

# **APPLICATION AS NOTIFIED**

**K Muir & J Muir**

**(RM260069)**

## **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:**

K Muir & J Muir

**What is proposed:**

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

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

On the southern side of the Frankton Arm to the north of 693 Peninsula Road, Kelvin Heights, Queenstown within Whakātipu-Wai-Māori at the following GPS coordinates:

-45.044775 S, 168.683778 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 **RM260069** as the reference <https://edocs.qldc.govt.nz/Account/Login>

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

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

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

**10 April 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 (K Muir & J Muir, [muir@xtra.co.nz](mailto:muir@xtra.co.nz)) as soon as reasonably practicable after serving your submission to Council:

C/- Hanna Afifi  
[hanna@unityplanning.co.nz](mailto:hanna@unityplanning.co.nz)  
Unity Planning Limited

#### QUEENSTOWN LAKES DISTRICT COUNCIL



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

**Date of Notification:** 13 March 2026

#### Address for Service for Consent Authority:

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

Phone  
Email  
Website

03 441 0499  
[rcsubmission@qldc.govt.nz](mailto:rcsubmission@qldc.govt.nz)  
[www.qldc.govt.nz](http://www.qldc.govt.nz)

**TechnologyOne ECM Document Summary**

Printed On 12-Mar-2026

Class	Description	Doc Set Id / Note Id	Version	Date
PUB_ACC	Application Form	9319343	1	29-Jan-2026
PUB_ACC	AEE (Assessment of Environmental Effects) Muir Mooring	9333368	1	04-Feb-2026
PUB_ACC	Appendix A - Record of Title OTA1/893	9319345	1	29-Jan-2026
PUB_ACC	Mooring Permit 46 2025 - 2026	9356338	1	10-Feb-2026
PUB_ACC	Appendix C - Swing Mooring Inspection and Information Form	9319347	1	29-Jan-2026
PUB_ACC	Appendix D - Indicative Plan of Mooring System and Buoy	9319348	1	29-Jan-2026
PUB_ACC	Appendix E - Relevant Objective and Policies of the PDP and ORP.W	9319349	1	29-Jan-2026
PUB_ACC	LINZ APA	9350635	1	09-Feb-2026



APPLICATION FOR RESOURCE CONSENT OR  
FAST TRACK RESOURCE CONSENT

# FORM 9: GENERAL APPLICATION



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

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

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



## APPLICANT //

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

\*Applicant's Full Name / Company / Trust: **Kenneth James Muir and Jillian Grace Muir**  
(Name decision is to be issued in)

All trustee names (if applicable):

\*Contact name for company or trust:

\*Postal Address: **693 Peninsula Road, Kelvin Heights, Queenstown**

\*Post code:

**9300**

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

\*Email Address: **muir@xtra.co.nz**

\*Phone Numbers: Day **0272859840**

Mobile: **0272859840**

\*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: **Hanna Afifi, Unity Planning Limited**

\*Phone Numbers: Day

Mobile: **021 1590114**

\*Email Address: **hanna@unityplanning.co.nz**

\*Postal Address: **208 Fernhill Road, Sunshine Bay, Queenstown**

\*Postcode:

**9300**



## INVOICING DETAILS //

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

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

Applicant:

Agent:

Other - Please specify:

Email:

Post:

\*Attention: **Ken Muir**

\*Postal Address: **See applicant details**

\*Post code:

\*Please provide an email AND full postal address.

\*Email: **See applicant details**



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

Owner Name: **Crown Lane administered by Land Information New Zealand (LINZ)**

Owner Address: **(LINZ) Level 7, 155 The Terrace, Wellington 6011 PO Box 5501, Wellington 6145**

Owner Email: **CrownProperty@linz.govt.nz**

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:

N/a

\*Attention:

\*Email:

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



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

\*Address / Location to which this application relates:

Southern side of the Frankton Arm of Lake Whakatipu, Queenstown. The GPS Position of Mooring 46 is (WGS84 Decimal Degrees) is Lat: 5\*02' 41.19 S and Lon: 168\*41'01.60 E.

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

N/a

District Plan Zone(s): **Rural General (Operative District Plan): Rural (Proposed District Plan)**



## 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 // ALSO FILL IN OTHER CONSENTS SECTION BELOW

Land Use Consent

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

Land Use Consent includes earthworks

s127 Change or Cancellation of Consent Condition

Land Use Consent combined with s127 and/or s221

s221 Change or Cancellation of Consent Notice

Subdivision Consent

Boundary / Marginal or Temporary Activity Notice

Designations

These forms can be downloaded here



## QUALIFIED FAST-TRACK APPLICATION UNDER SECTION 87AAC

Controlled Activity Land Use

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



## BRIEF DESCRIPTION OF THE PROPOSAL //

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

\*Consent is sought to:

Lawfully establish an existing swing mooring (Mooring 46) located on the southern shoreline of the Frankton Arm of Whakātipu-Wai-Maori/Lake Whakātipu (the Lake), Queenstown.



## 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 25m<sup>3</sup> per 500m<sup>2</sup>). Therefore the NES does not apply.

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

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



## OTHER CONSENTS // CONTINUED

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

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

Any other National Environmental Standard

Yes

N/A

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

Yes

N/A

If Yes have you applied for it?

Yes

No

If Yes supply ORC Consent Reference(s)

As part of this application

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

Yes

No



## INFORMATION REQUIRED TO BE SUBMITTED //

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

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

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

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

A site plan at a convenient scale.

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

An AEE (Assessment of Effects).

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



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



## PRIVACY INFORMATION

The information that you have provided on this form is public information and is gathered for a lawful purpose to ensure the efficient functioning of Council's duties, powers and functions under the Resource Management Act 1991 and the Building Act 2004. The information will enable Council to adequately assess your application for Resource Consent in accordance with the statutory processes under the Resource Management Act 1991. The information may also be collected for and disclosed to, the Ministry for the Environment and Queenstown Lakes District Council, for the purpose of statistical analysis, so that the Agencies can efficiently undertake their statutory duties. The information will be stored on a public register (Council's eDocs website) and is available to the public in accordance with the terms and conditions set out on the eDocs website.

While available to the public through the eDocs portal, any disclosure of the information on the website must be in accordance with the Local Government Official Information and Meetings Act 1987 and must not be used for a purpose other than for the reason it was collected. Members of the public should not share or distribute this information for any purpose that is not a lawful purpose set out under relevant legislation.

Any unauthorised use, disclosure, or distribution of this information by third parties may constitute a breach of the Privacy Principles set out under the Privacy Act 2020 and may be reported to the Privacy Commissioner which could result in legal sanctions.



## FEES INFORMATION

Section 36 of the Resource Management Act 1991 deals with administrative charges and allows a local authority to levy charges that relate to, but are not limited to, carrying out its functions in relation to receiving, processing of applications under this Act.

An invoice for an initial fee will be sent out typically within 1-2 business days of receipt of correctly completed application. Your application will not be processed until this invoice is paid. When making payment please use the application reference.

Incorrectly referenced payments will be refunded directly to your bank account and you will be required to resubmit payment using the correct application reference.

If the initial fee charged is insufficient to cover the actual and reasonable costs of work undertaken on the application you will be required to pay any additional amounts. These will be invoiced monthly and are payable by the 20th of the month.

If your application is notified or requires a hearing you will be required to pay a notification deposit and/or a hearing deposit. An applicant may not offset any previous invoices issued against such deposits.

If unpaid, the processing of an application, provision of a service, or performance of a function will be suspended until the sum is paid in full.

Section 357B of the Resource Management Act provides a right of objection in respect of additional charges. An objection must be submitted using the correct application form and required documents. This must be lodged within 15 working days of the receipt of the final invoice.

**LIABILITY FOR PAYMENT** – Please note that by signing and lodging this application form you are acknowledging that the details in the invoicing section are responsible for payment of invoices and in addition will be liable to pay all costs and expenses of debt recovery and/or legal costs incurred by QLDC related to the enforcement of any debt.

**ADMINISTRATION FEE** - The initial fee includes an administration lodgement fee for staff time spent setting up your application and generating your invoice.

**MONITORING FEES** – Please also note that the initial fee paid at lodgement includes an initial monitoring fee as per our Charges and Fees for Land Use Consent applications as once Resource Consent is approved you will be required to meet the costs of monitoring any conditions applying to the consent, pursuant to Section 35 of the Resource Management Act 1991. This initial monitoring fee also applies to designation related applications. For all application types the monitoring team may still charge an hourly rate if monitoring is deemed required.

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

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



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

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

This fee **MUST** be paid with the correct application reference in order for the processing to begin.

Incorrectly referenced payments will be refunded directly to your bank account and you will be required to resubmit payment using the correct application reference.

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

\$2668 - Land Use Discretionary (overall consent status)

## APPLICATION & DECLARATION

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



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

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

OR:



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

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



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

PLEASE TICK

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

Full name of person lodging this form **Hanna Afifi**

Firm/Company **Unity Planning Limited**

Dated **29.01.26**

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



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

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

### 1 INFORMATION MUST BE SPECIFIED IN SUFFICIENT DETAIL

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

### 2 INFORMATION REQUIRED IN ALL APPLICATIONS

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

- (a) a description of the activity;
- (b) a description of the site at which the activity is to occur;
- (c) the full name and address of each owner or occupier of the site;
- (d) a description of any other activities that are part of the proposal to which the application relates;
- (e) a description of any other resource consents required for the proposal to which the application relates;
- (f) an assessment of the activity against the matters set out in Part 2;
- (g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b).

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

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

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

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

Information provided within the Form above

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

### ADDITIONAL INFORMATION REQUIRED IN SOME APPLICATIONS

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



## Clause 6: Information required in assessment of environmental effects

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

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

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



## UNDER THE FOURTH SCHEDULE TO THE ACT:

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

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

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

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

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



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

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

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

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

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

You may have documents that do not fit these names; therefore below is a guide of some of the documents we receive for resource consents. Please use a generic name indicating the type of document.

Application Form

AEE (Assessment of Environmental Effects)

Landscape Report

Engineering Report

Affected Party Approval/s

Ecological Report

Traffic Report

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

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

Geotechnical Report

Urban Design Report



## Assessment of Effects on the Environment



**Kenneth James Muir and Jillian Grace Muir**

**Land use resource consent under Section 88 (1) of the Resource Management Act 1991 to lawfully establish an existing swing mooring (Mooring 46) located on the southern shoreline of the Frankton Arm of Whakātipu-Wai-Maori/Lake Whakātipu, Queenstown.**

**Prepared by Hanna Afifi, Unity Planning Limited**

**February 2026**

Unity Planning Limited

021 159 0114 | PO Box 1815, Queenstown, 9348

[www.unityplanning.co.nz](http://www.unityplanning.co.nz)



**Land use resource consent application prepared for**

**Kenneth James Muir and Jillian Grace Muir**

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Document date:

February 2026

Prepared by:

Hanna Afifi, Senior Planner

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Unity Planning Limited

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021 159 0114 | PO Box 1815, Queenstown, 9348

[www.unityplanning.co.nz](http://www.unityplanning.co.nz)

## Table of Contents

1	Introduction .....	2
2	Description of Mooring Location and History .....	2
3	The Proposal .....	5
4	Matters Requiring Resource Consent .....	6
5	Statutory Considerations .....	7
6	Consultation and Written Approvals .....	8
7	Assessment of Actual and Potential Effects on the Environment .....	9
8	Section 95 Notification .....	14
9	Objectives and Policies .....	15
10	Otago Regional Policy Statements and National Policy Statement .....	18
11	Part 2 of the Resource Management Act 1991 .....	19
12	Conclusion .....	19

**Appendix A** - Record of Title OTA1/893

**Appendix B** - Mooring Permit

**Appendix C** - Swing Mooring Inspection and Information Form

**Appendix D** - Indicative Plan Mooring System and Buoy

**Appendix E** - Relevant Objective and Policies of the PDP and ORP:W

## 1 INTRODUCTION

- 1.1 This Assessment of Effects on the Environment (AEE) is provided in accordance with the requirements of Section 88 (2) of the Resource Management Act 1991 (the Act). It is prepared to enable the AEE to be adopted.
- 1.2 Kenneth James Muir and Jillian Grace Muir, the “applicant”, applies for land use resource consent under Section 88 (1) of the Resource Management Act 1991 (the Act) to lawfully establish an existing mooring (Mooring 46) located on the southern shoreline of the Frankton Arm of Whakātipu-Wai-Maori/Lake Whakātipu (the Lake), Queenstown.
- 1.3 Section 88 of the Resource Management Act 1991 ('the Act') sets out the particular requirements for persons making an application to a local authority for a resource consent. Section 88(2)(b) states that:
- "an application must be made in the prescribed form and manner; and include, in accordance with Schedule 4 of the Act, an assessment of environmental effects in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment"*.
- 1.4 The following assessment of environmental effects is made in accordance with these requirements.

## 2 DESCRIPTION OF THE MOORING LOCATION AND HISTORY

### **Mooring Location**

- 2.1 The applicant's property is located at 693 Peninsula Road, Kelvin Heights, Queenstown. The property is legally described as Lot 11 Deposited Plan 9769, held in Record of Title (RT) OTA1/893. A copy of the RT is provided as **Appendix A**.
- 2.2 The applicant's property has a lakeside position. Mooring 46 is located in the Frankton Arm of the Lake to the north of the property, with the Kelvin Peninsula Trail (the trail) and Council Recreation Reserve separating the property from the Lake.
- 2.3 Mooring 46 is located on the southern side of the Frankton Arm close to the lakeshore adjacent to the applicant's property. The GPS Position of mooring is (WGS84 Decimal Degrees) is Lat: 5\*02' 41.19 S and Lon: 168\*41'01.60 E. Refer to Figure 1 for the location of the mooring within the Frankton Arm.



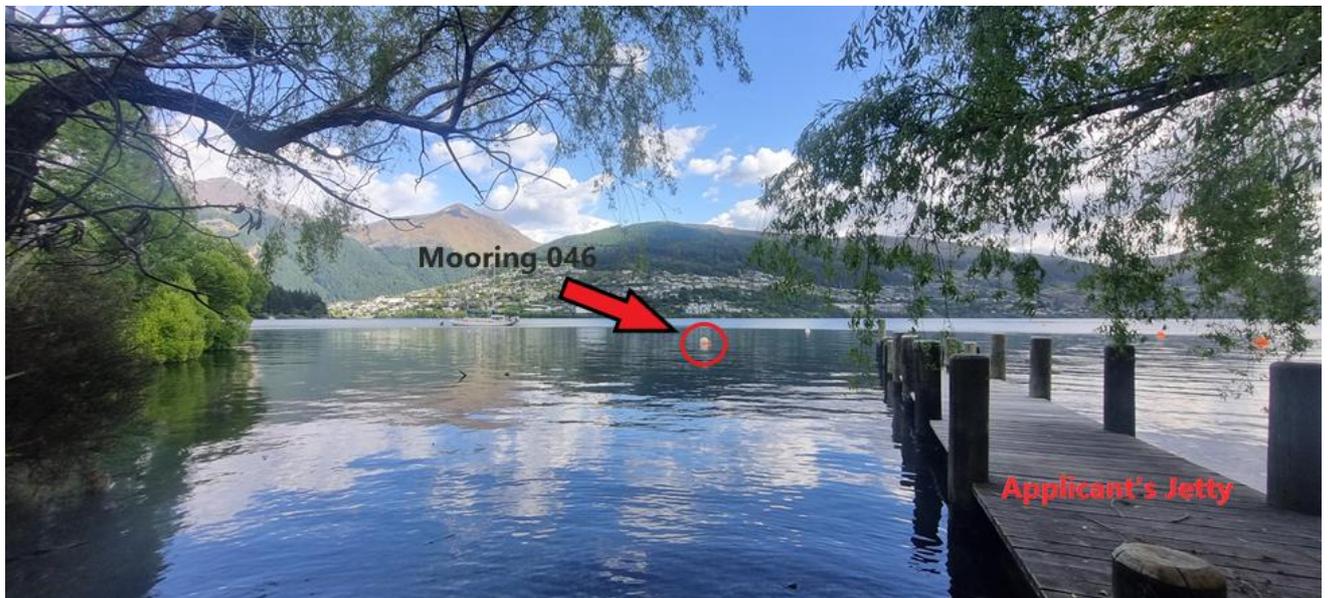
Extract from Map 35 Kelvin Peninsula

Figure 1. Location of Mooring 46 within the Frankton Arm

2.4 Mooring 46 is located just off the northeast of the applicant's jetty as seen in Figure 2 and 3 below.



**Figure 2.** Applicant's property highlighted and approximate location of Mooring 46 (red dot)



**Figure 3.** Location of Mooring 46 and applicant's jetty

- 2.5 Established dwellings which form part of the residential suburb of Kelvin Heights are located along the lakefront with the reserve separating these sites from the lake. The residences immediately adjacent to the lakefront jetty all located at a quite a higher elevation being perched above the trail and the lakeshore.

- 2.6 The surface of the Lake is zoned Rural under the Queenstown Lakes District Council (QLDC) Proposed District Plan (PDP).
- 2.7 This area of Frankton Arm is located east of the ONL line on the District Plan Web Mapping application. Policy 6.3.1.2 of the PDP seeks to:
- 'Exclude identified Ski Area Sub-Zones and the area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan web mapping application from the Outstanding Natural Feature, Outstanding Natural Landscape and Rural Character Landscape categories applied to the balance of the Rural Zone and from the policies of this chapter related to those categories.'*
- 2.8 Therefore, it is appropriate to proceed on the basis that the site is not affected by any landscape classification under the PDP.
- 2.9 The Lake is a Statutory Acknowledge Area under the Ngai Tahu Claims Settlement Act 1998. Mooring 46 is located within a Wāhi Tūpuna overlay of the PDP, Reference No. 33 - Whakātipu-Wai-Māori (Lake Whakātipu).
- 2.10 The Lake is also identified in Schedule 1D of the Otago Regional Plan: Water for Otago (ORP:W) as being MA3 (Waahi tapu and/or Waiwhakaheke). Similarly, MA3 refers to sacred places; sites, areas and values associated with water bodies that hold spiritual values of importance to Kai Tahu.

### **History of Mooring 46**

- 2.11 Mooring 46 was first established in the early/mid 1980's when the dwelling at 693 Peninsula Road was constructed. The most recent upgrades to some of the mooring components were undertaken in 2021. The applicant holds a structure permit for the mooring under the QLDC Navigation Safety Bylaw. A copy of the permit is attached as **Appendix B**.
- 2.12 The applicant's jetty referred to above was approved by resource consent RM160854 on 29 March 2017. Therefore Mooring 46 pre-dates the jetty and was in place at the time the jetty was approved and constructed.
- 2.13 Mooring 46 was inspected by a suitably competent mooring inspector on 21 January 2026. A *Swing Mooring Inspection and Information Form* (mooring inspection form) was completed following the inspection. The mooring inspection form is attached as **Appendix C**.
- 2.14 The mooring inspector concludes that the mooring is deemed fit for purpose despite the note that one of the chains (the middle chain) is in poor condition. The inspector considers that the chain is suitable in the medium term. The applicant proposes to replace the chain as soon as the inspector has availability. Therefore it is likely to be done well before any decision is made on this application. The Council will be advised when the replacement is completed to ensure the details in this application are up to date.

## **3 THE PROPOSAL**

- 3.1 Resource consent is sought on a retrospective basis to lawfully establish Mooring 46 located on the southern foreshore of the Frankton Arm of the Lake in the location as described above.
- 3.2 Mooring 46 is a typical block and chain swing mooring system commonly used in the area. The mooring block is a 1 tonne concrete block that measures 1m x 1m x 0.5m with a chain (comprising ground chain, middle chain, and top chain parts) which connects to an orange buoy on the surface of the Lake. Refer to the mooring inspection report which provides further specific details on the components of the mooring including the swing radius and the GPS location. An indicative diagram of the mooring system and a photo of the buoy is attached as **Appendix D**.

- 3.3 The applicant proposes to replace the middle chain of the mooring and it is likely that this will be completed prior to a decision on the resource consent being made.
- 3.4 The mooring is to be used for a private recreational boat no longer than 9m.
- 3.5 The applicant volunteers the following conditions of consent:
- *The Consent Holder shall take all practical steps to ensure that a vessel moored at the mooring does not discharge any contaminants such as (but not limited to) fuel, oil and wastewater into Whakātipu-Wai-Māori (Lake Whakatipu) so as to avoid potential adverse effects from contaminants on water quality of the lake.*
  - *The Consent Holder shall monitor and remove any aquatic lake weed as defined in the Regional Pest Management Plan (RPMP) within an area extending in a three-meter circle around the mooring.*

## 4 MATTERS REQUIRING RESOURCE CONSENT

### Queenstown Lakes District Operative District Plan (ODP)

- 4.1 The application site is zoned Rural General under the ODP. The proposal does not require any resource consents under the ODP.

### Queenstown Lakes District Council Proposed District Plan (PDP)

- 4.2 The surface of the lake over which Mooring 46 is proposed is zoned Rural.
- 4.3 Resource consent is required for the following reasons:
- A **restricted discretionary** activity resource consent pursuant to Rule 21.15.7 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:
    - a. *whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands;*
    - b. *whether the structure causes an impediment to craft manoeuvring and using shore waters.*
    - c. *the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline;*
    - d. *the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect;*
    - e. *whether the structure will be used by a number and range of people and craft, including the general public;*
    - f. *the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design; and*
    - g. *whether the structure enables the use of public water ferry services and/or water based transport.*

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

- 4.5 Otago Regional Council (ORC) has delegated its responsibilities under Section 13(1)(a) of the Act to the QLDC. These responsibilities relate to the use, erection, reconstruction, placement, alteration, extension, removal or demolition of any structure or part of any structure in, on, or over the lakebed.

- 4.6 The application requires a **discretionary** resource consent pursuant to Rule 13.2.3.1 of the ORP:W with regard to the erection or placement of any structure fixed in, on, under or over the bed of a lake.
- 4.7 The proposal is based on compliance with the permitted activity standards under Rule 13.5.1.1 of the ORP:W which addresses the disturbance of the bed of the lake for the placement of the mooring.

### Summary of Application Status

- 4.8 Overall, the application is:
- a **restricted discretionary** activity under the PDP; and
  - a **discretionary** activity under the ORP:W.

## 5 STATUTORY CONSIDERATIONS

### Resource Management Act 1991 - s95-95E, s104-104D

- 5.1 The following matters are noted in consideration of sections 95A-95E of the:
- i. Public notification is not requested by the applicant;
  - ii. There are no special circumstances necessitating public notification;
- 5.2 As a discretionary activity, the provisions in sections 104 and 104B direct the substantive determination of the application.

### Purpose and Principles of the Act

- 5.3 The purpose of the Act, set out in Section 5, is to promote the sustainable management of natural and physical resources. This is defined as:

*“managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while—*

*(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*

*(b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*

*(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

- 5.4 The broader principles of the Act are set out in sections 6 to 8.
- 5.5 With respect to Section 6 *Matters of national importance*, the location of the mooring is not affected by a Landscape Classification under the PDP, and the proposal does not require resource consent under the ODP, under which the location is classified as an ONL. However, the following matters of national importance are considered relevant to the application:
- (a) *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
  - (d) *the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*

(e) *the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*

- 5.6 Section 8 requires the consent authority to consider the principles of the Treaty of Waitangi. The proposal does not offend any Treaty of Waitangi Principals.
- 5.7 The proposed development meets the purpose and principles of the Act as addressed further in this report.

### **Section 104 Matters**

- 5.8 Subject to Part 2 of the Act, Section 104(1) sets out those matters to be considered by the consent authority when considering a resource consent application. Considerations of relevance to this application are:

(a) *any actual and potential effects on the environment of allowing the activity; and*

(b) *any relevant provisions of:*

- (i) *A national environmental standard;*
- (ii) *Other regulations;*
- (iii) *a national policy statement*
- (iv) *a New Zealand coastal policy statement*
- (v) *a regional policy statement or proposed regional policy statement*
- (vi) *a plan or proposed plan; and*

c) *any other matters the consent authority considers relevant and reasonably necessary to determine the application.*

- 5.9 The relevant provisions of the ODP, the PDP, the ORP:W, the Operative Otago Regional Policy Statement 2019, the Proposed Regional Policy Statement 2021 and the National Policy Statement for Freshwater Management 2020 are matters relevant to the assessment under section 104(b).
- 5.10 Section 104(2) of the Act states that, in considering the effects on the environment of allowing an activity, a consent authority may disregard an adverse effect if a national environmental standard or the plan permits an activity with that effect, otherwise referred to as the permitted baseline.
- 5.11 Section 104(3) states that a consent authority must not have regard to trade competition or the effects of trade competition, or any effect on a person who has given written approval to the application.
- 5.12 Section 108 empowers the consent authority to impose conditions on a resource consent.

## **6 CONSULTATION AND WRITTEN APPROVALS**

- 6.1 The applicant has undertaken consultation with Land Information New Zealand (LINZ) as administrators of the bed of the lake which is Crown Land. Written approval has been sought and will be provided once obtained.
- 6.2 The relevant Rūnanga that have interest in this application are Te Ao Marama Incorporated and Aukaha (formally Ki Tahu ki Otago). Written approval has not been sought to date as it is understood that the Rūnanga are not currently providing written approvals for similar applications. It is understood that the Council will serve notice on these parties as potentially affected parties to enable them to submit on the application and enable their views to be taken into consideration in the decision making process.

- 6.3 It is understood that the Council will undertake consultation with the Council Harbourmaster and Maritime New Zealand as an internal Council process of the resource consent applications.
- 6.4 There are no other potentially affected parties.

## 7 ASSESSMENT OF ACTUAL AND POTENTIAL EFFECTS ON THE ENVIRONMENT

### 7.1 Introduction

- 7.1.1 As a discretionary activity, assessment of this proposal is unrestricted and all actual and potential effects must be considered.
- 7.1.2 Guidance as to the effects that require consideration is provided in the PDP and the Regional Plan. The PDP provides a range of matters of discretion for jetties, structures and moorings in the locality as listed under Rule 21.15.7 above as the proposal is a restricted discretionary activity under the PDP. Collectively the PDP and Regional Plan cover a range of actual and potential effects on the environment that are considered to fall adequately under the following topics:
- Impact on Recreational Opportunities/Quality of Experience
  - Navigation and Water Safety Effects
  - Effects on the Natural Character of the Lakeshore Environment
  - Effects on Nature Conservation Values and Ecological Values
  - Landscape Character and Visual Amenity Effects
  - Effects on Manawhenua Values
  - Cumulative Effects
  - Positive Effects

### 7.2 The Permitted Baseline and Existing Environment

- 7.2.1 Sections 95D(b) and 95E(2)(a) allow the adverse effects of activities permitted by the District Plan or an NES to be disregarded (the "permitted baseline"). Under the ODP, PDP and ORP-W, there are no permitted activities related to the establishment of a mooring structure. However, once established lawfully, the ongoing use of the mooring could rely on permitted activity Rule 13.1.1.1 of the ORP:W, provided it is maintained in good repair.
- 7.2.2 The permitted baseline as it relates to the disturbance of the lakebed associated with the placement of the mooring, and the ongoing use of the structure once lawfully established, is relevant to the proposal. The applicant will comply with the permitted activity standards relating to the disturbance of the lakebed. As compliance is assumed, this will be taken into consideration in the assessment.
- 7.2.3 The existing environment in respect of the mooring location comprises the modified lake front environment along the southern side of the Frankton Arm adjacent to the well-established residential suburb of Kelvin Heights. Mooring 46 is located approximately 11.5m northeast of the applicant's jetty. There is a jetty approximately 80m along the lakefront to the east and another jetty approximately 90m to the west. There are also several moorings in the vicinity the closest being separated from Mooring 46 by approximately 25m.
- 7.2.4 The environment can be described as a well-used and modified lakefront recreational area with the Kelvin Heights walking track constructed along the lakefront, with residential gardens and curtilage built down to the track in many areas. The modification of the natural environment also includes with the presence of jetties, moorings/moored boats along the full length of the shoreline with the lakeside roading, car parking and playground infrastructure along the Kelvin Heights golf course Road/Loop Road commencing approximately 200m west of the mooring location. The Kelvin Heights golf course which has modified the natural character of the end of the Kelvin Peninsula significantly is located approximately 400m west/southwest of the mooring location.

### 7.3 Impact on Recreational Opportunities/Quality of Experience

- 7.3.1 Guiding matters of discretion under the PDP include *the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline and whether the structure will be used by a number and range of people and craft, including the general public.*
- 7.3.2 A mooring has limited potential to impact recreational values and the quality of experience for those who spend time at the lake in locations where the mooring is located. However, being an area of the lake immediately adjoining a suburban neighbourhood, the recreation experience sought by users would not be described as an opportunity for a remote experience as would be the case in other areas of the lakeshore that are located away from established urban and suburban areas.
- 7.3.3 Shore based users of the area are generally walkers, runners and cyclists using the adjacent trail. Others fish from the shore or enjoy the easily accessible beach areas of the shoreline. The mooring is located offshore and will therefore not impact the shore-based recreational opportunities or quality of experience as the mooring will be viewed in the context of other water-based structures, including a jetty and other moorings.
- 7.3.4 Water based users include recreational motorised craft users such as wakeboard/water ski boats, kayakers and paddleboarders. The location of the mooring and a mooring boat will not impact on the recreational opportunities or experience of these users as the mooring and its use is insignificant in the context of the wider lake environs. The commercial vessels such as jetboats and sightseeing boats do not approach close to the shore in this area of the Frankton Arm and are therefore not affected by the proposal.
- 7.3.5 Overall, any adverse effect on the environment and persons with respect to impact on recreational opportunities/quality of experience will be less than minor and appropriate.

### 7.4 Navigation and Water Safety Effects

- 7.4.1 A guiding matter of discretion under the PDP with respect to navigation and water safety effects is *whether the structure causes an impediment to craft manoeuvring and using shore waters.*
- 7.4.2 The consenting of the mooring on a retrospective basis is not anticipated to result in any inappropriate navigation or water safety effects. The mooring is a permitted structure under the QLDC Navigation Safety Bylaw 2025 bylaw and is well distanced from the closest moorings in the vicinity. Mooring 46 has been used in the past without any recorded conflict or issue. The closest established mooring can be seen in Figure 2 above and is located approximately 25m to the north.
- 7.4.3 The applicant's jetty is the closest structure to the mooring. It is noted that the mooring was established at the time the jetty was consented under RM160854 and was assumed to be lawfully established at that time. There were no navigation safety issues between the mooring and the jetty that precluded the grant of resource consent RM160854. Therefore, it can be concluded that there are no navigation safety issues between the jetty and the mooring.
- 7.4.4 It is noted that the speed of vessels within 200m of the shore or within 50m of any other vessel or a floating structure (which includes a mooring) is limited to 5 knots under the QLDC Navigation Safety Bylaw 2025<sup>1</sup> which will ensure that any vessels approaching close to the mooring will be at a speed which under the bylaw is deemed to provide for an appropriate level of surface of the water safety.
- 7.4.5 Mooring 46 is also sufficiently separated from the closest ski lane being the Kelvin Grove Ski Lane, and the Narrows Access Lane which provides water-based access into the Frankton Arm of the Lake.
- 7.4.6 For the reasons above, Mooring 46 is not anticipated to compromise levels of public safety or cause an impediment to craft manoeuvring and using shore waters. Any adverse effects on the

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<sup>1</sup> Queenstown Lakes District Council Navigation Safety Bylaw 2025, Part 2, Clause 9.1, Page 12

environment and persons with respect to navigation and water safety will be less than minor and acceptable.

## 7.5 Effects on the Natural Character of the Lakeshore Environment

- 7.5.1 The natural character of the highly modified existing environment is described above. The approval of Mooring 46 will have an insignificant impact on that natural character. The mooring is a small water-based structure that will not result in any loss of privacy or a sense of remoteness or isolation. It will be used to moor a recreational craft, which is an entirely anticipated activity in the location. The status quo will remain in this regard.
- 7.5.2 Any adverse effect on the environment and persons on the natural character of the lakeshore environment will be less than minor.

## 7.6 Landscape Character and Visual Amenity Effects

- 7.6.1 The relevant PDP matter of discretion addresses the degree to which the structure would be compatible with landscape and amenity values, including colour, materials and design.

### *Effects on the Openness of the Landscape*

- 7.6.1.1 The limited size of the mooring (including when in use) in the context of the wider lake environment is not sufficiently significant to result in inappropriate effects on the openness of the lake. The mooring is located no more than approximately 25m from the shoreline, bringing it closer to the more modified lakeshore surrounds. It is clustered in relatively proximity to the applicant's jetty and does not extend further out to the lake as far as other moorings in this area of the Frankton Arm, some of which are located twice as far off the lakeshore as Mooring 46. These factors will ensure that any adverse effects on the openness of the landscape will be less than minor and appropriate.

### *7.6.2 Visibility of Development/ Visual Coherence and Integrity of Landscape*

- 7.6.2.1 With respect to visibility, the relevant guiding matter of assessment addresses *whether the mooring is a dominant or obtrusive element 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.*
- 7.6.2.2 The closest public views of Mooring 46 are obtained from the lake, from the stretch of the trail adjacent to the applicant's jetty and the jetty. When viewed from the lake, and views beyond the lake environs to towards the north, north west and north east, the mooring is seen as part of the wider shoreline, including other moorings, jetties and boats as well as residential development along the peninsula.
- 7.6.2.3 When viewed from trail, Mooring 46 viewpoints will be restricted as wide expansive unobstructed views of the entire shoreline are not available from the trail due to the undulating topography, the variance in the shoreline and the presence of existing vegetation which limit expansive views. Mooring 46 is therefore only readily visible at closer views (less than 40m) from the trail when walking past the location and will be viewed with a jetty structure in the foreground and other moorings and moored boats in the back ground.
- 7.6.2.4 The extent of visibility of Mooring 46 is not considered inappropriate in the context of the existing environment. The mooring is not located on a headland. The mooring would not be described as dominant or an obtrusive element when viewed from the private residences or the closest public places addressed above. Further the structure will be compatible with landscape and amenity values of the locality including materials typically used for private swing moorings.

- 7.6.2.5 Overall, Mooring 46 will be compatible with the scenic and amenity values of this part of the Frankton Arm, which is within a landscape highly modified by the establishment of shoreline structures of various shapes and sizes such as jetties and boatsheds and the vessels and boating equipment associated with those structures.

## 7.7 Effects on Nature Conservation Values and Ecological Values

- 7.7.1 The activity is compatible with and will not adversely affect nature conservation values or wildlife habitat. The mooring is not an impediment for fish passage. The proposal does not affect any Regionally Significant Wetland.
- 7.7.2 The QLDC acknowledge that aquatic pest species are present in the District's 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 jetties and moorings are used by vessels that are also used in other waters. The use of the mooring does not encourage this potential transfer any more than the general movement of boats between water bodies, such as those that utilise boat ramps. Therefore, the actual threat of the spread of weeds exists with boats entering and leaving different water bodies via boat ramps or entry points to the waterbody. The location of a mooring itself at a specific location in a single waterbody does not provide for that threat. However, the mooring of a boat at the location potentially brings that threat of weed spread to that specific location, albeit that the threat already exists if the boat enters the lake. As such, this potential effect should be mitigated to an acceptable degree.
- 7.7.3 In addition to the spread of lake weeds, a potential discharge of contaminants from a moored boat could also affect water quality including from fuel, oil or wastewater if discharged at the location.
- 7.7.4 To address and mitigate the adverse effects on conservation and ecological values to an acceptable degree, the applicant volunteers the following conditions of consent:
- *The Consent Holder shall take all practical steps to ensure that a vessel moored at the mooring does not discharge any contaminants such as (but not limited to) fuel, oil and wastewater into Whakātipu-Wai-Māori so as to avoid potential adverse effects from contaminants on water quality of the lake.*
  - *The Consent Holder shall monitor and remove any aquatic lake weed as defined in the Regional Pest Management Plan (RPMP) within an area extending in a three meter circle around the mooring.*
- 7.7.5 The conditions will ensure the spread of aquatic lake weeds is appropriately controlled at the mooring location while also addressing the potential discharge of waste or pollutants into the lake.
- 7.7.6 With respect to the occupation of a limited area of the lakebed by the structure, any effects are considered to be insignificant in the context of the vast area of the Lake and the Frankton Arm, the Frankton Arm itself having an area of approximately 5.25km<sup>2</sup>.
- 7.7.7 Subject to the recommended conditions of consent, adverse effects on nature conservation values and ecological values will be less than minor and acceptable.

## 7.8 Effects Manawhenua Values

- 7.8.1 Whakātipu-Wai-Māori holds deep spiritual significance for Manawhenua of this District. The Lake is identified as a Statutory Acknowledgement Area under the Ngai Tahu Claims Settlement Act 1998, and in addition is within a Wāhi Tūpuna overlay, Whakātipu wai Māori (Lake Whakātipu) of the PDP.
- 7.8.2 The potential threats identified for this Wāhi Tūpuna under the PDP include damming, activities affecting water quality, buildings and structures, utilities, subdivision and development, earthworks, and commercial/ commercial recreational activities. The mooring is relevant to structures but is

not relevant to any of the other listed potential threats as no physical works or commercial activity is associated with the structure.

- 7.8.3 The Manawhenua Values listed for the Wāhi Tūpuna under the PDP are Whakapapa (Genealogy), rakatirataka (Chieftainship, decision-making rights), kaitiakitaka (the exercise of customary custodianship, in a manner that incorporates spiritual matters, by tangata whenua who hold Manawhenua status for a particular area or resource), mana (Authority, prestige, influence), mauri (Life supporting capacity), Wāhi taoka (Resources, places and sites treasured by tangata whenua), mahika kai (Refers to the gathering of food and natural materials, the places where those resources are sourced, and the traditions, customs and collection methods; one of the cornerstones of Ngāi Tahu culture) and ara tawhito (Trails and routes).
- 7.8.4 Under the ORP:W, the values associated with Whakātipu-Wai-Māori for Kāi Tahu are outlined in Schedule 1D. These matters largely reflect the PDP matters.
- 7.8.5 With respect to the values above, as outlined in the assessment above, Mooring 46 is an unobtrusive structure in the wider surrounds of the Lake and is located within a highly modified natural landscape where structures such as moorings, jetties and boat sheds are commonly seen as a typical part of the environment and form part of the recreational character of the locality. Further, the mooring does not impede movement around the Lake.
- 7.8.6 As outlined above, the mooring is not anticipated to result in any unacceptable adverse effects on nature conservation values and ecological values, subject to the volunteered conditions of consent.
- 7.8.7 With respect to cumulative effects, it is very unlikely that Mooring 46 would tip the balance with respect to adverse cumulative effects of moorings and other water-based structures in the context of the vast area of the Lake and the Frankton Arm. Cumulative effects are addressed in more detail below.
- 7.8.8 In addition to the above, the Council will engage with relevant iwi authorities via Aukaha (who work on behalf of Otago Rūnaka) and Te Ao Marama Incorporated (who work on behalf of Southland Rūnanga) with respect to this application for resource consent to ensure that their views are taken into consideration in the decision-making process.
- 7.8.9 With reference to the above, the adverse effects on Manawhenua Values will be no more than minor and acceptable.

## 7.9 Cumulative Effects

- 7.9.1 The relevant matter of discretion under the PDP is *the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect.*
- 7.9.2 The proposal is not likely to result in any inappropriate cumulative effects associated with congestion and clutter around the shoreline. As outlined in the assessment above, the area has the capacity to absorb the mooring without resulting in adverse effects related to clutter such as navigational safety or detracting from visual amenity values.
- 7.9.3 Any cumulative effects of development on the landscape will be less than minor as the proposal is limited to the placement of a mooring in an area of the lake which is a highly modified landscape whereby existing jetties and moorings form an integral part of the character of the landscape.
- 7.9.4 Due to the limited size of the structure the mooring in the contact of the vast area of the Lake, the mooring is not anticipated to result in any cumulative effects of significance on nature conservation values or ecological effects, subject to the volunteered conditions of consent as addressed above.
- 7.9.5 Overall, the cumulative effects of the proposal will be less than minor and appropriate.

## 7.10 Positive Effects

7.10.1 The positive effects associated with the proposal include:

- A mooring will make it easier for the applicant and their family to utilise the Lake for recreational purposes as the mooring provides the ability to have their recreational boat moored on the Lake rather than having to transport the boat to and from a storage area to the Lake each time it is to be used.
- The availability of a mooring for a private recreational boat will reduce demand on local boat ramps as the applicant does not need to utilise a boat ramp as frequently to get the boat into and out of the Lake every time it is used.

## 7.11 Summary

7.11.1 With reference to the assessment above, adverse effects of the proposal on the environment will be less than minor and appropriate subject to the volunteered conditions of consent referenced above.

## 8 SECTION 95 NOTIFICATION

### *Public Notification*

- 8.1 Pursuant to s95A(1), a consent authority must follow the steps set out in s95A to determine whether to publicly notify an application.
- 8.2 In terms of s95A(3), the applicant does not request the application be publicly notified, public notification is not required pursuant to s95C and the application is not made jointly with an application to exchange recreation reserve land.
- 8.3 In terms of s95A(8), the assessment above concludes that the proposal will not have more than minor adverse effects on the environment.
- 8.4 There are no rules or national environmental standard that requires public notification.
- 8.5 The proposal is not considered to have "special circumstances".
- 8.6 Overall, it is concluded that the potential adverse effects of the proposal on the environment are not more than minor and therefore public notification is not required.

### *Limited Notification*

- 8.7 Pursuant to s95B(1), a consent authority must follow the steps set out in s95B to determine whether to limited notify an application.
- 8.8 Overall, it is concluded that other than relating to the approval of Aukaha and Te Ao Marama Incorporated, the potential adverse effects of the proposal on persons/parties, will be less than minor. Therefore, written approval is not required from any persons. However, limited notification to Aukaha and Te Ao Marama Incorporated will be required.
- 8.9 Section 95B(2) to 95B(7) is not applicable to this application.

## 9 OBJECTIVES AND POLICIES - SECTION 104(1)(B)

### 9.1 Relevant District/Regional Plans and National Policy Statements

9.1.1 In accordance with section 104(1)(b) of the Act, the application has been assessed against the relevant objectives and policies of the ODP, PDP and the ORP-W. However, the ODP is given limited weighting against the PDP given the significant progress that has been made towards a fully operative PDP, including that none of the most relevant provisions of the PDP are subject to appeal. However, a high-level summary of the relevant ODP provisions is provided below.

### 9.2 Operative District Plan

9.2.1 The most relevant objectives and policies of the ODP are contained within Section 4 (District Wide Issues) and Section 5 (Rural). When assessed against these provisions, the proposed development is aligned with the outcomes sought as outlined in more detail below.

#### Section 4 – District Wide Issues

##### 4.2 Landscape and Visual Amenity

9.2.2 Objective 4.2.5 and associated policies seek that subdivision, use and development is undertaken in the District in a manner which avoids, remedies or mitigates adverse effects on landscapes and visual amenity values. This includes avoiding, remedying or mitigating the adverse effects of development and/or subdivision in those areas of the District where the landscape and visual amenity values are vulnerable to degradation, avoiding cumulative degradation and protecting and enhancing the naturalness of the landscape.

9.2.3 These matters have been appropriately addressed in the assessment of effects above. In summary, the mooring is located in a highly modified area of the Lake. Mooring 46 will be appropriate to the anticipated landscape and visual amenity values of the landscape and surrounds. The proposal will not detract from the landscape and visual amenity values of the wider landscape whilst ensuring adverse effects are avoided, remedied for mitigated to an appropriate degree that is less than minor. No ecological systems or native conservation values will be adversely impacted to any unacceptable degree. Inappropriate adverse cumulative effects will be avoided. No adverse effects of significance on open character or visual coherence of the landscape have been identified. The proposal is therefore considered to be aligned with the objective and associated policies.

#### Section 5 – Rural Areas

9.2.4 Objective 1 *Character and Landscape Value* and associated policies seek to protect the character and landscape value of the rural area by promoting sustainable management of natural and physical resources and the control of adverse effects caused through inappropriate activities. Objective 3 and associated policies seeks that adverse effects of activities on rural amenity are avoided remedied or mitigated. Objective 4 and associated policies seeks to safeguard the life supporting capacity of water through the integrated management of the effects of activities. The provisions also seek that the district wide landscape objectives and policies (Section 4) are considered fully when considering subdivision, use and development in the Rural General Zone.

9.2.5 These matters have been appropriately addressed in the assessment of effects above. The proposal is not considered an inappropriate activity and the character of the Lake will not be adversely impacted to an inappropriate degree. Any adverse effects on landscape character and landscape values will be less than minor. In addition, the most relevant provisions of Section 4 are addressed above accordingly.

- 9.2.6 The proposal is within an area where the character of the rural zoned area will not be adversely impacted and where adverse effects of development on the landscape values of the District are avoided, remedied or mitigated.
- 9.2.7 The proposal will ensure that the visual coherence of the landscape is preserved as Mooring 46 is located in an area with the potential to absorb the change.
- 9.2.8 For the reasons outlined above the proposal is aligned with the relevant objectives and associated policies in Section 5.

#### Summary of Assessment of the Objective and Policies of the ODP

- 9.2.9 Overall, the proposed development aligns and is consistent with the relevant objectives and policies of the ODP.

### **9.3 Proposed District Plan**

- 9.3.1 The relevant objectives and policies of the PDP are found in Chapters Chapter 3 (Strategic Direction), Chapter 5 (Tangata Whenua), Chapter 6 (Landscapes), Chapter 21 (Rural), and Chapter 39 (Wāhi Tūpuna). The objectives and policies are listed in full in **Appendix E** and have been taken into consideration in the assessment below.

#### Chapter 3 (Strategic Direction) and Chapter 6 (Landscapes and Rural Amenity)

- 9.3.2 The purpose of Chapter is to provide greater detail as to how the landscape, particularly outside urban settlements, will be managed in order to implement the strategic objectives and policies in Chapter 3. The chapter is to be read with particular reference to the objectives in Chapter 3, which identify the outcomes the policies in this chapter are seeking to achieve.
- 9.3.3 As addressed previously in this report, the proposal will not detract from the landscape and visual amenity values of the surrounding landscape, or the natural character of the Frankton Arm, nor will it domesticate the landscape to an extent where it would result in cumulative degradation. The life supporting capacity of water will be protected and maintained.
- 9.3.4 Ngāi Tahu values and interested will be protected and Council will seek input from relevant Runanga in the decision-making process. The proposal will avoid significant effects on the wāhi tupuna.
- 9.3.5 The proposal is aligned with the objectives and policies of Chapter 3 and Chapter 6.

#### Chapter 5 (Tangata Whenua)

- 9.3.6 As previously addressed, the QLDC will facilitate obtaining the views of tangata whenua through the decision making process of the application. With reference to the assessment above, it is considered that the mooring structure and the use of the mooring will adequately avoid, where practicable, adverse effects on the relationship between Ngāi Tahu and the wāhi tupuna, subject to appropriate conditions of consent to ensure the protection of water quality.
- 9.3.7 The proposal is aligned with the objectives and policies of Chapter 5.

#### Chapter 21 (Rural)

- 9.3.8 The relevant objective and associated policies address the protection and enhancement of the natural character of lakes and rivers and their margins, while also providing for appropriate activities, which includes recreation activities.
- 9.3.9 The proposal adequately provides for the outcomes sought. As outlined in the assessment above, the natural character and nature conservation values of the Lake will not be inappropriately

affected. These values will be protected and volunteered conditions of consent will contribute to some enhancement through lake weed management and the avoidance of contaminants entering the Lake.

9.3.10 The location of Mooring 46 will avoid any inappropriate adverse effects on visual amenity values and safety and conflict with other recreational users, as outlined in the assessment above.

9.3.11 The proposal is aligned with the objectives and policies of Chapter 21.

#### Summary of Assessment of the Objective and Policies of the PDP

9.3.12 Overall, the proposal aligns and is consistent with the relevant objectives and policies of the PDP.

### **9.4 Regional Plan: Water for Otago**

9.4.1 The most relevant objectives and associated policies of the ORP:W are those in in Chapter 5 (Natural and Human Use Values of Lakes and Rivers) and Chapter 8 (The Beds and Margins of Lakes and Rivers). The objectives and policies are listed in **Appendix E** and have been taken into consideration in the assessment below.

9.4.2 Relevant objectives and associated policies are found in Chapter 5.3 and seek:

- That natural and human use values of Otago's lakes and rivers are maintained or enhanced:
- That the natural character of Otago's lakes and rivers and their margins are protected from inappropriate subdivision, use or development:
- That the spiritual and cultural beliefs, values and uses of significance to Kai Tahu, as they relate to Otago's lakes and rivers are maintained or enhanced:
- To maintain or enhance the amenity values associated with Otago's lakes and rivers and their margins:
- To maintain or enhance public access to and along the margins of Otago's lakes and rivers:
- To provide for the sustainable use and development of Otago's water bodies, and the beds and margins of Otago's lakes and rivers:
- To avoid the exacerbation of any natural hazard or the creation of a hazard associated with Otago's lake and rivers:

9.4.3 As outlined in the assessment of effects above, the proposal will ensure that natural and human use values, and amenity values of the locality will not be adversely impacted to an inappropriate degree and will therefore be maintained. Public access will not be impacted. The QLDC will ensure that appropriate consultation with the relevant iwi authorities will be undertaken through the processing of the resource consent to ensure their views are taken into consideration in the decision making process. Mooring 46 is not anticipated to exacerbate any natural hazard, including flood risk. The proposal is a sustainable use and development with respect to the resource of the Lake and its margins.

9.4.4 Overall, the proposal is aligned with the objectives and associated policies of Chapter 5.

9.4.5 Relevant objectives and associated policies are found in Chapter 8.3 and seek:

- To maintain the stability and function of existing structures located in, on, under or over the bed or margin of any lake or river, the stability of the bed and bank or any lake or river, and the flood and sediment carrying capacity of any lake or river:
- To minimise reduction in water clarity caused by bed disturbance:
- When managing activities in, on, under or over the bed or margin of any lake or river, to give priority to avoiding changes in the natural flow and sediment processes in those water bodies, where those changes will cause adverse effects:
- To require, where necessary, desirable or practicable, any structure in or on the bed of any lake or river to provide for fish migration through or past it, or alternative remedial measures where fish migration is not practical.

9.4.6 Mooring 46 is not an activity that will impact the stability or function of the lakebed or margins, or the flood and sediment carrying capacity of the lake. Any associated disturbance to the lakebed will be within permitted standards in the ORP-W. Mooring 46 is not a structure that is anticipated to change the natural flow or sediment process of the wider lake environs and fish migration is not negatively impacted by the presence of the structure.

9.4.7 Overall, the proposal is aligned with the objectives and associated policies of Chapter 8.

#### Summary of Assessment of the Objective and Policies of the ORP-W

9.4.8 Overall, the proposal is consistent with the relevant objectives and policies of the ORP-W.

### **9.5 Summary Overall**

9.5.1 Having considered the proposal in terms of the objectives and policies contained within the ODP, the PDP and the ORP:W, the proposal is aligned with the relevant provisions.

## **10 REGIONAL POLICY STATEMENTS AND NATIONAL POLICY STATEMENT**

10.1 The Operative Regional Policy Statement for Otago 2019 (RPS) and the Proposed Otago Regional Policy Statement 2021 (PRPS - notified in June 2021) set the direction for future management of Otago's natural and physical resources. They provide the foundation for the development of regional plans and district plans. The PRPS was notified in June 2021 and the decision on the PRPS was notified in March 2024. While most appeals have been resolved, there are appeals that are still to be settled.

10.2 The objectives and policies of the RPS are covered by relevant objectives and policies in the ODP and the ORP-W. Further, the PDP has been drafted with regard to the RPS. As the proposal is considered to be aligned with the objectives and policies of both the district plans, and the ORP-W, the proposal can also be considered to be aligned with the relevant matters of the RPS with respect to the maintenance and enhancement of water quality, the management of the beds of lakes and their margins such that the life supporting capacity of water is safeguarded, to ensure Kāi Tahu values, interests and customary resources are recognised and provided for, that the outstanding values of Otago's water bodies is protected and that the mauri of Otago's water bodies and their health and wellbeing is protected, and restored where it is degraded.

### **National Policy Statement for Freshwater Management 2020 (NPS-FM)**

10.3 The NPS-FM promotes the concept of 'Te Mana o te Wai' which refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai and supports restoring and preserving the balance between the water, the wider environment, and the community. The NPS-FM sets out six key principals relating to the roles of tangata whenua and other New Zealanders in the management of freshwater.

10.4 As outlined in the assessment above, the applicant has volunteered conditions of consent relevant to the mooring and the use of the mooring which seek to ensure the maintenance of water quality of the Lake.

10.5 Subject to the volunteered conditions of consent the proposal will be consistent with the outcomes sought under the NPS-FM.

## 11 PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

- 11.1 Taking guidance from case law<sup>2</sup>, the PDP and the ORP:W are considered to be the mechanism by which the purpose and principles of the Act are given effect to in the Queenstown Lakes District. The plans were competently prepared through independent hearing and decision-making processes in a manner that appropriately reflects the provisions of sections 5-8 of the Act.
- 11.2 Accordingly, no further assessment against Part 2 is considered necessary the proposal is in keeping with Part 2 with reference to the findings of the assessment above.

## 12 CONCLUSION

- 12.1 In conclusion, the proposal is consistent with the purpose and principles of the Act in that it enables the applicants to provide for their social and cultural well-being, whilst maintaining and enhancing the quality and amenity of the local environment and avoiding, remedying or mitigating unacceptable adverse effects on landscape character, amenity, recreational and natural values.
- 12.2 The proposal is consistent with the relevant provisions of the ODP, the PDP and the ORP:W and will have actual or potential effects on the environment which are acceptable and consistent with the environmental outcomes envisaged by the relevant statutory planning framework.
- 12.3 Accordingly, it is concluded that the Council can grant consent to the activity in accordance with sections 104, 104B, and Part 2 of the Act, subject to appropriate conditions of consent that can be imposed under section 108 of the Act.

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<sup>2</sup> R J Davidson Family Trust v Marlborough District Council [2018] NZCA 316

**Appendix A – Record of Title OTA1/893**



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Search Copy**



  
R. W. Muir  
Registrar-General  
of Land

**Identifier**                    **OTA1/893**  
**Land Registration District** **Otago**  
**Date Issued**                01 February 1963

**Prior References**  
OT434/93

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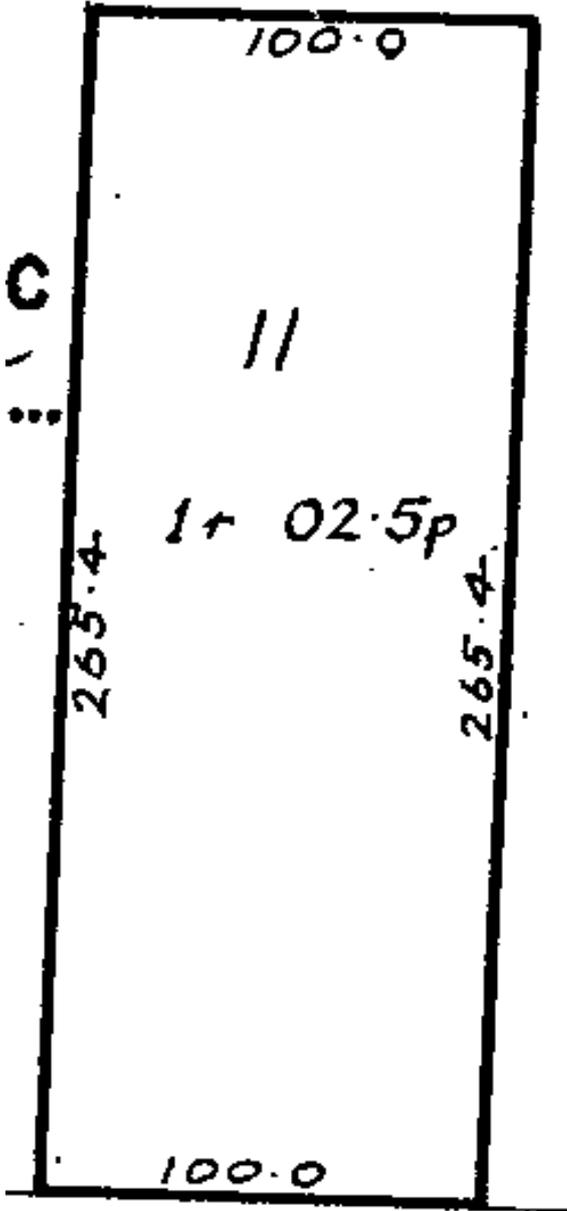
**Estate**                        Fee Simple  
**Area**                         1075 square metres more or less  
**Legal Description**        Lot 11 Deposited Plan 9769

**Registered Owners**  
Kenneth James Muir and Jillian Grace Muir

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**Interests**

Part Section 13 is subject to Section 59 Land Act 1948  
Part Section 18 is subject to Section 8 Coal Mines Amendment Act 1950  
Fencing Provision in Transfer 230788 - 1.2.1963  
6531464.1 Mortgage to (now) Westpac New Zealand Limited - 16.8.2005 at 11:22 am  
7945623.2 Variation of Mortgage 6531464.1 - 24.9.2008 at 9:00 am



ROAD.



## MOORING PERMIT

*Issued under the Navigation Safety Bylaw 2025*

**Mooring Number:** 46

**Description of mooring:** Swing Mooring

**Name to whom permit is granted:** KJ & JG Muir

**Waterway:** Lake Wakatipu

**Position of mooring: Longitude** 168.683863

**Status:** Unconsented

**Latitude** -45.044874

**Date of issue:** 01 July 2025

**Expiry of permit:** 30 June 2026

**Signed for and on behalf of Queenstown Lakes District Council:**

**Duty of Permittee:**

Please be advised that if at any time during the term of this permit, the mooring to which this permit refers to is sold or transferred, please contact Council: [property@qldc.govt.nz](mailto: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](mailto: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.

## Appendix C - Swing Mooring Inspection and Information Form

## Swing mooring inspection & Information form

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

Please Print All Details Clearly

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

Mooring Location (Lake): Wakatipu

Mooring Permit #: **46**

Mooring Owners Name: Ken Muir

Mooring Owners Address: **693 Peninsula Road Kelvin Hights**

Mooring Owners Postal Address (if different):

Mooring Owners Phone No: **0272859840**

Mooring Owners Email Address: **muir@xtra.co.nz**

Emergency contact Number: **0272859840**

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

Name of vessel using mooring: **CHIANTI**

Vessel MNZ Registration Number: Vessel Identification:

Vessel Type: Commercial Powered Craft  Recreational Powered Craft  Yacht  Other

If "Other" please outline type of vessel : \_\_\_\_\_

Length of Vessel: approx. **5 mtrs** Weight of Vessel: approx. **900 kg**

Vessel Colour(s): **white**

Does the vessel have a mooring number clearly visible from outside of the vessel? **No**

### Details of Mooring – (Mooring Inspector To Complete)

GPS Position of mooring: (WGS84 Decimal Degrees):

LAT: **45\*02' 41.19 S**

LON: **168\*41'01.60 E**

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

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

Water Depth at location at time of inspection: **3.5m**

Calculated total swing radius of mooring at lowest lake level: **8.5m**

**Lake level at time of inspection 310.168m**

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

Has been upgraded with this inspection : **No**

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

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

	Checked Y/N	COMPONENT	DETAILS		Condition (% & notes)	Existing	Replaced
TOP SECTION	✓	Floats	Numbered: Yes	Type: Pink A4	Good	✓	
			Colour: Orange	Type: small orange buoy	Good		
	✓	Shackle(s)	Number: 1 <sup>st</sup> Diameter: 20mm std	Moused: Y	Condition: Good	✓	
	✓	Shackle(s)	Number: 2nd Diameter: 12mm	Moused: Y	Condition: Good	✓	
	✓	Chain	<b>Length: 1.5m</b>	Diameter: 12mm Min D – 10mm	Condition OK	✓	
MIDDLE/RISER/RIDE	✓	Shackle(s)	Number: 3rd Diameter: 12mm	Moused: Y	Condition Good	✓	
	✓	Swivel	Diameter: 16mm steel		Condition Good	✓	
	✓	Shackle(s)	Number: 4th Diameter: 12mm std	Moused: Y	Condition Good	✓	
	✓	Riser/Ride/Middle chain	<b>Length: 5m</b>	D: 12mm Min D: <b>3mm</b>	Condition: <b>Poor</b>	✓	
	✓	Shackle(s)	Number: 5th Diameter: 16mm tested	Moused: Y	Condition Good	✓	
BOTTOM	✓	Ground chain	<b>Length: 4m</b>	D: 20mm Min D: 19mm	Condition Good	✓	
	✓	Block Shackle	Diameter: 20mm	Moused: Y	Condition Good	✓	
	✓	Block Ring	Diameter: 12mm		12mm x 90mm flat bar cast in concrete block	✓	
	✓	Block(s)	Is block visible?: Y	Weight (dry) est : 1050kgs		✓	
	Dimensions: 1m x 1m x .5		Type: Concrete				

details and observations can be provided on a separate page.

### Inspectors Observations

Has Block Shifted or become buried? No

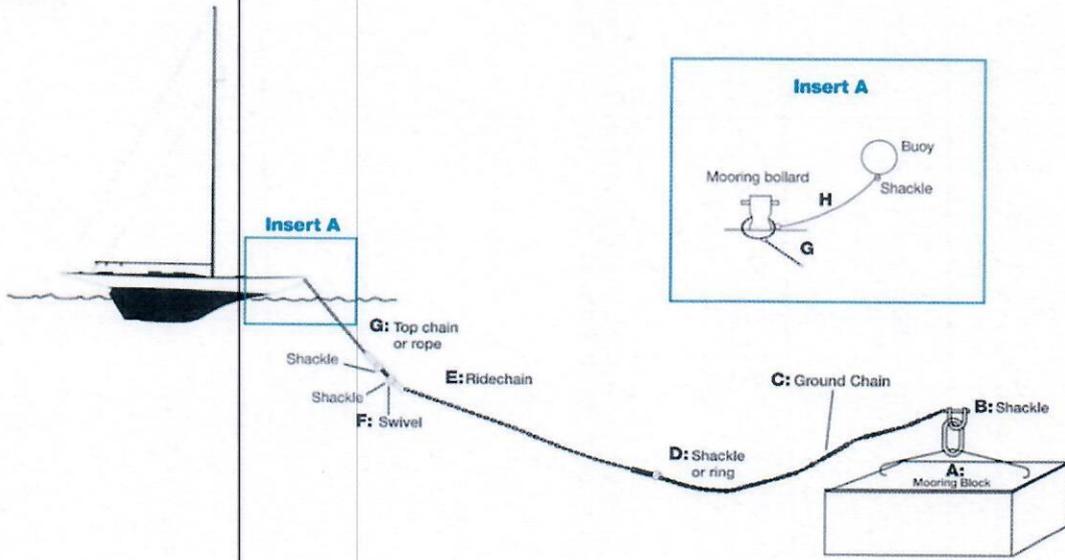
### Inspectors Further Comments:

### Mooring Diagram – (Mooring Inspector To Complete)

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

*As per table above*

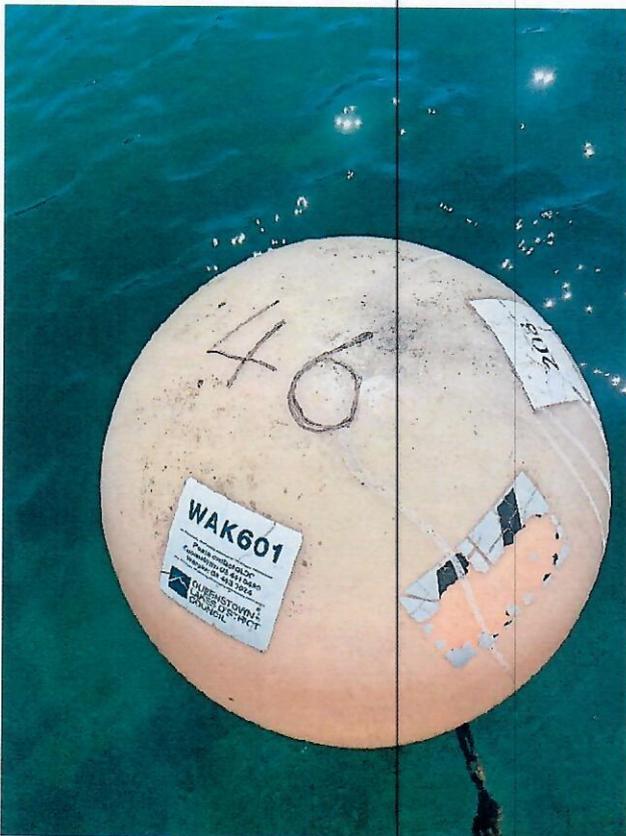
**FIGURE 1**  
**MOORING SYSTEM**



**Pictures – (Mooring Inspector To Complete)**

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

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

**Mooring 46**

**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: \_\_\_\_\_

**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)

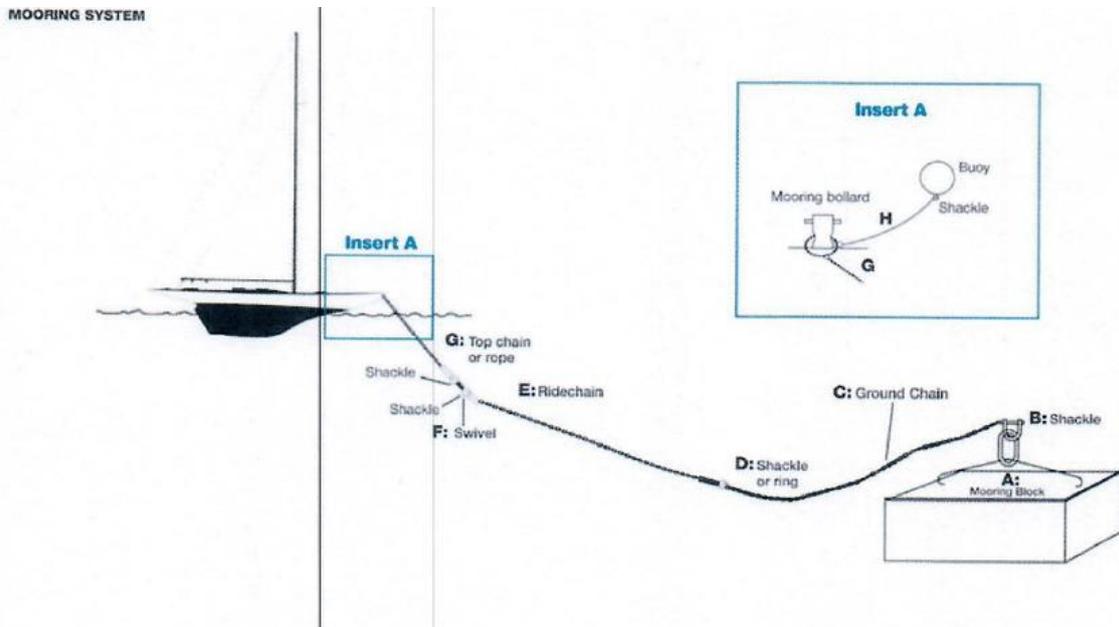
Will block be replaced?

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.

### Appendix D - Indicative Plan of Mooring System and Buoy



## **Appendix E – Relevant Objectives and Policies of the PDP and ORP:W**

### ***Queenstown Lakes District Council Proposed District Plan***

#### **Chapter 3: Strategic Directions:**

##### **Strategic Objectives:**

- 3.2.4 The distinctive natural environments and ecosystems of the District are protected.
- 3.2.4.1 Development and land uses that sustain or enhance the life-supporting capacity of air, water, soil and ecosystems, and maintain indigenous biodiversity.
- 3.2.4.3 The natural character of the beds and margins of the District's lakes, rivers and wetlands is preserved, or enhanced where possible, and protected from inappropriate subdivision, use and development.
- 3.2.7 The partnership between Council and Ngāi Tahu is nurtured.
- 3.2.7.1 Ngāi Tahu values, interests and customary resources, including taonga species and habitats, and wāhi tūpuna, are protected.
- 3.2.7.2 The expression of kaitiakitanga is enabled by providing for meaningful collaboration with Ngāi Tahu in resource management decision making and implementation.

##### **Strategic Policies:**

###### **Natural Environment**

- 3.3.20 Manage subdivision and / or development that may have adverse effects on the natural character and nature conservation values of the District's lakes, rivers, wetlands and their beds and margins so that their life-supporting capacity is safeguarded; and natural character is maintained or enhanced as far as practicable.

###### **Cultural Environment**

- 3.3.49 Avoid significant adverse effects on wāhi tūpuna within the District.
- 3.3.50 Avoid remedy or mitigate other adverse effects on wāhi tūpuna within the District.
- 3.3.51 Manage wāhi tūpuna within the District, including taonga species and habitats, in a culturally appropriate manner through early consultation and involvement of relevant iwi or hapū.

#### **Chapter 5: Tangata Whenua:**

Objective 5.3.1 - Consultation with tangata whenua occurs through the implementation of the Queenstown Lakes District Plan Policies.

Policy 5.3.1.1 Ensure that Ngāi Tahu Papatipu Rūnanga are engaged in resource management decision making and implementation on matters that affect Ngāi Tahu values, rights and interests, in accordance with the principles of the Treaty of Waitangi.

Policy 5.3.1.3 When making resource management decisions, ensure that functions and powers are exercised in a manner that takes into account iwi management plans.

Policy 5.3.1.4 Recognise that only tangata whenua can identify their relationship and that of their culture and traditions with their ancestral lands, water sites, wāhi tapu, tōpuni and other taonga.

Objective 5.3.5 Wāhi tūpuna and all their components are appropriately managed and protected.

Policy 5.3.5.4 Enable Ngāi Tahu to provide for its contemporary uses and associations with wāhi tūpuna.

Policy 5.3.5.5 Avoid where practicable, adverse effects on the relationship between Ngāi Tahu and the wāhi tūpuna.

## **Chapter 6: Landscapes and Rural Character**

### **Policy 6.3.5 Managing Activities on Lakes and Rivers**

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

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

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

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

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

## **Chapter 21: Rural**

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

### **Policies**

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

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

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

- 21.2.12.6 Recognise and provide for the maintenance and enhancement of public access to and enjoyment of the margins of the lakes and rivers.
- 21.2.12.7 Ensure that the location, design and use of structures and facilities are such that any adverse effects on visual qualities, safety and conflicts with recreational and other activities on the lakes and rivers are avoided, remedied or mitigated.

### **Chapter 39: Wāhi Tūpuna**

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

#### **Policies:**

- 39.2.1.2 Recognise that the effects of activities may require assessment in relation to Manawhenua values when that activity is listed as a potential threat within an identified wāhi tūpuna area, as set out in Schedule 39.6.
- 39.2.1.3 Within identified wāhi tūpuna areas:
- a. avoid significant adverse effects on Manawhenua values and avoid, remedy or mitigate other adverse effects on Manawhenua values from subdivision, use and development listed as a potential threat in Schedule 39.6; and
  - b. avoid, remedy or mitigate adverse effects on Manawhenua values from subdivision, use and development within those identified wāhi tūpuna areas in the urban environment where potential threats have not been identified in Schedule 39.6.

### **Otago Regional Council, Regional Plan: Water for Otago**

#### **Chapter 5 - Natural and Human Use Values of Lakes and Rivers**

##### **5.3 Objectives**

- 5.3.1 To maintain or enhance the natural and human use values, identified in Schedules 1A, 1B and 1C, that are supported by Otago's lakes and rivers.

*Policies: 5.4.1, 5.4.2, 5.4.5, 5.4.8, 5.4.9, 5.4.11, 5.4.12, 5.4.13, 8.5.1*

- 5.3.2 To maintain or enhance the spiritual and cultural beliefs, values and uses of significance to Kai Tahu, identified in Schedule 1D, as these relate to Otago's lakes and rivers.

*Policies: 5.4.1, 5.4.2, 5.4.4, 5.4.6.*

- 5.3.3 To protect the natural character of Otago's lakes and rivers and their margins from inappropriate subdivision, use or development.

*Policies: 5.4.2, 5.4.5, 5.4.8, 5.4.11 to 5.4.13*

- 5.3.4 To maintain or enhance the amenity values associated with Otago's lakes and rivers and their margins.

*Policies: 5.4.2, 5.4.5, 5.4.9, 5.4.11 to 5.4.13*

- 5.3.5 To maintain or enhance public access to and along the margins of Otago's lakes and rivers.

*Policies: 5.4.6, 5.4.7, 5.4.13*

- 5.3.6 To provide for the sustainable use and development of Otago's water bodies, and the beds and margins of Otago's lakes and rivers.

*Policies: 5.4.3, 5.4.11 to 5.4.13*

#### **5.4 Policies identifying and protecting natural and human use values of lakes and rivers**

- 5.4.1 To identify the following natural and human use values supported by Otago's lakes and rivers, as expressed in Schedule 1:

- (a) Outstanding natural features and landscapes;
- (b) Areas with a high degree of naturalness;
- (c) Areas of significant indigenous vegetation, significant habitats of indigenous fauna, and significant habitats of trout and salmon;
- (d) Ecosystem values;
- (e) Water supply values;
- (f) Registered historic places; and
- (g) Spiritual and cultural beliefs, values and uses of significance to Kai Tahu.

- 5.4.2 In the management of any activity involving surface water, groundwater or the bed or margin of any lake or river, to give priority to avoiding, in preference to remedying or mitigating:

- (1) Adverse effects on:
  - (a) Natural values identified in Schedule 1A;
  - (b) Water supply values identified in Schedule 1B;
  - (c) Registered historic places identified in Schedule 1C, or archaeological sites in, on, under or over the bed or margin of a lake or river;
  - (d) Spiritual and cultural beliefs, values and uses of significance to Kai Tahu identified in Schedule 1D;
  - (e) The natural character of any lake or river, or its margins;
  - (f) Amenity values supported by any water body.

- 5.4.3 In the management of any activity involving surface water, groundwater or the bed or margin of any lake or river, to give priority to avoiding adverse effects on:

- (a) Existing lawful uses; and
- (b) Existing lawful priorities for the use, of lakes and rivers and their margins.

- 5.4.4 To recognise Kai Tahu's interests in Otago's lakes and rivers by promoting opportunities for their involvement in resource consent processing.
- 5.4.5 To recognise the Water Conservation (Kawarau) Order 1997 by:
- (a) Preserving, as far as possible, the waters set out in Schedule 1 of the Water Conservation Order in their natural state;
  - (b) Protecting the outstanding characteristics of waters set out in Schedule 2 of the Water Conservation Order; and
- 5.4.8 To have particular regard to the following features of lakes and rivers, and their margins, when considering adverse effects on their natural character:
- (a) The topography, including the setting and bed form of the lake or river;
  - (b) The natural flow characteristics of the river;
  - (c) The natural water level of the lake and its fluctuation;
  - (d) The natural water colour and clarity in the lake or river;
  - (e) The ecology of the lake or river and its margins; and
  - (f) The extent of use or development within the catchment, including the extent to which that use and development has influenced matters (a) to (e) above.
- 5.4.9 To have particular regard to the following qualities or characteristics of lakes and rivers, and their margins, when considering adverse effects on amenity values:
- (a) Aesthetic values associated with the lake or river; and
  - (b) Recreational opportunities provided by the lake or river, or its margins.

## **Chapter 8 – The Beds and Margins of Lakes and Rivers**

### **8.3 Objectives**

- 8.3.1 To maintain:
- (a) The stability and function of existing structures located in, on, under or over the bed or margin of any lake or river;
  - (b) The stability of the bed and bank of any lake or river; and
  - (c) The flood and sediment carrying capacity of any lake or river.
- 8.3.2 To minimise reduction in water clarity caused by bed disturbance.
- 8.3.5 To maintain the passage of fish, or improve the passage of fish, by instream structures, except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats.

### **8.5 Policies applying to structures**

- 8.5.1 To require, where necessary, desirable and practicable, any structure in or on the bed of any lake or river to provide for fish migration through or past it, or alternative remedial measures where fish migration is not practicable.

# AFFECTED PERSON'S APPROVAL

## FORM 8A



Resource Management Act 1991 Section 95



### RESOURCE CONSENT APPLICANT'S NAME AND/OR RM #

Kenneth James Muir and Jillian Grace Muir



### AFFECTED PERSON'S DETAILS

I/We Toitū Te Whenua Land Information New Zealand

Are the owners/occupiers of

Lake Wakatipu



### DETAILS OF PROPOSAL

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

Resource consent on a retrospective basis for a mooring located on the southern side of the Frankton Arm of Lake Wakatipu - Known as Mooring 46.

at the following subject site(s):

Attached to the bed of Lake Wakatipu, Queenstown

GPS Position of mooring: (WGS84 Decimal Degrees):

LAT: 45°02' 41.19 S

LON: 168°41'01.60 E



PLEASE TICK

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



PLEASE TICK

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



### WHAT INFORMATION/PLANS HAVE YOU SIGHTED



PLEASE TICK

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



The written consent of all owners / occupiers who are affected. If the site that is affected is jointly owned, the written consent of all co-owners (names detailed on the title for the site) are required.

A	Name (PRINT) <b>Shashone Cooper</b>	
	Contact Phone / Email address <b>scooper@linz.govt.nz</b>	
	Signature 	Date <b>05/02/2026</b>

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.