 PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

The proposal is consistent with Part 2 of the Resource Management Act 1991, being the sustainable management of natural and physical resources, whilst also protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

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): Wanaka

Mooring Resource Consent No: Permit 206 Mooring buoy No:206 | Wan 684

Mooring Owners Name: Patrick Kennedy

Mooring Owners Address: 5 Heaton Rhodes Place, Cashmere, Chch 8022

Mooring Owners Postal Address: Above

Mooring Owners Email Address csa@xtra.co.nz

Mooring Owners Phone No: 027 226 3585

Emergency contact Number: 0210 833 5771

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

Name of vessel using mooring: Go faster

Vessel MNZ Registration Number:NA Vessel Regional Identification Number: NA

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

If "Other" please outline type of vessel : _____

Length of Vessel: 6m Weight of Vessel: 1500kg Number of Engines: 1

Vessel Colour(s): Alloy

Does Vessel Have Mooring Number attached and clearly visible from outside of the vessel? Yes

Is the above vessel the only vessel intending to use this mooring: Yes

If No, Please name "other" vessels that may or will be using this mooring; _____

Details of Mooring – (Mooring Inspector To Complete)

GPS Position of mooring: (Include GPS format used):

DD

44.692199 S | 169.134012 E

Inspection Date: 20/1/24 Inspection Time 3.45 pm

Water Depth at location at time of inspection: 5m

Calculated total swing radius of mooring at lowest lake level: 8 (m)

Calculate total swing radius of mooring and vessel at lowest lake level: 15m

Type of Mooring: Block QLDC SPEC 1.2T

Type of Mooring Block: concrete

Dimensions of Mooring Block: Weight 1.2 tonne

If Concrete Mooring block, when material is submerged, it will lose some of its weight due to buoyancy, please calculate this effect in when giving difference in dry and submerged weights below.

Total Mass Weight of block: (Dry Weight)1000(kg) (Submerged weight) est 630(kg)

Chain Length Bottom: 3(m) Middle:) Top: 8. (m)

Chain Diameter Bottom: 32 (mm) Middle: (mm) Top:13 (mm)

Swivel Diameter: 19mm swivel at buoy and riser join

Shackle Diameter(s) 16mm rated (mm) Shackle Locations (s): At all chain and swivel connections as per diagram

Headline Length: 1.0 (m)

Headline Diameter: 8 strand Multiplait Nylon 20 (mm)

Headline Chafe Protection Type: NA Checked: Yes

What is the life expectancy of the mooring prior to upgrades / replacements being needed: 48(Months)

Life Expectancy of Block: 50 plus years under normal conditions.

Life Expectancy of Chain: 48(Months)+

Life Expectancy of Rope: 18 months + Note: rope to be visually checked by vessel operator each use

Life Expectancy of Swivel: 48(Months)+

Life Expectancy of Shackles: 48(Months)+

Life Expectancy of Buoy: 48(Months)+

Mooring Shift

Is the mooring block at its correct GPS coordinates, as outlined in the original Resource Consent documents and not shifted between inspections? Unknown.

If yes, what action is being taken to correct this and return it to its correct position, Please outline;

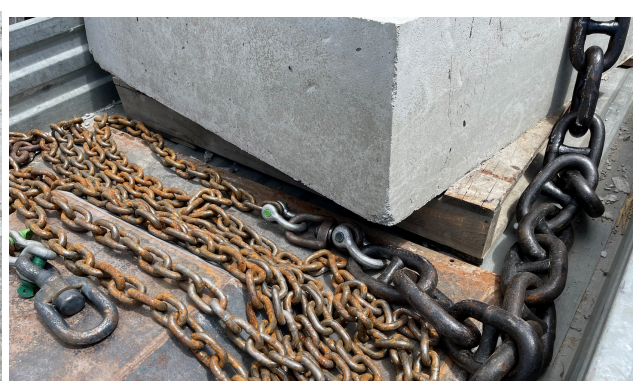
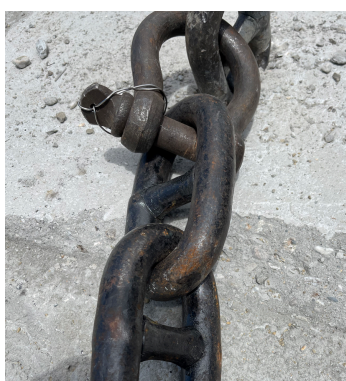
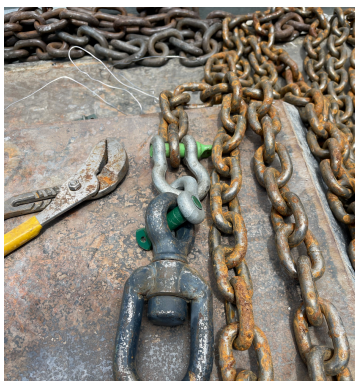
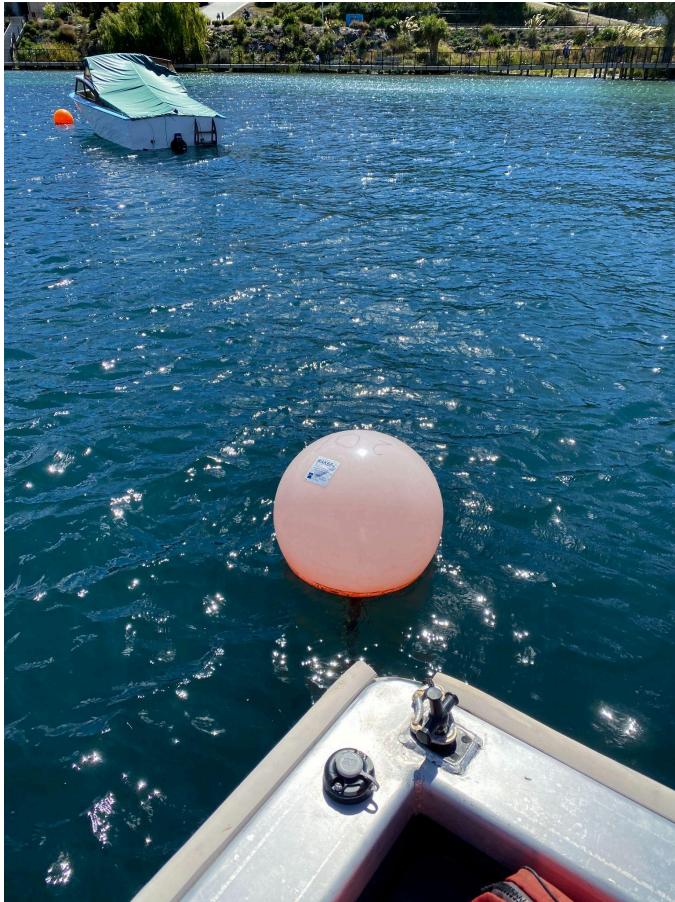
No action required

Checklist – (Mooring Inspector To Complete)

		Checked	Item Replaced		Specify / Comments	
	Checked Y/N	COMPONENT	DETAILS		Condition (% & notes)	Replaced
TOP SECTION	✓	Float	Numbered:	Yes 206	pink catch buoy attached	✗
			Colour:	pink A4 Polyform		
	✓	Shackle(s)	Number: 1 16mm dee	Moused: Yes	Condition = 95%+ Integrity	✗
	✓	Top rope	Length: 1.0m	Diameter: 20mm		✗
	✓	Shackle(s)	Number: 2	Moused: Yes	Condition = 95%+ Integrity	✗
MIDDLE	✓	Swivel	Diameter:	19mm	Condition = 95%+ Integrity	✗
	✓	Shackle(s)	Number: 2	Moused: Yes	16mm rated Condition = 95%+ Integrity	✗
	✓	Riser chain	Length: 8m	Av D: 13mm Min D: 13mm	Condition = 95%+ Integrity	✗
	✓	Shackle(s)	Number: 2 - 16mm	Moused: Yes	Condition = 95%+ Integrity	✗
	✓	swivel	22 mm	Moused: Yes	Condition = 95%+ Integrity	✗
	✓					
	✓	Shackle(s)	16 mm 3.5t rated dee	Moused: Yes	Condition = 95%+ Integrity	✗
BOTTOM	✓	Ground chain 32mm blackened	Length: 3m	Av D: 32mm Min D: 32mm	Condition = 95%+ Integrity	✗
	✓	Block Shackle	Diameter: 20mm Dee	Moused: Yes	Condition = as new	✗
	✓	Block Ring	Diameter: 32mm		Condition = 95%+ Integrity	✗
	✓	Block(s)	Visible: yes	Weight est 650kg wet	NEW install 2021 QLDC specs	✗
			Is block visible?: Yes	Type: Concrete New QLDC SPEC		

Pictures – (Mooring Inspector To Complete)

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



Declaration – (Mooring Inspector To Complete)

This is to certify that I have inspected and serviced 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.

Company undertaking Inspection: Craig Fahey, Lakes Marine Limited

Company physical address: 13 Arklow St, Albert Town

Company Postal Address: AS above

Name of person completing inspection: Craig Fahey & Glen Cammeron (certified commercial construction diver)

Signature of person completing inspection:



Date: 23/1/24

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

Document Reviewed on: (Inset Date): _____

Document Reviewed by: _____

Owner Details Complete (Yes / No)

(Comments) _____

Details of vessel using mooring complete (Yes / No)

(Comments) _____

Details of Mooring Inspection Complete (Yes / No)

(Comment) _____

Person Inspecting Mooring Checklist Complete (Yes / No)

(Comment) _____

Harbourmaster Additional Comments:

Harbourmaster Signoff

Name: _____

Signature: _____

Date: _____



MOORING PERMIT

Issued under the Navigation Safety Bylaw 2025

Mooring Number: 206

Description of mooring: Swing Mooring

Name to whom permit is granted: Patrick John Kennedy

Waterway: Lake Wanaka

Position of mooring: Longitude 169.133977

Resource Consent: RM220212

Latitude -44.692173

Status: Processing

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

From: "D&G Robertson" <donandgay@xtra.co.nz>
Sent: Fri, 15 Dec 2023 16:03:17 +1300
To: "'Kristy Jennings'" <kristy@centralrm.co.nz>
Cc: "Rebecca Holden" <Rebecca.Holden@qldc.govt.nz>; "kparlane@doc.govt.nz" <kparlane@doc.govt.nz>; "Nicole Weyandt" <nweyandt@doc.govt.nz>; "Jeff Donaldson" <esa.jd@xtra.co.nz>; "julie@julieperry.co.nz" <julie@julieperry.co.nz>; "Ailsa Cain" <Ailsa@Kauati.co.nz>; "Linda Joll" <Linda.Joll@qldc.govt.nz>
Subject: Email from Guardians of Lake Wanaka supporting retrospective resource consent applications for swing moorings in Lake Wanaka, 15.12.23
Attachments: Guardians response to retrospective resource consents for vessel moorings in Roys Bay - for Kristy Jennings.docx

Hi Kristy

The Guardians of Lake Wānaka do not have any objection to the proposed retrospective consent applications for a number of long standing vessel moorings in Roys bay, Lake Wānaka provided that conditions such as those included in our response are met.

Attached is a Guardians response specifically in reply to your request and which I hope will help with your task.

Regards

Don Robertson

Chair, Guardians of Lake Wānaka

From: Kristy Jennings [mailto:kristy@centralrm.co.nz]
Sent: Wednesday, 6 December 2023 1:44 PM
To: 'D&G Robertson'
Cc: 'Rebecca Holden'; kparlane@doc.govt.nz
Subject: RE: Guardians response to Lake Wanaka moorings resource consent application.

Hi Don

I do not have such a map but could possibly create one if necessary. I will send the AEE's to you now which show the locality of each mooring (first 5 attached).

Please let me know if you require anything further.

Kind Regards

Kristy

From: D&G Robertson <donandgay@xtra.co.nz>
Sent: Wednesday, December 6, 2023 1:07 PM
To: 'Kristy Jennings' <kristy@centralrm.co.nz>
Cc: kparlane@doc.govt.nz; Nicole Weyandt <nweyandt@doc.govt.nz>; esa.jd@xtra.co.nz; julie@julieperry.co.nz; Ailsa Cain <Ailsa@Kauati.co.nz>; Linda Joll <Linda.Joll@qldc.govt.nz>; 'Rebecca Holden' <Rebecca.Holden@qldc.govt.nz>
Subject: RE: Guardians response to Lake Wanaka moorings resource consent application.

Hi Kristy

If you have a single map showing localities of all the moorings with those that you are processing distinguished from the rest, that could be useful. Such a map would be the only extra information that the Guardians would find helpful in preparing a letter of support for those additional moorings being processed by Central Resource Management. However it is unlikely there would be circumstances with all or any of the moorings that would result in Guardians providing a response different from the 8 May version we sent you on 29 November.

That said, I should apologise – I have just noticed that the 8 May file we sent you on 29 November was later amended to include two additional moorings on September 19 and then sent to John Edmond & Associates. Please note that this Guardians file (attached here) replaced the 8 May file we sent you on 29/11.

Happy to discuss.

Don Robertson

Chair, Guardians of Lake Wanaka

027 4446640

From: Kristy Jennings [<mailto:kristy@centralrm.co.nz>]

Sent: Wednesday, 6 December 2023 12:01 PM

To: 'D&G Robertson'

Cc: kparlane@doc.govt.nz

Subject: RE: Guardians response to Lake Wanaka moorings resource consent application.

Hi Don and Kimberley

I am just wondering if you have had a chance to discuss the below yet.

Thank you

Kristy

From: Kristy Jennings <kristy@centralrm.co.nz>

Sent: Thursday, November 30, 2023 8:36 AM

To: 'D&G Robertson' <donandgaye@xtra.co.nz>

Cc: 'kparlane@doc.govt.nz' <kparlane@doc.govt.nz>

Subject: RE: Guardians response to Lake Wanaka moorings resource consent application.

Hi Don

Thank you for sending this through.

The 12 mooring applications that I have in for consent are a different set to those mentioned below. Due to Council not having any systems in place, we put all our applications on hold and have just now been informed that Council is ready to proceed. The 12 moorings are all existing dating from the 1950's and are all within the same area as those mentioned below that you have previously approved.

We have not had a landscape assessment done as I am conscious of costs involved when the moorings already make up the existing landscape. I concur with the response that you forwarded through with regards to the other 13 mooring.

Below is a list of the applicants:

M Barton	RM220768
Eco Wanaka x2	RM220764
C Fahey	RM220280
P Gilchrist	RM230227
T Glynn	RM220205
A Hall	RM220761
P Kennedy	RM220212
Lake Wanaka Cruises x2	RM230021
Andgra Ltd	RM220767
C Riley	RM220763

Can you please let me know what details you require in order to assess and issue an approval letter.

Kind Regards
Kristy



Kristy Jennings
021 443 139
kristy@centralrm.co.nz

From: D&G Robertson <donandgaye@xtra.co.nz>
Sent: Wednesday, November 29, 2023 6:14 PM
To: 'Kristy Jennings' <kristy@centralrm.co.nz>
Cc: Kimberley Parlane <kparlane@doc.govt.nz>; Nicole Weyandt <nweyandt@doc.govt.nz>;
esa.jd@xtra.co.nz; julie@julieperry.co.nz; Ailsa Cain <Ailsa@Kauati.co.nz>; Linda Joll
 <Linda.Joll@qldc.govt.nz>; 'Rebecca Holden' <Rebecca.Holden@qldc.govt.nz>
Subject: FW: Guardians response to Lake Wanaka moorings resource consent application.

Hi Kristy

Further to your emails with Kimberley and Nicole at DOC, attached and below is correspondence between Jo Fyfe, of John Edmonds & Associates and Guardians of Lake Wanaka, regarding Lake Wanaka moorings retrospective resource consent applications. I am assuming that you may have already

received this Guardians correspondence from QLDC as it will form part of the application information.
 Let me know if you have any questions.
 Happy to discuss.
 Don Robertson
 Chair, Guardians of Lake Wanaka
 027 4446640

From: D&G Robertson [<mailto:donandgaye@xtra.co.nz>]
Sent: Monday, 8 May 2023 10:40 AM
To: 'Jo.Fyfe'
Cc: Kimberley Parlane (kparlane@doc.govt.nz); esa.jd@xtra.co.nz; mjbarks@gmail.com; Linda Joll (Linda.Joll@qldc.govt.nz); Ailsa Cain (Ailsa@Kauati.co.nz); 'Nikki Holmes'
Subject: Guardians response to Lake Wanaka moorings resource consent application.

Hi Jo
 Attached is a revised Guardians response to the Lake Wanaka moorings retrospective resource consent application.
 Regards
 Don

From: Jo.Fyfe [<mailto:Jo.Fyfe@jea.co.nz>]
Sent: Monday, 8 May 2023 8:47 AM
To: D&G Robertson
Subject: RE: Draft response to moorings resource consent application

Good morning Don,

I reached out to one of our clients- Ian Brown- who's likely got the most understanding of technical boating/mooring matters in the group, who advised your recommendations are 'totally practical and commonsense expectations', and as such we will adopt those as part of the application. Please feel free to issue the final version.

Thanks again for your time on this.

Kind regards,

Jo



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

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

From: D&G Robertson <donandgaye@xtra.co.nz>
Sent: Thursday, May 4, 2023 4:52 PM
To: Jo.Fyfe <Jo.Fyfe@jea.co.nz>
Subject: FW: Draft response to moorings resource consent application

Hi Jo

Attached fyi is a draft of a possible response (on the moorings consents) from the Guardians, which I have just sent to them for comment etc before I send you the final version. So I'm sending it you in case you have any comment at this stage.

Regards

Don

From: D&G Robertson [<mailto:donandgaye@xtra.co.nz>]
Sent: Thursday, 4 May 2023 4:47 PM
To: esa.jd@xtra.co.nz; mjbarks@gmail.com; Linda Joll (Linda.Joll@qldc.govt.nz); Ailsa Cain (Ailsa@Kauati.co.nz)
Cc: Kimberley Parlane (kparlane@doc.govt.nz)
Subject: Draft response to moorings resource consent application

Hi All

Attached for your comment/approval is a draft response to the Resource Consent applications for 13 moorings in Roys Bay, Lake Wanaka. Please let me know if you have any edits or if you agree with it as is.

Kā mihi

Don

Guardians of⁶Lake Wanaka

Serviced by
Department of Conservation,
Wanaka Area Office

The Secretary
PO Box 93
Wanaka
Ph. 03 443 9462

Guardians of Lake Wānaka response to the application for retrospective resource consents for vessel moorings in Roys Bay, Lake Wānaka.

Guardians of Lake Wānaka understand that a number of existing vessel moorings that have been in place in Roys Bay for varying lengths of time, some since the 1950s and some since the early 90s or longer, do not have resource consents. QLDC require the mooring owners to obtain retrospective resource consents for the moorings. Guardians of Lake Wanaka have been approached by Kristy Jennings of Central Resource Management for consideration of the applications and for any concerns or conditions that Guardians may wish to be invoked by the consent applications.

We have seen a Landscape Assessment by Patch Landscape Architects. We agree with their conclusion that overall, the existing moorings do not adversely affect the physical or visual attributes of Lake Wanaka to a more than very low degree. The existing marina and yacht club form part of the character of Roys Bay and the Wanaka waterfront. The proposed moorings accord with this landscape's quality and character and do not adversely affect the wider Lake Wanaka Outstanding Natural Landscape.

The Guardians have considered the potential impacts on the lakes localised water quality, and ecosystem function. We cannot see any reason or process that might give cause for concern, especially given the absence of any reported impact over the period of decades that the moorings have been in use.

We have no particular objections to any of the mooring applications and are happy to support them. Following are a number of general conditions for your consideration which we would expect to be addressed by mooring/vessel owners as good stewards of the lake and shoreline environment around the moorings.

Some target conditions may apply to possible vessel sourced run-off of water quality-impacting and ecosystem-changing substances or activities, or in the introduction of invasive pest species. We would generally require that any consented or non-consented activity within the lake meet conditions such as those listed below, to avoid impacts of undesirable organisms, nutrients, rubbish or other contaminant runoff from moored vessels into the lake or onto the shoreline.

We recommend compliance with National Policy Statement for Freshwater Management (NPS-FM, 2023) requirements, see <https://environment.govt.nz/publications/national-policy-statement-for-freshwater-management-2020-amended-february-2023/>

We encourage agreement that any **consented mooring activities and associated vessels do not result in the following in or adjacent to Roys Bay, Lake Wānaka:**

- human waste, sewage, or wastewater or indicators of sewage;
- bacterial or protozoan contamination;
- organisms pathogenic to humans, or to indigenous wildlife;
- toxins (e.g. fuel, oil, paint, polycyclic aromatic hydrocarbons (PAHs), heavy metals, anti-fouling chemicals);
- metal or paint sanding dust entering the lake from vessel maintenance at a mooring;
- plastic or other rubbish or waste materials entering the lake from moored vessels;
- transfer of Lagarosiphon plants or any other existing or future pest around the lake (or to or from other lakes) by any vessel.



D A Robertson
Chair, Guardians of Lake Wanaka
15-12-2023



AFFECTED PERSON'S APPROVAL

FORM 8A



Resource Management Act 1991 Section 95



RESOURCE CONSENT APPLICANT'S NAME AND/OR RM

P Kennedy RM220212



AFFECTED PERSON'S DETAILS

I/We Toitū Te Whenua Land Information New Zealand

Are the owners/occupiers of

The lakebed of Lake Wanaka



DETAILS OF PROPOSAL

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

To legalise and existing swing mooring on Lake Wanaka

at the following subject site(s):

Lake Wanaka



PLEASE TICK

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



PLEASE TICK

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



WHAT INFORMATION/PLANS HAVE YOU SIGHTED



PLEASE TICK

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



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)

Dale Thompson - under delegation

Contact Phone / Email address

dthompson@linz.govt.nz

Signature

D Thompson

Date

14/03/2025

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.

