

APPLICATION AS NOTIFIED

N & R Walkington

(RM220374)

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:

Rosemary & Nigel Walkington

What is proposed:

To lawfully establish an existing swing mooring (M59) and an existing jetty (S14), both located on the southern shoreline of the Frankton Arm, Lake Whakatipu (Whakātipu-Wai-Māori), requiring land use consents from the Otago Regional Council and the Queenstown Lakes District Council.

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

Bed of Whakātipu-Wai-Māori, within the Frankton Arm, to the north of 627 Peninsula Road. The proposed GPS coordinates for the mooring and jetty are as follows:

M59: -45.043442 S, 168.687455 E (WGS84 Decimal Degree Format)

S14: -45.043738 S, 168.687477 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 **RM220374** as the reference <https://edocs.qldc.govt.nz/Account/Login>

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

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

The Council planner processing this application on behalf of the Council is Rebecca Holden, who may be contacted by phone at 0211701496 or e-mail at rebecca.holden@qldc.govt.nz

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

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

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

6 October 2026

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

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

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

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

You must serve a copy of your submission to the applicant (Rosemary & Nigel Walkington, nwalkington@me.com) as soon as reasonably practicable after serving your submission to Council:

C/- Richard Kemp
richard@pragmaticplanning.co.nz
 Pragmatic Planning
 PO Box 2770, Whakatipu, Queenstown, 9349

QUEENSTOWN LAKES DISTRICT COUNCIL



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

Date of Notification: 8 September 2026

Address for Service for Consent Authority:

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

Phone
 Email
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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:	N & R Walkington
RM reference:	RM220374
Application:	Application under Section 88 of the Resource Management Act 1991 (RMA) for land use consents from the Otago Regional Council (ORC) and the Queenstown Lakes District Council (QLDC) to lawfully establish an existing swing mooring (M59) and an existing jetty (S14), both located on the southern shoreline of the Frankton Arm, Lake Whakatipu (Whakātipu-Wai-Māori).
Location:	Bed and surface of Whakātipu-Wai-Māori, within the Frankton Arm, to the north of 627 Peninsula Road.
Legal Description:	N/A (Lakebed)
QLDC Zoning:	ODP: Rural General PDP: Rural (Water)
QLDC District Plan Notations:	Wāhi Tūpuna Site 33 (Whakātipu-Wai-Māori (Lake Whakātipu))
ORC ORP:W Notations:	MA3 (Waahi tapu and/or Waiwhakaheke)
Activity Status:	Non-complying (overall)
Decision Date	7 September 2026

SUMMARY OF DECISIONS

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

1.0 SUMMARY OF PROPOSAL AND SITE DESCRIPTION

1.1 Background

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

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

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

Of relevance to the processing of this application under the 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 14.03.24, 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 background to the application, a description of the proposal, and a description of the site, locality & history at Section 1 of the report entitled: *"Resource Consent Application To: Queenstown Lakes District Council, Rosemary & Nigel Walkington, Retention of Existing Swing Mooring #59 & Jetty #S14C, Lake Whākatipu – Adjacent to 627 Peninsula Road, Kelvin Heights, 13 May 2022"*, prepared by Richard Kemp of Pragmatic Planning Limited, and submitted as part of the application (hereon referred to as the Applicant's AEE and attached as *Appendix 1*). This description is considered adequate and is adopted for the purpose of this report with the following summary/additions:

Consent is sought to lawfully establish under the RMA an existing swing mooring and an existing jetty, both located along the south-western shoreline of the Frankton Arm, within Whakātipu-Wai-Māori. The proposal relates to an existing jetty and related structure permit 14 ("S14"), and an existing swing mooring and related mooring permit¹ 59 ("M59"). Both the mooring and jetty can be seen in Figure 1 below. The GPS coordinates for both the mooring and jetty have been confirmed as follows:

M59: -45.043442 S, 168.687455 E (WGS84 Decimal Degree Format)

S14: -45.043738 S, 168.687477 E (WGS84 Decimal Degree Format)

¹ Both structure and mooring permits are issued under the QLDC Mooring Permit system which is administered by Councils Property team and are not an authorisation under the RMA.



Figure 1: Location of existing swing mooring M59 and jetty S14 (both circled red, as shown on QLDC GIS), along the southern shoreline of the Frankton Arm. The Applicant's property marked by red star.

Of note, the GPS coordinates that have been used within the application documents use either the New Zealand Map Grid format and/or WGS84 Decimal Degree ("DD") format (e.g. within the AEE), or the Degrees, Minutes, Seconds ("DMS") format (e.g. within the mooring inspection report). In accordance with the standard (and preferred) QLDC mooring inspection form, all coordinates have been converted to the DD format for the purposes of this report. Regardless of the format used, both M59 and s14 are in the location shown in Figure 1 above.

The Applicant has advised that it is understood that both the jetty and mooring have been in place for decades, established by a previous owner, with evidence being provided that the jetty has been in place since the 1960's. The Applicant has demonstrated that they hold a QLDC permit for both the mooring and jetty.

The Applicant has confirmed that consent is sought for a vessel up to 8m in length to use this mooring².

1.3 Resource Management History

The Applicant has also submitted a resource consent referenced RM220373 in QLDC records seeking consent to lawfully establish mooring M60, located to the east of M59 and jetty S14 as can be seen in Figure 1 above. At the time of writing this report, no substantive decision has been made on application RM220373, although it has been notified to Aukaha and Te Ao Marama Incorporated who represent the interests of Kāi Tahu in this District. This issue is addressed further in section 3.3 below.

² Refer to email dated 28.8.26 which is publicly viewable on QLDC's eDocs system under the reference "RM220374": <https://edocs.qldc.govt.nz/>

2.0 ACTIVITY STATUS

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

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

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

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

2.1 OPERATIVE DISTRICT PLAN

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

2.2 PROPOSED DISTRICT PLAN

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

The proposed activity requires resource consent under the PDP for the following reasons³:

Chapter 21 (Rural)

- A **restricted discretionary** activity pursuant to Rule 21.5.1 in regard to setback from internal boundaries. The proposed jetty will not be setback 15m from the boundary with the informal recreation reserve. Council's discretion is restricted to the following matters:
 - a) rural amenity and landscape character;
 - b) privacy, outlook and amenity from adjoining properties.
- A **restricted discretionary** activity pursuant to Rule 21.15.7 in regard to jetties and moorings in the Frankton Arm. The proposed jetty and mooring are identified within the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan web mapping application. Council's discretion is restricted to the following matters:
 - a. whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands;
 - b. whether the structure causes an impediment to craft manoeuvring and using shore waters.
 - c. the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline;
 - d. the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect;

³ All cited PDP rules are treated as operative under s86F.

- e. whether the structure will be used by a number and range of people and craft, including the general public;
 - f. the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design;
 - g. whether the structure enables the use of public water ferry services and/or water based transport.
- A **non-complying** activity resource consent pursuant to Rule 21.16.2.1 as the existing jetty is located within 200m of an existing jetty located to the north-east (which is approximately 125m distant).

Chapter 39 (Wāhi Tūpuna)

- A **restricted discretionary** activity resource consent pursuant to Rule 39.5.3 for any building within an identified wāhi tūpuna area which is within the Rural Zone, and less than 20m from a wetland, river or lake. Discretion is restricted to the effects on Manawhenua values.

Advice Notes:

- i) *Rule 21.5.1 has not been triggered by the Applicant within the AEE. However, in an email dated 21.8.26, the Applicant confirmed that consent is sought under this rule.*
- ii) *Within the AEE, Rule 21.15.6 has been triggered. This Rule has been renumbered to be Rule 21.5.7 in the latest version of the PDP.*
- iii) *Within the AEE, the Applicant has triggered a non-complying activity resource consent pursuant to Rule 21.15.8 [sic] for "Any structures or mooring that passes across or through the surface of any lake or river or attached to the bank or any lake or river in those locations on the District Plan web mapping application where such structures or moorings are shown as being non-complying." However, it is accepted that the policy framework within the PDP provides for moorings and jetties within the Frankton Arm as a restricted discretionary activity, and any inconsistencies shown on the PDP Maps since the application was first submitted have been updated (i.e. planning maps no longer show moorings in this area as being non-complying). This does not change the overall activity status of the application, which is non-complying.*
- iv) *Rule 39.5.3 has not been triggered by the Applicant within the AEE. However, in an email dated 21.8.26, the Applicant confirmed that consent is sought under this rule.*

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

2.3 THE OTAGO REGIONAL COUNCIL PLAN: WATER

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

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

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

- A **restricted discretionary** activity pursuant to Rule 13.2.2.1 for the erection or placement of a jetty in, on, under or over the bed of any lake or river, or in, on, under or over any Regionally Significant Wetland. The Council will restrict the exercise of its discretion to the following matters:
 - (a) Any adverse effects of the activity on:
 - (i) Any natural and human use value identified in Schedule 1 for any affected water body;
 - (ii) The natural character of any affected water body;

- (iii) Any amenity value supported by any affected water body; and
 - (iv) Any heritage value associated with any affected water body; and
 - (b) Any effect on any Regionally Significant Wetland or on any regionally significant wetland value; and
 - (c) Flow and sediment processes; and
 - (d) Any adverse effect on a defence against water; and
 - (e) Any adverse effect on existing public access; and
 - (f) Fish passage; and
 - (g) The method of construction; and
 - (h) Any measures to avoid animal waste entering the lake, river, or Regionally Significant Wetland; and
 - (i) The duration of the resource consent; and
 - (j) The information and monitoring requirements; and
 - (k) Any existing lawful activity associated with any affected water body; and
 - (l) Any bond; and
 - (m) The review of conditions of the resource consent; and
 - (n) Any financial contribution for regionally significant wetland values or Regionally Significant Wetlands that are adversely affected.
- A **discretionary** activity pursuant to Rule 13.2.3.1 as the proposal involves the placement of a structure, fixed in, on, under or over the bed of a lake. It is proposed to place a mooring that passes through the surface of Whakātipu-Wai-Māori and is attached (anchored) to the bed of the lake.

Advice Notes:

- i) *Rule 13.2.2.1 has not been triggered by the Applicant within the AEE. However, in an email dated 21.8.26, the Applicant confirmed that consent is sought under this rule.*

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

2.4 ACTIVITY STATUS SUMMARY

Overall, the application is considered to be:

- a **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.

3.0 SECTION 95A – PUBLIC NOTIFICATION

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

3.1 Step 1 – Mandatory public notification

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

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

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

Therefore, public notification is not required by Step 1.

3.2 Step 2 – Public notification precluded

Of note, public notification of the jetty is precluded under the ORP:W by Rule 13.2.2.1 (s95A(5)(a)).

However, the application as a whole is not precluded from public notification 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 – LINZ is the administrator of the bed of the lake which is Crown Land*.
Queenstown Lakes District Council (QLDC)	Landowner (Section 21 Block I Coneburn SD)

* the written approval provided by LINZ refers to a single jetty and two swing moorings, located within Whakātipu-Wai-Māori adjacent to the properties at 623 & 627 Peninsula Road. As noted in Section 1.3 above, although this application relates to a jetty and single swing mooring, the Applicant has also lodged consent to lawfully establish a second swing mooring located to the east of the subject mooring M59 (as shown in Figure 1 above). LINZ written approval is relevant to both this application (RM220373) and RM220374.

The QLDC processing planner has consulted with Maritime New Zealand as per requirements of s.89A. In an email dated 13 March 2024, Maritime NZ confirmed they had no navigational safety concerns on the applications referenced RM220373 and RM220374 which collectively seek consent to lawfully establish two existing swing moorings (referenced M59 and M60) and a jetty (S14).

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 placement of a mooring or jetty 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 and jetty will become lawfully established under the RMA, and therefore their ongoing use will be able to rely on permitted activity Rule 13.1.1.1 of the ORP:W, provided they are 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.

Of note, it is a permitted activity to undertake minor repairs, maintenance or alterations of existing operational jetties and moorings provided any materials used are the same or substantially similar in terms of texture and appearance, including colour, and any change to the scale of the jetty or mooring must not exceed 5% in any consecutive year period.

It is considered that the permitted baseline as it relates to the disturbance of the lakebed associated with the installation of the mooring/jetty, and the ongoing use of these structures 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 and existing jetty within the Frankton Arm of Whakātipu-Wai-Māori. An assessment relevant to each Council plan follows.

Expert reports

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

- A navigational safety report for M59, prepared by QLDC's Waterways Regulatory Services Manager & Harbourmaster, Mr Craig Fahey, attached as *Appendix 2*; and
- A navigational safety report for S14, prepared by QLDC's Harbourmaster, Mr Ricky Campbell, attached as *Appendix 3*.

A] Assessment under the QLDC Proposed District Plan

The matters of discretion in Rule 21.15.7 provide helpful guidance for matters to consider under the non-complying activity status although as a non-complying activity, the assessment is not limited to these matters. 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 and jetty are 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.

The Assessment of Effects provided at section 5 of the Applicant's AEE is considered adequate and is therefore adopted in part for the purposes of this report with the following additions.

i. Landscape, visual and amenity effects:

The Applicant seeks to lawfully establish an existing swing mooring and jetty along the southern shoreline of the Frankton Arm. Although the mooring will be visible to a wide catchment area, including from the surface of Whakātipu-Wai-Māori and the adjoining shoreline, as can be seen in Figure 1 above, being able to see the mooring, jetty, or a berthed vessel in this location (adjacent to an urban area) is not unusual or unexpected.

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

Neither the mooring nor jetty will obstruct any public views nor dominate the shore scape and are considered to be compatible with the scenic and amenity values associated with this part of Whakātipu-Wai-Māori. As such, the proposal will have a negligible effect on the natural character of this shoreline and is considered to be compatible with the existing scenic and amenity values at this location.

Of note, the jetty is within 200m of an existing jetty to the north-east which has been lawfully established under the RMA⁵. However, the subject jetty existed prior to the jetty to the north-east, and was taken into consideration within resource consent decision RM070403 whereby it was concluded that the jetty authorised by RM070403 would not “*significantly increase the existing level of congestion; indeed, it is our view that there is not a level of congestion apparent, although this is potentially the case for a few weeks of the year in the summertime*”⁶...and “*Given the paucity of other jetties in the vicinity, we do not believe that there is a cumulative effect comprised in this proposal*”⁷. This conclusion is accepted for the purposes of this report.

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

ii. Navigation and water safety

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

Submitted with the application was a recent mooring inspection report, carried out on 28 April 2026 by Mr Garry Wright, who is accepted as being suitably qualified and experienced to undertake this work. Based on the mooring specifications detailed within the inspection report, a maximum swing radius for M59 was able to be calculated. Swing radius is a circle on the water in which a vessel will rotate around its mooring block or anchor and takes into consideration the length of the berthed vessel, the depth of the mooring block, and the total length of “tackle”. The maximum swing radius is calculated at low water level, which is when the mooring “tackle” will be fully extended in high winds (or a high tidal flow), representing the maximum distance the vessel is from the mooring block.

Based on the Applicant-supplied sub-surface mooring survey, the assessed swing radius associated with M59 was identified as overlapping with surrounding mooring M60 (resource consent processing)⁸, the location of which can be seen in Figure 1 above. However, the QLDC Harbourmaster has confirmed that any overlap with this adjacent mooring is within the allowable limit provided any vessel using M59 is limited to 8m in overall length. This has been volunteered by the Applicant, and on this basis, the location of M59 is supported from a navigational safety perspective.

In terms of jetty S14, the Applicant provided evidence from a suitably qualified person that the jetty was structurally sound and fit for purpose. On this basis, the QLDC Harbourmaster has confirmed there are no navigational safety concerns relating to the proposed jetty, which is a conclusion accepted for the purposes of this report.

Overall, it is considered that lawfully establishing jetty S14 and mooring M59 in their current locations will result in no more than minor adverse effects on navigational safety on Whakātipu-Wai-Māori.

iii. Effects on recreation:

With respect of effects on recreation, further to the Applicant's assessment at Section 5 of the AEE, it is noted that comment was received from the QLDC Parks and Reserves Team in relation to the jetty, which is attached to recreation reserve land. In the email comment dated 31.5.22 from the QLDC Parks Planning

⁵ Approved by resource consent RM070403.

⁶ Paragraph 25 of RM070403 decision.

⁷ Paragraph 26 of RM070403 decision.

⁸ Refer to RM220373 in QLDC records.

Team⁹, the retention of the subject jetty will not create any additional development along the lake foreshore, and they have no objection to the jetty's location or presence. The relevant Sunshine Bay to Frankton and Kelvin Heights Reserve Management Plan ("RMP") provides for structure to be established subject to the District Waterways Authority approval and design guidelines.

Further, with respect of the mooring, the Parks memo notes that although the mooring will be visible, it will not affect the experience for users along the Kelvin Peninsula Trail. These conclusions are accepted for the purposes of this report.

Taking the above assessment into consideration, as well as that within the AEE, adverse effects on recreation are considered to be no more than minor.

iv. 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 Whakātipu-Wai-Māori as being located within Wāhi Tūpuna Site 33 within Schedule 39.6. Whakātipu-Wai-Māori is described as being key in numerous Kāi Tahu¹⁰, pūrakau (stories) and has a deep spiritual significance for the mana whenua whose takiwā includes the lake. For generations, the Lake also supported nohoaka, kāika, mahika kai as well as transportation routes for pounamu.

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 mooring and jetty within statutory acknowledgement and wāhi tūpuna areas have on cultural values. Of relevance, some of the threats to wāhi tūpuna area 33 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 and jetty 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 Whakātipu-Wai-Māori holds for Manawhenua. In considering the existing and proposed location of this mooring/jetty within an already modified environment, it is considered that adverse cultural effects on the environment are minor.

v. 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, navigation and water safety, cumulative effects and recreation values, will be no more than minor. Adverse effects on cultural values will be minor.

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

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

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

i. Effects on the lake bed/ecological values;

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

⁹ Publicly viewable on QLDC's eDocs system: <https://edocs.qldc.govt.nz/>

¹⁰ 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".

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 or jetties are used by vessels that are also used in other waters. Moorings and jetties may encourage this transfer. Additionally, discharge of contaminants from vessels could also affect water quality including from fuel, oil or wastewater if discharged when moored. In an email dated 20.08.26, the Applicant has volunteered conditions of consent to ensure that all reasonable precautions are taken to minimise the spread of pest plants and aquatic weed, and ensuring no waste product enters the lake when the mooring/jetty are in use. Adverse effects on the environment in this regard are therefore considered to be no more than minor and appropriately remedied/mitigated.

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

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

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

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

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

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

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

The application does not contain any information from Kāi Tahu on the effects its mooring may or may not have on Kāi Tahu cultural values. Without input from Kāi Tahu on cultural effects, the proposal has to be seen as a potential threat to the values that Whakātipu-Wai-Māori holds for Manawhenua. In considering the location of this mooring within an already modified environment adjacent to an urban area 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 Whakātipu-Wai-Māori to Kāi Tahu, as identified within Schedule 1D of the ORP:W, are considered to be minor.

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

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

3.4 Step 4 – Public Notification in Special Circumstances

There are no special circumstances in relation to this application.

4.0 LIMITED NOTIFICATION (s95B)

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

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

Determination under s95B(2)

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

Determination under s95B(3)

The consent authority must determine –

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

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

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

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

Te Rūnanga / Rūnaka o Ngāi Tahu

The assessment contained within Section 3.3.3 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 / jetty 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/jetty may or may not have on Kāi Tahu cultural values.

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

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

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

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

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

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

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

Boundary activity

The proposal is not a boundary activity.

Any other activity

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

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

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

4.3.1 [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:

The Applicant has provided an assessment of effects on persons at Section 6.2 of the AEE, including an assessment on adjacent land owners/occupiers, adjacent jetty/mooring owners, and Fish & Game New Zealand. This assessment is considered adequate and is adopted for the purposes of this report.

Further to this assessment, as noted in Section 3.3.3 above, the existing jetty located to the north-east which is within 200m of the subject jetty. This adjacent jetty has been lawfully established under the RMA. However, given the jetties are separated by over 125m, and taking into consideration the conclusions reached in Section 3.3.3 above, this jetty owner is not considered to be adversely affected by the proposal.

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

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

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

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

Special circumstances do not apply that require limited notification.

5.0 NOTIFICATION DETERMINATION

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

Prepared by

Decision made by

Rebecca Holden
CONSULTANT PROCESSING PLANNER

Jane Sinclair
INDEPENDENT COMMISSIONER

6.0 APPENDICES LIST

APPENDIX 1 – Applicant's AEE

APPENDIX 2 – Navigational Safety Report – M59

APPENDIX 3 – Navigational Safety Report – S14

APPENDIX 1 – APPLICANT’S AEE

Resource Consent Application

To:

Queenstown Lakes District Council

Rosemary & Nigel Walkington

Retention of Existing Swing Mooring #59
& Jetty #S14C

Lake Whākatipu – Adjacent to 627
Peninsula Road, Kelvin Heights

13 May 2022



Application Summary

Applicant: Rosemary & Nigel Walkington

Application: Application under Section 88 of the Resource Management Act 1991 (RMA) for a land use consent to retain existing swing mooring #59 and jetty #S14C.

Location: Lake Whākatipu; south-western area of the Frankton Arm

Legal Description: N/A

District Plan (Operative) Zoning: Rural General

District Plan (Proposed) Zoning: Rural; Wāhi Tūpuna Overlay (33 – Lake Whākatipu)

Activity Status: Non-Complying

The following is an assessment of environmental effects that has been prepared in accordance with Schedule 4 of the Resource Management Act 1991 (RMA). The assessment of effects corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

1. PROPOSAL AND SITE DESCRIPTION

Background to Application:

Since 1 July 2021, the QLDC's in-house property team has been responsible for processing and issuing jetty and mooring permits. This change has provided Council with the opportunity to review historical information held on jetties and moorings across the district. QLDC are currently going through a process of validating all existing information held on jetties and moorings in the District.

The RMA (through the Queenstown Lakes Operative and Proposed District Plans, and Otago Regional Plan: Water) regulates jetties and moorings in the District/Region, and imposes a requirement for a resource consent to be granted for these. Existing use rights for any jetty or mooring that obtained approval under the Harbours Act 1950 (now repealed) are now deemed to be extinguished and a resource consent is required.

As will be described below, the jetty and mooring subject to this application have both existed for a long time. Consent is sought to retain this under the provisions of the RMA.

Proposal Description:

Consent is sought to retain an existing swing mooring and jetty in the south-western area of the Frankton Arm of Lake Whakātipu, associated with the property at 627 Peninsula Road, Kelvin Heights. The Applicant is the registered owner of both the mooring and jetty – and holds current permits for these from the Council.



Figure 1 – Existing Jetty #S14C & Swing Mooring #60 Location in Relation to 627 Peninsula Road



Figure 2 – Existing Jetty #S14C

The swing mooring is registered with QLDC as mooring #59 with the approximate location: N 5564905 E 2170319 (identified in Figure 1), and is used for private purposes.

An inspection report has been undertaken on the mooring by Event Water Safety, which found that it was appropriate for vessel and positioning, with system upgrades required to meet newly-issued QLDC recommendations and replace worn components. The mooring block is to be retained while chain, shackles and swivels are to be replaced with new rated components as per QLDC mooring guide specifications.

The jetty (as seen in Figure 2) is located opposite 627 Peninsula Road and has an approximate location of -45.043748, 168.687489. This jetty is used for private purposes, but is also available for public use.

An inspection report has also been undertaken on the jetty by Event Water Safety. This inspection report has found that the structure is well-maintained and suited for purpose. The posts show good integrity and no movement suggesting that they are set sufficiently deep into the ground. Minor maintenance is recommended in terms of securing boards, tightening bolts, and the replacement of one joist.

Resource consent is sought to retain swing mooring #59 and jetty #S14C and undertake the recommended maintenance as outlined in the Event Water Safety inspection reports.

Pursuant to section 123(c) of the RMA, a duration of between five years and up to a maximum of 35 years applies to activities that contravene Section 13 (Restriction on certain uses of beds of lakes and rivers) of the RMA unless specified otherwise. A consent duration of 35 years is sought.

Site Locality, Description & History

Mooring #59 is located in the south-western extent of the Frankton Arm of Lake Whakātipu, in proximity of the residential property at 627 Peninsula Road. Figure 1 demonstrates the location of the mooring in relation to 627 Peninsula Road. The mooring is used by the occupants the property for personal/non-commercial use.

The mooring has existed in the subject location for years/decades. A request has been made with QLDC's Property Department to advise how many years the mooring has had QLDC permit fees paid. Once an answer to this question has been provided, this information will be forwarded onto the allocated Processing Planner.

Jetty #S14C is also located in the south-western extent of the Frankton Arm of Lake Whakātipu directly across the Kelvin Heights Track from 627 Peninsula Road (seen in Figure 1). The jetty is constructed of R3 treated timber and is 20m in length, 1.5m width with 200mm diameter posts.

A jetty has existed in the subject location for decades. The Applicant has reached out to the Jones Family, who established the original jetty back in the 1960's, to better understand the history. The following response was received:

"The original jetty was 100metres or so towards the west, and was shared by jones/swan/kindly. (60's)Then it was rebuilt (70's) in the current spot, a jones/kindly syndicate although they had a mooring as well. When the council required them all to be checked and registered,(date???) it was done and I recall a reg number and label displayed on an outer post. So if the council kept records, it should still be there under P Bruce Jones. I'm not sure but I think it was still a jones/kindly syndicate, sharing the reg costs. Barbara Swan may have a better picture of that and later/current status."

Original approval documentation for a jetty under the Harbours Act 1950 has also been located (dated 1963, 1982) and is attached to this application.

A photograph of a jetty in the subject location has also been located (taken circa 2002), as shown in Figure 3 below. This documentation and anecdotal evidence makes it clear that a jetty in the subject location has existed for decades.



Figure 3– Jetty in Subject Location Adjacent to 627 Peninsula Road (Taken Circa 2002)

A request has also been made with QLDC's Property Department to advise how many years the jetty has had QLDC permit fees paid. Likewise, once a response from the Property Department is received, this will be forwarded onto the Processing Planner. The Applicant holds a current (2021-2022) permit for the structure – and is attached to the application.

2. ACTIVITY STATUS

2.1 THE OPERATIVE DISTRICT PLAN

The lake is zoned Rural General by the ODP and the proposed activity requires resource consent for the following reasons:

- A **discretionary** activity resource consent pursuant to Rule 5.3.3.3(iv)(a) for any structure or mooring which passes across or through the surface of any lake and river or is attached to the bank of any lake and river, other than where fences cross lakes and rivers, except in those locations where such structures or moorings are shown on the District Plan Maps as being non-complying. The location of the jetty is along a part of the south-western foreshore of the Frankton Arm of Lake Whākatipu where all structures and moorings are non-complying except for jetties.
- A **non-complying** activity resource consent pursuant to Rule 5.3.3.4(a)(ii) for structures or moorings passing across or through the surface of any lake or river or attached to the bank of any lake or river in those locations on the District Plan Maps where such structures or moorings are shown as being non-complying. The existing and long-established mooring is located within the non-complying line on the District Plan maps.

The application is therefore considered to be a **non-complying** activity under the Queenstown Lakes Operative District Plan

2.2 THE PROPOSED DISTRICT PLAN

The surface of the lake is zoned Rural in the PDP and the proposed activity requires resource consent under the PDP for the following reasons:

- A **restricted discretionary** activity resource consent pursuant to Rule 21.15.6 with respect to jetties and moorings in the Frankton Arm identified as the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan Maps. Discretion is restricted to:
 - whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands;
 - whether the structure causes an impediment to craft manoeuvring and using shore waters.
 - the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline;
 - the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect;
 - whether the structure will be used by a number and range of people and craft, including the general public;
 - the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design.
- A **non-complying** activity pursuant to Rule 21.15.8 for any structure or mooring that passes across or through the surface of any lake or river or attached to the bank of any lake or river in those locations on the District Plan web mapping application where such structures or moorings are shown as being non-complying.

- A **non-complying** activity pursuant to Rule 21.16.2 for jetties and moorings in the Frankton Arm, identified as the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan web mapping application. No new jetty within the Frankton Arm identified as the area east of the Outstanding Natural Landscape Line shall:
 - Be closer than 200 metres to any existing jetty;
 - Exceed 20 metres in length;
 - Exceed four berths per jetty, of which at least one berth is available to the public at all times;
 - Be constructed further than 200 metres from a property in which at least one of the registered owners of the jetty reside.

Note: Resource consent is required pursuant to the above rule as the existing jetty is located within 200m of another jetty (approx. 120m to the north-east). It is not known if this other jetty has been legally consented under the RMA. Furthermore, it is understood this other jetty was constructed circa 2005, meaning the jetty subject to this application (adjacent to 627 Peninsula Road) well and truly pre-dates this other structure.

The application is therefore considered to be a **non-complying** activity under the Queenstown Lakes Proposed District Plan.

2.3 THE OTAGO REGIONAL COUNCIL PLAN: WATER

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

The proposed activity requires resource consent 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.

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

2.4 SUMMARY: ACTIVITY STATUS

The application is considered to be:

- a non-complying activity under the ODP;
- a non-complying activity under the PDP; and
- a discretionary activity under the Otago Regional Water Plan.

Overall, the application is being considered and processed as a **non-complying** activity.

3.0 SECTION 95A NOTIFICATION

Step 1 – Mandatory public notification

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

Step 2 – Public notification precluded

- Public notification is not required by any rule of national environmental standard.
- The proposal is not a controlled activity or (solely) a boundary activity.

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

- Public notification of this application is not specifically required under a rule or national environmental standard.

A consent authority must publicly notify an application if it decides under s95D(8)(b) that the activity will have or is likely to have adverse effects on the environment that are more than minor. An assessment in this respect is therefore made in Section 5 below.

Step 4 - public notification in special circumstances

In this case it is considered that no special circumstances exist.

4.0 EXCLUSIONS FROM ASSESSMENT (s95D(D))

a) *The Council must disregard any effects on persons who own or occupy:*

- ii) *the land in, on, or over which the activity will occur; or*
- iii) *any land adjacent to that land; and*

In this instance, the persons considered to be those listed above are marked with a red 'X' in Figure 4 below:



Figure 4 – Existing Mooring #59, Jetty & Adjacent Persons

- b) *may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect; “the permitted baseline”:*

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 there is not considered to be any permitted baseline, given that the District Plan and Regional Plan: Water requires a resource consent for structures/jetties/moorings within lakes and rivers.

- c) *in the case of a restricted discretionary activity, must disregard an adverse effect of the activity that does not relate to a matter for which a rule or national environmental standard restricts discretion:*

N/A

- d) *must disregard trade competition and the effects of trade competition:*

N/A

- e) *must disregard any effect on a person who has given written approval to the relevant application:*

While no person has yet provided written approval at the time of resource consent lodgement, consultation is ongoing with following persons/entities, and will be forwarded to Council in due course:

Person (owner/occupier)	Address (location in respect of subject site)
The Commissioner for Crown Lands, Land Information New Zealand	Landowner

Aukaha	N/A – Iwi Consultation Entity
Te Ao Marama Incorporated	N/A – Iwi Consultation Entity

As per QLDC practice, it is requested that the Processing Planner formally request comment from the following persons, if considered necessary:

Person (owner/occupier)	Address (location in respect of subject site)
QLDC Harbourmaster	Administrator of the District's Lakes & Rivers on behalf of QLDC
Maritime NZ (New Zealand Maritime Safety Authority)	Crown entity responsible for protecting the maritime/marine environment within New Zealand and maintaining safety and security.
QLDC Parks and Open Spaces Department	Owner / Administrator of Public Walking/Cycling Tracks and Marginal Strips

5.0 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT (s95D)

The following assessment of effects on the environment a) includes the information required by clause 6 (Schedule 4 of the RMA); 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.

For readability, the following assessment does not use the specific wording outlined in clauses 6 and 7. However this assessment has been prepared to address the requirements of these clauses.

It is considered the proposal raises the following actual and potential effects on the environment:

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

Landscape, visual and amenity effects

The key matter of PDP discretion in regard to jetties and moorings (Rule 21.15.6) is *whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands*"; and: *"the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design"*.

The jetty and swing mooring have existed within the Frankton Arm for decades, and have very much become an established part of the landscape.

Neither the mooring or jetty are positioned on a headland etc – and are not readily visible unless a boat is attached. Even if a boat is attached, the resulting effects on the landscape

and visual amenity values will be easily absorbed by the surrounding environment – being trees, foreshore, bank and buildings located above on the properties adjacent to Peninsula Road.

Accordingly, adverse effects on the environment will be less than minor with respect to landscape, visual effects, and effects on amenity.

Navigation and water safety

As per standard QLDC practice, it is expected that once this application is in process with Council, the allocated Processing Planner will seek comment from the Queenstown Harbourmaster with respect to navigation and water safety.

Regardless, inspection reports by EWS have been commissioned – with recommended upgrades/maintenance to ensure safety.

Neither the mooring or jetty will not cause an impediment to craft manoeuvring or using shore waters. They are not in a key line of movement for water-based vessels, but rather are discretely positioned in an area of the Frankton Arm that is well-separated from other key uses/demand for water-based navigation.

Accordingly, adverse effects on the environment will be less than minor with respect to navigation and water safety.

Effects on recreation

In terms of water-based recreation (i.e. boating, swimming, water skiing etc activities), the jetty and mooring are not located within a well-used area of the Frankton Arm in this regard. The position of the jetty/mooring will not conflict with any water based recreation use.

One matter of discretion is “*whether the structure will be used by a number and range of people and craft, including the general public*”. As the jetty is not in an area of significant interest to the general public (i.e. no attractions/land uses of significance), it is unlikely that there will be sustained public demand to utilise the jetty. Regardless, the jetty will be available for public use should the need arise.

The public Kelvin Heights Track is located in proximity to the jetty. However, the track is actually above and to the side of the jetty. The position of the jetty does not result in an impediment to the users of the track in any manner.

While comment will be sought from the QLDC's Parks & Open Spaces Department, it is considered that the proposal will not result in any adverse effects on the Kelvin Heights Track – either in terms of users of the track, or maintenance requirements.

As such, adverse effects on the environment are considered to be less than minor with respect to recreation values.

Cumulative effects

The relevant matter of discretion in this regard is “*effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect.*”

The proposed jetty and mooring have existed in the subject location of the Frankton Arm for a long time and have become a well-settled feature of the landscape. While there are other jetties / moorings in the wider area alongside the south-western foreshore of the Frankton Arm, they are not highly concentrated in this location.

The mooring will accommodate a single vessel, and the jetty is comparatively small scale and used for private rather than commercial use. Accordingly, the level of ‘demand’ for both is considered to be low, which minimises potential cumulative effects.

Therefore, the proposal will not lead to congestion or clutter around the shoreline, nor contribute to adverse cumulative effects that are minor or more than minor.

Effects on the lake bed

The proposed retention of the existing jetty and mooring will result in insignificant adverse effects on the lake bed. While maintenance will be undertaken and elements replaced/upgraded to meet current QLDC standards – this is considered a positive effect as it will ensure the integrity of the structures and avoid adverse effects on the lake bed.

As such adverse effects on the lake bed of Lake Whakātipu will be less than minor.

Cultural Values

Consultation is underway with both Aukaha and Te Ao Marama Incorporated – entities who facilitate consultation with Rūnanga. Regardless of this consultation, the proposed retention of a long-existing jetty and mooring will not result in adverse effects on Manuwhenua values that are minor or more than minor.

Summary – Adverse Effects on the Environment

Overall the proposed retention of a long-existing jetty and mooring is considered to generate adverse effects on the environment that are minor or less than minor.

6.0 EFFECTS ON PERSONS

6.1 MANDATORY EXCLUSIONS FROM THE S95E ASSESSMENT

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

Lake Whākatipu is a statutory acknowledgement area. Consultation with Te Ao Marama Incorporated and Aukaha is on-going. It is expected that written approval from these entities will be forwarded to Council. Accordingly the person to whom the statutory acknowledgement is made is not determined an affected person under section 95E (s95B(3)), and therefore Step 1 is satisfied.

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 NES that precludes notification.
- Limited notification is not precluded under Step 2 as the proposal is not a controlled activity and is not a prescribed activity.

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

- Limited notification is not precluded under Step 3 as the proposal is not a boundary activity where the owner of an infringed boundary has provided their approval, and it is not a prescribed activity.
- Limited notification is not precluded under Step 3 as the proposal falls into the ‘*any other activity*’ category and the effects of the proposal on persons are assessed in section 6.2 below.

6.2 ASSESSMENT: EFFECTS ON PERSONS AND CONSULTATION

As outlined above, consultation with the Commissioner for Crown Lands (LINZ), Aukaha, and Te Ao Marama Incorporated is ongoing and will be forwarded to Council when a response is received.

As per standard QLDC practice, it is expected that the QLDC Planner will request comment from the Queenstown / Wanaka Harbourmaster, Maritime NZ, and QLDC Parks/Open Spaces Department (if considered necessary).

Adjacent Land Owners/Occupiers

Adjacent land owners/occupiers are considered to be 631, 623, 619 & 615 Peninsula Road. The proposed retention of a long-existing jetty and mooring will not adversely affect these parties in any manner. The jetty/mooring may be visible from their properties – but this will be at a distance and partially screened by the willow trees lining the foreshore. Accordingly, adverse effects on their views/outlook or residential amenity will be less than minor.

The retention (and maintenance) of the jetty/mooring will not affect access to their properties in any manner. The jetty will be publicly accessible and thus able to be used by these neighbouring property owners/occupiers, should they desire.

With respect to QLDC as adjacent land owner of the adjoining marginal strip containing the Kelvin Heights Track, the proposed retention of the existing jetty / mooring will not affect this entity in any matter, nor the ability for QLDC to undertake maintenance on the track. Demand for access to the jetty and mooring will be low given the private-nature, and will not result in adverse effects on the track itself.

Adjacent Jetty / Mooring Owners

While other jetties and moorings are located in the general area, it is not known if these have resource consent. Regardless, the proposed retention of the jetty and mooring will not adversely affect the functioning of these adjacent structures in any manner. The EWS inspection reports have advised that both are fit for purpose, and maintenance will be undertaken to ensure current QLDC standards are complied with.

As such adverse effects on the owners/lessors of nearby jetties and moorings will be less than minor. These persons are not considered adversely affected.

Fish & Game New Zealand

Fish & Game New Zealand is responsible for managing most of New Zealand's game bird hunting and freshwater fishing for species such as trout and salmon.

The mooring and jetty are existing and therefore there is no disturbance to the lakebed. The activity will have very little effect on lake bed disturbance compared with a jetboat or powerboat that can frequent the area as a permitted activity. It is therefore considered that Fish and Game are not affected by the proposal.

Summary – Effects on Persons

Overall adverse effects on persons are considered to be less than minor. No person is considered adversely affected.

7.0 OVERALL NOTIFICATION ASSESSMENT

Given the assessments undertaken and conclusions made in Sections 3-6 above, it is considered that the Council should proceed with processing the application on a non-notified basis.

8.0 RELEVANT REGIONAL POLICY STATEMENT / PROPOSED REGIONAL POLICY STATEMENT

8.1 PARTIALLY OPERATIVE OTAGO REGIONAL POLICY STATEMENT

Section 104(1)(b)(v) requires a consent authority to have regard to any regional policy statement or proposed regional policy statement.

The Regional Policy Statement for Otago 1998 is now revoked. The Partially Operative Otago Regional Policy Statement 2019 (POORPS2019) was declared partially operative on 15 March 2021.

However, on 26 June 2021, the ORC notified a reviewed Regional Policy Statement 2021 (PRPS2021) with submissions closing on 3 September 2021. Decisions on the PRPS2021 have not yet been made.

POORPS2019

The POORPS2019 is a high-level, over-arching regional planning policy document, which is implemented through the provisions of the relevant plans (most notably now the QLDC PDP and Otago Regional Plan: Water).

Objective 3.1 (*The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded*) and associated policies are most relevant. These policies seek to safeguard and enhance the life-supporting capacity of fresh water and (of relevance) to maintain and enhance amenity and landscape values of rivers, lakes, and wetlands.

The proposed jetty and mooring will not adversely affect the health of Lake Whākatipu. Maintenance is planned to ensure they will be up to current QLDC standards and avoid associated effects. The assessment of effects on the landscape undertaken throughout this assessment has concluded that such effects will be less than minor, and appropriate in the context.

Accordingly, the proposal is considered to align with the relevant objectives and policies of the POORPS2019.

PRPS2021

In terms of the PRPS2021, the relevant objectives and policies seek to ensure that the mauri of Otago's water bodies and their health and well-being is protected (and restored where it is degraded). The proposed jetty/mooring will not affect the health and well-being of Lake Whākatipu and therefore the proposal is consistent with the relevant objectives and policies within the PRPS2021.

Overall the proposal is consistent with the relevant objectives and policies contained within the POORPS2019 & PRPS2021.

9.0 RELEVANT PLANS / PROPOSED PLANS

9.1 OBJECTIVES AND POLICIES – QLDC OPERATIVE DISTRICT PLAN

Relevant objectives and policies of the Operative District Plan are found in Chapters 4 (*District-Wide Issues*), and 5 (*Rural Areas*).

Chapter 4: District-Wide Issues

The proposal will align with Objective 1 (Nature Conservation Values) as it will not adversely affect the natural character of the Lake (policy 1.13).

The proposal will also align with the objectives and policies relating to landscape and visual amenity values. In particular, the proposal will align with policy 4.2.5(9) relating to structures - as the visual coherence and amenity of the ONL will not be affected to a degree that is minor or more than minor. Both the jetty and mooring will be in harmony with the line/form of the landscape.

The proposal is also considered to align with the provisions of 4.3 *Takata Whenua*, given the assessment made through this report and on-going consultation with Aukaha & Te Ao Marama Incorporated.

Chapter 5: Rural Areas

The proposal will align with Objective 1 (*Character and Landscape Value*) as it will not affect the visual coherence of the landscape (policy 1.7).

Also highly relevant is Objective 4 (*Life Supporting Capacity of Water*). The proposal will not affect the life-supporting capacity of the lake (policy 4.1) for the reasons outlined in this report – namely that both jetty and mooring are long-existing and maintenance will be undertaken to ensure integrity.

Summary – ODP Objectives and Policies

Overall the proposal is considered to align with the objectives and policies of the Operative District Plan.

9.2 OBJECTIVES AND POLICIES – QLDC PROPOSED DISTRICT PLAN

Relevant objectives and policies of the Proposed District Plan are found in Chapters 5 (*Tangata Whenua*), 21 (*Rural*) and 39 (*Wāhi Tūpuna*).

Chapter 5 (Tangata Whenua)

Objective 5.3.1 seeks that consultation with tangata whenua occurs - both TAMI and Aukaha representing the Manuwhenua of this District. In this case consultation with these entities is has commenced.

Objective 5.3.5 seeks that Wāhi tūpuna and all their components are appropriately managed and protected. While the subject location is within a Wāhi tūpuna – for the reasons considered in this report, the Wāhi tūpuna will be adequately protected.

Chapter 21 (Rural)

Objective 21.2.3 and associated policies seek that the life supporting capacity of water is safeguarded through the integrated management of the effects of activities.

Objective 21.2.12 seeks that the natural character of lakes and rivers and their margins is protected, maintained or enhanced, while providing for appropriate activities on the surface. This is given effect to by policies 21.2.12.1 - 21.2.12.10. Of particular relevance, the proposal will align with these provisions as:

- Statutory obligations, wāhi Tūpuna and the spiritual beliefs, and cultural traditions of tangata whenua have been considered through consultation (policy 21.2.12.1).
- The proposal will enable people to have access to recreational opportunities on the lake (21.2.12.2).

- The proposal is highly unlikely to affect nesting and spawning areas of fish, the intrinsic value of ecosystem services and areas of indigenous fauna habitat, or recreational values (21.2.12.5).
- The proposal will either provide for or not affect public access to and enjoyment of the margins of the lakes (21.2.12.6).
- The location and design of the proposal is such that any adverse effects on visual qualities, safety and conflicts with recreational and other activities will be less than minor and effectively avoided/mitigated (21.2.12.7).

Chapter 39 (Wāhi Tūpuna)

The objective and policies of Chapter 39 seek Manawhenua values, within identified wāhi tūpuna areas, are recognised and provided for. The proposal will occur within a Wāhi tūpuna area. Specifically, policy 39.2.1.4 encourages consultation with Manawhenua as the most appropriate way for obtaining understanding of the effects of any activity on Manawhenua values in a wāhi tūpuna area.

As explained previously, consultation with both Aukaha & Te Ao Marama Incorporated is being undertaken. Regardless, it is considered that the proposal is unlikely to adversely affect Manawhenua values.

Summary – PDP Objectives and Policies

Overall the proposal is considered to align with the objectives and policies of the Proposed District Plan.

ODP vs PDP Objectives and Policies – Weighting

A weighting exercise is only necessary where there is a difference between the ODP and PDP in respect of anticipated outcomes, which in turn lead to a differing outcome on the resource consent application under the decision-making framework. I conclude that no difference in those provisions arises between the ODP and PDP. Accordingly, no weighting assessment is necessary.

9.3 OTAGO REGIONAL PLAN: WATER

The Otago Regional Plan: Water for Otago became operative on 1 January 2004, and is the primary document that manages water within the Otago region's boundaries.

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

Chapter 8 contains objectives and policies relating to activities on the beds and margins of lakes and rivers. Specifically, the objectives and policies seek to maintain the stability and function of structures located in, on, under or over the bed or margin of any lake or river; to minimise water clarity caused by bed disturbance, and to not affect the habitat of fish.

In this case the proposal is for the retention (and maintenance) of a long-established jetty and swing mooring. The assessment undertaken throughout this report has found the retention of these will not represent an inappropriate use of the lake margin. Public access to/from the lake will be maintained.

Both jetty and mooring will be maintained/upgraded to comply with current Council standards and maintain stability. The proposal will not affect water clarity nor the habitat of fish.

Overall the proposal is considered to align with the relevant objectives and policies of the Otago Regional Plan: Water.

Summary – Relevant Plans / Proposed Plans

Overall the proposal is considered to not be contrary to the relevant objectives and policies of the Queenstown Lakes District Operative & Proposed District Plans; and Otago Regional Plan: Water

10.0 OTHER MATTERS

Section 104(1)(c) of the Resource Management Act directs the consent authority to have regard to any other matter that the consent authority considers relevant and reasonably necessary to determine the application. These are considered to be the following:

Kai Tahu Ki Otago Natural Resource Management Plan 2005 (KTKO NRMP)

As outlined above, consultation with Aukaha is on-going and the outcome of such will be forwarded to Council once received.

Chapter 5 of the KTKO NRMP relates to the Otago catchments in general, while Chapter 10 relates to the Clutha/Mata-au Catchments, which the proposed location falls within.

The relevant provisions of Chapter 5 (Wai Māori General Issues – 5.3.3) seek to recognise the spiritual and cultural significance of water; ensure healthy water quality with minimal contaminants and no human waste; and resolve water ownership issues.

With regard to Chapter 10, policy 10.5.3 (Cultural Landscapes Policies in the Clutha/Mata-au Catchments) contains specific provisions relating to jetties and moorings. Specifically, and of relevance, these include:

- To require that all moorings situated in the vicinity of nohoaka and camping sites to be publicly available.

- To require jetties to be at a fixed location and any effects of earthworks or from the ongoing operation of jetties and be remedied or mitigated.
- To require jetties and moorings to be located where they will not impede or restrict access to lakes, rivers and wetlands.

In this case the proposed jetty will be available for public use, and at a fixed location. No earthworks are proposed, and adverse effects will be effectively avoided and mitigated through scheduled maintenance work. The jetty / mooring will not impede or restrict access to the lake in any manner.

The retention/maintenance of the existing mooring will not impede or restrict access to the lake in any manner, nor is located in the vicinity of nohoaka or camping sites

As such the proposal will align with the relevant provisions of the KTKO NRMP.

Te Tangi a Tauria, 2008 (Ngai Tahu ki Murihiku Natural Resource Management Plan)

As outlined above, consultation with Te Ao Marama Incorporated is on-going and the outcome of such will be forwarded to Council once received.

This management plan does not directly address jetties / moorings outside of the Coastal Marine Area or Fiordland. However, provisions 3.5.10-3.5.20 are applicable to High Country Lakes and Waterways and therefore is the most relevant in the context of this application.

Specific policies seek to protect and enhance the mauri of freshwater resources throughout Murihiku; to manage our freshwater resources wisely, promote the management of freshwater according to the principle of ki uta ki tai, and thus the flow of water from source to sea; promote catchment management planning (ki uta ki tai); and to protect and enhance the customary relationship of Ngāi Tahu ki Murihiku with freshwater resources.

The proposed jetty and mooring will be maintained and not affect either water quality, or the flow of water to the sea. The proposal will not affect Ngāi Tahu ki Murihiku's relationship with the freshwater resource.

As such the proposal will align with the relevant provisions of Te Tangi a Tauria.

QLDC Navigational Safety Bylaw 2018

The QLDC's Navigational Safety Bylaw 2018 has several purposes including regulating the placing and maintenance of moorings and maritime facilities. Part 9 of the bylaw specifically regulates moorings, and imposes a requirement to obtain a mooring permit from the Council for the placement/retention of a mooring.

The proposal is the retention of a long-existing mooring that has successfully been present within the lake for many years. The Applicant holds a mooring permit(s) from the Council (including paying the annual permit fee). The proposal does not raise any obvious

navigation safety issues. However, it is acknowledged that comment on the application will be sought from the Harbourmaster by the Processing Planner.

As such, the proposal is considered to align with the provisions of the QLDC Navigational Safety Bylaw 2018.

QLDC Jetties and Moorings Policy 2007 (For the Frankton Arm and other environs of Lake Wakatipu)

This QLDC Policy seeks to protect the natural character and amenity of the Frankton Arm and environs while facilitating access to and use of the lake by the community.

With respect to jetties, this policy seeks to minimise engineering & amenity issues, ensure the ownership is related to a person who owns a property within 200m of the jetty, and ensure the structure is well-managed, including being available for public use.

In this case the jetty will have standard maintenance undertaken on it to bring it up to current QLDC standards, will be associated with the property at 627 Peninsula Road (within 200m), and will be available for public use.

With respect to moorings, this policy seeks to minimise effects on foreshore character and amenity (including cumulative effects) and ensure moorings are a maximum of 60 metres from the lake edge/minimum 30m apart. They should be simple swing moorings.

The proposed swing mooring will be within 60m of the lake edge, greater than 30m from any other mooring, and is a simple swing mooring.

As such the proposal will align with the QLDC Jetties and Moorings Policy 2007.

QLDC Waterways & Ramp Fees Bylaw 2014

The Council's Waterways & Ramp Fees Bylaw 2014 requires a mooring permit to be obtained from Council (for a mooring), and a maritime structure permit to be obtained from Council (for a jetty). In both cases the owner of the permit must maintain their mooring/jetty to a safe and acceptable condition.

In this case the relevant permit(s) have been obtained throughout the years. An inspection report has been commissioned and maintenance is proposed to ensure a safe and effective operation.

As such the proposal will align with the QLDC Waterways & Ramp Fees Bylaw 2014.

Summary – Other Matters

Overall proposal is considered to be consistent with these relevant documents noted above.

11.0 PARTICULAR RESTRICTIONS FOR NON-COMPLYING ACTIVITIES

Section 104(D) prescribes that consent can only be granted for a non-complying activity if the adverse effects of the activity on the environment are no more than minor, or the activity will not be contrary to the objectives and policies of the District Plan.

In this instance, the above assessment has determined that the adverse effects of the activity on the environment will be no more than minor, and the proposal is also not contrary to the relevant objectives and policies of the relevant Plans.

Therefore, it is determined that the Council can proceed to making a substantive decision on this application.

12.0 PART 2 OF THE RESOURCE MANAGEMENT ACT

Section 5 of the RMA sets out the purpose of the Act – to promote the sustainable management of natural and physical resources. Given the assessment of effects undertaken above, it is considered that the proposal will represent sustainable management.

Section 6 of the RMA sets out the matters of national importance. Of particular relevance is matters (a), (b), (d) and (e).

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

The assessment undertaken throughout this report has found that the proposal will not adversely affect the natural character of Lake Whakātipu to a degree that is minor, or more than minor. While located within an outstanding natural landscape, the assessment has found that adverse effects on the ONL will be less than minor, and appropriate in the context.

The proposal will not affect public access to the lake or rivers.

Both Te Ao Marama Incorporated & Aukaha have been consulted on the proposal, ensuring adequate consideration of the effects on Maori values.

The proposal will align with the requirements of Section 7 of the RMA by representing kaitiakitanga, the ethic of stewardship, and the maintenance of the quality of the environment. The proposal will not affect the habitat of trout and salmon.

Finally, the proposed activity is highly unlikely to offend any of the Principles of the Treaty of Waitangi as required by Section 8.

Overall the proposed retention and maintenance of swing mooring #59 and jetty #S14C is considered to be consistent with Part 2 of the RMA.

13.0 CONCLUSION

Consent is sought to retain and undertake maintenance on swing mooring #59 and jetty #S14C within the south-western area of the Frankton Arm of Lake Whakātipu; associated with the property at 627 Peninsula Road, Kelvin Heights.

The above assessment has determined that the resulting adverse effects on the environment will be less than minor and effectively mitigated, that no party is considered to be adversely affected, that the proposal will align with the relevant objectives and policies of the District Plan, Regional Plan, and Proposed Regional Policy Statement; and will adhere to the requirements of Part 2 of the RMA.

Accordingly, it is requested that the Council grant resource consent to the proposal on a non-notified basis as sought, subject to appropriate conditions of consent.



Richard Kemp
Planning Consultant

APPENDIX 2 – NAVIGATIONAL SAFETY REPORT – M59

NAVIGATIONAL SAFETY COMMENTS – RESOURCE CONSENT APPLICATION

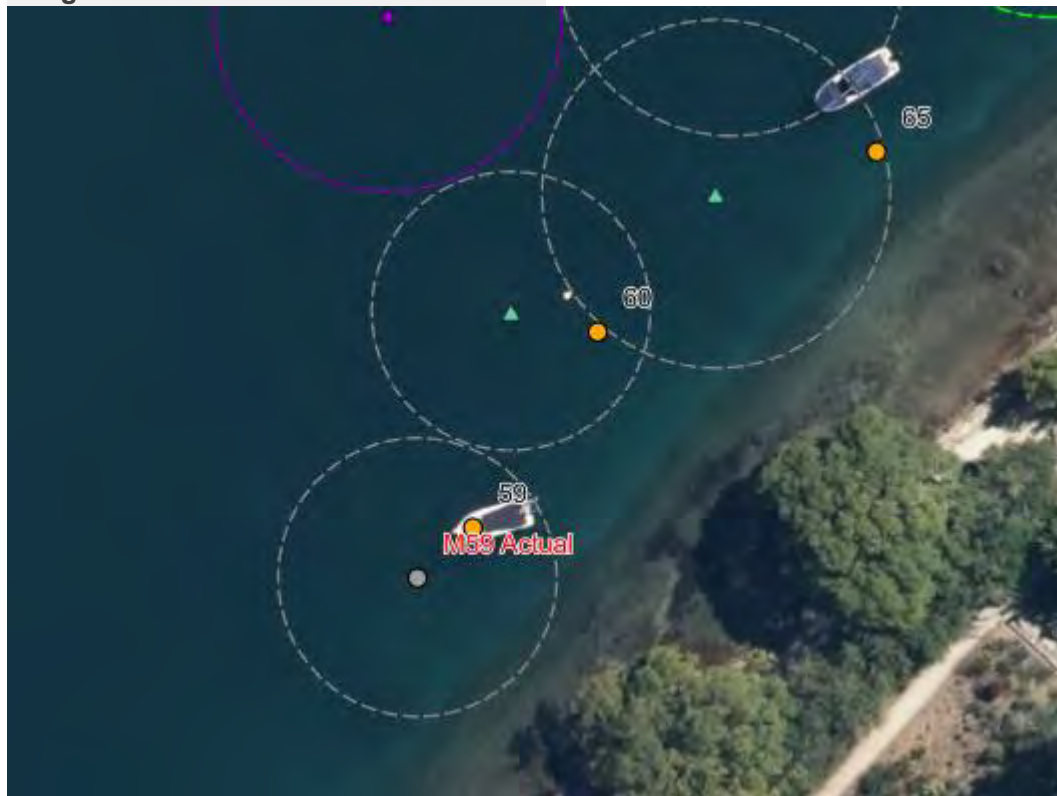
TO: Rebecca Holden

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

DATE: 27th July 2026

APPLICATION DETAILS	
REFERENCE	RM220374
APPLICANT	N & R Walkington
APPLICATION TYPE & DESCRIPTION	Applicant to lawfully establish an existing swing mooring (M59) located on the southern shoreline of the Frankton Arm, Lake Wakatipu.
ADDRESS	Southern side of the Frankton Arm of Lake Wakatipu, Queenstown
ZONE	Rural (PDP) RURAL General (ODP)
SITE ADDRESS	N/A
ACTIVITY STATUS	Restricted Discretionary
VALUATION NUMBER	N/A

REQUEST DETAILS	
FROM (PROCESSING PLANNER)	Rebecca Holden
DATE OF REQUEST	2.07.2026
WORKING DAYS AT TIME OF REQUEST	0
FINAL DATE FOR FURTHER INFORMATION REQUESTS	9.07.2026
DATE REPORT REQUIRED BY:	ASAP
INDICATION OF NOTIFICATION	Limited Notification
TYPE OF COMMENT REQUIRED	Memo
REQUESTED AREAS OF COMMENT	Navigational safety matters including: a) Any navigational safety concerns (e.g. swing radius clash, depth of lake) b) Whether the mooring design is fit for purpose and structurally sound.

MOORING LOCATION DIAGRAM – M59**Latitude** -45.043442 / 45° 02' 36.39" S**Longitude** 168.687455 / 168° 41' 14.84" E

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

1.0 OVERVIEW

Brief Description of Proposal	N & R Walkington have made a Resource Consent application in respect of their existing mooring (M59) located within the Frankton Arm, Lake Wakatipu. The purpose of this resource Consent application is to legalise an existing mooring located at the above location. The application requires Harbourmaster comment on navigational safety, including mooring spacing, potential swing-radius conflict, and whether the mooring arrangement is fit for purpose. The applicant supplied a subsurface mooring inspection survey for M59, 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	RM220374
Waterbodies	Location: Lake Wakatipu

SAFETY MANAGEMENT COMMENTS	A resource consent application for mooring M59 was lodged with Queenstown Lakes District Council. The applicant-supplied mooring inspection report has been reviewed to inform Harbourmaster comment on navigational safety matters. Assessment approach For moorings in congested areas, the assessment considers whether the mooring arrangement provides adequate separation from nearby moorings having regard to the applicant-supplied survey information, vessel length, mooring design, water depth and separation between mooring blocks. Mooring Swing Radius Based on the applicant-supplied sub-surface mooring survey, the assessed swing radius overlaps with surrounding moorings M60 (processing). Using the supplied GPS coordinates, mooring block location, survey specifications, and a vessel length of up to 8.0 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:

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

APPENDIX 3 – NAVIGATIONAL SAFETY REPORT – S14

NAVIGATIONAL SAFETY COMMENTS – RESOURCE CONSENT APPLICATION

TO: Rebecca Holden

FROM: Ricky Campbell, QLDC Harbourmaster

DATE: 27th July 2026

APPLICATION DETAILS	
REFERENCE	RM220374
APPLICANT	N & R Walkington
APPLICATION TYPE & DESCRIPTION	Applicant to lawfully establish an existing Jetty (S14) located on the southern shoreline of the Frankton Arm, Lake Wakatipu.
ADDRESS	Southern side of the Frankton Arm of Lake Wakatipu, Queenstown
ZONE	Rural (PDP) RURAL General (ODP)
SITE ADDRESS	N/A
ACTIVITY STATUS	Restricted Discretionary
VALUATION NUMBER	N/A

REQUEST DETAILS	
FROM (PROCESSING PLANNER)	Rebecca Holden
DATE OF REQUEST	2.07.2026
WORKING DAYS AT TIME OF REQUEST	0
FINAL DATE FOR FURTHER INFORMATION REQUESTS	9.07.2026
DATE REPORT REQUIRED BY:	ASAP
INDICATION OF NOTIFICATION	Limited Notification
TYPE OF COMMENT REQUIRED	Memo
REQUESTED AREAS OF COMMENT	

MOORING LOCATION DIAGRAM – S14

(-45°02'37.46, 168°41'14.92)



1.0 OVERVIEW

Brief Description of Proposal	N & R Walkington have made a Resource Consent application in respect of their existing Jetty (S14) located within the Frankton Arm, Lake Wakatipu. The purpose of this resource Consent application is to legalise an existing Jetty located at the above location. N & R Walkington have had Garry Wright from Wright Building and Dive Services complete an inspection on the identified Jetty S14 on 30.04.2026, Garry Wright is held in high regards as a commercial diver & Builder undertakes this type of surveying on a regular basis, based on this I accept his report as being accurate and complete.
History	RM:220374
Waterbodies	Location: In the Frankton Arm, Lake Wakatipu

SAFETY MANAGEMENT Safety Management comments	A Resource Consent application in regard to the Jetty S14 was filed with the Queenstown Lakes District Council on 27.07.2026. As part of this process, the applicant submits a Jetty survey document from a recent jetty inspection carried out on the structure to show it is fit for purpose and meets the requirements under the Navigational Safety Bylaw 2025 & required building acts, after having the applicant supplied jetty survey document forwarded to myself for a desktop review and comment. Jetty inspection The applicant has supplied a written report supplied by Garry Wright from Wright Diving and Building Services Limited. The report details the construction type and current condition of the above jetty along with jetty measurements etc. From reading this inspection report, I understand that there were no issues or defects detected at the time of inspection and that Garry Wright considers the jetty structure in question to be sound & fit for purpose at the time of inspection. Based on the supplied report showing no structural issues or defects and the inspector considering the structure to be sound I would be in support of this application.
Safety Operation Plan (SOP) comments	Nil Required.
Maritime comment obtained?	No Comment Required from Maritime NZ

3.0 LEGISLATION

- Maritime Transport Act 1994
- Navigation Safety Bylaw 2025

4.0 RECOMMENDED CONDITIONS/ADVICE NOTES

Please see notes above.

5.0 FINAL COMMENT

Prepared by: Ricky Campbell
 Harbourmaster
 Queenstown Lakes District Council

Kind Regards

Ricky

Ricky Campbell

District Harbourmaster

Queenstown Lakes District Council

DDI: 0800 2262851 (24/7)

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TechnologyOne ECM Document Summary

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Class	Description	Doc Set Id / Note Id	Version	Date
PUB_ACC	Form 9	7235214	1	13-May-2022
PUB_ACC	AEE	7235217	1	13-May-2022
PUB_ACC	Jetty and Mooring Location Plan	7235213	1	13-May-2022
PUB_ACC	Mooring Permit 059 2026 - 2027	10216170	1	12-Aug-2026
PUB_ACC	Structure Permit S014C 2026 - 2027 (1)	10216171	1	12-Aug-2026
PUB_ACC	Mooring #59 Inspection Report 2026	9727428	1	02-Jul-2026
PUB_ACC	Jetty #14 Inspection Report 2026	9727429	1	02-Jul-2026
PUB_ACC	Original Jetty Approval Documents (Earliest 1963)	7235209	1	13-May-2022
PUB_ACC	Photo of Jetty (Circa 2002)	7235208	1	13-May-2022
PUB_ACC	LINZ APA Form Signed (RM220373 & RM220374)	8903049	1	21-Jul-2025
PUB_ACC	RM220374 - s176 Authorisation Letter	10270165	1	04-Sep-2026
PUB_ACC	RM220374 - Landowner Approval Letter	10270164	1	04-Sep-2026
PUB_ACC	Evidence of Aukaha Consultation Engagement	7235216	1	13-May-2022
PUB_ACC	Evidence of Te Ao Marama Inc Consultation	7235215	1	13-May-2022



54
APPLICATION FOR RESOURCE CONSENT OR
FAST TRACK RESOURCE CONSENT

FORM 9: GENERAL APPLICATION



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

PLEASE COMPLETE ALL MANDATORY FIELDS* OF THIS FORM.

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: **Rosemary & Nigel Walkington**
(Name Decision is to be issued in)

All trustee names (if applicable):

*Contact name for company or trust: **Nigel Walkington**

*Postal Address: **171 GARDINERS ROAD HAREWOOD 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:

8051

*Email Address: **nwalkington@me.com**

*Phone Numbers: Day **027 2277700**

Mobile: **027 2277700**

*The Applicant is:

☐

Owner

☐

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

☐

Occupier

☒

Lessee

Other - Please Specify:



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

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

CORRESPONDENCE DETAILS //

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

*Name & Company: **Richard Kemp - Pragmatic Planning**

*Phone Numbers: Day **021 104 3405**

Mobile: **021 104 3405**

*Email Address: **richard@pragmaticplanning.co.nz**

*Postal Address: **PO Box 2770
Wakatipu
Queenstown**

*Postcode:

8051

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: **Rosemary & Nigel Walkington**

*Postal Address: **171 GARDINERS ROAD HAREWOOD
CHRISTCHURCH**

*Please provide an email AND full postal address.

*Post code:

8051

*Email: **nwalkington@me.com**



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

Owner Name:

Owner Address:

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

Date:

Names:



DEVELOPMENT CONTRIBUTIONS INVOICING DETAILS //

If it is assessed that your consent requires development contributions any invoices and correspondence relating to these will be sent via email. Invoices will be sent to the email address provided above unless an alternative address is provided below. Invoices will be made out to the applicant/owner but can be sent to another party if paying on the applicant's behalf.

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

Details are the same as for invoicing



Applicant:



Landowner:



Other, please specify:

*Attention: Rosemary & Nigel Walkington

*Email: nwalkington@me.com

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



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

*Address / Location to which this application relates:

Lake Whākatipu; south-west foreshore of the Frankton Arm adjacent to 627 Peninsula Road

*Legal Description: Can be found on the Computer Freehold Register or Rates Notice – e.g Lot x DPxxx (or valuation number)

N/A

District Plan Zone(s): Rural



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

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

YES

☐

NO

☒

Is there a dog on the property?

YES

☐

NO

☒

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

YES

☐

NO

☒

If 'yes' please provide information below



PRE-APPLICATION MEETING OR URBAN DESIGN PANEL

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

☐

Yes

☒

No

☐

Copy of minutes attached

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



CONSENT(S) APPLIED FOR // * Identify all consents sought

☒

Land use consent

☐

Subdivision consent

☐

Change/cancellation of consent or consent notice conditions

☐

Certificate of compliance

☐

Extension of lapse period of consent (time extension) s125

☐

Existing use certificate



QUALIFIED FAST-TRACK APPLICATION UNDER SECTION 87AAC

☐

Controlled Activity

☐

Deemed Permitted Boundary Activity

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

☐

BRIEF DESCRIPTION OF THE PROPOSAL //

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

*Consent is sought to:

Retain an existing swing mooring (#59) and jetty (#S14C) associated with 627 Peninsula Road, Kelvin Heights.



APPLICATION NOTIFICATION

Are you requesting public notification for the application?

☐

Yes

☒

No

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



OTHER CONSENTS

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

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

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

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

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

☒

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

☐

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

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



OTHER CONSENTS // CONTINUED

57

☐

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

☐

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

☒ Any other National Environmental Standard

☐

Yes

☒

N/A

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

☒ Otago Regional Council

Consents required from the Regional Council (note if have/have not been applied for):

☒

Yes

☐

N/A



INFORMATION REQUIRED TO BE SUBMITTED //

Attach to this form any information required (see below & appendices 1-2).

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

☐

Computer Freehold Register for the property (no more than 3 months old) and copies of any consent notices and covenants
(Can be obtained from Land Information NZ at <https://www.linz.govt.nz/>).

☒

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

☒

A site plan at a convenient scale.

☒

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

☒

An Assessment of Effects (AEE).

An AEE is a written document outlining how the potential effects of the activity have been considered along with any other relevant matters, for example if a consent notice is proposed to be changed. Address the relevant provisions of the District Plan and affected parties including who has or has not provided written approval. See [Appendix 1](#) for more detail.



We prefer to receive applications electronically – please see Appendix 5 – [Naming of Documents Guide](#) for how documents should be named. 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.

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 00 (If paying from overseas swiftcode is – BKNZNZ22)

☐

Invoice for initial fee requested and payment to follow

☒

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

*Reference

*Amount Paid: Landuse and Subdivision Resource Consent fees - please select from drop down list below

\$3000 - Non-complying Activities (overall consent status)

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

*Date of Payment

Invoices are available on request

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) **

Digitally signed by Richard Kemp
Date: 2022.02.28 23:14:39 +13'00'

Full name of person lodging this form **Richard Kemp**

Firm/Company **Pragmatic Planning**

Dated **8 May 2022**

**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.

UNDER THE FOURTH SCHEDULE TO THE ACT:

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

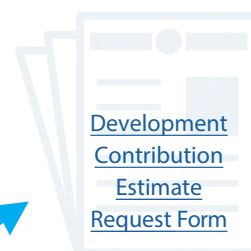
APPENDIX 3 // Development Contributions

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

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

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

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



APPENDIX 4 // Fast - Track Application

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

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

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

APPENDIX 5 // Naming of documents guide

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

Application Form 9

Engineering Report

Assessment of Environmental Effects (AEE)

Geotechnical Report

Computer Register (CFR)

Wastewater Assessment

Covenants & Consent Notice

Traffic Report

Affected Party Approval/s

Waste Event Form

Landscape Report

Urban Design Report

Ecological Report

Resource Consent Application

To:

Queenstown Lakes District Council

Rosemary & Nigel Walkington

Retention of Existing Swing Mooring #59
& Jetty #S14C

Lake Whākatipu – Adjacent to 627
Peninsula Road, Kelvin Heights

13 May 2022



Application Summary

Applicant: Rosemary & Nigel Walkington

Application: Application under Section 88 of the Resource Management Act 1991 (RMA) for a land use consent to retain existing swing mooring #59 and jetty #S14C.

Location: Lake Whākatipu; south-western area of the Frankton Arm

Legal Description: N/A

District Plan (Operative) Zoning: Rural General

District Plan (Proposed) Zoning: Rural; Wāhi Tūpuna Overlay (33 – Lake Whākatipu)

Activity Status: Non-Complying

The following is an assessment of environmental effects that has been prepared in accordance with Schedule 4 of the Resource Management Act 1991 (RMA). The assessment of effects corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

1. PROPOSAL AND SITE DESCRIPTION

Background to Application:

Since 1 July 2021, the QLDC's in-house property team has been responsible for processing and issuing jetty and mooring permits. This change has provided Council with the opportunity to review historical information held on jetties and moorings across the district. QLDC are currently going through a process of validating all existing information held on jetties and moorings in the District.

The RMA (through the Queenstown Lakes Operative and Proposed District Plans, and Otago Regional Plan: Water) regulates jetties and moorings in the District/Region, and imposes a requirement for a resource consent to be granted for these. Existing use rights for any jetty or mooring that obtained approval under the Harbours Act 1950 (now repealed) are now deemed to be extinguished and a resource consent is required.

As will be described below, the jetty and mooring subject to this application have both existed for a long time. Consent is sought to retain this under the provisions of the RMA.

Proposal Description:

Consent is sought to retain an existing swing mooring and jetty in the south-western area of the Frankton Arm of Lake Whakātipu, associated with the property at 627 Peninsula Road, Kelvin Heights. The Applicant is the registered owner of both the mooring and jetty – and holds current permits for these from the Council.



Figure 1 – Existing Jetty #S14C & Swing Mooring #60 Location in Relation to 627 Peninsula Road



Figure 2 – Existing Jetty #S14C

The swing mooring is registered with QLDC as mooring #59 with the approximate location: N 5564905 E 2170319 (identified in Figure 1), and is used for private purposes.

An inspection report has been undertaken on the mooring by Event Water Safety, which found that it was appropriate for vessel and positioning, with system upgrades required to meet newly-issued QLDC recommendations and replace worn components. The mooring block is to be retained while chain, shackles and swivels are to be replaced with new rated components as per QLDC mooring guide specifications.

The jetty (as seen in Figure 2) is located opposite 627 Peninsula Road and has an approximate location of -45.043748, 168.687489. This jetty is used for private purposes, but is also available for public use.

An inspection report has also been undertaken on the jetty by Event Water Safety. This inspection report has found that the structure is well-maintained and suited for purpose. The posts show good integrity and no movement suggesting that they are set sufficiently deep into the ground. Minor maintenance is recommended in terms of securing boards, tightening bolts, and the replacement of one joist.

Resource consent is sought to retain swing mooring #59 and jetty #S14C and undertake the recommended maintenance as outlined in the Event Water Safety inspection reports.

Pursuant to section 123(c) of the RMA, a duration of between five years and up to a maximum of 35 years applies to activities that contravene Section 13 (Restriction on certain uses of beds of lakes and rivers) of the RMA unless specified otherwise. A consent duration of 35 years is sought.

Site Locality, Description & History

Mooring #59 is located in the south-western extent of the Frankton Arm of Lake Whakātipu, in proximity of the residential property at 627 Peninsula Road. Figure 1 demonstrates the location of the mooring in relation to 627 Peninsula Road. The mooring is used by the occupants the property for personal/non-commercial use.

The mooring has existed in the subject location for years/decades. A request has been made with QLDC's Property Department to advise how many years the mooring has had QLDC permit fees paid. Once an answer to this question has been provided, this information will be forwarded onto the allocated Processing Planner.

Jetty #S14C is also located in the south-western extent of the Frankton Arm of Lake Whakātipu directly across the Kelvin Heights Track from 627 Peninsula Road (seen in Figure 1). The jetty is constructed of R3 treated timber and is 20m in length, 1.5m width with 200mm diameter posts.

A jetty has existed in the subject location for decades. The Applicant has reached out to the Jones Family, who established the original jetty back in the 1960's, to better understand the history. The following response was received:

"The original jetty was 100metres or so towards the west, and was shared by jones/swan/kindly. (60's)Then it was rebuilt (70's) in the current spot, a jones/kindly syndicate although they had a mooring as well. When the council required them all to be checked and registered,(date???) it was done and I recall a reg number and label displayed on an outer post. So if the council kept records, it should still be there under P Bruce Jones. I'm not sure but I think it was still a jones/kindly syndicate, sharing the reg costs. Barbara Swan may have a better picture of that and later/current status."

Original approval documentation for a jetty under the Harbours Act 1950 has also been located (dated 1963, 1982) and is attached to this application.

A photograph of a jetty in the subject location has also been located (taken circa 2002), as shown in Figure 3 below. This documentation and anecdotal evidence makes it clear that a jetty in the subject location has existed for decades.



Figure 3– Jetty in Subject Location Adjacent to 627 Peninsula Road (Taken Circa 2002)

A request has also been made with QLDC's Property Department to advise how many years the jetty has had QLDC permit fees paid. Likewise, once a response from the Property Department is received, this will be forwarded onto the Processing Planner. The Applicant holds a current (2021-2022) permit for the structure – and is attached to the application.

2. ACTIVITY STATUS

2.1 THE OPERATIVE DISTRICT PLAN

The lake is zoned Rural General by the ODP and the proposed activity requires resource consent for the following reasons:

- A **discretionary** activity resource consent pursuant to Rule 5.3.3.3(iv)(a) for any structure or mooring which passes across or through the surface of any lake and river or is attached to the bank of any lake and river, other than where fences cross lakes and rivers, except in those locations where such structures or moorings are shown on the District Plan Maps as being non-complying. The location of the jetty is along a part of the south-western foreshore of the Frankton Arm of Lake Whākatipu where all structures and moorings are non-complying except for jetties.
- A **non-complying** activity resource consent pursuant to Rule 5.3.3.4(a)(ii) for structures or moorings passing across or through the surface of any lake or river or attached to the bank of any lake or river in those locations on the District Plan Maps where such structures or moorings are shown as being non-complying. The existing and long-established mooring is located within the non-complying line on the District Plan maps.

The application is therefore considered to be a **non-complying** activity under the Queenstown Lakes Operative District Plan

2.2 THE PROPOSED DISTRICT PLAN

The surface of the lake is zoned Rural in the PDP and the proposed activity requires resource consent under the PDP for the following reasons:

- A **restricted discretionary** activity resource consent pursuant to Rule 21.15.6 with respect to jetties and moorings in the Frankton Arm identified as the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan Maps. Discretion is restricted to:
 - whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands;
 - whether the structure causes an impediment to craft manoeuvring and using shore waters.
 - the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline;
 - the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect;
 - whether the structure will be used by a number and range of people and craft, including the general public;
 - the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design.
- A **non-complying** activity pursuant to Rule 21.15.8 for any structure or mooring that passes across or through the surface of any lake or river or attached to the bank of any lake or river in those locations on the District Plan web mapping application where such structures or moorings are shown as being non-complying.

- A **non-complying** activity pursuant to Rule 21.16.2 for jetties and moorings in the Frankton Arm, identified as the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan web mapping application. No new jetty within the Frankton Arm identified as the area east of the Outstanding Natural Landscape Line shall:
 - Be closer than 200 metres to any existing jetty;
 - Exceed 20 metres in length;
 - Exceed four berths per jetty, of which at least one berth is available to the public at all times;
 - Be constructed further than 200 metres from a property in which at least one of the registered owners of the jetty reside.

Note: Resource consent is required pursuant to the above rule as the existing jetty is located within 200m of another jetty (approx. 120m to the north-east). It is not known if this other jetty has been legally consented under the RMA. Furthermore, it is understood this other jetty was constructed circa 2005, meaning the jetty subject to this application (adjacent to 627 Peninsula Road) well and truly pre-dates this other structure.

The application is therefore considered to be a **non-complying** activity under the Queenstown Lakes Proposed District Plan.

2.3 THE OTAGO REGIONAL COUNCIL PLAN: WATER

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

The proposed activity requires resource consent 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.

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

2.4 SUMMARY: ACTIVITY STATUS

The application is considered to be:

- a non-complying activity under the ODP;
- a non-complying activity under the PDP; and
- a discretionary activity under the Otago Regional Water Plan.

Overall, the application is being considered and processed as a **non-complying** activity.

3.0 SECTION 95A NOTIFICATION

Step 1 – Mandatory public notification

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

Step 2 – Public notification precluded

- Public notification is not required by any rule of national environmental standard.
- The proposal is not a controlled activity or (solely) a boundary activity.

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

- Public notification of this application is not specifically required under a rule or national environmental standard.

A consent authority must publicly notify an application if it decides under s95D(8)(b) that the activity will have or is likely to have adverse effects on the environment that are more than minor. An assessment in this respect is therefore made in Section 5 below.

Step 4 - public notification in special circumstances

In this case it is considered that no special circumstances exist.

4.0 EXCLUSIONS FROM ASSESSMENT (s95D(D))

a) *The Council must disregard any effects on persons who own or occupy:*

- ii) *the land in, on, or over which the activity will occur; or*
- iii) *any land adjacent to that land; and*

In this instance, the persons considered to be those listed above are marked with a red 'X' in Figure 4 below:



Figure 4 – Existing Mooring #59, Jetty & Adjacent Persons

- b) *may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect; “the permitted baseline”:*

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 there is not considered to be any permitted baseline, given that the District Plan and Regional Plan: Water requires a resource consent for structures/jetties/moorings within lakes and rivers.

- c) *in the case of a restricted discretionary activity, must disregard an adverse effect of the activity that does not relate to a matter for which a rule or national environmental standard restricts discretion:*

N/A

- d) *must disregard trade competition and the effects of trade competition:*

N/A

- e) *must disregard any effect on a person who has given written approval to the relevant application:*

While no person has yet provided written approval at the time of resource consent lodgement, consultation is ongoing with following persons/entities, and will be forwarded to Council in due course:

Person (owner/occupier)	Address (location in respect of subject site)
The Commissioner for Crown Lands, Land Information New Zealand	Landowner

Aukaha	N/A – Iwi Consultation Entity
Te Ao Marama Incorporated	N/A – Iwi Consultation Entity

As per QLDC practice, it is requested that the Processing Planner formally request comment from the following persons, if considered necessary:

Person (owner/occupier)	Address (location in respect of subject site)
QLDC Harbourmaster	Administrator of the District's Lakes & Rivers on behalf of QLDC
Maritime NZ (New Zealand Maritime Safety Authority)	Crown entity responsible for protecting the maritime/marine environment within New Zealand and maintaining safety and security.
QLDC Parks and Open Spaces Department	Owner / Administrator of Public Walking/Cycling Tracks and Marginal Strips

5.0 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT (s95D)

The following assessment of effects on the environment a) includes the information required by clause 6 (Schedule 4 of the RMA); 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.

For readability, the following assessment does not use the specific wording outlined in clauses 6 and 7. However this assessment has been prepared to address the requirements of these clauses.

It is considered the proposal raises the following actual and potential effects on the environment:

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

Landscape, visual and amenity effects

The key matter of PDP discretion in regard to jetties and moorings (Rule 21.15.6) is *whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands*"; and: *"the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design"*.

The jetty and swing mooring have existed within the Frankton Arm for decades, and have very much become an established part of the landscape.

Neither the mooring or jetty are positioned on a headland etc – and are not readily visible unless a boat is attached. Even if a boat is attached, the resulting effects on the landscape

and visual amenity values will be easily absorbed by the surrounding environment – being trees, foreshore, bank and buildings located above on the properties adjacent to Peninsula Road.

Accordingly, adverse effects on the environment will be less than minor with respect to landscape, visual effects, and effects on amenity.

Navigation and water safety

As per standard QLDC practice, it is expected that once this application is in process with Council, the allocated Processing Planner will seek comment from the Queenstown Harbourmaster with respect to navigation and water safety.

Regardless, inspection reports by EWS have been commissioned – with recommended upgrades/maintenance to ensure safety.

Neither the mooring or jetty will not cause an impediment to craft manoeuvring or using shore waters. They are not in a key line of movement for water-based vessels, but rather are discretely positioned in an area of the Frankton Arm that is well-separated from other key uses/demand for water-based navigation.

Accordingly, adverse effects on the environment will be less than minor with respect to navigation and water safety.

Effects on recreation

In terms of water-based recreation (i.e. boating, swimming, water skiing etc activities), the jetty and mooring are not located within a well-used area of the Frankton Arm in this regard. The position of the jetty/mooring will not conflict with any water based recreation use.

One matter of discretion is “*whether the structure will be used by a number and range of people and craft, including the general public*”. As the jetty is not in an area of significant interest to the general public (i.e. no attractions/land uses of significance), it is unlikely that there will be sustained public demand to utilise the jetty. Regardless, the jetty will be available for public use should the need arise.

The public Kelvin Heights Track is located in proximity to the jetty. However, the track is actually above and to the side of the jetty. The position of the jetty does not result in an impediment to the users of the track in any manner.

While comment will be sought from the QLDC’s Parks & Open Spaces Department, it is considered that the proposal will not result in any adverse effects on the Kelvin Heights Track – either in terms of users of the track, or maintenance requirements.

As such, adverse effects on the environment are considered to be less than minor with respect to recreation values.

Cumulative effects

The relevant matter of discretion in this regard is “*effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect.*”

The proposed jetty and mooring have existed in the subject location of the Frankton Arm for a long time and have become a well-settled feature of the landscape. While there are other jetties / moorings in the wider area alongside the south-western foreshore of the Frankton Arm, they are not highly concentrated in this location.

The mooring will accommodate a single vessel, and the jetty is comparatively small scale and used for private rather than commercial use. Accordingly, the level of ‘demand’ for both is considered to be low, which minimises potential cumulative effects.

Therefore, the proposal will not lead to congestion or clutter around the shoreline, nor contribute to adverse cumulative effects that are minor or more than minor.

Effects on the lake bed

The proposed retention of the existing jetty and mooring will result in insignificant adverse effects on the lake bed. While maintenance will be undertaken and elements replaced/upgraded to meet current QLDC standards – this is considered a positive effect as it will ensure the integrity of the structures and avoid adverse effects on the lake bed.

As such adverse effects on the lake bed of Lake Whakātipu will be less than minor.

Cultural Values

Consultation is underway with both Aukaha and Te Ao Marama Incorporated – entities who facilitate consultation with Rūnanga. Regardless of this consultation, the proposed retention of a long-existing jetty and mooring will not result in adverse effects on Manuwhenua values that are minor or more than minor.

Summary – Adverse Effects on the Environment

Overall the proposed retention of a long-existing jetty and mooring is considered to generate adverse effects on the environment that are minor or less than minor.

6.0 EFFECTS ON PERSONS

6.1 MANDATORY EXCLUSIONS FROM THE S95E ASSESSMENT

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

Lake Whākatipu is a statutory acknowledgement area. Consultation with Te Ao Marama Incorporated and Aukaha is on-going. It is expected that written approval from these entities will be forwarded to Council. Accordingly the person to whom the statutory acknowledgement is made is not determined an affected person under section 95E (s95B(3)), and therefore Step 1 is satisfied.

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 NES that precludes notification.
- Limited notification is not precluded under Step 2 as the proposal is not a controlled activity and is not a prescribed activity.

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

- Limited notification is not precluded under Step 3 as the proposal is not a boundary activity where the owner of an infringed boundary has provided their approval, and it is not a prescribed activity.
- Limited notification is not precluded under Step 3 as the proposal falls into the ‘any other activity’ category and the effects of the proposal on persons are assessed in section 6.2 below.

6.2 ASSESSMENT: EFFECTS ON PERSONS AND CONSULTATION

As outlined above, consultation with the Commissioner for Crown Lands (LINZ), Aukaha, and Te Ao Marama Incorporated is ongoing and will be forwarded to Council when a response is received.

As per standard QLDC practice, it is expected that the QLDC Planner will request comment from the Queenstown / Wanaka Harbourmaster, Maritime NZ, and QLDC Parks/Open Spaces Department (if considered necessary).

Adjacent Land Owners/Occupiers

Adjacent land owners/occupiers are considered to be 631, 623, 619 & 615 Peninsula Road. The proposed retention of a long-existing jetty and mooring will not adversely affect these parties in any manner. The jetty/mooring may be visible from their properties – but this will be at a distance and partially screened by the willow trees lining the foreshore. Accordingly, adverse effects on their views/outlook or residential amenity will be less than minor.

The retention (and maintenance) of the jetty/mooring will not affect access to their properties in any manner. The jetty will be publicly accessible and thus able to be used by these neighbouring property owners/occupiers, should they desire.

With respect to QLDC as adjacent land owner of the adjoining marginal strip containing the Kelvin Heights Track, the proposed retention of the existing jetty / mooring will not affect this entity in any matter, nor the ability for QLDC to undertake maintenance on the track. Demand for access to the jetty and mooring will be low given the private-nature, and will not result in adverse effects on the track itself.

Adjacent Jetty / Mooring Owners

While other jetties and moorings are located in the general area, it is not known if these have resource consent. Regardless, the proposed retention of the jetty and mooring will not adversely affect the functioning of these adjacent structures in any manner. The EWS inspection reports have advised that both are fit for purpose, and maintenance will be undertaken to ensure current QLDC standards are complied with.

As such adverse effects on the owners/lessors of nearby jetties and moorings will be less than minor. These persons are not considered adversely affected.

Fish & Game New Zealand

Fish & Game New Zealand is responsible for managing most of New Zealand's game bird hunting and freshwater fishing for species such as trout and salmon.

The mooring and jetty are existing and therefore there is no disturbance to the lakebed. The activity will have very little effect on lake bed disturbance compared with a jetboat or powerboat that can frequent the area as a permitted activity. It is therefore considered that Fish and Game are not affected by the proposal.

Summary – Effects on Persons

Overall adverse effects on persons are considered to be less than minor. No person is considered adversely affected.

7.0 OVERALL NOTIFICATION ASSESSMENT

Given the assessments undertaken and conclusions made in Sections 3-6 above, it is considered that the Council should proceed with processing the application on a non-notified basis.

8.0 RELEVANT REGIONAL POLICY STATEMENT / PROPOSED REGIONAL POLICY STATEMENT

8.1 PARTIALLY OPERATIVE OTAGO REGIONAL POLICY STATEMENT

Section 104(1)(b)(v) requires a consent authority to have regard to any regional policy statement or proposed regional policy statement.

The Regional Policy Statement for Otago 1998 is now revoked. The Partially Operative Otago Regional Policy Statement 2019 (POORPS2019) was declared partially operative on 15 March 2021.

However, on 26 June 2021, the ORC notified a reviewed Regional Policy Statement 2021 (PRPS2021) with submissions closing on 3 September 2021. Decisions on the PRPS2021 have not yet been made.

POORPS2019

The POORPS2019 is a high-level, over-arching regional planning policy document, which is implemented through the provisions of the relevant plans (most notably now the QLDC PDP and Otago Regional Plan: Water).

Objective 3.1 (*The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded*) and associated policies are most relevant. These policies seek to safeguard and enhance the life-supporting capacity of fresh water and (of relevance) to maintain and enhance amenity and landscape values of rivers, lakes, and wetlands.

The proposed jetty and mooring will not adversely affect the health of Lake Whākatipu. Maintenance is planned to ensure they will be up to current QLDC standards and avoid associated effects. The assessment of effects on the landscape undertaken throughout this assessment has concluded that such effects will be less than minor, and appropriate in the context.

Accordingly, the proposal is considered to align with the relevant objectives and policies of the POORPS2019.

PRPS2021

In terms of the PRPS2021, the relevant objectives and policies seek to ensure that the mauri of Otago's water bodies and their health and well-being is protected (and restored where it is degraded). The proposed jetty/mooring will not affect the health and well-being of Lake Whākatipu and therefore the proposal is consistent with the relevant objectives and policies within the PRPS2021.

Overall the proposal is consistent with the relevant objectives and policies contained within the POORPS2019 & PRPS2021.

9.0 RELEVANT PLANS / PROPOSED PLANS

9.1 OBJECTIVES AND POLICIES – QLDC OPERATIVE DISTRICT PLAN

Relevant objectives and policies of the Operative District Plan are found in Chapters 4 (*District-Wide Issues*), and 5 (*Rural Areas*).

Chapter 4: District-Wide Issues

The proposal will align with Objective 1 (Nature Conservation Values) as it will not adversely affect the natural character of the Lake (policy 1.13).

The proposal will also align with the objectives and policies relating to landscape and visual amenity values. In particular, the proposal will align with policy 4.2.5(9) relating to structures - as the visual coherence and amenity of the ONL will not be affected to a degree that is minor or more than minor. Both the jetty and mooring will be in harmony with the line/form of the landscape.

The proposal is also considered to align with the provisions of 4.3 *Takata Whenua*, given the assessment made through this report and on-going consultation with Aukaha & Te Ao Marama Incorporated.

Chapter 5: Rural Areas

The proposal will align with Objective 1 (*Character and Landscape Value*) as it will not affect the visual coherence of the landscape (policy 1.7).

Also highly relevant is Objective 4 (*Life Supporting Capacity of Water*). The proposal will not affect the life-supporting capacity of the lake (policy 4.1) for the reasons outlined in this report – namely that both jetty and mooring are long-existing and maintenance will be undertaken to ensure integrity.

Summary – ODP Objectives and Policies

Overall the proposal is considered to align with the objectives and policies of the Operative District Plan.

9.2 OBJECTIVES AND POLICIES – QLDC PROPOSED DISTRICT PLAN

Relevant objectives and policies of the Proposed District Plan are found in Chapters 5 (*Tangata Whenua*), 21 (*Rural*) and 39 (*Wāhi Tūpuna*).

Chapter 5 (Tangata Whenua)

Objective 5.3.1 seeks that consultation with tangata whenua occurs - both TAMI and Aukaha representing the Manuwhenua of this District. In this case consultation with these entities is has commenced.

Objective 5.3.5 seeks that Wāhi tūpuna and all their components are appropriately managed and protected. While the subject location is within a Wāhi tūpuna – for the reasons considered in this report, the Wāhi tūpuna will be adequately protected.

Chapter 21 (Rural)

Objective 21.2.3 and associated policies seek that the life supporting capacity of water is safeguarded through the integrated management of the effects of activities.

Objective 21.2.12 seeks that the natural character of lakes and rivers and their margins is protected, maintained or enhanced, while providing for appropriate activities on the surface. This is given effect to by policies 21.2.12.1 - 21.2.12.10. Of particular relevance, the proposal will align with these provisions as:

- Statutory obligations, wāhi Tūpuna and the spiritual beliefs, and cultural traditions of tangata whenua have been considered through consultation (policy 21.2.12.1).
- The proposal will enable people to have access to recreational opportunities on the lake (21.2.12.2).

- The proposal is highly unlikely to affect nesting and spawning areas of fish, the intrinsic value of ecosystem services and areas of indigenous fauna habitat, or recreational values (21.2.12.5).
- The proposal will either provide for or not affect public access to and enjoyment of the margins of the lakes (21.2.12.6).
- The location and design of the proposal is such that any adverse effects on visual qualities, safety and conflicts with recreational and other activities will be less than minor and effectively avoided/mitigated (21.2.12.7).

Chapter 39 (Wāhi Tūpuna)

The objective and policies of Chapter 39 seek Manawhenua values, within identified wāhi tūpuna areas, are recognised and provided for. The proposal will occur within a Wāhi tūpuna area. Specifically, policy 39.2.1.4 encourages consultation with Manawhenua as the most appropriate way for obtaining understanding of the effects of any activity on Manawhenua values in a wāhi tūpuna area.

As explained previously, consultation with both Aukaha & Te Ao Marama Incorporated is being undertaken. Regardless, it is considered that the proposal is unlikely to adversely affect Manawhenua values.

Summary – PDP Objectives and Policies

Overall the proposal is considered to align with the objectives and policies of the Proposed District Plan.

ODP vs PDP Objectives and Policies – Weighting

A weighting exercise is only necessary where there is a difference between the ODP and PDP in respect of anticipated outcomes, which in turn lead to a differing outcome on the resource consent application under the decision-making framework. I conclude that no difference in those provisions arises between the ODP and PDP. Accordingly, no weighting assessment is necessary.

9.3 OTAGO REGIONAL PLAN: WATER

The Otago Regional Plan: Water for Otago became operative on 1 January 2004, and is the primary document that manages water within the Otago region's boundaries.

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

Chapter 8 contains objectives and policies relating to activities on the beds and margins of lakes and rivers. Specifically, the objectives and policies seek to maintain the stability and function of structures located in, on, under or over the bed or margin of any lake or river; to minimise water clarity caused by bed disturbance, and to not affect the habitat of fish.

In this case the proposal is for the retention (and maintenance) of a long-established jetty and swing mooring. The assessment undertaken throughout this report has found the retention of these will not represent an inappropriate use of the lake margin. Public access to/from the lake will be maintained.

Both jetty and mooring will be maintained/upgraded to comply with current Council standards and maintain stability. The proposal will not affect water clarity nor the habitat of fish.

Overall the proposal is considered to align with the relevant objectives and policies of the Otago Regional Plan: Water.

Summary – Relevant Plans / Proposed Plans

Overall the proposal is considered to not be contrary to the relevant objectives and policies of the Queenstown Lakes District Operative & Proposed District Plans; and Otago Regional Plan: Water

10.0 OTHER MATTERS

Section 104(1)(c) of the Resource Management Act directs the consent authority to have regard to any other matter that the consent authority considers relevant and reasonably necessary to determine the application. These are considered to be the following:

Kai Tahu Ki Otago Natural Resource Management Plan 2005 (KTKO NRMP)

As outlined above, consultation with Aukaha is on-going and the outcome of such will be forwarded to Council once received.

Chapter 5 of the KTKO NRMP relates to the Otago catchments in general, while Chapter 10 relates to the Clutha/Mata-au Catchments, which the proposed location falls within.

The relevant provisions of Chapter 5 (Wai Māori General Issues – 5.3.3) seek to recognise the spiritual and cultural significance of water; ensure healthy water quality with minimal contaminants and no human waste; and resolve water ownership issues.

With regard to Chapter 10, policy 10.5.3 (Cultural Landscapes Policies in the Clutha/Mata-au Catchments) contains specific provisions relating to jetties and moorings. Specifically, and of relevance, these include:

- To require that all moorings situated in the vicinity of nohoaka and camping sites to be publicly available.

- To require jetties to be at a fixed location and any effects of earthworks or from the ongoing operation of jetties and be remedied or mitigated.
- To require jetties and moorings to be located where they will not impede or restrict access to lakes, rivers and wetlands.

In this case the proposed jetty will be available for public use, and at a fixed location. No earthworks are proposed, and adverse effects will be effectively avoided and mitigated through scheduled maintenance work. The jetty / mooring will not impede or restrict access to the lake in any manner.

The retention/maintenance of the existing mooring will not impede or restrict access to the lake in any manner, nor is located in the vicinity of nohoaka or camping sites

As such the proposal will align with the relevant provisions of the KTKO NRMP.

Te Tangi a Tauria, 2008 (Ngai Tahu ki Murihiku Natural Resource Management Plan)

As outlined above, consultation with Te Ao Marama Incorporated is on-going and the outcome of such will be forwarded to Council once received.

This management plan does not directly address jetties / moorings outside of the Coastal Marine Area or Fiordland. However, provisions 3.5.10-3.5.20 are applicable to High Country Lakes and Waterways and therefore is the most relevant in the context of this application.

Specific policies seek to protect and enhance the mauri of freshwater resources throughout Murihiku; to manage our freshwater resources wisely, promote the management of freshwater according to the principle of ki uta ki tai, and thus the flow of water from source to sea; promote catchment management planning (ki uta ki tai); and to protect and enhance the customary relationship of Ngāi Tahu ki Murihiku with freshwater resources.

The proposed jetty and mooring will be maintained and not affect either water quality, or the flow of water to the sea. The proposal will not affect Ngāi Tahu ki Murihiku's relationship with the freshwater resource.

As such the proposal will align with the relevant provisions of Te Tangi a Tauria.

QLDC Navigational Safety Bylaw 2018

The QLDC's Navigational Safety Bylaw 2018 has several purposes including regulating the placing and maintenance of moorings and maritime facilities. Part 9 of the bylaw specifically regulates moorings, and imposes a requirement to obtain a mooring permit from the Council for the placement/retention of a mooring.

The proposal is the retention of a long-existing mooring that has successfully been present within the lake for many years. The Applicant holds a mooring permit(s) from the Council (including paying the annual permit fee). The proposal does not raise any obvious

navigation safety issues. However, it is acknowledged that comment on the application will be sought from the Harbourmaster by the Processing Planner.

As such, the proposal is considered to align with the provisions of the QLDC Navigational Safety Bylaw 2018.

QLDC Jetties and Moorings Policy 2007 (For the Frankton Arm and other environs of Lake Wakatipu)

This QLDC Policy seeks to protect the natural character and amenity of the Frankton Arm and environs while facilitating access to and use of the lake by the community.

With respect to jetties, this policy seeks to minimise engineering & amenity issues, ensure the ownership is related to a person who owns a property within 200m of the jetty, and ensure the structure is well-managed, including being available for public use.

In this case the jetty will have standard maintenance undertaken on it to bring it up to current QLDC standards, will be associated with the property at 627 Peninsula Road (within 200m), and will be available for public use.

With respect to moorings, this policy seeks to minimise effects on foreshore character and amenity (including cumulative effects) and ensure moorings are a maximum of 60 metres from the lake edge/minimum 30m apart. They should be simple swing moorings.

The proposed swing mooring will be within 60m of the lake edge, greater than 30m from any other mooring, and is a simple swing mooring.

As such the proposal will align with the QLDC Jetties and Moorings Policy 2007.

QLDC Waterways & Ramp Fees Bylaw 2014

The Council's Waterways & Ramp Fees Bylaw 2014 requires a mooring permit to be obtained from Council (for a mooring), and a maritime structure permit to be obtained from Council (for a jetty). In both cases the owner of the permit must maintain their mooring/jetty to a safe and acceptable condition.

In this case the relevant permit(s) have been obtained throughout the years. An inspection report has been commissioned and maintenance is proposed to ensure a safe and effective operation.

As such the proposal will align with the QLDC Waterways & Ramp Fees Bylaw 2014.

Summary – Other Matters

Overall proposal is considered to be consistent with these relevant documents noted above.

11.0 PARTICULAR RESTRICTIONS FOR NON-COMPLYING ACTIVITIES

Section 104(D) prescribes that consent can only be granted for a non-complying activity if the adverse effects of the activity on the environment are no more than minor, or the activity will not be contrary to the objectives and policies of the District Plan.

In this instance, the above assessment has determined that the adverse effects of the activity on the environment will be no more than minor, and the proposal is also not contrary to the relevant objectives and policies of the relevant Plans.

Therefore, it is determined that the Council can proceed to making a substantive decision on this application.

12.0 PART 2 OF THE RESOURCE MANAGEMENT ACT

Section 5 of the RMA sets out the purpose of the Act – to promote the sustainable management of natural and physical resources. Given the assessment of effects undertaken above, it is considered that the proposal will represent sustainable management.

Section 6 of the RMA sets out the matters of national importance. Of particular relevance is matters (a), (b), (d) and (e).

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

The assessment undertaken throughout this report has found that the proposal will not adversely affect the natural character of Lake Whakātipu to a degree that is minor, or more than minor. While located within an outstanding natural landscape, the assessment has found that adverse effects on the ONL will be less than minor, and appropriate in the context.

The proposal will not affect public access to the lake or rivers.

Both Te Ao Marama Incorporated & Aukaha have been consulted on the proposal, ensuring adequate consideration of the effects on Maori values.

The proposal will align with the requirements of Section 7 of the RMA by representing kaitiakitanga, the ethic of stewardship, and the maintenance of the quality of the environment. The proposal will not affect the habitat of trout and salmon.

Finally, the proposed activity is highly unlikely to offend any of the Principles of the Treaty of Waitangi as required by Section 8.

Overall the proposed retention and maintenance of swing mooring #59 and jetty #S14C is considered to be consistent with Part 2 of the RMA.

13.0 CONCLUSION

Consent is sought to retain and undertake maintenance on swing mooring #59 and jetty #S14C within the south-western area of the Frankton Arm of Lake Whakātipu; associated with the property at 627 Peninsula Road, Kelvin Heights.

The above assessment has determined that the resulting adverse effects on the environment will be less than minor and effectively mitigated, that no party is considered to be adversely affected, that the proposal will align with the relevant objectives and policies of the District Plan, Regional Plan, and Proposed Regional Policy Statement; and will adhere to the requirements of Part 2 of the RMA.

Accordingly, it is requested that the Council grant resource consent to the proposal on a non-notified basis as sought, subject to appropriate conditions of consent.



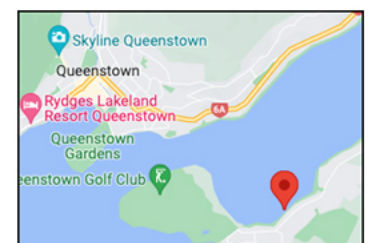
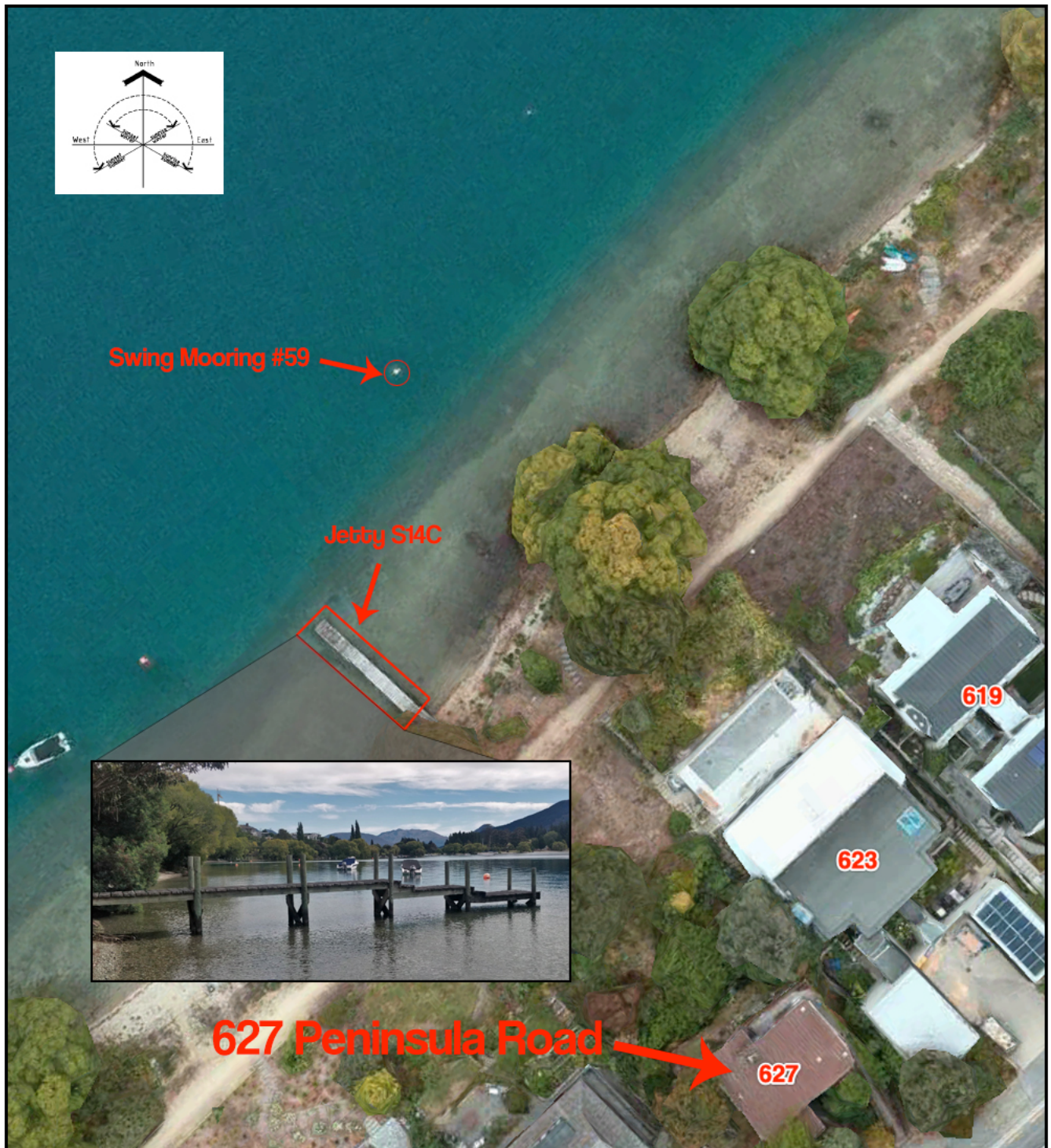
Richard Kemp
Planning Consultant

85

Jetty and Mooring Plan

Swing Mooring #59 & Jetty #S14C

627 Peninsula Road, Kelvin Heights





MOORING PERMIT

Issued under the Navigation Safety Bylaw 2025

Mooring Number: 59

Description of mooring: Swing Mooring

Name to whom permit is granted: Nigel Walkington

Waterway: Lake Wakatipu

Position of mooring: Longitude 168.687518

Resource Consent: RM220374

Latitude -45.043407

Status: Processing

Date of issue: 01 July 2026

Expiry of permit: 30 June 2027



Signed for and on behalf of Queenstown Lakes District Council:

Duty of Permittee:

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

Conditions of permit

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

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

Maintenance and construction requirements

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

Liability of the Council

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

Transfer of permit

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

Surrender of permit

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



STRUCTURE PERMIT

Issued under the Navigation Safety Bylaw 2025

Structure Number: S014C

Name to whom permit is granted: Rosemary and Nigel Walkington

Resource Consent Number: RM220374

Description of structure: Jetty

Nominated use: Private

Location: Wakatipu

GPS co-ordinates: -45.043767000000003, 168.687466

Date of issue: 01 July 2026

Expiry of permit: 30 June 2027

Signed for and on behalf of Queenstown Lakes District Council:



Please be advised that if at any time during the term of this permit, the structure 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 structure permit is granted are:

Location and specifications

The structure must remain in the position described within the permit;

- a. the design, specifications and maintenance of the structure must comply with any guidelines issued by the Council;*
- b. the permit holder must mark the structure with two permit numbers, in positions easily visible from the foreshore and from a leading position facing the lake; and*
- c. The whole structure must be available for public use unless otherwise specified on the permit.*

Maintenance and construction requirements

- 1. The owner of a jetty, boat shed, cradle or launching ramp structure must maintain the structure in a proper state of condition and repair and must comply with any guidelines or directions issued by Council.*
- 2. The Council may cancel the structure permit for any structure that does not comply with maintenance requirements issued by Council, or the permit holder fails to comply with the terms and conditions of the structure permit. The Council may remove or sell the structure in such instances.*
- 3. The Council or the Harbourmaster may require the permit holder or structure owner to remove the structure in a specified time frame if:*
 - a. the permit has been cancelled*
 - b. the permit fee is unpaid for a period greater than 2 months from the due date*
 - c. the structure does not comply with the Resource Management Act 1991; or,*
 - d. the structure does not comply with the Building Act 1991.*
- 4. All costs associated with the inspection, maintenance, removal and replacement of structures or structure components will be borne by the permit holder.*

Access

No right of vehicular access over Council administered land is associated with this Permit.

Transfer of permit

The permit may be transferred where application is made and is accompanied by the payment of the application and processing fees and the required information.

Surrender of permit

If no longer required, the permit may be surrendered by returning it to the Council together with confirmation that the structure has been removed.

Liability of the Council

Permit holders shall take all care to ensure that the structure is used in a lawful manner and use structures at their own risk. Furthermore:

- a. Council and the Harbourmaster are not liable for any damage to craft, or structure whether the damage is caused by a third party, a natural disaster event, natural or gradual processes or by any other cause;*
- b. any damage to craft or structure which have not been securely tethered;*
- c. any damage to craft which results from any actions taken by the Harbourmaster to secure craft or structure; and*
- d. any actions or omissions of Council and the Harbourmaster or any other officer of the Council in the performance of any duties, functions or powers in respect of this permit.*

Land Classification

Permits for structures located wholly or partially on Recreation Reserve land have been issued under Section 53(1)(o) of the Reserves Act 1977.

Permits for structures located wholly or partially on legal road have been issued to authorise the use of the road in accordance with section 357 of the Local Government Act 1974.

Swing mooring inspection & Information form

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

Please Print All Details Clearly

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

Mooring Location (Lake): Wakatipu – Peninsula Road near Kelvin Grove

Mooring Permit #: **59**

Mooring Owners Name: Nigel Walkington

Mooring Owners Address: 171 Gardiners Road, Harewood, Christchurch 8051

Mooring Owners Postal Address: As above

Mooring Owners Phone No: 027 2277700

Mooring Owners Email Address: nwalkington@me.com

Emergency contact Number: 021 395587

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

Name of vessel using mooring: Tristram Millennium 691

Vessel MNZ Registration Number: Vessel Identification:

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

If "Other" please outline type of vessel

Length of Vessel: 6.9m Weight of Vessel:

Vessel Colour(s): White with blue stripes

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

Details of Mooring – (Mooring Inspector To Complete)

GPS Position of mooring: (WGS84 Decimal Degrees):

LAT: 45*02' 36.41S

LON: 168*41'14.88E

IS THIS A CONFIRMED TRUE BLOCK LOCATION?: Yes

Inspection Date: 28/4/2026 Water Depth at location at time of inspection: 8m

Calculated total swing radius of mooring at lowest lake level: 9.5m

Lake level at time of inspection: 309.759m

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

Has been upgraded with this inspection: No

Was vessel on mooring at time of inspection: No

Checklist – (Mooring Inspector To Complete)

details and observations can be provided on a separate page.

	Checked Y/N	COMPONENT	DETAILS		Condition (% & notes)	Exis ting	Replaced
TOP SECTION	✓	Floats	Numbered: Yes	Type: Orange A4	OK	✓	
			Colour: Yellow	Type: small handle buoy	Good	✓	
	✓	Shackle(s)	Number: 1st Diameter: 13mm std	Moused: Y	Condition: Good	✓	
	✓	Shackle(s)	Number: 2nd Diameter: 20mm std	Moused: Y	Condition: Good	✓	
	✓	Chain	Length: 1m	Diameter: 13mm Min D: 13mm	Condition: Good	✓	
MIDDLE / RISE / RIDE	✓	Shackle(s)	Number: 3rd Diameter: 13mm tested	Moused: Y	Condition: Good	✓	
	✓	Swivel	Diameter: 16mm	Steel	Condition: Good	✓	
	✓	Shackle(s)	Number: 4th Diameter: 13mm tested	Moused: Y	Condition: Good	✓	
	✓	Riser/Ride/ Middle chain	Length: 7.5m	D: 13mm Min D: 12mm	Condition: Good	✓	
	✓	Shackle(s)	Number: 5th Diameter: 16mm tested	Moused: Y	Condition: Good	✓	
BOTTOM	✓	Ground chain	Length: 4m	D: 25mm Min D: 25mm	Condition: Good	✓	
	✓	Block Shackle	Diameter: 25mm tested	Moused: Y	Condition: Good	✓	
	✓	Block Ring	Diameter: 32mm rebar cast into concrete block		Condition: Good	✓	
	✓	Block(s)	Is block visible?: Yes	Weight (dry) est :	Good	✓	
			Dimensions: 1m x 1m x 500mm	Type: Concrete block			

Inspectors Observations:

Has Block Shifted or become buried? No

Inspectors Further Comments:

Boat attachment is 1.5m x 13mm chain with foam filled buoy one end

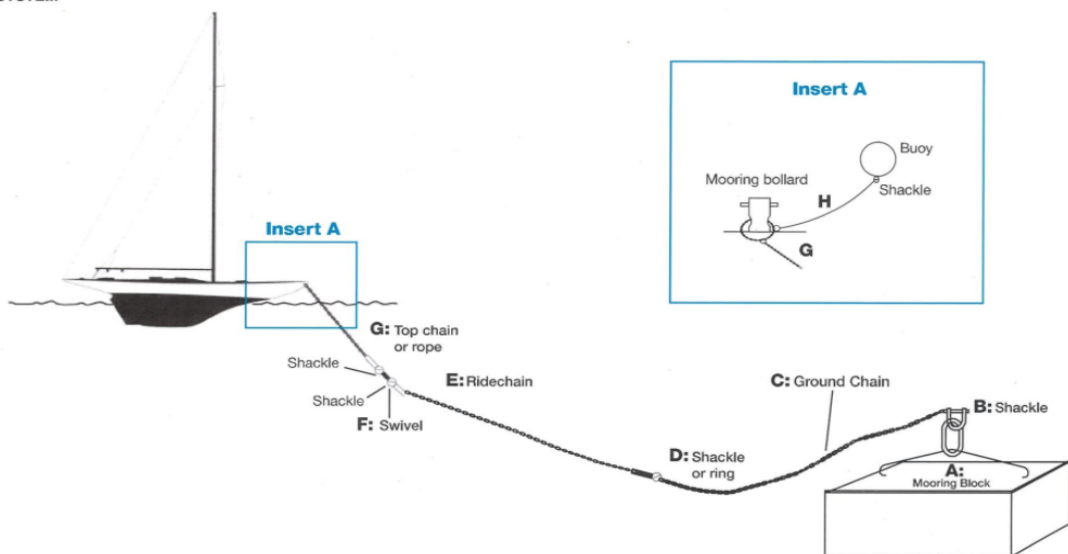
NB: If your mooring has components that have been identified as being in poor condition at the time of this inspection, I do not recommend a boat be attached to it until those issues are repaired/replaced.

Mooring Diagram – (Mooring Inspector To Complete)

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

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

FIGURE 1
MOORING SYSTEM



Pictures – (Mooring Inspector To Complete)

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

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

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



Mooring 59



Declaration – (Mooring Inspector To Complete)

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

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

Company Undertaking inspection -

Company undertaking Inspection: ___Wright Building and Diving Services Ltd_____

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

Company Postal Address: ___a/a_____

Name of person completing inspection: ___Garry Wright_____

Signature of person completing inspection: _____



Date: ___28/4/2026_____.

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

Document Reviewed on: (Inset Date): _____

Document Reviewed by: _____

Harbourmaster Comments:

Harbourmaster Signoff

Name: _____

Signature: _____

Date: _____

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

Resource Consent Application considerations

Will the system be upgraded?

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

Will block be replaced?

Will existing Block be removed?

Vessel Length:

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

JETTY INSPECTION REPORT (2026)

Jetty No:	14
Date Of Inspection:	30/4/2026
Location:	Opposite 627 Peninsula Road – Lake Wakatipu
Owners Name:	Nigel Walkington, Barbara Swan, Wayne Sutherland
Planner:	Richard Kemp
Contact email:	nwalkington@me.com
Contact phone:	027 2277700

Piles:	175mm dia post Tanalised timber
Bearers:	250 x 50 Tanalised timber
Joists:	200 x 100 Tanalised timber
Decking -	250 x 50 Tanalised timber
Nailed:	Yes
Screwed:	No
Braces:	250 x 50 Tanalised timber
Non Skid surfaces -	
Geogrid PVC:	Yes
Steel Netting:	No
Rough sawn timber:	No
Total length of jetty:	18.400m

Garry Wright
Wright Building & Diving Services Ltd
Work Safe Construction Diver & LBP Builder
E: diving.pet@xtra.co.nz
C: 027 2218778



JETTY INSPECTION REPORT (2026)

Total Width of jetty:	1450mm
No. of levels	3
Any evidence of uplift due to high Lake Levels or wave action:	No
Any Damage:	No. This jetty has been exposed to many floods and has no apparent damage.
Comments:	<i>I consider this jetty to be structurally sound at the time of this inspection</i>

Photos:



Garry Wright
Wright Building & Diving Services Ltd
Work Safe Construction Diver & LBP Builder
E: diving.pet@xtra.co.nz
C: 027 2218778

97

JETTY INSPECTION REPORT (2026)



Garry Wright
Wright Building & Diving Services Ltd
Work Safe Construction Diver & LBP Builder
E: diving.pet@xtra.co.nz
C: 027 2218778

A handwritten signature in black ink, appearing to be 'Garry Wright'.

REFERENCE

43/46/0



Licence No.0003325

PURSUANT to section 162 of the Harbours Act 1950, the Minister of Transport HEREBY grants to

GWYNNE EVELYN JONES and PERCY BRUCE JONES

(hereinafter called "the Grantee") a licence to use and occupy that part of the foreshore

and bed of Lake Wakatipu at Frankton Arm

as shown more particularly on plan marked M.D. 11585 and deposited in the Regional

Office of the Ministry of Transport at CHRISTCHURCH (hereinafter referred to as "the said land")

and to erect thereon for his sole use and benefit a jetty

as shown on the aforesaid plan (hereinafter referred to as "the said structure").

This licence is granted subject to the provisions set out in the aforesaid Act and such licence is to be held and enjoyed by the Grantee to the extent and upon and subject to the terms, conditions, reservations and provisions specified in the Schedule hereto.

SCHEDULE

1. In these conditions the term—

"The Act" means the Harbours Act 1950:

"Foreshore" means such parts of the bed, shore, or banks of a tidal water as are covered and uncovered by the flow and ebb of the tide at ordinary spring tides:

"Harbour" has the meaning defined in the Act and in particular includes a navigable lake or river:

"Minister" means the Minister of Transport:

"Secretary" means the Secretary for Transport appointed under the Ministry of Transport Act 1968 and includes his deputy.

2. The rights, powers, and privileges conferred by this licence shall extend and apply only to so much of the said land as is occupied by the said structure when erected.

3. The rights, powers, and privileges conferred by this licence shall continue in force for five years from 1st April 1982, unless in the meantime the licence or any such concessions and privileges are altered, modified, or revoked.

4. In consideration of the rights, powers and privileges granted by this licence the Grantee shall pay to the Secretary the sum of ~~XXXXXXXXXXXX~~ and thereafter an annual sum of \$ 25 : 00 in advance, payable on the 1st day of April each year;

PROVIDED ALWAYS that the Minister may review the annual fee payable at the end of the first year or any subsequent year of the said term.

5. The Grantee shall not transfer or mortgage the said structure, or part with this licence or with the rights, powers, and privileges hereby conferred, or any of them, without the written consent of the Minister first obtained, which consent it shall be in the absolute discretion of the Minister to grant unconditionally or to grant subject to such conditions as he thinks fit or to refuse.

6. (a) The Grantee shall at all times during the continuance of this licence maintain the said structure in good order and repair. No alteration or addition to the said structure is permitted without prior approval.

(b) Any person authorised by the Secretary may at all reasonable times enter upon the said structure and view the state of repair thereof; and upon receipt of a notice in writing of any defect or want of repair in the said structure requiring the Grantee within a reasonable time to be therein prescribed to repair the same, the Grantee shall with all reasonable speed cause the defect to be removed or the repairs to be made.

7. All persons in the service of the Government acting in the execution of their duties shall at all times, without payment, have free ingress, passage, and egress into, through, over and out of the said structure.

8. Neither the granting of this licence nor anything herein contained shall affect the liability of the Grantee for any injury caused by the said structure to any vessel or boat or person through any default or neglect on the part of the Grantee.

9. Nothing herein contained shall authorise the Grantee to do or cause to be done anything repugnant to or inconsistent with any law relating to the Customs, or any regulation of the Minister of Customs, or with any provisions of the Act, or any amendment thereof now or hereafter in force, or any regulations made thereunder now or hereafter in force.

10. (a) The rights, powers and privileges conferred by this licence may be resumed and the licence be revoked at any time by the Minister without liability for compensation after at least three calendar months' previous notice in writing has been given by the Minister to the Grantee notifying the intention of the Minister to effect the resumption and revoke the licence.

(b) Without prejudice to the discretionary power reserved by subclause (a) of this clause, if at any time—

(i) The Grantee commits or suffers a breach of any provision expressly contained in the licence or implied therein;
or

(ii) The Grantee makes default for a period of 30 days after the due date in payment of any sum of money payable to the Minister under this licence or

(iii) The Grantee, or any one of grantees, if more than one in number, being an individual, becomes bankrupt or makes a composition with his creditors or is in any manner brought under the operation of any Act for the time being in force relating to bankruptcy,

then, and in any such case, it shall be lawful for the Minister, without the necessity of any previous notice to the Grantee, to revoke this licence and the rights, powers and privileges thereby conferred shall thereupon cease and determine.

11. In the event of this licence being revoked, or upon the expiry of the period for which this licence is granted, the Grantee shall, if required by the Minister so to do, remove the said structure entirely from the site and restore the site to its original condition within the period of notice of revocation or within such period subsequent to the revocation as may be notified by the Minister or within three months from the date of expiry, as the case may be; and, if the Grantee fails so to do, the Minister may cause the said structure to be removed and the site so restored, and may recover the costs incurred by the said removal and restoration from the grantee as a debt due to the Crown.

12. Any notice to be given to the Grantee shall be sufficient if signed by or on behalf of the Minister and served by being delivered personally to the Grantee or sent by registered-post letter addressed to the grantee at the usual or last-known place of abode or business of the Grantee in New Zealand or by being affixed upon the said structure.

13. The said structure shall not be occupied at any time either as temporary or permanent living quarters.

14. The said structure shall not be used in conjunction with any commercial enterprise without obtaining, through the Secretary the required approval.

15. The said structure shall be completed no later than twelve months from the date of granting this licence.

16. Payment of the initial sum prescribed in clause 4 of this licence shall be deemed to be acceptance by the Grantee of the terms and conditions of this licence.

17. The Grantee accepts full responsibility as occupier of the said structure within the meaning of the Occupiers Liability Act 1962.

18. Notwithstanding anything in this licence the Grantee shall abide by the Foreshore Licence Regulations 1960 or other regulations from time to time in force regulating the use of any area subject to the provisions of the Harbours Act 1950.

SPECIAL CONDITIONS

Jetty located opposite Section 27 DP 9655 Coneburn S.D.

CHRISTCHURCH

Dated at Wellington this

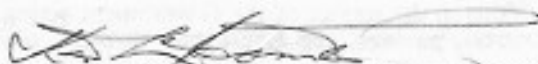
7th

day of

July

1982

SIGNED for and on behalf of the MINISTER OF
TRANSPORT by Kenneth Newton LeComte
pursuant to powers delegated to him by the Minister
of Transport.


REGIONAL SECRETARY

Licensing ¹⁰⁰ ROBERT WILLIAM KINDLEY, JOHN ROBERT SWAN, GWYNNETH
EVELYN JONES AND PERCY BRUCE JONES to Use
and Occupy a Part of the Foreshore and/or Bed of the Harbour or of the Sea
at FRANKTON ARM, in LAKE WAKATIPU Harbour
as a Site for JETTY

Whereas it is provided by section 164 of the Harbours Act 1950 that the Minister of Marine may, with respect to any part of the foreshore or of the bed of any harbour or of the sea vested in the Crown, grant to any person a permit to occupy that part and to erect thereon and use a boat shed, landing place, slipway, or wharf, as set out in the permit; and may with respect to the permit impose such terms and conditions and fix such rental or other charge as he thinks fit:

And whereas the Minister has delegated to me his said powers under section 164:

And whereas ROBERT WILLIAM KINDLEY, JOHN ROBERT SWAN, GWYNNETH EVELYN JONES AND PERCY BRUCE JONES, of

DUNEDIN (hereinafter called the "licensee"), has applied for a permit under the said section to occupy a part of the foreshore and/or bed of the harbour or of the sea at FRANKTON ARM, in LAKE WAKATIPU Harbour, as shown on plan marked M.D. 11585 and deposited in the office of the Marine Department at Wellington (hereinafter referred to as "the said land"), and to erect thereon, for his private use only, the JETTY shown on the said plan (hereinafter referred to as "the said structure"):

And whereas I am satisfied that the said structure will not unduly interfere with or restrict the public right of navigation, and that no public inconvenience will result, and that the said structure is required solely for the private use of the licensee:

Now, therefore, I, GERALD LIONEL O'HALLORAN

Secretary for Marine, in exercise of the hereinbefore-recited power and authority, and of all other powers and authorities enabling me in that behalf, do hereby permit the licensee to occupy the said land for the purpose of erecting and using the said structure; such permit to be held and enjoyed by the licensee to the extent and upon and subject to the terms and conditions set out in the Schedule hereon endorsed.

Dated at Wellington, this 9th day of December 1963

G. O'Halloran
Secretary for Marine.

1. In these conditions the term—

"The Act" means the Harbours Act 1950:

"Foresore" means such parts of the bed, shore, or banks of a tidal water as are covered and uncovered by the flow and ebb of the tide at ordinary spring tides;

"Harbour" has the meaning defined in the Act and in particular includes a navigable lake or river;

"Minister" means the Minister of Marine as defined by the Shipping and Seamen Act 1952, and includes any officer, person, or authority acting by or under the direction of such Minister, and in particular includes the Secretary for Marine and his deputy.

2. The rights, powers, and privileges conferred by this licence shall extend and apply only to so much of the said land as is occupied by the said structure when erected.

3. The rights, powers, and privileges conferred by this licence shall continue in force for fourteen years from 1 December 1963, unless in the meantime the licence or any such concessions and privilege are altered, modified, or revoked as herein provided or otherwise by competent authority.

4. In consideration of the rights, powers, and privileges granted by this licence the licensee shall pay to the Minister the sum of £ 2 : 0 s. 0 d., and thereafter an annual sum of £ 1 : 10 s. 0 d. in advance, payable on the 1st day of December each year.

5. The licensee shall not assign, charge, or part with this licence or with the rights, powers, and privileges hereby conferred, or any of them, without the written consent of the Minister first obtained, which consent it shall be in the absolute discretion of the Minister to grant unconditionally or to grant subject to such conditions as he thinks fit or to refuse.

6. (a) The licensee shall at all times during the continuance of this licence maintain the said structure in good order and repair.

(b) Any person authorised by the Minister may at all reasonable times enter upon the said structure and view the state of repair thereof; and upon the Minister's delivering to the licensee a notice in writing of any defect or want of repair in the said structure requiring the licensee within a reasonable time to be therein prescribed to repair the same, the licensee shall with all reasonable speed cause the defect to be removed or the repairs to be made.

7. All persons in the service of the Government acting in the execution of their duties shall at all times, without payment, have free ingress, passage, and egress into, through, over, and out of the said structure.

8. The licensee shall at all times during the continuance of this licence during hours of darkness exhibit thereupon and maintain at the cost of the licensee suitable and necessary lights for the guidance of vessels:

Provided that no such light, and no light capable of being taken by mariners as a light for the guidance of vessels, shall be so exhibited until after it has been approved by the Minister.

9. Neither the granting of this licence nor anything herein contained shall affect the liability of the licensee for any injury caused by the said structure to any vessel or boat through any default or neglect on the part of the licensee.

10. Nothing herein contained shall authorise the licensee to do or cause to be done anything repugnant to or inconsistent with any law relating to the Customs, or any regulation of the Minister of Customs, or with any provisions of the Act, or any amendment thereof now or hereafter in force, or any regulations made thereunder now or hereafter in force.

11. (a) The rights, powers, and privileges conferred by this licence may be resumed and the licence be revoked at any time by the Minister without liability for compensation after at least three calendar months' previous notice in writing has been given by the Minister to the licensee notifying the intention of the Minister to effect the resumption and revoke the licence.

(b) Without prejudice to the discretionary power reserved by subclause (a) of this clause, if at any time—

(i) The licensee commits or suffers a breach of any provision expressly contained in the licence or implied therein; or

(ii) The licensee ceases to use or occupy the said structure for any period of 30 consecutive days; or

(iii) The licensee makes default for a period of 30 days after the due date in payment of any sum of money payable to the Minister under this licence; or

(iv) The licensee, or any one of licensees more than one in number, being an individual, becomes bankrupt or makes a composition with his creditors or is in any manner brought under the operation of any Act for the time being in force relating to bankruptcy; or

(v) The licensee, or any one of licensees more than one in number, being a corporate body is the subject of an effective winding-up resolution or order for liquidation or is in any manner wound up or dissolved—

then, and in any such case, it shall be lawful for the Minister, without the necessity of any previous notice to the licensee, to revoke this licence, and the rights, powers, and privileges thereby conferred shall thereupon cease and determine.

(c) Any revocation of this licence shall take effect upon publication in the *Gazette* of a copy of the instrument of revocation, and that publication shall be sufficient notice to the licensee and to all persons concerned or interested that this licence is revoked and the rights, powers, and privileges hereby granted are determined.

12. In the event of this licence being revoked, or upon the expiry of the period for which this licence is granted, the licensee shall, if required by the Minister so to do, remove the said structure entirely from the site and restore the site to its original condition within the period of notice of revocation or within such period subsequent to the revocation as may be notified by the Minister or within three months from the date of expiry, as the case may be; and, if the licensee fails so to do, the Minister may cause the said structure to be removed and the site so restored, and may recover the costs incurred by the said removal and restoration from the licensee as a debt due to the Crown.

13. Any notice to be given to the licensee shall be sufficient if signed by or on behalf of the Minister and served by being delivered personally to the licensee or sent by registered-post letter addressed to the licensee at the usual or last-known place of abode or business of the licensee in New Zealand or by being affixed upon the said structure.





AFFECTED PERSON'S APPROVAL

FORM 8A



Resource Management Act 1991 Section 95

#

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM

Pragmatic Planning on behalf of Walkington



AFFECTED PERSON'S DETAILS

I/We LINZ

Are the owners/occupiers of
Lake Wakatipu (NID 2711316)



DETAILS OF PROPOSAL

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

Retain structures on the bed of Lake Wakatipu, a single jetty and 2 swing moorings

at the following subject site(s):

Located at the edge of the Frankton Arm of Lake Wakatipu, adjacent to the property at properties of 623 & 627 Peninsula Road in Kelvin Heights, Queenstown



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.

diagrams



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 on behalf of Commissioner of Crown Lands

Contact Phone / Email address

dthompson@linz.govt.nz

Signature

Dale Thompson

Digitally signed by Dale Thompson
Date: 2024.09.09 11:57:23 +12'00'

Date

09-09-2024

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.



3 September 2026

Queenstown Lakes District Council
C/- Rebecca Holden
rebecca.holden@qldc.govt.nz

Dear Rebecca,

RM220374 N & R Walkington: Retrospective consent of an existing jetty at Kelvin Grove – Queenstown Lakes District Council (QLDC) s176 requiring authority approval

The QLDC Parks and Reserves Team received a resource consent application (RM220374), to retrospectively approve an existing jetty (#14) within Kelvin Grove recreation reserve (Section 21 Block I Coneburn SD), established by the previous owner in the 1970's. No physical works are proposed.

The application is subject to designation #184, which is designated as the Kelvin Heights Recreation Reserve. The location of the jetty is shown below:



In accordance with s176(b) of the Resource Management Act (RMA) 1991, QLDC Parks and Reserves as the requiring authority over designation #184, provide approval for N & R Walkington to retrospectively establish a jetty as described in resource consent RM220374.

Should you have any queries please contact the Parks and Reserves team on phone (03) 450 0499.

Yours sincerely, Nāku noa nā

A handwritten signature in black ink, consisting of a stylized, cursive 'C' followed by a period.

Christine Skipworth

Team Leader – Parks Planning

3 September 2026

Queenstown Lakes District Council
C/- Rebecca Holden
rebecca.holden@qldc.govt.nz

Dear Rebecca,

RM220374 N & R Walkington: Retrospective consent of an existing jetty at Kelvin Grove – Queenstown Lakes District Council (QLDC) landowner approval

This letter gives written landowner approval to N & R Walkington for the activity that is the subject of Queenstown Lakes District Councils resource consent application RM220374. The activity comprises the following activity requiring resource consent on reserve land administered by QLDC:

- To retrospectively approve an existing jetty (#14) within Kelvin Grove recreation reserve (Section 21 Block I Coneburn SD), established by the previous owner in the 1970's. No physical works are proposed.

Landowner approval is granted based on the application for resource consent, including the Assessment of Environmental Effects dated 13 May 2022 and the location of the jetty, shown in the aerial below:



Please note that any amendments to the application and location described above, require updated landowner approval from QLDC.

Should you have any queries please contact the Parks and Reserves team on phone (03) 450 0499.

Yours sincerely, Nāku noa nā

Christine Skipworth
Team Leader – Parks Planning

12 April 2022

Pragmatic Planning

PO BOX 2270

Wakatipu

Queenstown 9349

New Zealand

Dear Richard Kemp

Walkington Family Trust-Jetty and Swing Moorings

Tēnā Koe

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

Client Name	Walkington Family Trust
Who instructed us	Richard Kemp (Pragmatic Planning)
Who we will report to	Te Rūnanga o Moeraki, Kati Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga
Job Number	J004325
What we will do for you	An Aukaha consents officer/planner will liaise with each of the Rūnaka whose takiwā includes the site the application relates to. The application will be summarised (including an assessment of cultural values) and sent to representatives at the Rūnaka who have the mandate to reply. Once a reply from all Rūnaka has been received, a letter will be sent to you with their response. An invoice will be sent out to you on the 20 th of the month.
Who will do the work	Tania Richardson or Charlotte Boyt

**Hourly rates exclusive
of GST**

Our fee for this work will be calculated based on the time we spend charged at our hourly rates. Our current hourly rates exclusive of GST, office expenses and disbursements are:

Consents Administrator: \$100.00
Consents Officer: \$150.00
Intermediate Planner: \$180.00
Ecologist: \$180.00
Senior Planner/General Manager: \$220.00
Mana whenua consultation: \$250.00

Terms and Conditions

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

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

Kā mihi,

Aukaha (1997) Ltd



Tania Richardson

Consents Officer

E: tania@aukaha.co.nz

T: 03 477 0071

Aukaha (1997) Limited

Level 1, 258 Stuart Street, P O Box 446, Dunedin 9054, New Zealand

Phone - 03 477 0071

info@aukaha.co.nz www.aukaha.co.nz

Standard Terms of Engagement – Aukaha (1997) Ltd

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

1. Services

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

2. Financial

2.1. Fees:

- 2.1.1. The fees which we will charge or the manner in which they will be arrived at, are set out in our engagement letter.
- 2.1.2. If the engagement letter specifies a fixed fee, we will charge this for the agreed scope of our services. Work which falls outside that scope will be charged on an hourly rate basis. We will advise you as soon as reasonably practicable if it becomes necessary for us to provide services outside the agreed scope and if requested, give you an estimate of the likely amount of the further costs.
- 2.1.3. Where our fees are calculated on an hourly basis, the hourly rates are set out in our engagement letter. The differences in those rates reflect the experience and specialisation of our professional staff. Time spent is recorded in 5 minute units, with time rounded up to the next unit of 5 minutes.
- 2.1.4. All fees related to consents processing are liable for payment regardless of whether your application is approved or declined.

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

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

2.4. Invoices:

- 2.4.1. For services other than consent applications, we will send interim invoices to you, usually monthly and on completion of the matter, or termination of our engagement. We may also send you an invoice when we incur a significant expense.
- 2.4.2. For consent applications, we will usually send you an invoice on completion of the job, or termination of our engagement. We may also send you a progress invoice if we incur a significant expense or where a job continues longer than three months'

duration.

2.5. **Payment:**

- 2.5.1. Our fees and other charges are payable within 14 days of the date of the invoice, unless alternative arrangements have been made with us.
- 2.5.2. We may require interest to be paid on any amount which is overdue. Interest may be calculated at the rate 2.0 percent per month from the date payment become due until the overdue amount is actually paid.
- 2.5.3. If we consider that debt recovery is required to recover our fee through a debt collector or through proceedings with the Court initiated by us, then you agree that you will be responsible for all of the reasonable costs and disbursements incurred in recovering our costs, on an indemnity basis. Our reasonable costs include, without limitation, legal costs, costs of a debt collection agency, any process servers' fee and expenses associated with locating you.

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

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

3. **Privacy of Information**

- 3.1. Information concerning you will be used by us to provide consultancy services, and may also be used to obtain credit or other references, and to undertake credit management. You authorise us to obtain from any person, or release to any person, any information necessary for those purposes and you authorise any person to release information to us that we require for those purposes.
- 3.2. Subject to the above, we will treat all information we hold about you as private and confidential, and will not disclose any information we hold on your behalf or about you unless necessary to provide the service as set out in the engagement letter.

4. **Communications**

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

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

5. Termination

- 5.1. You may terminate our services at any time by giving us written notice.
- 5.2. We may terminate our services at any time, by giving you written notice.
- 5.3. If our engagement is terminated, you must pay us all monies owing to us up to the date of termination.

6. Complaints Procedure

- 6.1. We pride ourselves on providing high quality services on behalf of manawhenua. Please let us know if you are not satisfied with our services as soon as possible.
- 6.2. If you have a complaint about our services, please refer your complaint to either our Office Manager or the Divisional Manager in the first instance.

7. General

- 7.1. These terms apply to any current engagement and also to any future engagement, whether or not we send you another copy of them.
- 7.2. We are entitled to change these Terms from time to time, in which case we will send you amended Terms.
- 7.3. Our relationship with you is governed by New Zealand law and New Zealand courts have non-exclusive jurisdiction.

8. Agreement

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



Richard Kemp - Pragmatic Planning <pragmaticplanning@gmail.com>

Re: Te Ao Marama Inc Request - Retention of Jetty S14C and Swing Moorings #59 and #60 - Queenstown

1 message

Richard Kemp <richard@pragmaticplanning.co.nz>

9 May 2022 at 10:16

To: Te Ao Marama Office <office@tami.maori.nz>

Kia Ora Te Ao Marama,

Can you please confirm receipt of the below email/request for consultation that I sent on 8 April, and confirm that this consultation is being progressed?

Thank you

Richard

----- Forwarded message -----

From: **Richard Kemp** <richard@pragmaticplanning.co.nz>

Date: Fri, 8 Apr 2022 at 15:58

To: Te Ao Marama Office <office@tami.maori.nz>, Stevie-Rae Blair <stevie@tami.maori.nz>

Kia Ora Te Ao Marama Inc,

On behalf of the owner of Jetty S14C and Swing Moorings #59 and #60 (Lake Wakatipu, Queenstown), I am writing to undertake consultation with the Te Ao Marama Inc, in advance of an upcoming resource consent application to retain these structures on the bed of Lake Wakatipu. The jetty and swing moorings are located at the edge of the Frankton Arm of Lake Wakatipu, adjacent to the property at properties of 623 & 627 Peninsula Road in Kelvin Heights, Queenstown. I have included a plan of these - attached to this email.

Background

Jetty S14C and Swing Moorings #59 and #60 are located adjacent to the properties of 623 & 627 Peninsula Road in Kelvin Heights (both properties are owned by the same family). One mooring is associated with one property, the other with the other property.

Both moorings and a jetty in the subject location have existed for decades. I attach documentation from the 60's re the jetty. The current owner has reached out to the Jones Family who established the jetty in the '60s. Apparently after the 60's it was 100m to the west and was moved to the current location in the '70s. We also have a photo of a jetty in the subject location taken in the early 2000's.

Inspection reports have been completed on the existing jetty and moorings - and minor repairs/maintenance will be made to ensure both are up to current QLDC spec.

Could Te Ao Marama Inc please be engaged to consult with Rūnanga on the retention of this jetty and moorings?

The clients address for service is as follows (invoice to them directly please):

NIGEL & ROSEMARY WALKINGTON
171 GARDINERS ROAD
HAREWOOD
CHRISTCHURCH 8051
nwalkington@me.com

Thank you and please do let us know if you have any questions

Richard

--

Richard Kemp

Principal Planner

PRAGMATIC PLANNING
Effective Resource Consent and Town Planning Solutions

M: 021 104 3405
E: richard@pragmaticplanning.co.nz
W: pragmaticplanning.co.nz

--

Richard Kemp

Principal Planner

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W: pragmaticplanning.co.nz

6 attachments



Photo of Jetty (Circa 2002).pdf
199K



Jetty and Mooring Plan.pdf
954K



Original Jetty Approval Documentation (1960's).pdf
1042K



Mooring Inspection Report _ WALKINGTON # 60.pdf
181K



Structure Inspection Report _ WALKINGTON # S14c.pdf
409K



Mooring Inspection Report _ WALKINGTON # 59.pdf
5731K