BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL HEARINGS PANEL

UNDER the Resource Management Act 1991

IN THE MATTER of the review of parts of the Queenstown Lakes

District Council's District Plan under the First

Schedule of the Act

AND

IN THE MATTER of submissions and further submissions by

REMARKABLES PARK LIMITED AND

QUEENSTOWN PARK LIMITED

SUPPLEMENTARY STATEMENT OF EVIDENCE OF DAVID FREDERICK SERJEANT ON BEHALF OF REMARKABLES PARK LIMITED AND QUEENSTOWN PARK LIMITED

(PLANNING)

STREAM 13 REZONING HEARINGS

28 August 2017

BROOKFIELDS LAWYERS

J D Young / M Goudie Telephone No. 09 379 2155 Fax No. 09 379 3224 P O Box 240 DX CP24134 AUCKLAND

1. INTRODUCTION

- 1.1 My name is David Frederick Serjeant and I am a Town Planner and Director of Merestone Limited, an independent planning and resource management consultancy. My qualifications and experience are set out in my evidence in chief dated 9 June 2017.
- 1.2 I have read and am familiar with the Code of Conduct for Expert Witnesses in the current Environment Court Practice Note 2014 as outlined in my evidence in chief.
- 1.3 My supplementary evidence is provided in response to the rebuttal evidence of Robert Buxton.
- 1.4 Expert conferencing for landscape architects/urban designers and planners was organised for 22 August 2017. This took place, however with the funeral for my father-in-law on 16 August 2017, and being unwell with a flu virus during both of these weeks I was unable to prepare for or attend the conferencing. One objective of conferencing was to respond to Mr Buxton's concerns with the Queenstown Park Special Zone (QPSZ) provisions (revised provisions are attached and marked "A" and "B")¹. Revised QPSZ provisions have now been prepared and shared with Mr Buxton however we have not had the opportunity to discuss the amended provisions.

2. SUMMARY

2.1 My main conclusions are as follows:

- (a) Mr Buxton raised a number of concerns in relation to the QPSZ provisions, in particular the rules. I have addressed these concerns and amended the provisions to provide greater clarity as to how the rule methodology gives effect to the objectives and policies for the QPSZ.
- (b) The Water Conservation (Kawarau) Order 1997 relates to the preservation and protection of the identified sections of the Kawarau River. I consider that the proposed QPSZ is consistent with the protection of the outstanding characteristics, restrictions and prohibitions of the river adjacent to the QPSZ.
- (c) On the principal matter of whether the proposed QPSZ represents sustainable management of natural and physical resources, not only of the land within the zone, but also of wider resources in Queenstown related to visitor activities, I

This includes both a tracked (Attachment A) and clean (Attachment B) copy of the revised provisions.

- consider this to be the case, and that the QPSZ is an effective and efficient response to the demand for increased visitor capacity.
- (d) The connection of the gondola to areas outside the QPSZ, and consents for the trail extension and related Kawarau River trail bridge crossings will be reliant on other plan provisions (such as within the Remarkables Park Zone) and other consent processes. The Council is experienced in processing complex trail consents with multiple land owners.

3. ZONE PROVISIONS

3.1 Since the filing of the QPSZ provisions with my primary evidence, I have given them further consideration. Mr Buxton has also raised a number of concerns with the provisions, many with which I agree, and which require some response.

Comprehensive Development

- 3.2 I consider that the Panel could benefit from an overview of how the provisions for development within the Activity Areas are proposed to operate. Mr Buxton expressed some concern about the structure of the provisions, in particular the *vires* of the Comprehensive Development Plan and Trail Plan approach.
- 3.3 Responding to the matters expressed in the objectives and policies, the zone provisions provide for comprehensive development of the two Rural Visitor Activity Areas and Rural Residential Activity Area 3. There are also several requirements to be met before any development, or a low threshold of development, is undertaken within the QPSZ. These requirements are:
 - (a) A consent for comprehensive development activities (Rule 44.4.8) which include:
 - (i) The preparation of land for development purposes including earthworks and vegetation removal;
 - (ii) Construction of roads, pedestrian paths and cycle routes;
 - (iii) Works for the establishment of open space areas; and
 - (iv) Landscaping and planting necessary to achieve a village or rural character.

- (b) These activities provide for the 'structure' of development within each of these areas before building development begins. This commitment is consistent with Objectives 44.2.1A and 44.2.1B concerning integrated development and regard for the ONL values.
 - (i) The provision of information on the Trail Plan for the trail from Boyd Road to Rural Visitor Activity Area 3 prior to any development within the zone (Rule 44.4.9.2 and 4.4.10.3) and the completion of the trail works within 12 months of the gondola being operational or the completion of six rural residential dwellings.
 - (ii) The gondola being operational prior to any commercial or community activity within Rural Visitor Activity Area 3 (Rule 44.5.1).
 - (iii) The upgrading of the Boyd Road/State Highway intersection prior to any residential or visitor accommodation activity within any Activity Area (Rule 44.5.2).
 - (iv) A limitation of six residential units in Rural Residential Activity Areas 3, 4, 5 and 6 unless the public trail has been extended from the pedestrian bridge at Rural Visitor Activity Area 3 to Rural Visitor Activity Area 4 (Rule 44.5.3).
 - (v) The restriction on general vehicular access to the zone through gated entry to Boyd Road. Access is proposed to be limited to residential property owners (and guests), service vehicles and tourism related vehicles linked to visitor accommodation with the details of how the restriction is to be achieved by way of assessment criteria.
- 3.4 The requirements in items ii, iii, iv and v are in keeping with Objective 44.4.2 on primarily accessing the QPSZ by water, gondola or trail linkages.

Linking Matters of Discretion to the Objectives and Policies

3.5 The matters of discretion in relation to restricted discretionary activities have been expressed to give effect to the stated objectives and policies for the QPSZ. However, to be sure that the intent of the objectives and policies are captured I have included a direct reference to the relevant objectives and policies as a matter of discretion on the key activities such as the comprehensive development activities, the

consideration of the Trail Plan and its implementation, and jetties, wharves and bridges.

Activity Areas not subject to Comprehensive Development provisions

- 3.6 The Activity Areas not subject to the comprehensive development consent, and their areas, are as follows:
 - Rural Residential Activity Area 2 9.12ha
 - Rural Residential Activity Area 4 3.57ha
 - Rural Residential Activity Area 5 14.3ha
 - Rural Residential Activity Area 6 6.89ha
- 3.7 The minimum lot size for rural residential subdivision is 4000m², which assuming minimums are adopted and providing a 10% allowance for roading in all cases leads to approximately 20, 7, 30 and 15 residential allotments respectively for these areas. With an allowance for residential units in Rural Residential Activity Area 3, the largest of the rural residential activity areas, it appears unlikely that such numbers would be achieved. I consider that the land use mix of rural residential and potentially some visitor accommodation in a lodge or large house style, together with the simple terrace topography, reduces the need for the comprehensive development approach proposed for the two Rural Visitor Activity Areas and Rural Residential Activity Area 3.
- 3.8 However, I have taken on board the suggestions of the landscape architects (see paragraph 3.1 of Rebecca Skidmore's supplementary evidence) and have inserted additional criteria for subdivision in Rule 27.5.7.

Development Prior to Subdivision

3.9 The QPSZ provisions cross-reference the subdivision rules in Chapter 27 of the Proposed Plan for subdivision in the Rural Residential and Rural Lifestyle Zones for the Rural Residential and Rural Visitor Activity Areas, and to the rules for subdivision in the Rural General Zone for the balance of the QPSZ. I note that a number of the restricted discretionary activity matters for discretion, such as the risk of natural hazards, open space and recreation and historic heritage are either not relevant or have been addressed in the QPSZ proposal.

- 3.10 The landscape architects raise the issue of addressing a range of landscape matters in the subdivision rules if built development was to precede subdivision. My response is in three parts.
- 3.11 First, each rural residential lot is able to contain only one residential unit. So subdivision must occur before second and subsequent rural residential units are built.
- 3.12 Secondly, new Rule 27.7.1 for the QPSZ lists subdivision within a QPSZ Rural Visitor Activity Area as a non-complying activity prior to the granting of resource consent for comprehensive development activities pursuant to Rule 44.4.8. Rule 44.4.8 also applies to Rural Residential Activity Area 3. This consent addresses landscape matters important to the QPSZ as well as many of the subdivision matters for discretion.
- 3.13 Thirdly, for absence of doubt, I have included additional landscape matters for discretion in Rule 27.5.7, and landscape matters for control in Rule 44.4.10.1 Buildings in Rural Residential Activity Areas.

4. WATER CONSERVATION ORDER

4.1 In paragraphs 3.8 and 3.17 Mr Buxton highlights the Water Conservation Order applying to the Kawarau River. In paragraph 3.17 he states:

"The river has a WCO, and is considered an Outstanding Natural Feature (ONF) under both the WCO and the Otago Regional Plan – Water"

4.2 This statement is simply not correct. Neither the WCO nor the ORP-W contain a system of making waterbodies ONFs. The Water Conservation (Kawarau) Order 1997 identifies waterbodies for preserving (Schedule 1) and protecting (Schedule 2). The Kawarau River from Scrubby Stream (which is just northwest of Cromwell) to the Lake Wakatipu control gates is in Schedule 2, wherein the outstanding characteristics, restrictions and prohibitions for this section of the river are recognised as follows:

Schedule 2 Waters to be protected

All map references are NZMS 1 unless otherwise stated

Waters

Kawarau River mainstem from Scrubby Stream to Lake Wakatipu control gates (S133:940715 to S132:615707)

Outstanding characteristics

(d)

- (c) wild and scenic characteristics;
 (c) natural characteristics, in par
 - ticular the return flow in the upper section when the Shotover River is in high flood; scientific values, in particular
- the return flow in the upper section when the Shotover River is in high flood;
 (e) recreational purposes in par-
- (e) recreational purposes, in particular rafting, jetboating, and kayaking.

Restrictions and prohibitions

- no damming allowed;
- water quality to be managed to Class CR standard.

- 4.3 The purposes and meaning of a water conservation order are a matter of law (sections 199 and 200 of the RMA), in particular the restrictions and prohibitions they have on a regional council's powers under sections 30(1) of the RMA. However, while it would go too far to say that a WCO is only concerned with the water in a waterbody, the key matter I take from the legislation is that the concern is with changes to the river or its margins that would have an effect on water (such as damming) and in so doing, also affect its other outstanding characteristics.
- 4.4 The proposed QPSZ has no effect on, or implications for, the restrictions and prohibitions identified in Schedule 2 or the peculiar natural phenomenon of the return flow in the section of the Kawarau River between the confluence of the Shotover River and Lake Wakatipu. The section of the river over and along which the gondola will travel is world recognised for its recreational purposes and it would not be an unnatural or unexpected development if a jetty was to be located somewhere along it. I further note that none of the activities proposed for the QPSZ have any direct effect on the water in the river.
- 4.5 In terms of the effect of the gondola, the bridges and access road on the river's "wild and scenic characteristics", these are matters that are part of the consideration of the ONL in the District Plan. On these matters I defer to the analysis of Mr Brown.
- 4.6 To conclude on the matter of the WCO, I note pursuant to section 76(4) of the RMA, a district plan must not be inconsistent with a water conservation order. There is no doubt in my mind that there is no inconsistency in this case.

5. PUBLIC INTEREST

5.1 In paragraph 3.15 Mr Buxton claims that there will be "significant public interest" in future resource consent applications for QPSZ developments. I am not sure of the

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basis for this statement. I consider that a distinction needs to be made between the public being interested in what will be exciting developments for Queenstown, especially the gondola, and developments that generate public interest in submitting on the applications in opposition. In this regard, I note the very low level of interest in QPL's zoning submission.

5.2 Furthermore, I note that on 1 October 2017 parts of the Resource Legislation Amendment Act 2017 become operative which alter notification requirements. Controlled activities are excluded from public or limited notification, and restricted discretionary and discretionary activities for subdivision activities (as provided for within the Rural Residential and Rural Visitor Activity Areas) are excluded from public notification. These new provisions will reduce the ability for third party involvement to some extent.

6. QPSZ ZONE CREATING A PRECEDENT

- 6.1 In paragraphs 3.19 and 3.20 Mr Buxton, in referencing the QPSZ, raises concerns about "every station (having) its own zone", and that there "would be many other proposals within the district where similar development could be undertaken on this basis". In expressing his concern, Mr Buxton refers to "a nationally significant river with a nationally significant alpine landscape". I am not aware of any such national ranking systems, however I will address his concerns by recognising that the landscape is an ONL.
- In my primary evidence I set out an issue statement within which I embodied the 'use and development' versus 'protection' tension that is inherent in section 5 of the RMA. The protection of ONLs, on its own, is not an issue for the District Plan. Protection only becomes an issue when an alternative use of the resource is proposed that can adversely affect the values of the ONL. Protection then gets tested against an alternative set of social and economic well-beings generated by use and development, which may, overall, represent more sustainable management of natural and physical resources. Based on Mr Buxton's conclusion that the QPSZ should be rejected, I assume he considers that the status quo represents sustainable management.
- 6.3 In my issue statement I identified the excess demand for visitor activities based on the rural and open space resources of the district. The QPSZ package responds to this need with the gondola and the activity areas that provide the base for additional visitor activities to take place. In my view, what the QPSZ offers is very difficult to

replicate, if not unique, because it is in such close proximity to the large visitor hub of Queenstown, Remarkables Park and Queenstown Airport, obviating the need for consumption of the district's infrastructure to access the visitor experience; further, while the QPSZ developments are located within an ONL, the offering of such a visitor experience in the Queenstown Lakes District will virtually always involve some effects on an ONL.

- 6.4 There are other elements of the total QPSZ package such as;
 - (a) the connection to an existing skifield;
 - (b) the proximity other visitor areas such as Jack's Point and Chard Farm;
 - (c) the single ownership of a such a large block of land;
 - (d) the benefits for the Queenstown Trail network; and
 - (e) the unique landform providing a high country and remote experience within minutes of the urban area of Frankton.
- 6.5 In my view these elements all make the QPSZ consistent with sustainable management of resources for Queenstown. However, it is mainly for the reasons stated in the above paragraph that the QPSZ is unlikely to be replicated as suggested by Mr Buxton.

7. GONDOLA PROVISIONS WITHIN REMARKABLES PARK

- 7.1 At paragraph 3.25 of his evidence Mr Buxton concludes that the gondola corridor cannot be annotated on the planning maps for Remarkables Park as this area is not within the Stage 1 of the District Plan review. I agree with this conclusion.
- 7.2 For the Panel's information I can however confirm that the gondola buildings, including the pylons, are controlled activities in any of Activity Areas AA2a, AA3, AA4 and AA7 within the Remarkables Park Zone and the activity itself, as a Commercial Recreation Activity, is also a controlled activity.

8. BRIDGES

8.1 The Structure Plan depicts indicative locations for bridges. Such bridges are, of course, outside the QPSZ and will be subject to consent processes relating to

earthworks and construction of abutments on both sides of the river and for the

structure over the river itself. Land on the far bank will also need to be secured.

However I nevertheless consider that there is some value in showing indicative

locations that link to the trail network, as the trail network is one of the major public

benefits of the QPSZ proposal.

8.2 While appearing to be a relatively complicated undertaking I note, again for the

Panel's benefit, that the Council is experienced in processing complex consents for

public trails in the Queenstown area involving multiple landowners, extensive

earthworks and bridges. In this regard, I attach (marked "C") a consent granted in

2011 for the Wakatipu Trails Trust for 9.5km of trail and four bridges from east of

Arrowtown along the Arrow River to the Kawarau (bungy) Bridge.

9. CONCLUSION

9.1 Having considered the rebuttal evidence of Mr Buxton, and the outcomes of the

expert conferencing, I consider that the QPSZ provisions have now been refined to

provide a clearer and more robust methodology for the achievement of the objectives

and policies of the zone.

9.2 On the matter of the Kawarau River WCO, I consider that the QPSZ provisions are

consistent with the requirements of the order.

9.3 On the principal matter of whether the QPSZ represents sustainable management of

natural and physical resources in terms of a response to the demand for increase

visitor capacity, I consider this to be the case not only for the land within the zone,

but also for the wider resources in Queenstown related to visitor activities, I confirm

my support for the zoning proposal.

David Serjeant

28 August 2017

APPENDIX A: QUEENSTOWN PARK SPECIAL ZONE

44.1 **Zone Purpose**

Queenstown Park has 14.3km of river frontage along the Kawarau River, and extends to an altitude of approximately 1000masl on the northern face of The Remarkables Mountains, wrapping around to the western face. It encompasses 2000ha of land, and has historically been farmed extensively on the upper slopes, with more intensive grazing on the river terraces that extend down to the river edge.

The purpose of the Queenstown Park Special Zone is to provide a comprehensive multi use zone that achieves ongoing sustainable management of Queenstown Park and the wider Queenstown Lakes District. Queenstown Park provides for tourist, education, entertainment, residential, visitor accommodation, recreation, conservation, cultural activities and farming all within close proximity to Queenstown Aairport, the Remarkables Ski Area, Remarkables Park and the Wakatipu basin. A high level of connectivity is achieved by provision of cycle and walking access, gondola access along the Kawarau River, and between the valley floor and the Remarkables Ski Area

Queenstown Park provides for both visitors and residents to connect to the high country environment, and the zone enables public access by providing recreational and entertainment opportunities. Queenstown Park is a destination in its own right, and one that is complementary to, supports and grows Queenstown's tourism industry.

The following activities are envisaged in the zone and are provided for by the Structure Plan. The rules enable development via Comprehensive Development consent for Rural Residential Activity Area 3 and Rural Visitor Activity Areas so that specific areas are designed in an integrated manner.

Visitor accommodation and commercial activities

Provide for activities with close linkage to future walking and cycling trails and gondola access, and tourist activities including accommodation, environmental education and related commercial activities within Rural Visitor Activity Areas.

Living

Provides an opportunity for a range of residential and visitor accommodation options within the Rural Residential and Rural Visitor Activity Areas in a form that integrates well with the landscape and the other activities provided for by the zone. Buildings can be provided as groups of buildings or as standalone residences. Use of renewable energy resource for power is encouraged. Landscaping will reflect the native vegetation of the site, but will also build on the historic plantings, using poplars and other deciduous vegetation to reflect the historic pastoral land uses on the site. Areas of matagouri are retained and the regeneration of native vegetation is respected and encouraged.

High Country

The upper hill upper slopes of Queenstown Park, provide opportunities for ecological management hiking trails and low impact commercial recreation activities including hiking, biking and retreat accommodation, in addition to mountain bike trails. Queenstown Park will continue to graze stock, however the zone provides the opportunity to restrict grazing in those areas of greatest ecological value, and to support ongoing weed and wilding control. Ecological enhancement is encouraged.

Pastoral/recreation/trails

The land outside the Rural Residential Activity Areas and Rural Visitor Activity Areas will pProvide for farming, commercial recreation, recreational activities and trails.—Built form is limited to appropriately scaled buildings that support farming, recreational activities and the trail. This area retains open space and recreational values, while enabling recreational activities that benefit from the public access along the river front and tourism potential of the wider zone.

Gondola Access Corridor

Provide for a gondola linking Remarkables Park, Queenstown Park and the Remarkables Ski Area. The gondola access corridor has been carefully located in order to maximise safety, minimise adverse effects on landscape and ecological values, minimise wind effects, enhance the Queenstown tourism experience and provide a commuter option between the residential communities of Lake Hayes Estate, Shotover Country, Bridesdale and the Remarkables Park zone.

Retreat

Enable low impact tourist accommodation. Any buildings would be small scale, self sufficient, and likely accessed via helicopter and/or trail.

Walkways, **Bridges and Jetties**

Queenstown Park offers the potential for public access links. There are a number of locations for the provision of bridges across the Kawarau River, providing linkage between Queenstown Park and the trails on the northern side of the river. This contributes to Queenstown's trail network, and assists in enabling commuting between the adjacent coummunities of Lake Hayes Estate, Shotover Country, Bridesdale and Remarkables Park.

Locations for jet ferry linkage are to be identified where they can be absorbed from a visual effects perspective, and where they provide positive linkage between river access and proposed activities within Queenstown Park.

44.2 Objectives and Policies

44.2.1A Objective The integrated development of Queenstown Park to achieve important linkages between the valley floor and the recreational opportunities on the mountains, and to enable tourist, commercial, education, entertainment, recreation, visitor accommodation, farming, conservation, and residential opportunities in locations where effects on the environment are managed sustainably.

44.2.1B Objective Development of discrete residential and visitor focussed activity areas within the lowland terraces south of the Kawarau River in a manner that has regard for the landscape values of the ONL.

Policies

- **44.2.1.1** To achieve a coordinated activity mix and built environment that responds to the underlying landscape patterns.
- **44.2.1.2** Development within each Rural Residential and Rural Visitor Activity Area is comprehensively designed with an integrated and sustainable approach to

infrastructure, buildings, street, trail and open space design, landscape and planting.

- To manage the location of buildings and integration of buildings with roads, trails, the gondola, river connections and open space to achieve an outcome that reflects the differing landscape values and opportunities within Queenstown Park through comprehensive development Plans.
- 44.2.1.4 To enable a range of commercial and visitor accommodation activities that support users of the river trail, gondola and river access, while ensuring that the design and scale of built form has regard for the surrounding rural landscape.
- 44.2.1.5 To enable residential and visitor accommodation within Rural Residential and Rural Visitor Activity Areas in a manner that respects the existing natural landform and vegetation.
- 44.2.1.6 To manage the visual effects of buildings through careful attention to the location, scale and form of buildings together with the selection of external materials, colours and use of associated planting.
- **44.2.1.7** To co-ordinate landscape and building design to achieve a village or rural character for each activity area.
- 44.2.1.8 To provide retreat opportunities (glamping) within remote locations on Queenstown Park.
 - **44.2.2. Objective** The establishment of a zone that is primarily accessed by water, gondola and trail linkages.

Policies

- 44.2.2.1 To enable a gondola that provides access between the Remarkables Park Zone, the true south bank of the Kawarau River below Lakes Hayes Estate, Queenstown Park, and the Remarkables Ski Field, while balancing the importance of the landscape values associated with The Remarkables with the importance of providing a connection between the valley floor and the ski field.
- 44.2.2.2 Maintain and enhance <u>an the integrated trail network that travels along and provides linkage across the Kawarau River.</u>
- **44.2.2.3** Provide for water based public transport, by enabling ferry operations and associated infrastructure along the Kawarau River.
- **44.2.3 Objective** The maintenance and enhancement of ecological values.

Policies

44.2.3.1 Recognise the ecological values within the Rastus Burn and Owens Burn catchments, and provide for their maintenance and enhancement through avoiding clearance and encouraging pest management.

Enable non-farming activities as an alternative to traditional farming in a manner that contributes to maintaining the life supporting capacity of Kawarau River and the SNA's within the zone.

44.3 Other Provisions and Rules

44.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative District Plan (**ODP**).

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
Signs (18 ODP)	Earthworks (22 ODP)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	Transport (14 ODP)
30 Energy and Utilities	Hazardous Substances (16	32 Protected Trees
	ODP)	
33 Indigenous Vegetation	34 Wilding Exotic Trees	35 Temporary Activities and
and Biodiversity		Relocated Buildings
36 Noise	37 Designations	Planning Maps

41.3.2 Clarification

- 41.3.2.1 References to the Structure Plan and to Activity Areas are references to the Queenstown Park Zone Structure Plan and the Activity Areas identified on that Structure Plan.
- **41.3.2.2** Earthworks undertaken for the development of land associated with any subdivision shall be governed by Chapter 27: Subdivision and Development.
- 41.3.2.3 A permitted activity must comply with all the rules listed in the activity and standards tables, and any relevant district wide rules.
- Where an activity does not comply with a rule or standard the activity status identified by the Non-Compliance Status column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- **41.3.2.5** The following abbreviations are used within this Chapter.

Р	Permitted	С	Controlled
RD	Restricted Discretionary	D	Discretionary
NC	Non Complying	PR	Prohibited

TABLE 1	Activities Located within Queenstown Park Special Zone	Activity Status
44.4.1	Activities that are not listed in this table	D
44.4.2	Farming Activity	Р
44.4.3	Commercial Recreation Activity excluding buildings	Р
44.4.4	Back country toilets	Р

44.4.5	Residential and Visitor Accommodation Activity within the Rural Residential Activity Areas, subject to Rule 44.4.10.3	Р
44.4.6	Earthworks associated with the maintenance of farm track access, fencing, firebreaks and recreational tracks no wider than 2m.	Р
44.4.7	The development of a Trail Plan:	RÐ
	Discretion is restricted to the following:	
	• Details of the formation of a cycle/walking trail from Boyd Road to the proposed pedestrian bridge at Rural Visitor Activity Area 3 which demonstrate:	
	• Whether public access on the proposed public trail is secured in perpetuity via an appropriate legal mechanism;	
	• The degree to which the applicant provides for the construction of the trail to the standard of comparable trails;	
	• The timing for the formation of the trail which shall ensures it is completed no later than 12 months after the gondola is operational or 6 new rural residential dwellings are completed (not including housing for staff).	
44.4.8	Any Development within the QPSZ which is undertaken in the absence of a resource consent having been granted under Rule 44.4.7 or which is not in accordance with a Trail Plan approved as part of a resource consent under Rule 44.4.7.	NC NC
44.4.8	Comprehensive Development Activities for Rural Visitor Activity Areas and Rural Residential Activity Area 3 Comprehensive development activities include some or all of the following: (a) The preparation of land for development purposes including earthworks and vegetation removal; (b) Construction of roads, pedestrian paths and cycle routes; (c) Works for the establishment of open space areas; and (d) Landscaping and planting necessary to achieve a village or rural character.	RD
	An application for comprehensive development must be accompanied by a Comprehensive Development Plan for the whole activity area that identifies development areas, and any proposed staging of development, in a sufficiently detailed manner to enable the matters of discretion listed below to be	

considered. Discretion is restricted to the following: Any proposed staging of development; · The layout of open spaces, street pattern, car parking, and pedestrian and cycle access; Methods to minimise private vehicle usage to and within the The location of any proposed commercial and community activity: Streetscape design; Distribution of additional height;. Infrastructure and servicing; · Exterior lighting of streets and public spaces; Measures to address natural hazards; • Earthworks, vegetation and vegetation clearance.; Landscaping and planting strategies for amenity purposes to provide structure and to frame the proposed development in Activity Areas using both the indigenous plant communities of the zone and range of exotic deciduous planting; • Opportunities to enhance existing indigenous vegetation, such as matagouri, and landscape features of the development area, such as the river terraces, terrace risers and escarpments. • In Rural Visitor Activity Area 3, the extent to which development and land modification minimises effects on escarpments and stream and river banks, apart from necessary vehicle, ferry/boating facilities and pedestrian access, and gondola access within Rural Visitor Activity Area 3, and mitigates any such effects through the use of enhancement planting; • In Rural Visitor Activity Area 3, landscape and planting strategies both within and around the Activity Area to integrate the village with its wider setting, reinforce the natural landscape patterns, and create structure and visual breaks to development using both plants that are indigenous to the area and exotic species. In Rural Residential Activity Area 3, landscape and planting strategies both within and around the Activity Area to integrate the rural residential environment with its wider setting and reinforce the natural landscape patterns using predominantly native planting. The objectives and policies of the zone. 44.4.8A Amendment to an approved Comprehensive Development **Activity Consent** Discretion is restricted to the matters listed in Rule 44.4.8. 44.4.9 **Rural Visitor Activity Areas**

44.4.9.1 Buildings

С

The addition, external alteration or construction of buildings. Control is reserved to the following:

- The bulk, location and external appearance of buildings, including building colour and reflectivity.
- · Creation of active frontages adjacent to streets and public spaces;
- External lighting;
- Integration with surrounding buildings;
- Infrastructure and servicing;
- Earthworks and vegetation clearance;
- Location and design of car parking;
- The adequate provision of storage and loading/ servicing areas; and
- Landscape design.

RD

44.4.9.2 Any commercial, community, residential or visitor accommodation activity (excluding buildings) within the Rural Visitor Activity Areas provided the application is accompanied by a Comprehensive Development Plan or is in accordance with an approved Comprehensive Development Plan, which applies to the whole of the relevant Rural Visitor Activity Area and is sufficiently detailed to enable the matters of control listed below to be fully considered.

Discretion is restricted to the following:

- The layout of open spaces, street pattern, car parking, and pedestrian and cycle access.
- The location of any proposed commercial and community activity.
- Streetscape design.

Distribution of additional height.

- Infrastructure and servicing,
- Exterior lighting of streets and public spaces
- Measures to address natural hazards
- Earthworks and vegetation clearance.
- The extent to which development and land modification minimises effects on escarpments and stream and river banks, apart from necessary vehicle, ferry/boating facilities and pedestrian access, and gondola access within Rural Visitor Activity Area 3, and mitigates any such effects through the use of indigenous planting.
- Landscaping and planting strategies for amenity purposes to provide structure and 'breaks' in the proposed development in Activity Areas using both the indigenous plant communities of the zone and range of exotic deciduous planting

Provided that the application is accompanied by an application for comprehensive development or is in accordance with a

	resource consent having been granted under Rule 44.4.8.	
	Discretion is restricted to the matters listed in Rule 44.4.8.	
	Further, provided that the application is accompanied by a Trail Plan or is in accordance with an approved Trail Plan, which applies to the formation of a cycle/walking trail from Boyd Road to the proposed pedestrian bridge at Rural Visitor Activity Area 3 and is sufficiently detailed to enable the matters of discretion listed below to be fully considered.	
	Discretion is restricted to the following:	
	 Whether public access on the proposed public trail is secured in perpetuity via an appropriate legal mechanism; The degree to which the applicant provides for the construction of the trail to the standard of comparable trails; The timing for the formation of the trail which shall ensure it is completed no later than 12 months after the gondola is operational or 6 new rural residential dwellings are completed (not including housing for staff); and Objectives 44.2.2 and related policies. 	
	44.4.9.3 Any commercial, community, visitor accommodation or residential activity within the Rural Visitor Activity Areas, including the addition, alteration or construction of associated buildings, which is undertaken in the absence of a resource consent having been granted under Rule 44.4.9.2 or which is not in accordance with a Comprehensive Development Plan approved as part of a resource consent under Rule 44.4.9.2. 44.4.9.3 Any commercial, community, residential or visitor accommodation activity (excluding buildings) within the Rural Visitor Activity Areas, which is not in accordance with a resource consent under Rule 44.4.8.	D
	44.4.9.4 Any commercial, community, residential or visitor accommodation activity (excluding buildings) within the Rural Visitor Activity Areas, which is not in accordance with a Trail Plan approved as part of a resource consent under Rule 44.4.9.2.	NC NC
44.4.10	Rural Residential Activity Areas	
	44.4.10.1A Buildings	С
	Control is reserved to the following:	
	 Locations; Materials, colour and reflectivity; Landscaping Response of development pattern to landscape values both 	

	44.4.10.4 Any residential or visitor accommodation activity (excluding buildings) within the Rural Residential Activity Area 3, including the addition, alteration or construction of associated buildings, which is undertaken in the absence of a resource consent having been granted under Rule 44.4.10.3 or which is not in accordance with Comprehensive Development Plan approved as part of a resource consent under Rule 44.4.10.3.8	D
	44.4.10.5 Any residential or visitor accommodation activity (excluding buildings) within Rural Residential Activity Area 3, which is not in accordance with a Trail Plan approved as part of a resource consent under Rule 44.4.10.3.	<u>NC</u>
44.4.11	Farm buildings located below 400masl	С
	Control is reserved to the following:	
	Location;	
	Materials, colour and reflectivity; and	
	Contribution to rural character.	
44.4.12	Gondola Passenger Lift Systems within the Gondola Corridor	С
	Control is reserved to the following:	
	 Whether the colours to be used are compatible with the rural landscape of which the Passenger Lift System will form a part; Balancing environmental considerations with operational 	
	requirements;	
	Lighting:	
	 The ecological values of the land affected by structures and activities and any proposed ecological mitigation works; and Effects on existing recreation and tourism activities on and beside the Kawarau River; 	
44.4.13	Gondola Base Station or Terminal Buildings Construction, relocation, addition to or alteration of a base or terminal building at the following locations:	С
	 Commuter Station QP Bend Station QP Village Stations QP Upper Station 	
	Control is reserved to the following:	
	Location, external appearance and size, colour, visual	

44.4.14	 dominance; Associated earthworks, access and landscaping; Provision of water supply, sewage treatment and disposal electricity and communication services (where necessary); Lighting; and Location and design of any associated car parking Premises licensed for the sale of liquor in Rural Residential	RD
	and Rural Visitor Activity Areas	
	Discretion is restricted to the following: • Location: • Scale of the activity:	
	Residential amenity values;	
	Noise:	
	Hours of operation; and	
	 Car parking and vehicle generation, where the premises are not adequately served by gondola, trails or jet boats. 	
44.4.15	Glamping	С
	Visitor accommodation activity outside of the Rural Visitor and Rural Residential Activity Areas accommodating less than 20 people per glamping site and provided there are no more than 6 glamping sites at any one time within the QPSZ.	
	Control is reserved to the following:	
	 Location and scale of buildings and associated infrastructure; Location of buildings to minimise visibility from any public places; The external appearance and material finish. Access and servicing; and Associated earthworks and landscaping 	
44.4.16	Commercial Recreation Activity Buildings	RD
	 Discretion is restricted to the following: The external appearance of buildings with respect to the effect on visual and landscape values of the area; Infrastructure and servicing; and Associated earthworks and landscaping. 	

44.4.17	Jetties, or Bridges or wharves at those locations identified on the structure plan Discretion is restricted to the following: • Effects on natural character; • Effects on landscape and amenity values; • Effects on public access to and along the river and existing	RD
	recreation activities; External appearance, colours and materials; and Objectives 44.2.1A, 44.2.1B, 44.2.2 and related policies.	
44.4.18	Mining Activity The mining of rock and aggregate for use within Queenstown Park Discretion is restricted to the following: Effects on landscape and amenity values; Dust; Noise; Hours of operation; and Traffic	RD
44.4.19	Forestry Activity	NC
44.4.20	Factory Farming	NC
44.4.21	Industrial Activity	NC
44.4.22	Informal Airports 44.4.22.1 Informal Airports limited to the use of helicopters 44.4.22.2 The establishment and operation of all other Airport Activity or Aerodrome, including Informal Airports used	D NC
	by fixed wing aircraft.	

44.5 Rules- Standards

Table 2	Standards for activities located in Queenstown Park Special Zone	Non- Compliance Status
44.5.1	The gondola is to be operational prior to aAny commercial or community activity within Rural Visitor Activity Area 3. prior to the gondola becoming operational	NC
44.5.2	The Boyd Road/State Highway intersection is to be upgraded prior to aAny residential or visitor accommodation within the Rural Visitor or Rural Residential Activity areas. prior to the upgrade of the Boyd Road/State Highway intersection.	NC

44.5.3	Total residential units in RV 3 (prior to the gondola becoming	NC
44.5.3	rotal residential units in KV 3 (prior to the gondola becoming	
	operations) and in all Rural Residential Activity Areas:_90	INC
	Total residential units in Rural Residential Activity Area 3:_16	
	Total residential units in Rural Residential Activity Areas 3, 4, 5 and 6:	
	A total of six (6) residential units unless the public trail has been extended from the pedestrian bridge at Rural Visitor Activity Area 3 to Rural Visitor Activity Area 4.	
44.5.4	Building coverage	RD
	Rural Visitor Activity Area 3	
	Lower Terrace – 30%	
	Upper Terrace – 20%	
	Terrace Face – 0% except for vehicle access, pedestrian and cycle	
	trails, buildings associated with the gondola corridor.	
	Rural Visitor Activity Area 4 - 30% or as defined in a resource	
	consent under Rule 44.4.8.	
	Rural Residential Activity Areas – 15%	
	Discretion is restricted to the following: effect on open space,	
	character and amenity.	
44.5.5	Building height	
44.0.0	44.5.5.1 Gondola Corridor — greater than_all structures: _23m	NC
	44.5.5.2 Buildings excluding Rural Visitor Activity Area 3 — greater	NC
	than_8m or two storeys, whichever is lower.	
	44.5.5.3 Buildings for commercial, community, visitor accommodation and residential activities within Rural Visitor Activity Area 3, Lower Terrace — between 12m — 16m. Discretion is restricted to the following	RD
	For buildings up to 16m, dDiscretion is restricted to the following:	
	 The extent to which the buildings which will accommodate this height have been considered as part of a resource consent under Rule 44.4.9.2 above 44.4.8; and Contribution to varied rooflines and identification of landmark 	
	buildings.	NC
	44 E. 4. Duildings for commercial community and visitary	INC
	44.5.5.4 Buildings for commercial, community and visitor accommodation and residential activities within the Rural Visitor Activity Areas, Lower Terrace: <u>above</u> 16m.	

	44.5.5.5 Buildings for commercial, community, visitor accommodation and residential activities within Rural Visitor Activity Area 3, Upper Terrace: <u>between</u> 8m <u>-12m</u>	RD
	For buildings up to 12m, dDiscretion is restricted to the following:	
	 The extent to which the buildings which will accommodate this height have been considered as part of a resource consent under Rule 44.4.9.2 above (CDP) 44.4.8; and Contribution to varied rooflines and identification of landmark buildings. 	NC
	44.5.5.6 Buildings for commercial, community, visitor accommodation and residential activities within Rural Visitor Activity Area 3, Upper Terrace: - above 12m.	
44.5	Earthworks (excluding earthworks associated with a subdivision and Earthworks associated with the maintenance of farm track access, fencing, firebreaks and recreational tracks no wider than 2m).	RD
	44.5.6.1 Volume of Earthworks:	
	Rural Residential Activity Areas 500m ³ All other areas 1000m ³	
	44.5.6.2 Height of cut and fill and slope	
	All Areas:	
	 a. The maximum height of any cut shall not exceed 2.4m a.b. The maximum height of any fill shall not exceed 2.0m b.c. The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see Interpretative Diagram 6 of the Earthworks Chapter of the Operative District Plan), except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height. 	
	44.5.6.3 Fill All Areas:	
	All fill for residential building platforms and associated retaining walls is to be in accordance with the requirements of NZS 4404:2010 and/or NZS 4431:1989 as appropriate.	
	44.5.6.4 Environmental Protection Measures	

	appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site.	
	c. Areas of exposed soil are to be vegetated / re-vegetated within 12 months from the completion of works.	
	44.5.6.5 Water bodies	
	 a. Earthworks within 7m of the bed of any water body shall not exceed 20m³ in total volume, except any man made water body within one any consecutive 12 month period. b. Any material associated with earthworks activity shall not be positioned within 7m of the bed of any water body or where it may dam, divert or contaminate water. c. Earthworks shall not: cause artificial drainage of any groundwater aquifer; cause temporary ponding of any surface water. 	
	44.5.6.6 Cultural heritage and archaeological sites	
	a. Earthworks shall not modify, damage or destroy any waahi tapu, waahi taonga or identified feature in Chapter 26, or any archaeological site.	
	Discretion is restricted to the following:	
	 _The nature and scale of the earthworks; _Environmental protection measures; _Remedial works and revegetation; _The effects on landscape and visual amenity values; _The effects on land stability and flooding; _The effects on water bodies; _The effects on cultural and archaeological sites; and _Noise 	
44.5.7	Lighting	NC
	No activity shall result in a greater than 3.0 lux spill, horizontal and vertical, of light onto any property located outside of the Zone, measured at any point inside the boundary of the adjoining property.	
44.5.8	Access & and Parking associated with the Upper Station shall be for service access only	D
44.5.9	Gondola Corridor	D
	Gondola Passenger Lift Systems shall be no more than 20m outside Variation of the Gondola Corridor boundaries	

44.5.10	Setbacks from internal boudaries	RD
	Rural Residential Activity Areas – 6m	
	Trainin Trooluonium Tronting Training	
	Discretion is restricted to the following:	
	Discretion to resulting to the relieving.	
	Visual dominance;	
	The effect on open space, rural living character and amenity;	
1	Effects on privacy, views and outlook from neighbouring	
	properties;	
	Reverse sensitivity effects on adjacent properties; and	
'	Landscaping.	
	All other areas – no setback	
'		
44.5.11	Setback from roads	NC
	Rural Visitor Activity Areas – no setback requirement	
	Rural Residential Activity Areas – 10m	
	All other areas – 20m	
44.5.12	Stocking Rate above 600 masl between SNA F32B and F32A3	D
	Maximum A-stocking rate shall be exceeding 3 units per hectare	
44.5.13	Cattle grazing shall be outside the SNA areas	NC
44.5.14	Parking	RD
44.0.14	<u>- Cirking</u>	IND
	1 car park per residential unit	
	1 car park per 5 visitor accommodation units	
	Discretion is restricted to the following:	
	The ffice are a second of the discrete to the	
	Traffic management in the vicinity Traffic management in the vicinity	
	Effective use of land Demand for goodele river and other public transport and	
	Demand for gondola, river and other public transport and massures to reduce demand for travel.	
	 measures to reduce demand for travel Management of car parking, including shared 	
	 Management of car parking, including shared parking arrangements. 	
l [<u>parking arrangements.</u>	

44.6 Non notification of applications

- 44.6.1 Any application for resource consent for controlled activities shall not require the written consent of other persons and shall not be notified or limited notified.
- 44.6.2 Any application for resource consent for restricted discretionary activities shall be considered without public notification but notice shall be served on those persons considered to be adversely affected if the written approval has not been obtained.

SUBDIVISION AND DEVELOPMENT – CHAPTER 27

Additions shown underlined

27.5.7	All subdivision activities in the District's Rural Residential and Rural Lifestyle Zones and QPSZ Rural Residential and Rural Vistor Activity Areas Discretion is restricted to all of the following: - In the Rural Lifestyle Zone the location of building platforms; - Lot sizes, averages and dimensions in respect of internal roading design and provision, relating to access and service easements for future subdivision on adjoining land; - Subdivision design and lot layout - Property access and roading; - Esplanade provision; - On site measures to address the risk of Natural and other hazards on land within the subdivision; - Fire fighting water supply; - Water supply; - Water supply; - Stormwater disposal; - Sewage treatment and disposal; - Energy supply and telecommunications; - Open space and recreation; and - Ecological and natural values; - Historic Heritage - Easements; and - Bird strike and navigational safety. Additional criteria for subdivision within the QPSZ Rural Residential and Rural Visitor Activity Areas:	RD
	 Response of development pattern to landscape values both within the Activity Area and in the surrounding context; Planting and other landscape treatment that responds to the landscape values and rural character of the area; and Maintenance of rural character. 	
27.5.10	All subdivision activities in the Rural General and Gibbston Character Zones and Queenstown Park Special Zone (except the Rural Visitor and Rural Residential Activity Areas), with the exception of unit title, strata-title or cross lease subdivision undertaken in accordance with Rule 27.5.5.	D
27.7.1	Subdivision within the QPSZ Rural Visitor Activity Area prior to the approval of a Comprehensive Development Plan approved in accordance with Rule 42.4.2a resource consent under Rule 44.4.8.	<u>NC</u>

27.6 Rules - Standards for Subdivision Activities

27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, average, less than the minimum specified.

ZONE		Minimum Lot Area
Queenstown Park Special	Rural Residential Activity	4000m ²
<u>Zone</u>		
	All other areas	No minimum

APPENDIX B: QUEENSTOWN PARK SPECIAL ZONE

44.1 Zone Purpose

Queenstown Park has 14.3km of river frontage along the Kawarau River, and extends to an altitude of approximately 1000masl on the northern face of The Remarkables Mountains, wrapping around to the western face. It encompasses 2000ha of land, and has historically been farmed extensively on the upper slopes, with more intensive grazing on the river terraces that extend down to the river edge.

The purpose of the Queenstown Park Special Zone is to provide a comprehensive multi use zone that achieves ongoing sustainable management of Queenstown Park and the wider Queenstown Lakes District. Queenstown Park provides for tourist, education, entertainment, residential, visitor accommodation, recreation, conservation, cultural activities and farming all within close proximity to Queenstown Airport, the Remarkables Ski Area, Remarkables Park and the Wakatipu basin. A high level of connectivity is achieved by provision of cycle and walking access, gondola access along the Kawarau River, and between the valley floor and the Remarkables Ski Area

Queenstown Park provides for both visitors and residents to connect to the high country environment, and the zone enables public access by providing recreational and entertainment opportunities. Queenstown Park is a destination in its own right, and one that is complementary to, supports and grows Queenstown's tourism industry.

The following activities are envisaged in the zone and are provided for by the Structure Plan. The rules enable development via Comprehensive Development consent for Rural Residential Activity Area 3 and Rural Visitor Activity Areas so that specific areas are designed in an integrated manner.

Visitor accommodation and commercial activities

Provide for activities with close linkage to future walking and cycling trails and gondola access, and tourist activities including accommodation, environmental education and related commercial activities within Rural Visitor Activity Areas.

Living

Provides an opportunity for a range of residential and visitor accommodation options within the Rural Residential and Rural Visitor Activity Areas in a form that integrates well with the landscape and the other activities provided for by the zone. Buildings can be provided as groups of buildings or as standalone residences. Landscaping will reflect the native vegetation of the site, but will also build on the historic plantings, using poplars and other deciduous vegetation to reflect the historic pastoral land uses on the site. Areas of matagouri are retained and the regeneration of native vegetation is respected and encouraged.

High Country

The upper hill slopes of Queenstown Park, provide opportunities for ecological management hiking trails and low impact commercial recreation activities including hiking, biking and retreat accommodation, in addition to mountain bike trails. Queenstown Park will continue to graze stock, however the zone provides the opportunity to restrict grazing in those areas of greatest ecological value, and to support ongoing weed and wilding control. Ecological enhancement is encouraged.

Pastoral/recreation/trails

The land outside the Rural Residential Activity Areas and Rural Visitor Activity Areas will provide for farming, commercial recreation, recreational activities and trails.. This area retains open space and recreational values, while enabling recreational activities that benefit from the public access along the river front and tourism potential of the wider zone.

Gondola Access Corridor

Provide for a gondola linking Remarkables Park, Queenstown Park and the Remarkables Ski Area. The gondola access corridor has been carefully located in order to maximise safety, minimise adverse effects on landscape and ecological values, minimise wind effects, enhance the Queenstown tourism experience and provide a commuter option between the residential communities of Lake Hayes Estate, Shotover Country, Bridesdale and the Remarkables Park zone.

Retreat

Enable low impact tourist accommodation. Any buildings would be small scale, self sufficient, and likely accessed via helicopter and/or trail.

Walkways, Bridges and Jetties

Queenstown Park offers the potential for public access links. There are a number of locations for the provision of bridges across the Kawarau River, providing linkage between Queenstown Park and the trails on the northern side of the river. This contributes to Queenstown's trail network, and assists in enabling commuting between the adjacent coummunities of Lake Hayes Estate, Shotover Country, Bridesdale and Remarkables Park.

Locations for jet ferry linkage are to be identified where they can be absorbed from a visual effects perspective, and where they provide positive linkage between river access and proposed activities within Queenstown Park.

44.2 Objectives and Policies

44.2.1A Objective The integrated development of Queenstown Park to achieve important linkages between the valley floor and the recreational opportunities on the mountains, and to enable tourist, commercial, education, entertainment, recreation, visitor accommodation, farming, conservation, and residential opportunities in locations where effects on the environment are managed sustainably.

44.2.1B Objective Development of discrete residential and visitor focussed activity areas within the lowland terraces south of the Kawarau River in a manner that has regard for the landscape values of the ONL.

Policies

- **44.2.1.1** To achieve a coordinated activity mix and built environment that responds to the underlying landscape patterns.
- **44.2.1.2** Development within each Rural Residential and Rural Visitor Activity Area is comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design, landscape and planting.

- 44.2.1.3 To manage the location of buildings and integration of buildings with roads, trails, the gondola, river connections and open space to achieve an outcome that reflects the differing landscape values and opportunities within Queenstown Park through comprehensive development.
- 44.2.1.4 To enable a range of commercial and visitor accommodation activities that support users of the river trail, gondola and river access, while ensuring that the design and scale of built form has regard for the surrounding rural landscape.
- 44.2.1.5 To enable residential and visitor accommodation within Rural Residential and Rural Visitor Activity Areas in a manner that respects the existing natural landform and vegetation.
- 44.2.1.6 To manage the visual effects of buildings through careful attention to the location, scale and form of buildings together with the selection of external materials, colours and use of associated planting.
- **44.2.1.7** To co-ordinate landscape and building design to achieve a village or rural character for each activity area.
- **44.2.1.8** To provide retreat opportunities (glamping) within remote locations on Queenstown Park.
- **44.2.2. Objective** The establishment of a zone that is primarily accessed by water, gondola and trail linkages.

Policies

- 44.2.2.1 To enable a gondola that provides access between the Remarkables Park Zone, the true south bank of the Kawarau River below Lakes Hayes Estate, Queenstown Park, and the Remarkables Ski Field, while balancing the importance of the landscape values associated with The Remarkables with the importance of providing a connection between the valley floor and the ski field.
- 44.2.2.2 Maintain and enhance an integrated trail network that travels along and provides linkage across the Kawarau River.
- **44.2.2.3** Provide for water based public transport, by enabling ferry operations and associated infrastructure along the Kawarau River.
- **44.2.3 Objective** The maintenance and enhancement of ecological values.

Policies

- 44.2.3.1 Recognise the ecological values within the Rastus Burn and Owens Burn catchments, and provide for their maintenance and enhancement through avoiding clearance and encouraging pest management.
- 44.2.3.2 Enable non-farming activities as an alternative to traditional farming in a manner that contributes to maintaining the life supporting capacity of Kawarau River and the SNA's within the zone.

44.3 Other Provisions and Rules

44.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative District Plan (**ODP**).

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
Signs (18 ODP)	Earthworks (22 ODP)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	Transport (14 ODP)
30 Energy and Utilities	Hazardous Substances (16	32 Protected Trees
	ODP)	
33 Indigenous Vegetation	34 Wilding Exotic Trees	35 Temporary Activities and
and Biodiversity		Relocated Buildings
36 Noise	37 Designations	Planning Maps

41.3.2 Clarification

- 41.3.2.1 References to the Structure Plan and to Activity Areas are references to the Queenstown Park Zone Structure Plan and the Activity Areas identified on that Structure Plan.
- **41.3.2.2** Earthworks undertaken for the development of land associated with any subdivision shall be governed by Chapter 27: Subdivision and Development.
- 41.3.2.3 A permitted activity must comply with all the rules listed in the activity and standards tables, and any relevant district wide rules.
- Where an activity does not comply with a rule or standard the activity status identified by the Non-Compliance Status column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- **41.3.2.5** The following abbreviations are used within this Chapter.

Р	Permitted	С	Controlled
RD	Restricted Discretionary	D	Discretionary
NC	Non Complying	PR	Prohibited

TABLE 1	Activities Located within Queenstown Park Special Zone	Activity Status
44.4.1	Activities that are not listed in this table	D
44.4.2	Farming Activity	Р
44.4.3	Commercial Recreation Activity excluding buildings	Р
44.4.4	Back country toilets	Р
44.4.5	Residential and Visitor Accommodation Activity within the Rural	Р
	Residential Activity Areas, subject to Rule 44.4.10.3	
44.4.6	Earthworks associated with the maintenance of farm track	Р

than 2m. 44.4.7 44.4.8 Comprehensive Development Activities for Rural Visitor Activity Areas and Rural Residential Activity Area 3 Comprehensive development activities include some or all of the following: (a) The preparation of land for development purposes including earthworks and vegetation removal; (b) Construction of roads, pedestrian paths and cycle routes; (c) Works for the establishment of open space areas; and (d) Landscaping and planting necessary to achieve a village or rural character. An application for comprehensive development must be accompanied by a Comprehensive Development Plan for the whole activity area that identifies development areas, and any proposed staging of development, in a sufficiently detailed manner to enable the matters of discretion listed below to be	
44.4.8 Comprehensive Development Activities for Rural Visitor Activity Areas and Rural Residential Activity Area 3 Comprehensive development activities include some or all of the following: (a) The preparation of land for development purposes including earthworks and vegetation removal; (b) Construction of roads, pedestrian paths and cycle routes; (c) Works for the establishment of open space areas; and (d) Landscaping and planting necessary to achieve a village or rural character. An application for comprehensive development must be accompanied by a Comprehensive Development Plan for the whole activity area that identifies development areas, and any proposed staging of development, in a sufficiently detailed manner to enable the matters of discretion listed below to be	
Activity Areas and Rural Residential Activity Area 3 Comprehensive development activities include some or all of the following: (a) The preparation of land for development purposes including earthworks and vegetation removal; (b) Construction of roads, pedestrian paths and cycle routes; (c) Works for the establishment of open space areas; and (d) Landscaping and planting necessary to achieve a village or rural character. An application for comprehensive development must be accompanied by a Comprehensive Development Plan for the whole activity area that identifies development areas, and any proposed staging of development, in a sufficiently detailed manner to enable the matters of discretion listed below to be	
Activity Areas and Rural Residential Activity Area 3 Comprehensive development activities include some or all of the following: (a) The preparation of land for development purposes including earthworks and vegetation removal; (b) Construction of roads, pedestrian paths and cycle routes; (c) Works for the establishment of open space areas; and (d) Landscaping and planting necessary to achieve a village or rural character. An application for comprehensive development must be accompanied by a Comprehensive Development Plan for the whole activity area that identifies development areas, and any proposed staging of development, in a sufficiently detailed manner to enable the matters of discretion listed below to be	
the following: (a) The preparation of land for development purposes including earthworks and vegetation removal; (b) Construction of roads, pedestrian paths and cycle routes; (c) Works for the establishment of open space areas; and (d) Landscaping and planting necessary to achieve a village or rural character. An application for comprehensive development must be accompanied by a Comprehensive Development Plan for the whole activity area that identifies development areas, and any proposed staging of development, in a sufficiently detailed manner to enable the matters of discretion listed below to be	
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accompanied by a Comprehensive Development Plan for the whole activity area that identifies development areas, and any proposed staging of development, in a sufficiently detailed manner to enable the matters of discretion listed below to be	
considered.	
Discretion is restricted to the following:	
 Any proposed staging of development; The layout of open spaces, street pattern, car parking, and pedestrian and cycle access; Methods to minimise private vehicle usage to and within the zone; 	
The location of any proposed commercial and community activity;	
 Streetscape design; Distribution of additional height;. Infrastructure and servicing; Exterior lighting of streets and public spaces; Measures to address natural hazards; 	
Earthworks, vegetation and vegetation clearance.;	
 Landscaping and planting strategies for amenity purposes to provide structure and to frame the proposed development in Activity Areas using both the indigenous plant communities of the zone and range of exotic deciduous planting; Opportunities to enhance existing indigenous vegetation, 	
such as matagouri, and landscape features of the development area, such as the river terraces, terrace risers and escarpments.	
 In Rural Visitor Activity Area 3, the extent to which development and land modification minimises effects on escarpments and stream and river banks, apart from necessary vehicle, ferry/boating facilities and pedestrian access, and gondola access within Rural Visitor Activity Area 3, and mitigates any such effects through the use of 	

	 to the proposed pedestrian bridge at Rural Visitor Activity Area 3 and is sufficiently detailed to enable the matters of discretion listed below to be fully considered. Discretion is restricted to the following: Whether public access on the proposed public trail is secured in perpetuity via an appropriate legal mechanism; The degree to which the applicant provides for the construction of the trail to the standard of comparable trails; The timing for the formation of the trail which shall ensure it is completed no later than 12 months after the gondola is operational or 6 new rural residential dwellings are completed (not including housing for staff); and Objectives 44.2.2 and related policies. 	
	44.4.9.3 Any commercial, community, residential or visitor accommodation activity (excluding buildings) within the Rural Visitor Activity Areas, which is not in accordance with a resource consent under Rule 44.4.8.	D
	44.4.9.4 Any commercial, community, residential or visitor accommodation activity (excluding buildings) within the Rural Visitor Activity Areas, which is not in accordance with a Trail Plan approved as part of a resource consent under Rule 44.4.9.2.	NC
44.4.10	Rural Residential Activity Areas	
	Nulai Nesidentiai Activity Aleas	
	44.4.10.1A Buildings	С
	 44.4.10.1A Buildings Control is reserved to the following: Locations; Materials, colour and reflectivity; Landscaping Response of development pattern to landscape values both within the Activity Area and in the surrounding context; Planting and other landscape treatment that responds to the landscape values and rural character of the area; and Maintenance of rural character. 44.4.10.1B Buildings in Rural Residential Activity Areas 2, 4, 	
	 44.4.10.1A Buildings Control is reserved to the following: Locations; Materials, colour and reflectivity; Landscaping Response of development pattern to landscape values both within the Activity Area and in the surrounding context; Planting and other landscape treatment that responds to the landscape values and rural character of the area; and Maintenance of rural character. 	C
	 44.4.10.1A Buildings Control is reserved to the following: Locations; Materials, colour and reflectivity; Landscaping Response of development pattern to landscape values both within the Activity Area and in the surrounding context; Planting and other landscape treatment that responds to the landscape values and rural character of the area; and Maintenance of rural character. 44.4.10.1B Buildings in Rural Residential Activity Areas 2, 4, 5, and 6 where development precedes subdivision 	

44.4.13	 Whether the colours to be used are compatible with the rural landscape of which the Passenger Lift System will form a part; Balancing environmental considerations with operational requirements; Lighting; The ecological values of the land affected by structures and activities and any proposed ecological mitigation works; and Effects on existing recreation and tourism activities on and beside the Kawarau River; Gondola Base Station or Terminal Buildings 	С
	Construction, relocation, addition to or alteration of a	
	base or terminal building at the following locations:	
	- Commuter Station	
	QP Bend StationQP Village Stations	
	- QP Upper Station	
	Qi Opper station	
	Control is reserved to the following:	
	Location, external appearance and size, colour, visual	
	dominance;	
	Associated earthworks, access and landscaping;	
	Provision of water supply, sewage treatment and disposal	
	electricity and communication services (where necessary);	
	Lighting; and	
	Location and design of any associated car parking.	
44.4.14	Premises licensed for the sale of liquor in Rural Residential	RD
	and Rural Visitor Activity Areas	
	Discretion is restricted to the following:	
	Location;	
	Scale of the activity;	
	Residential amenity values;	
	Noise;	
	Hours of operation; and	
	Car parking and vehicle generation, where the premises are	
	not adequately served by gondola, trails or jet boats.	
44.4.15	Glamping	С
	Winites and a second defining a set of the second s	
	Visitor accommodation activity outside of the Rural Visitor and Rural Residential Activity Areas accommodating less than 20	
	people per glamping site and provided there are no more than 6	
	Poople por gramping one and provided there are no more than o	1

	alomaning sites at any one time within the ODC7	
	glamping sites at any one time within the QPSZ.	
	Control is reserved to the following:	
	3	
	Location and scale of buildings and associated infrastructure:	
	infrastructure;Location of buildings to minimise visibility from any public	
	places;	
	 The external appearance and material finish. 	
	Access and servicing; and	
	Associated earthworks and landscaping.	
44.4.16	Commercial Recreation Activity Buildings	RD
	Discretion is restricted to the following:	
	The external appearance of buildings with respect to the	
	effect on visual and landscape values of the area;	
	Infrastructure and servicing; and	
	Associated earthworks and landscaping.	
44.4.17	Jetties, Bridges or wharves	RD
	Discretion is restricted to the following:	
	Effects on natural character;	
	Effects on landscape and amenity values;	
	Effects on public access to and along the river and existing	
	recreation activities;	
	External appearance, colours and materials; and	
	Objectives 44.2.1A, 44.2.1B, 44.2.2 and related policies.	
44.4.18	Mining Activity	RD
	The mining of rock and aggregate for use within Queenstown	
	Park	
	Discretion is restricted to the following:	
	Effects on landscape and amenity values;	
	• Dust;	
	Noise;	
	Hours of operation; and	
	Traffic.	
44.4.19	Forestry Activity	NC
44.4.20	Factory Farming	NC
44.4.21	Industrial Activity	NC

44.4.22	Informal Airports 44.4.22.1 Informal Airports limited to the use of helicopters	D
	44.4.22.2 The establishment and operation of all other Airport Activity or Aerodrome, including Informal Airports used by fixed wing aircraft.	NC

44.5 Rules- Standards

Table 2	Standards for activities located in Queenstown Park Special Zone	Non- Compliance Status
44.5.1	The gondola is to be operational prior to any commercial or community activity within Rural Visitor Activity Area 3.	NC
44.5.2	The Boyd Road/State Highway intersection is to be upgraded prior to any residential or visitor accommodation within the Rural Visitor or Rural Residential Activity areas.	NC
44.5.3	Total residential units in all Rural Residential Activity Areas: 90 Total residential units in Rural Residential Activity Area 3: 16	NC
	Total residential units in Rural Residential Activity Areas 3, 4, 5 and 6:	
	A total of six (6) residential units unless the public trail has been extended from the pedestrian bridge at Rural Visitor Activity Area 3 to Rural Visitor Activity Area 4.	
44.5.4	Building coverage Rural Visitor Activity Area 3 Lower Terrace – 30% Upper Terrace – 20% Terrace Face – 0% except for vehicle access, pedestrian and cycle trails, buildings associated with the gondola corridor. Rural Visitor Activity Area 4 – 30% or as defined in a resource consent under Rule 44.4.8. Rural Residential Activity Areas – 15% Discretion is restricted to the effect on open space, character and amenity.	RD
44.5.5	Building height 44.5.5.1 Gondola Corridor all structures: 23m	NC
	44.5.5.2 Buildings excluding Rural Visitor Activity Area 3 8m or two	NC

	atorova, which over in lower	
	storeys, whichever is lower.	
	44.5.5.3 Buildings for commercial, community, visitor accommodation and residential activities within Rural Visitor Activity Area 3, Lower Terrace 12m	RD
	For buildings up to 16m, discretion is restricted to the following:	
	 The extent to which the buildings which will accommodate this height have been considered as part of a resource consent under Rule 44.4.8; and Contribution to varied rooflines and identification of landmark buildings. 	
	44.5.5.4 Buildings for commercial, community and visitor accommodation and residential activities within the Rural Visitor Activity Areas, Lower Terrace: 16m.	NC
	44.5.5.5 Buildings for commercial, community, visitor accommodation and residential activities within Rural Visitor Activity Area 3, Upper Terrace: 8m	RD
	For buildings up to 12m, discretion is restricted to the following:	
	 The extent to which the buildings which will accommodate this height have been considered as part of a resource consent under Rule 44.4.8; and Contribution to varied rooflines and identification of landmark buildings. 	
		NC
	44.5.5.6 Buildings for commercial, community, visitor accommodation and residential activities within Rural Visitor Activity Area 3, Upper Terrace: - 12m.	
44.5.6	Earthworks (excluding earthworks associated with a subdivision and Earthworks associated with the maintenance of farm track access, fencing, firebreaks and recreational tracks no wider than 2m).	RD
	44.5.6.1 Volume of Earthworks:	
	Rural Residential Activity Areas 500m ³ All other areas 1000m ³	
	44.5.6.2 Height of cut and fill and slope	

All Areas:

- a. The maximum height of any cut shall not exceed 2.4m
- b. The maximum height of any fill shall not exceed 2.0m
- c. The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see Interpretative Diagram 6 of the Earthworks Chapter of the Operative District Plan), except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.

44.5.6.3 Fill All Areas:

All fill for residential building platforms and associated retaining walls is to be in accordance with the requirements of NZS 4404:2010 and/or NZS 4431:1989 as appropriate.

44.5.6.4 Environmental Protection Measures

- a. Any person carrying out earthworks shall implement sediment and erosion control measures to avoid sediment effects beyond the boundary of the site.
- b. Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site.
- c. Areas of exposed soil are to be vegetated / re-vegetated within 12 months from the completion of works.

44.5.6.5 Water bodies

- a. Earthworks within 7m of the bed of any water body shall not exceed 20m³ in total volume, except any man made water body within one any consecutive 12 month period.
- b. Any material associated with earthworks activity shall not be positioned within 7m of the bed of any water body or where it may dam, divert or contaminate water.
- c. Earthworks shall not:
 - cause artificial drainage of any groundwater aquifer;
 - cause temporary ponding of any surface water.

44.5.6.6 Cultural heritage and archaeological sites

a. Earthworks shall not modify, damage or destroy any waahi tapu, waahi taonga or identified feature in Chapter 26, or any archaeological site.

Discretion is restricted to the following:

- The nature and scale of the earthworks;
- · Environmental protection measures;
- Remedial works and revegetation;
- The effects on landscape and visual amenity values;
- The effects on land stability and flooding;
- · The effects on water bodies;

_		
	The effects on cultural and archaeological sites; andNoise	
44.5.7	Lighting	NC
44.0.1		110
	No activity shall result in a greater than 3.0 lux spill, horizontal and	
	vertical, of light onto any property located outside of the Zone,	
	measured at any point inside the boundary of the adjoining	
	property.	
44.5.8	Access and Parking associated with the Upper Station shall	D
	be for service access only	
44.5.9	Gondola Corridor	D
	Gondola Passenger Lift Systems shall be no more than 20m	
	outside the Gondola Corridor boundaries	
44.5.10	Setbacks from internal boudaries	RD
1 110110	Consultation in internal social income	110
	Rural Residential Activity Areas – 6m	
	Discretion is restricted to the following:	
	Discretion is restricted to the following:	
	Visual dominance;	
	The effect on open space, rural living character and amenity;	
	Effects on privacy, views and outlook from neighbouring	
	properties;Reverse sensitivity effects on adjacent properties; and	
	Landscaping.	
	All other areas – no setback	
	All other areas – no setback	
44.5.11	Setback from roads	NC
	Rural Visitor Activity Areas – no setback requirement	
	Training Fronting Frieds — no solbaok requirement	
	Rural Residential Activity Areas – 10m	
	All other areas – 20m	
44.5.12	Stocking Rate above 600 masl between SNA F32B and F32A3	D
	Maximum stocking rate shall be 3 units per hectare	
44.5.13	Cattle grazing shall be outside the SNA areas	NC
44.5.14	Parking	RD
	1 car park per residential unit	
	1 car park per 5 visitor accommodation units	

Discretion is restricted to the following:

- Traffic management in the vicinity
- · Effective use of land
- Demand for gondola, river and other public transport and measures to reduce demand for travel
- Management of car parking, including shared parking arrangements.

44.6 Non notification of applications

- 44.6.1 Any application for resource consent for controlled activities shall not require the written consent of other persons and shall not be notified or limited notified.
- 44.6.2 Any application for resource consent for restricted discretionary activities shall be considered without public notification but notice shall be served on those persons considered to be adversely affected if the written approval has not been obtained.

SUBDIVISION AND DEVELOPMENT – CHAPTER 27

Additions shown underlined

27.5.7 All subdivision activities in the District's Rural Residential and Rural Lifestyle RD Zones and QPSZ Rural Residential and Rural Vistor Activity Areas

Discretion is restricted to all of the following:

- In the Rural Lifestyle Zone the location of building platforms;
- Lot sizes, averages and dimensions in respect of internal roading design and provision, relating to access and service easements for future subdivision on adjoining land;
- Subdivision design and lot layout
- Property access and roading;
- Esplanade provision;
- On site measures to address the risk of Natural and other hazards on land within the subdivision;
- Fire fighting water supply;
- Water supply;
- Stormwater disposal;
- Sewage treatment and disposal;
- Energy supply and telecommunications;
- Open space and recreation; and
- Ecological and natural values;
- Historic Heritage
- Easements; and
- · Bird strike and navigational safety.

Additional criteria for subdivision within the QPSZ Rural Residential and Rural Visitor Activity Areas:

· Response of development pattern to landscape values both within the

	Activity Area and in the surrounding context; Planting and other landscape treatment that responds to the landscape values and rural character of the area; and Maintenance of rural character.	
27.5.10	All subdivision activities in the Rural General and Gibbston Character Zones and Queenstown Park Special Zone (except the Rural Visitor and Rural Residential Activity Areas), with the exception of unit title, strata-title or cross lease subdivision undertaken in accordance with Rule 27.5.5.	D
27.7.1	Subdivision within the QPSZ Rural Visitor Activity Area prior to the approval of a resource consent under Rule 44.4.8.	<u>NC</u>

27.6 Rules - Standards for Subdivision Activities

27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, average, less than the minimum specified.

ZONE		Minimum Lot Area
Queenstown Park Special	Rural Residential Activity	4000m ²
Zone		
	All other areas	No minimum



DECISION OF THE QUEENSTOWN-LAKES DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT 1991

Applicant:

Wakatipu Trails Trust

RM reference:

RM110215

Proposal:

Undertake earthworks, and to construct four bridge structures associated with

a public walking and cycling trail.

Type of Consent:

Land Use

Legal Description:

Section 1, Section 3, Section 6, Section 8-9, Section 11-17 and Section VII Kawarau Survey District, Section 4 Block X Shotover Survey District, Run 25, Run 39, Section 29-30 and Section 7 Block X Shotover Survey District and Run 37 (CFR: OT386/62); Crown Land Block X Shotover Survey District; Crown Land Town of Arrowtown; Section 32 Block X Shotover Survey District; Section 102 Block VIII Shotover Survey District; Section 114 Block VIII Shotover Survey District; Crown Land Block VIII Shotover Survey District; Crown Land Block VIII Shotover Survey District (Identifier 3131990); LS 178 Crown Land Adjoining Sections 72 108 Block Shotover Survey District; Crown Land Block VIII Shotover Survey District (Identifier 3054575); Lot 2 Deposited Plan 396476 (CFR: 384509); Crown Land Block I Kawarau Survey District; Section 19 Block I Kawarau Survey District; Closed Road Block I Kawarau Survey District (Identifier 3115883); Part Section 67 Block I Kawarau Survey District (CFR: OT14D/288); Section 68 Block I Kawarau Survey District (CFR: OT16B/280); Lot 1 Deposited Plan 22731; Lot 1 Deposited Plan 24238 (CFR: OT16B/280); Lot 2 Deposited Plan 24238 (CFR: OT16B/281); Section 6

Survey Office 342162; Section 63 Block I Kawarau Survey District.

Valuation Number:

29027212500, 2918400700, 2907210600, 2907210200, 2907210300, 290713220, 2907213420, 2907213700, 2907213700, 2907213800, 2907213801, 2907213900, 2907213901, 2907214006, and 2907200700.

Zoning:

Rural Residential and Rural General

Activity Status:

Discretionary

Notification:

Non notified

Commissioner:

Commissioner Clarke

Date Issued:

4 August 2011

Decision:

Granted with conditions

This is an application for resource consent under Section 88 of the Resource Management Act 1991 to undertake earthworks, and to construct four bridge structures associated with a public walking and cycling trail. The application was considered under delegated authority pursuant to Section 34 of the Resource Management Act 1991 on 3 August 2011. This decision was made and its issue authorised by David Clarke, Independent Commissioner, as delegate for the Council.

Under the District Plan the site is zoned Rural Residential and Rural General and the proposed activity requires:

Rural General

- A restricted discretionary activity consent pursuant to Rule 5.3.3.3[xi] as the proposal does
 not meet Site Standard 5.3.5.1[viii](1)(a) which states that the maximum area of exposed soil
 shall not exceed 2500m² per site. Earthworks are proposed over an area of 32,930m².
 Council's discretion is limited to this matter.
- A restricted discretionary activity consent pursuant to Rule 5.3.3.3[xi] as the proposal does not meet Site Standard 5.3.5.1[viii](1)(b) which states that the maximum volume of earthworks shall not exceed 1000m³ per site. A total earthworks volume of 13,884m³ is proposed. Council's discretion is limited to this matter.
- A restricted discretionary activity consent pursuant to Rule 5.3.3.3[xi] as the proposal does
 not meet Site Standard 5.3.5.1[viii](2)(a) which states that the no road, track or access way
 shall have an upslope cut or batter greater than 1m in height, measured vertically. Council's
 discretion is limited to this matter.
- A **restricted discretionary** activity consent pursuant to Rule 5.3.3.3[xi] as the proposal does not meet Site Standard 5.3.5.1[viii](2)(c) which states that the maximum height of any fill shall not exceed 2m. A maximum fill height of 4.0m is proposed. Council's discretion is limited to this matter. Council's discretion is limited to this matter.
- A restricted discretionary activity consent pursuant to Rule 5.3.3.3[xi] as the proposal does not meet Site Standard 5.3.5.1[viii](1)(c) which states that there shall be no more than 20 cubic metres of earthworks taken within seven meters of a water body. Council's discretion is limited to this matter.
- A discretionary activity consent pursuant to Rule 5.3.3.3[i](a)(i) for the construction of any building that is not located within an approved residential building platform. The four proposed bridge structures meet the District Plan definition for 'building' and consent is therefore required.
- A **discretionary** activity consent pursuant to Rule 5.3.3.3[iv](a) for the construction of any structure which is attached to the bank of any river. Three bridges will span the Arrow River and will be attached to both banks.
- A restricted discretionary activity consent pursuant to Rule 5.3.3.3[xi] as the proposal does not meet Site Standard 5.3.5.1[x](c) which states that there shall be no clearance of indigenous vegetation except for the construction of public walkways up to 1.5m in width, provided that it is not listed as a threatened species in Appendix 9. The proposed track will be 2.2m wide. Council's discretion is limited to this matter.

Rural Lifestyle

• A **restricted discretionary** activity consent pursuant to Rule 8.2.2.3 [iv] as the proposal does not meet Site Standard 8.2.4.1[x]1(a) which states that the total volume of earthworks shall not exceed 100 cubic metres per site within any 12 month consecutive period. Council's discretion is limited to this matter.

Overall, the application is considered to be a discretionary activity.

Notification Determination

The application was considered on a non-notified basis in terms of Section 95A and 95B whereby the consent authority was satisfied that the adverse effects of the activity on the environment are not likely to be more than minor and whereby all persons who, in the opinion of the consent authority, may be adversely affected by the activity, have given their written approval to the activity.

Decision

Consent is GRANTED pursuant to Section 104 of the Act, subject to the following conditions imposed pursuant to Section 108 of the Act:

General Conditions

- That the development must be undertaken/carried out in accordance with the plans (Labelled 1 55 stamped as approved 1 August 2011) and the application as submitted, with the exception of the amendments required by the following conditions of consent.
- 2. The consent holder is liable for costs associated with the monitoring of this resource consent under Section 35 of the Resource Management Act 1991 and shall pay to Council an initial fee of \$100.

Engineering Conditions

To be completed prior to the commencement of any works on-site

3. Prior to commencement of earthworks the consent holder shall submit an earthworks management plan to the Principle Engineer at Lakes Environmental for approval. The plan shall seek to control and/or mitigate any dust, silt run-off and sedimentation that may occur. The plan shall specifically address areas of significant cut/fill adjacent to Whitechapel Road, in the vicinity of the State Highway 6 underpass, and 250-370m west of the historic Kawarau Bridge. These measures shall be implemented <u>prior</u> to the commencement of any earthworks on site and shall remain in place for the duration of the project.

To be monitored throughout earthworks

- 4. All significant rock cuts and batter slopes shall be undertaken in accordance with the recommendations of the geotechnical report by Geoconsulting Ltd dated 15/11/2010.
- 5. The consent holder shall ensure existing overland flow paths are maintained and the works do not result in increased flooding of neighbouring properties.
- 6. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the sites. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads.
- 7. The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- 8. Where excavation is to be undertake in the vicinity of private or Council roads the consent holder shall implement the following traffic management measures:
 - a) Ensure suitable site warning signage is in place on affected roads in both directions from the site entrance.
 - b) Ensure high visibility safety vests or similar are worn by any staff working on or near roads.
 - c) Ensure that safe sight distances and passing provisions are maintained on all roads.

On completion of earthworks

- 9. On completion of each section of the earthworks, all exposed areas not in rock shall be top-soiled and grassed/revegetated or otherwise permanently stabilised within 6 weeks.
- 10. On completion of the earthworks, the consent holder shall complete the following:
 - a) Remedy any damage to all existing road surfaces and berms that result from work carried out for this consent; and
 - b) Construct a 1m high non-climbable fence/barrier on all cuts higher than 1m which are readily accessible to the public, for the purpose of personal safety in compliance with NZBC Clause F4/AS1 1.1.

Landscape Conditions

- 11. Prior to any construction works being undertaken, the applicant shall amend and submit the 'Wakatipu Trails Trust Revegetation / Earthworks Mitigation Strategy' (dated June 2011) to the Principal Landscape Architect (QLDC) for review and certification in writing. Amendments shall provide assurance that areas of earthworks will be effectively mitigated as follows:
 - a) The strategy must include all the requirements of condition 4 of consent RM100724.
 - b) While some plant loss is expected due to harsh climate, poor soils and pests, the methodology and maintenance of planting must ensure an outcome after 3 years whereby no less than 75% of all mitigation planting is healthy and well established. If failure of plants occurs, then plants must be replaced and/or alterations to methodology and maintenance, including pest control, undertaken to ensure mitigation compliance.
 - c) Reference to Kunzea ericoides shall be removed and substituted with Leptospernum scoparium
 - d) The density and grades of plants must be specified
 - e) All cut and fill slopes above 1.5m in height must be formed and prepared to provide appropriate conditions for planting. The strategy must outline a methodology to achieve planting on all cut and fill slopes above 1.5m. In exceptional circumstances where planting is not feasible the strategy must outline alternative mitigation measures to be adopted to achieve appropriate mitigation of adverse effects.
 - f) The planting schedule must show species proportion by percentages, grades of plants (height and litres or PB size), and typical density of planting.
 - g) Maintenance shall be for a period no less than 3 years from date of planting, If after 3 years a 75% planting success rate is not achieved, maintenance shall continue until such time 75% success is achieved. Success shall be determined upon certification in writing by the Principal Landscape Architect (QLDC).

Section 1 of the trail

- 12. There shall be no excavation of natural schist rock outcrops between the Gent Bridge and Whitechapel Bridge, and any fill within this area shall not exceed 1m in depth above natural ground level.
- 13. Prior to any earthworks being undertaken between the Gent and Whitechapel bridges, details of the track location shall be submitted to the Principal Landscape Architect, Queenstown Lakes District Council for certification. The route shall then be in accordance with such certification.

The route shall be chosen to minimise the footprint on the landscape.

- 14. Vegetation clearance for the purpose of trail construction along Section 1 shall be limited to no more than 4m in total width, and no indigenous vegetation greater than 2m in height shall be removed or damaged.
- 15. All structural elements between the sed poles of the Whitechapel Bridge shall be made of a visually lighter material i.e. metal rather than timber, and painted a dark recessive colour in dark grey or dark brown hues
- 16. Prior to the construction of the Whitechapel Bridge, the consent holder shall submit a Landscape Plan to the Principal Landscape Architect (QLDC) which shall identify additional planting around the Whitechapel Bridge of no less than 5 trees per tower of native species such as Sophora microphylla, Plagianthus regius, Nothofagus fusca, Nothofagus solandri var cliffortoides, and Cordyline australis. These shall be planted within 10m of each tower to blend the towers into the broader landscape. Such trees shall be planted at a grade no less than 1.5m in height.

No construction works shall be undertaken until the plan is certified in writing by the Principal Landscape architect. Planting shall be implemented within the first planting season following construction and thereafter the trees shall be maintained until a height of 4m is reached. Should any tree become diseased or die it shall be replaced by a similar species from the list in the next available planting season.

17. All 'sed poles' (or towers) of the Whitechapel Bridge, and barriers within 20m of the bridge shall be stained a dark recessive colour in the hues of dark grey or dark brown at the time of construction.

Section 2 of the trail

- 18. All cuts required for trail construction located between 200m north of the SH6 Arrow River Bridge and 100m south of the location of the southern extent of the Jones Bridge, shall be integrated into the landform by the following means:
 - a) Cuttings shall be seamlessly integrated into natural contours, and be of a very coarse texture (no less than 100mm surface variance) to enable vegetation to be planted and re-establish on the face.
 - b) Additional planting of appropriate species as listed within the 'Wakatipu Trails Trust Revegetation / Earthworks Mitigation Strategy', June 2011 to be planted over all cut faces greater than 1.5m in height and areas of fill to break views of the earthworks from residential dwellings at no greater than 1.5m spacing at a grade no less than 500mm in height. Planting shall be protected from pest and disease for a minimum of 3 years from date of planting, and any plant that dies or becomes diseased shall be replaced in the next available planting season. Grass seeding of cut and fill slopes shall be carried out in areas where the trail passes through open pasture land.
- 19. Timber barriers and other timber elements shall be stained a dark recessive colour within the dark hues of brown or grey. No substructure below the level of the path, including any culverts, footings, and retaining structures shall be visible except where they are faced with stacked local schist stone, or as a natural cut earth/stone face. No timber retaining walls shall be used on cut faces or areas of fill unless faced with local schist stone from the site.
- 20. Prior to any works being undertaken on the Jones Bridge, and for the purpose of confirming the location of schist rock outcrops where earthworks shall be avoided, the alignment of the bridge shall first be subject to an onsite inspection, and the route then certified in writing by the Principal Landscape Architect, (QLDC). The route shall then be in accordance with such certification.
- 21. Prior to any construction of the Jones Bridge, the consent holder shall first submit a Landscape Plan to the Principal Landscape Architect (QLDC) which shall Identify additional planting under the Jones bridge of no less than 75 trees within a zone 10m of either side of the footings to

achieve an naturalistic and integrated planting with the existing vegetation and to partially screen the structure. Trees shall be an appropriate species for the landscape context, such as native beech or ribbonwood, and have a mature height no less than 15m, and shall be planted at a grade of no less than 2m height. Planting shall be implemented within the first planting season, and thereafter be maintained. If any tree shall die it shall be replaced in the next available planting season. Species selection shall be subject to the certification of the Principal Landscape Architect, Queenstown Lakes District Council prior to planting.

22. All timber components of the Jones Bridge, and all timber structures including barriers within 50m of the bridge shall be stained a dark recessive colour in the hues dark grey or dark brown.

Section 3 of the trail

23. Prior to the construction of the Dawson Bridge, the consent holder shall first submit a Landscape Plan to the Principal Landscape Architect (QLDC) which shall Identify no fewer than 5 trees to be planted within 10m of each tower, at spacing no less than 2m apart to assist in the partial screening of the towers. Species shall be of those found in the rural context such as poplars, conifers, or native species including beech, kowhai or ribbonwood, but must include at least 3 trees for each tower that will grow to over 10m in height. Trees shall be planted at a grade no less than 2.0m in height.

No construction works shall be undertaken until the plan is certified in writing as appropriate by the Principal Landscape architect. Planting shall be implemented within the first planting season following construction and thereafter the trees shall be maintained until a height of 4m is reached. Should any tree become diseased or die it shall be replaced by a similar species from the list in the next available planting season.

- 24. All 'sed poles' (or towers) of the Dawson Bridge, and barriers within 20m of the bridge shall be stained a dark recessive colour in the hues of dark grey or dark brown at the time of construction.
- 25. All structural elements between the sed poles of the Dawson Bridge shall be made of a visually lighter material i.e. metal rather than timber, and painted a dark recessive colour in dark grey or dark brown hues.

Section 4 of the trail

- 26. All retaining structures shall be faced with schist stone from the site, and no timber retaining walls shall be used on cut faces or areas of fill unless also faced with local schist stone from the site.
- 27. All cuttings required for trail construction shall be seamlessly integrated into the natural contours, and be of a very coarse texture (no less than 100mm surface variance) to enable vegetation to be planted and re-establish on the face.
- 28. All timber barriers and other timber elements shall be stained a dark recessive colour within the dark hues of brown or grey at the time of construction.
- 29. No substructure below the level of the path including any culverts, footings, and retaining structures shall be visible except where they are faced with stacked local schist stone or as a natural cut earth/stone face.
- 30. All planting as listed within the 'Wakatipu Trails Trust Revegitation/Earthworks Mitigation Strategy', June 2011 shall be planted at spacing no greater than 1.5m, and at grade no less than 300mm in height, over all cut faces greater than 1.5m in height and areas of fill. Planting shall be maintained from pest and disease for a minimum of 5 years from date of planting, and if any plant dies or becomes diseased shall be replaced in the next available planting season. Grass seeding of cut and fill slopes shall be carried out in areas where the trail passes through open pasture land.

- 31. Between the start of Section 4 and the Swift Burn Valley, the consent holder shall plant matagouri, *Discaria toumatou*, in random clumps (at 10-30m intervals) of 5-7 plants (at 1.5m centres) within 5m down slope of the trail to break views of the trail earthworks. Planting shall integrate into the naturalistic distribution of existing plants on the broader slope. There shall be no lineal planting parallel to the trail.
- 32. No existing shrubs and trees shall be removed as part of the works from a line no greater than 2m from the down slope edge of the trail.

Volunteered Conditions

- 33. If kōiwi (human skeletal remains), waahi taoka (resource or object of importance including greenstone/pounamu), waahi tapu (place or feature of special significance) or other artefact materials are discovered work shall stop, allowing for a site inspection by the appropriate Rūnaka and their advisors and the New Zealand Historic Places Trust Regional Archaeologist. These people will determine if the discovery is likely to be extensive and whether a thorough site investigation will be required. Materials discovered should be handled and removed by takata whenua who possess knowledge of tikanga (protocol) appropriate to their removal or preservation and an appointed qualified archaeologist. (All Māori sites are protected under the Historic Places Act (1993).
- 34. That all machinery is clean and well maintained before entering the work site.
- 35. That all practical measures are undertaken to minimise the risk of contamination to the waterway.
- 36. That all practical measures are undertaken during proposed works to minimise sedimentation in the waterway.
- 37. That any rock/gravel to be used for the above proposed work, is clean and placed rather than dumped into position.
- 38. That the site is left in a clean and tidy condition upon completion of the works.
- 39. That excess excavated material is either re-used if suitable, or disposed of appropriately.
- 40. That any significant areas of native vegetation removed during proposed works should be replaced with locally sourced species and appropriately tended until self sustaining.

Advice Notes:

No signage has been proposed as part of this proposal. Should a sign be required in the future, a sign permit from Queenstown Lakes District Council should be granted PRIOR to erection.

No further signs, such as window signs or sandwich boards, are permitted by this resource consent.

This site may contain archaeological material. Under the Historic Places Act 1993, the permission of the NZ Historic Places Trust must be sought prior to the modification, damage or destruction of any archaeological site, whether the site is unrecorded or has been previously recorded. An archaeological site is described in the Act as a place associated with pre-1900 human activity, which may provide evidence relating to the history of New Zealand. These provisions apply regardless of whether a resource consent or building consent has been granted by Council. Should archaeological material be discovered during site works, any work affecting the material must cease and the NZ Historic Places Trust must be contacted (Dunedin office phone 03 477 9871).

The subject site is identified on the Council's interim hazard register as being within an area that has been notated as being subject to liquefaction and slippage. It is recommended that the applicant consult an appropriately qualified engineer to confirm whether such a potential threat actually exists in relation to the proposed activity.

Reasons for the Decision

Proposal

Consent is sought to undertake earthworks and establish structures associated with the formation of an approximately 9.5km long public walking and cycling track which will extend from the second bridge of the existing Arrow River Trail (east of Arrowtown) to the Kawarau (bungy) Bridge.

The track will be formed to meet the Grade 2 and 3 walk/cycle way construction standards referred to in the Ministry of Tourism/s 'Cycle Way Design Guide'. This requires a gravel surface and a trail width of between 0.6m and 2.2m. Bridges are required to be between 0.9m (Grade 3) and 1.2m (Grade 2), although a width of 1.5m is recommended.

Given the length of the track and diversity of lands it crosses, the track is divided into four sections for the purpose of consideration. The following descriptions are in part taken from the application itself, and further elaborated on to illustrate the nature of the activity.

Section One

This section starts from the second bridge of the existing Arrow River Trail, and travels down the Arrow River to a point approximately 210m north of State Highway 6 (SH6).

The proposed track will follow the true left bank of the Arrow River for a majority of this section, with its route being cleared through scrub. A 20m boardwalk will be constructed along a length of this part of the track. The track will then cross the Arrow River at a location, described as being adjacent to the 'Gent' property. This will require the construction of a 20m 'Glulam' bridge which is referred to as the 'Gent Bridge' in the attached application (Refer Appendix D). The Gent Bridge will be constructed on three steel beams that will span the river, and will be approximately 2.2m wide with barriers along the sides of the bridge.

The track will then follow the true right bank of the Arrow River for several hundred metres, after which it will cross back over to the true left bank. This crossing will require the construction of a 65m long suspension bridge, which is referred to as the 'Whitechapel Bridge' (Refer Appendix D of the application). The Whitechapel Bridge deck will be approximately 2m wide and will be suspended from cables attached to two 8m high 'sed poles' or towers at either side of the river, with the cables anchored into foundations. The bridge will be approximately 45m above the river.

From the eastern side of the Whitechapel Bridge, the track will climb the true left bank of the Arrow River until meeting Whitechapel Road, where it will generally follow the alignment of that road. The track will descend through the existing Recreation Reserve and will follow the true left bank until it meets with 'Section Two' of the track.

Section Two

This section will continue to follow the Arrow River's true left margin for approximately 210m, and will then cross under the existing SH6 'William Reid Bridge' to access the true right bank. The crossing under the William Reid Bridge is excluded from this application because the land is within the Highway Designation, and this aspect will form part of an Outline Plan that will be submitted by the New Zealand Transport Agency (NZTA) at a later date.

After exiting the William Reid Bridge, the track follows the true right bank of the Arrow River for approximately 750m, meeting Section Three of the track. Along this latter part of Section Two, the applicant proposes to construct a 52m multi-span bridge in a location described as being adjacent to the Jones' property (refer Appendix E of the application). This bridge is required to allow for the trail to pass along a steep bluff.

This bridge will be known as the Jones Bridge, and its 2.2m wide decking will be constructed on four sets of piers, that will range in height from 10.4m to 2.2m. At its highest point, the bridge will be approximately 13.5m above ground.

Section Three

The track continues along the true right bank of the Arrow River margin, joining Morven Ferry Road for a distance of 300m, before reaching the Arrow River Terrace. The terrace will be followed for 1.5km, crossing a wide expanse to get to the true right bank of the Arrow River. This crossing will again require the construction of a suspension bridge (The Dawson Bridge), and at 83m long, this will be the largest structure required in this proposal (refer Appendix F of the application). The Dawson Bridge will comprise a 1.3m wide decking (with barriers extending out to 2.2m wide) suspended from cables attached to 8m high 'sed poles', and then anchored to ground.

On crossing the Dawson Bridge, the track follows the true left bank of the Arrow River for one kilometre until it reaches the Gibbston Highway. The track will then cross under the Gibbston Highway by way of a proposed 'underpass'. The creation of this underpass will again be the subject of an Outline Plan to be submitted by the NZTA. However, despite this component being subject to an Outline Plan, some of the earthworks will occur outside the Highway Designation, and these are considered under this current application for land use consent.

Section Four

This section will follow along the uphill (northwest) side of the Gibbston Highway before reaching the Kawarau (bungy) Bridge.

Earthworks

Given the length of the track, required structures, and varying topography, the proposal overall requires a substantial amount of earthworks.

The application describes the total earthworks requirements for the track in its entirety are estimated to be:

Total area of earthworks (Sections 1 – 4)
Total volume of earthworks (Sections 1 – 4)
Maximum cut height
Maximum fill height

Approx 32,930m²
Approx 13,884m³
5m
4.0m

Site and Locality

Lakes Environmental's Landscape Architect has described the general site and surrounds along the trail as follows:

"The Arrow River drains a catchment originating within the mountainous terrain of the south west Harris Mountains and the Crown Range. The river enters the eastern extent of the Wakatipu Basin at Arrowtown and hugs the toe of the Crown terrace western face until about the northern end of Whitechapel Road. The Crown terrace western face drops about 200m from the Crown terrace down to the Arrow River and is largely vegetated in scrub comprised of briar rose, hawthorn, and exotic broom. Along the river banks willow and poplar become more prevalent.

The basin landscape on the western side of the river is undulating and hummocky with exposed tilted serrated schist reefs. In places the river cuts deeply into the hummocky landform, creating dramatic vertical drops and bluffs, and in other places the undulating landscape rolls more gently towards the river. The steeper gorge sections are dramatic with exposed schist bluffs and overhangs. Spatially the gorge sections are more intimate landscapes, enclosed and contained by steep topography and wild vegetation. Above the western side of the gorge the elevated pastoral landscape is generally gentler with farming and rural residential activities. The vegetation is pastoral with mature poplars, pine trees and other assorted exotic trees typical of the basin. The landscape is segmented by boundary hedgerows, fences and vehicle access ways to rural residential dwellings.

The river deviates slightly away from the northern end of Whitechapel road and the Crown Terrace face venturing out into the basin. The gorge becomes more pronounced with a number of steep rock bluffs as it starts to cut into a terrace landscape punctuated with schist outcrops.

Close to the confluence with the Kawarau River the terrace landscape becomes increasingly uniform in its flat topography. Curiously the true left side is slightly higher than the right, indicating that perhaps the river is cutting into the higher terrace face. The terrace becomes increasingly more uniform in topography, and the escarpment faces of the gorge more cleanly cut, contrasting abruptly to the terrace landform. In some places the terrace landscape appears continuous when viewed from the main highway, with the steep drop off to the gorge not apparent. The landscape on the terrace is open pastoral land, with broad paddocks and open vistas across the pastoral landscape and up towards the northern slopes of the Remarkables.

From the confluence with the Arrow River, the Kawarau river cuts deeply into the narrow terrace wedged between the steep lower slopes of the surrounding mountains of Ben Cruachan, and Mt Scott that taper in towards the south eastern extent of the basin. At the Kawarau Bridge the steep mountainous slopes drop directly into both sides of the river. The Chard winery along the true right bank of the Kawarau occupies the remaining strip of the narrow terrace above the gorge prior to the Kawarau Bridge neck. The vineyards formal rows of vines and avenue of poplars create a stark formal and domesticated contrast to the adjacent steep and rugged slopes rising dramatically above.

On the true left of the river the highway cuts a curvaceous path along the toe of the southern face of the Crown terrace escarpment, occasionally cutting through rocky bluffs. A number of rural dwellings occupy the hilly terrain to the north of the road, within a hilly pastoral landscape of scattered pines and shrubs with the landscaping rising to rougher and steeper grasslands and scattered matagouri above. Once passed the Kawarau Bridge the landscape opens up again into the Gibbston valley."

As the trail, earthworks and structures are located over a significant distance, the classification of landscapes varies as the trail passes through a diversity of lands. Lakes Environmental's Landscape Architect has identified the relevant landscapes in the Landscape Assessment attached as Appendix1. Overall, the trail is considered as being within an Outstanding Natural Feature (ONF), Outstanding Natural Landscape (Wakatipu Basin) (ONL (WB)) and Visual Amenity Landscape (VAL).

Written approval has been provided from all but one of the owners of the sites over which the trail will follow. The outstanding approval relates to the 'Bunn' property, being Lot 1 DP 300119. The trail will follow legal road which essentially bisects the Bunn land, however for the trail to then cross on to the adjacent crown land, it must cross a strip of Lot 1 DP 300119 which is less than 1m in width. As no structures will be constructed within this strip, or earthworks aside from potential track surfacing required, the applicant desires that this land is excluded from consideration under this application. The trail cannot cross the Bunn land without their approval, and this will be subject to a separate easement if that option progresses.

The trail will also cross State Highway 6 (SH6) at two locations, however the highway is unzoned and resource consent is therefore not required. The applicant advises that the New Zealand Transport Authority (NZTA) will apply for these locations separately as a waiver of outline plan.

The application is limited to only those sites where written approval has been provided.

Effects on the Environment and Persons

Land, Flora and Fauna

Trees/Vegetation

The predominant vegetation along the track comprises a mix of wild exotic species which will be removed as necessary along the route of the trail. Lakes Environmental's Landscape Architect

advises that the removal of exotic species will not have any adverse effects or diminish the natural character of the site or greater environment.

Although some native species were identified within Section 1 of the trail, this area has since been largely cleared. Lakes Environmental's Landscape Architect has identified that as vegetation provides screening for the trail along Section 1, the retention of some vegetation can provide mitigation for the potential visual effects of the activity. It is recommended that vegetation clearance for the purpose of trail construction be limited to 4m in total width, and that no indigenous vegetation greater than 2m in height should be removed or damaged. Conditions to this effect should therefore be included in any grant of consent.

No significant native species have been identified along the remaining sections of the trail. Any potential effects to flora will be less than minor.

Landform

Earthworks will require areas of cut and fill to enable the construction of structures and to enable the track to follow the general contour of the land whilst maintaining appropriate gradients for use by cyclists/walkers.

The Landscape Assessment finds that earthworks have the potential to affect the form of the landscape in locations where areas of significant cut and fill are visible, although the extent of such effects varies depending upon the location of such works.

Along Section 1, earthworks will be undertaken within an area containing a number of rock outcrops as the trail approaches the Whitechapel Bridge site. These works may not ultimately be required, as a separate consent process seeks to secure land that would enable an alternate route that would require less earthworks (referred to as Option 2). The Option 1 earthworks will be visible and are identified as having the potential to detract from the landscape. The Landscape Architect recommends that although the effects of the earthworks will be moderate, effects can be further mitigated if the areas of exposed face are reseeded and planted to ensure that areas of exposed earth can blend into the landscape. Conditions to this effect should therefore be included in any granting of consent.

Along Section 2, there will be an area of significant cutting north of the SH6 Arrow River Bridge to enable the trail to follow along a steep bluff. The cut would create a bench in the bluff directly over the watercourse and in places the cut will be 5m in height. This cut will be visible from various public locations. Lakes Environmental's Landscape Architect advises that a clean cut face would be more visible and differ from the naturalness of the landscape. To mitigate this effect, the Landscape Architect recommends that the cut should be integrated into the landform by shaping the cut into the natural contours, and that the cut face should be left in a rough texture to allow for vegetation to reestablish on the face. This will ensure that the cut will appear more natural and that regeneration is encouraged. This will be effective in mitigating the visibility effects on the landform. Conditions to this effect should therefore be included in any grant of consent.

Earthworks within Section 3 will be largely hidden from view and are typically associated with the forming of the track surface. Earthworks are required either side of SH6 to construct an underpass beneath the highway. The Landscape Architect finds that owing to the close proximity of the road, these earthworks will highly visible and the associated effects would therefore be significant. However, the Landscape Architect advises that effects could be mitigated if the underpass was designed to retain a naturalistic contour which is integrated into the terrace face and uses plantings similar to the surrounding vegetation. This will ensure that the earthworks associated with the underpass appear more natural and therefore characteristic of the surrounding landform. Conditions to this effect should therefore be included in any grant of consent.

Similarly, a second underpass that will be created along Section 4 will also require earthworks that will be visible from the highway. The Landscape Architect finds that these cuts will have only moderate visibility effects, and that these can be effectively mitigated by planting and the use of local schist rock for facing retaining walls (or gabion baskets). Conditions to this effect should therefore be included in any grant of consent.

In summary, earthworks are identified as having a range of effects on landform and that some effects are significant. Conditions of consent can ensure that effects can be mitigated so that they are no more than minor.

Waterbodies

Lakes Environmental's Engineer has identified that there may be silt runoff and sedimentation as a result of the earthworks undertaken over the course of the trail and when associated with the various bridge structures. Effects such as this are typically anticipated and conditions of consent sould therefore require appropriate mitigation to ensure that effects on waterbodies are no more than minor.

Overall, adverse effects on the environment in terms of land, flora and fauna will be less than minor and sufficiently mitigated by conditions of consent.

Natural Hazards

Section 1 of the track crosses areas that are identified on the Queenstown Lakes District Council Hazard Register Maps. These hazards relate to 'slide' areas and liquefaction.

The trail and associated structures will not exacerbate these hazards, although engineering design and construction of the bridges should be undertaken to ensure the safety of the structures is not compromised by the potential hazards. This can be required by conditions of consent to ensure that any effects associated with hazards will be less than minor.

Lakes Environmental's Engineer has considered the nature and extent of identified areas of cut and fill. The application includes a geotechnical assessment from Jeff Bryant of Geoconsulting Ltd which considers areas of significant geo-technical interest over the trail route.

Earthworks and the construction of the trail are generally determined to have no effects associated with natural hazards. However, three key areas are identified that require significant earthworks and these areas are identified by Lakes Environmental's engineer as requiring greater consideration.

The first site is identified as being the 'Whitechapel Road' cut, and this requires earthworks to form a 2.2m with path into a rock cliff face. Lakes Environmental's engineer advises that given the location of this cut is directly above the active channel of the Arrow River, there is potential for waste material to enter the river. This can be mitigated by conditions of consent to require a site specific earthworks management plan for the purpose of identifying mechanisms to ensure debris and silt will not directly enter the Arrow River.

The engineer also advises that conditions of consent can ensure that the proposed cut slopes are undertaken in accordance with the recommendations of the geo-technical assessment. This will ensure that the works will have no effects on land stability.

In addition, the Whitechapel Road cut will require a safety barrier due to the significant fall to the Arrow River below. Lakes Environmental's engineer recommends a consent condition to require that any retaining or rock cuts higher than 1m shall have a 1m high non-climbable barrier installed in compliance with the New Zealand Building Code.

The second site is referred to as the 'SH6 underpass cut' and this requires cut of approximately 4625m³ to form a switch-back and keep the required grade under 1 in 10 (as required by the national cycleway standard). The cut has been engineered by Hadley Consultants Ltd and Lakes Environmental's engineer advises that the proposed batters are of an acceptable grade and there will be no effects associated with stability.

The final location is identified as the 'Kawarau Bridge fill' site and this requires an area of fill approximately 250m west of the historic Kawarau Bridge for a length of 120m. The engineer does not find that there will be any effects associated with stability, although he identifies that it will be necessary to ensure that overland flow paths are maintained so the proposed works do not increase flooding of neighbouring properties. This can be ensured by conditions of consent and any adverse effects will be less than minor.

Overall, adverse effects on the environment in terms of natural hazards can be sufficiently mitigated by conditions of consent and as a consequence will be less than minor.

People and Built Form

The activity for which consent is sought relates to earthworks and the erection of structures. The effects of the bridge structures and areas of significant earthworks are now discussed respectively.

Gent Bridge

Lakes Environmental's Landscape Architect advises that the Gent Bridge will sit low in the landscape and would be largely screened by existing vegetation and the topography of the river escarpments. The bridge will be effectively screened from views and the Landscape Architect finds that the bridge would have minimal adverse effects provided sufficient vegetation is retained around it. The retention of screening vegetation can be provided for by conditions of consent and this will ensure that the bridge is nestled into the landscape with minimal interference or distraction.

Any adverse effects associated with the Gent Bridge can be mitigated so that they are less than minor.

Whitechapel Bridge

The Whitechapel suspension bridge will be located approximately 85m north west of the northern end of the Whitechapel Road straight and span the Arrow River from two prominent bluffs located either side of the river.

The Landscape Architect advises that from the top of the bluffs the wider landscape is visible and there is a sense of openness, but from the river's edge the view becomes more contained and enclosed by the bluffs. With regard to effects on the openness of the landscape, the Landscape Architect finds that the bridge would have low adverse effects when viewed from the Whitechapel Road and from residential dwellings located within the greater environment.

As the bridge will be located upon prominent bluffs, being the relative high points overlooking the gorge, the bridge towers will be visible from Whitechapel Road, the Whitechapel Cottage, and partially visible from the greater environment. The Landscape Architect has identified that adverse effects associated with visibility can be mitigated by planting, staining of the timber uprights and by using metal as opposed to wooden cross bracing in the construction of the tower.

The applicant has indicated that planting and the use of metal cross bracing are accepted, however the use of stain is not desired as this will incur an additional cost in construction and ongoing maintenance and that the wood will naturally weather regardless.

The staining of the towers is now clarified as not an ongoing requirement, but instead a means of mitigating the effects of the prominent towers at the time of construction. Once the towers are stained, it is anticipated that as the stain fades over time, the wood would also weather and the consequence will be that the structures will be recessive. The applicant acknowledges that such mitigation falls within the control of the Consent Authority, and notes the ability to object to such a requirement on any grant of consent. It is considered that as mitigation can ensure that effects will be minor, it is therefore appropriate to impose conditions that require staining of wooden components. Alternately, effects would be more than minor and notification would likely be necessary.

The Landscape Architect's assessment also considers the effects of the bridge on the visual coherence and integrity of the landscape. It finds that the towers of the bridge will break the skyline at a number of locations adjacent to the river because of its relative prominence on the high points of the river bluff, and that from those viewpoints, the bridge would have adverse effects. From more distant vantages, the towers will be less prominent and because they would blend into a backdrop of trees, adverse effects would not be significant.

Although the bridge will result in some adverse effects owing to it being a major new element in the landscape, it is acknowledged that the bridge would over time become an expected structure which

would be integral to a public walking and cycling track. From the river below, the structure would be prominent. From other vantages, the mitigation suggested by the Landscape Architect will be effective in reducing the visible prominence of the structure, and can ensure that effects are mitigated so that they will be less than minor.

Jones Multispan Bridge

The location of the bridge is identified as being within the ONF of the Arrow River, and it will be sited within a rocky gorge with a number of prominent bluffs. Because the site is contained, the Landscape Architect finds that the bridge will not have a significant adverse effect on the openness of the landscape.

The bridge will be visible from residences in the greater environment located at 31 and 33 Rapley Close on the eastern side of the river, at a distance of 90m to 120m. The Landscape Architect has assessed the context of the surrounds and acknowledged that other structures are visible in conjunction with the proposed bridge. In this regard, he finds that whilst the bridge would also be visible, in the context of the landscape the bridge would have only moderate adverse effects if mitigation is undertaken. This mitigation would require that the bridge structure and barriers within 50m of the bridge are made more recessive by staining the wooden components a dark recessive colour at the time of construction. Planting at the base of the structure will assist it to sit within the natural landscape.

The mitigation would also reduce the cumulative effects upon the landscape as the bridge would be more recessive in views that also contain existing structures, which themselves have greater adverse effects on the character of the landscape and are more prominent when viewed from the nearby properties.

Overall, although the structure will be visible, mitigation can ensure that the structure can appear more recessive and any adverse effects would then be less than minor.

Dawson Bridge

The Dawson suspension bridge will be the most visible structure from public places owing to its proximity to SH6 and the lack of vegetative or topographical screening. In addition to SH6, the bridge will also be visible from Chard Farm and nearby rural properties. Lakes Environmental's Landscape Architect finds that the bridge would result in a moderate adverse effect on the natural and pastoral landscape character as its immediate context is relatively open and stark, which would make the tower structures more apparent in the landscape.

Visibility can be diminished by staining the towers a dark colour and utilising metal as opposed to wooden cross braces. The Landscape Architect finds that this will be effective in making the bridge appear more recessive in the landscape. Conditions to this effect should therefore be included in any grant of consent.

Cumulative effects will not be significant as the bridge would be viewed in the context of a domesticated landscape that includes residential dwellings, hedgerows and power pylons. Although the bridge would still be conspicuous, any adverse cumulative effects can be mitigated by staining the towers and planting so that they are less than minor. This will assist in reducing the visible prominence of the structure when considered in conjunction with other built elements in the greater landscape. Conditions to this effect should therefore be included in any grant of consent.

Overall, although the structure will be highly visible, mitigation can ensure that any adverse effects will be less than minor.

SH6 Underpass

Although the actual underpass will be within the highway designation, the exit of the underpass requires a large cut within Crown (DoC) land to enable the construction of a hairpin section of track to raise the track above the highway as it heads eastward. The application identifies two options to achieve the hairpin, with option 1 requiring 3,540m³ of earthworks and option 2 a volume of 4,625m³.

Given the extent of the earthworks, and immediate proximity to SH6, the Landscape Architect finds that the earthworks will be highly visible, and may prove a distraction to views characterised by natural landscapes. Adverse effects to the visual coherence and integrity of the landscape are also identified.

Given the topography of this site and limited scope to construct such an underpass, consideration is tempered by the ability of the track to function within a constrained environment. Whilst there will certainly be effects associated with such a cutting, it is expected that over time, the cut faces will revegitate and this will lessen their prominence. The magnitude of adverse effects associated with these earthworks is not considered to be more than minor.

Gibbston Highway cutting

Section 4 of the track will be constructed in relative close proximity to the Gibbston Highway and will require areas of cut and fill to maintain an appropriate gradient across steep and undulating topography. The Landscape Architect identifies an area of cut that will visible immediately adjacent to the highway and could distract from views otherwise characterised by a natural landscape.

The Landscape Architect advises that planting and the use of recessive materials for retaining walls will mitigate the adverse effects of the cuts. Conditions of consent can ensure that any adverse effects are mitigated and will be less than minor.

Overall, the areas of significant earthworks and bridge structures are identified as having the potential for adverse effects upon the various landscapes within which they are located. Conditions of consent that require mitigation of the identified adverse effects can be effective in ensuring that such effects will be no more than minor.

Culture

Nga Runanga (through Kai Tahu ki Otago Ltd) and Te Runanga o Ngai Tahu have provided their written approval for the activity. Their approval notes that the activity should be undertaken in accordance with specified conditions to ensure that any adverse effects are mitigated and that an accidental discovery protocol is required. Conditions to this effect should therefore be included in any grant of consent.

There will be no adverse effects to culture.

Nuisance

Some noise and dust can be expected in association with the proposed works. Such potential effects are considered minor and standard conditions are deemed sufficient to mitigate any potential adverse effects.

Although some rock breaking may be required, this is determined to be of such a distance from residences that no adverse effects associated with vibration are anticipated

Overall, any adverse nuisance effects can be mitigated and will be less than minor.

Effects on Persons

The Jones Bridge will be visible from properties located at 31 and 33 Rapley Close. Whist the bridge will be visible, it would be considered in views that also include a recently consented storage shed (RM070903). The Landscape Architect finds that provided the bridge and timber barriers within 50m of the bridge are stained, and planting is implemented, the bridge would not have a significant adverse effect upon those properties. As this can be assured by conditions of consent, adverse effects on 31 and 33 Rapley Close will be less than minor.

The proposed earthworks and structures will not have any adverse effects on any persons who have not already provided their written approval.

Objectives and Policies

Objectives and policies most relevant to this proposal are listed in Part 4 – *District Wide Issues* and Part 5 – *Rural Areas* of the District Plan.

Under 4.2.5, the objective is to ensure that development avoids, remedies or mitigates adverse effects on landscape and visual amenity values. Policies (2), (4) and (5) relate to Outstanding Natural Landscapes, Visual Amenity Landscapes and Outstanding Natural Features respectively.

The proposal is consistent with these policies as mitigation measures have been imposed to ensure that the proposal will not result in adverse effects which are more than minor in terms of landscape values, natural character, openness or visual amenity values. The proposed structures will be constructed using dark stained natural wood for more visible elements, and in conjunction with landscaping any adverse visual effects will be appropriately mitigated.

Policy (9) relates to Structures, and seeks to preserve the visual coherence of Outstanding Natural Landscapes and Features, and visual Amenity Landscapes. This is achieved by:

- Encouraging structures which are in harmony with the line and form of the landscape;
- Avoiding, remedying or mitigating any adverse effects of structures on the skyline, ridges and prominent slopes and hilltops;
- Encouraging the colour of structures to complement the dominant colours in the landscape;
- Encouraging the placement of structures in locations where they are in harmony with the landscape;
- Promoting the use of local, natural materials in construction.

In addition, vegetative screening is encouraged in Visual Amenity Landscapes to maintain and enhance the naturalness of the environment.

Although the bridges are prominent structures and their siting is dictated by the location of the spans where they must cross, it is determined that mitigation requiring landscaping, colour and alignment can ensure that adverse effects on the visual coherence of landscapes will be less than minor.

Section 4.4 relates to open space and recreation. Objective 2 seeks to ensure that recreational activities and facilities are undertaken in a way which avoids, remedies or mitigates significant adverse effects on the environment or on the recreation opportunities available within the District. The proposed trail will enhance the recreation opportunities in the district.

Section 4.10 specifically seeks to avoid, remedy or mitigate the adverse effects from earthworks on:

- (a) Water bodies
- (b) The nature and form of existing landscapes and landforms...
- (c) Land stability and flood potential of the site and neighbouring properties
- (d) The amenity values of neighborhoods
- (e) Cultural heritage sites, including waahi tapu and waahi taoka and archaeological sites
- (f) The water quality of the aquifers.

The activity has been considered against the above, and it is determined that conditions of consent can ensure that the activity is not contrary to the intent of these provisions.

In Part 5, Objectives seek to protect the character and landscape value of the rural area by promoting sustainable management of resources and the control of adverse effects caused through inappropriate activities. In addition, objectives also seek to avoid, remedy or mitigate adverse effects on rural amenity. Although the proposed structures will have adverse effects, the mitigation measures required by conditions of consent can ensure that any adverse effects on character and amenity will not be significant.

Subject to appropriate conditions, the activity is consistent with the objectives and policies of the District Plan.

Other Matters

Local Government Act 2002: Development Contributions

In granting this resource consent reference was made to Part 8 Subpart 5 Schedule 13 of the Local Government Act 2002 and the Council's Policy on Development Contributions contained in Long Term Council Community Plan (adopted by the Council on 25 June 2004).

This proposal is not considered a "Development" in terms of the Local Government Act 2002 as it will not generate a demand for network infrastructure and reserves and community facilities.

For the forgoing reasons a Development Contribution is not required.

Administrative Matters

The costs of processing the application are currently being assessed and you will be advised under separate cover whether further costs have been incurred.

Should you not be satisfied with the decision of the Council, or certain conditions, an objection may be lodged in writing to the Council setting out the reasons for the objection under Section 357 of the Resource Management Act 1991 no later than 15 working days from the date this decision is received.

You are responsible for ensuring compliance with the conditions of this resource consent. The Council will contact you in due course to arrange the required monitoring. It is suggested that you contact the Council if you intend to delay implementation of this consent or reschedule its completion.

This resource consent is not a consent to build under the Building Act 2004. A consent under this Act must be obtained before construction can begin.

Please contact the Council when the conditions have been met or if you have any queries with regard to the monitoring of your consent.

This resource consent must be exercised within five years from the date of this decision subject to the provisions of Section 125 of the Resource Management Act 1991.

If you have any enquiries please contact Aaron Burt on phone (03) 450 0322 or email aaron.burt@lakesenv.co.nz

Prepared by LAKES ENVIRONMENTAL LTD

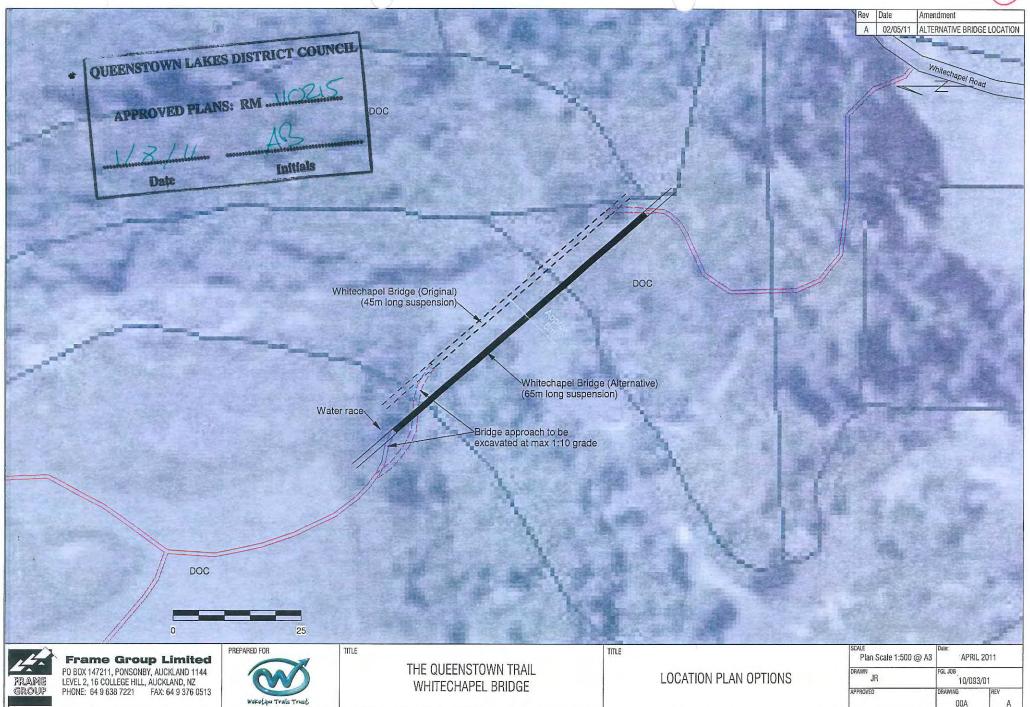
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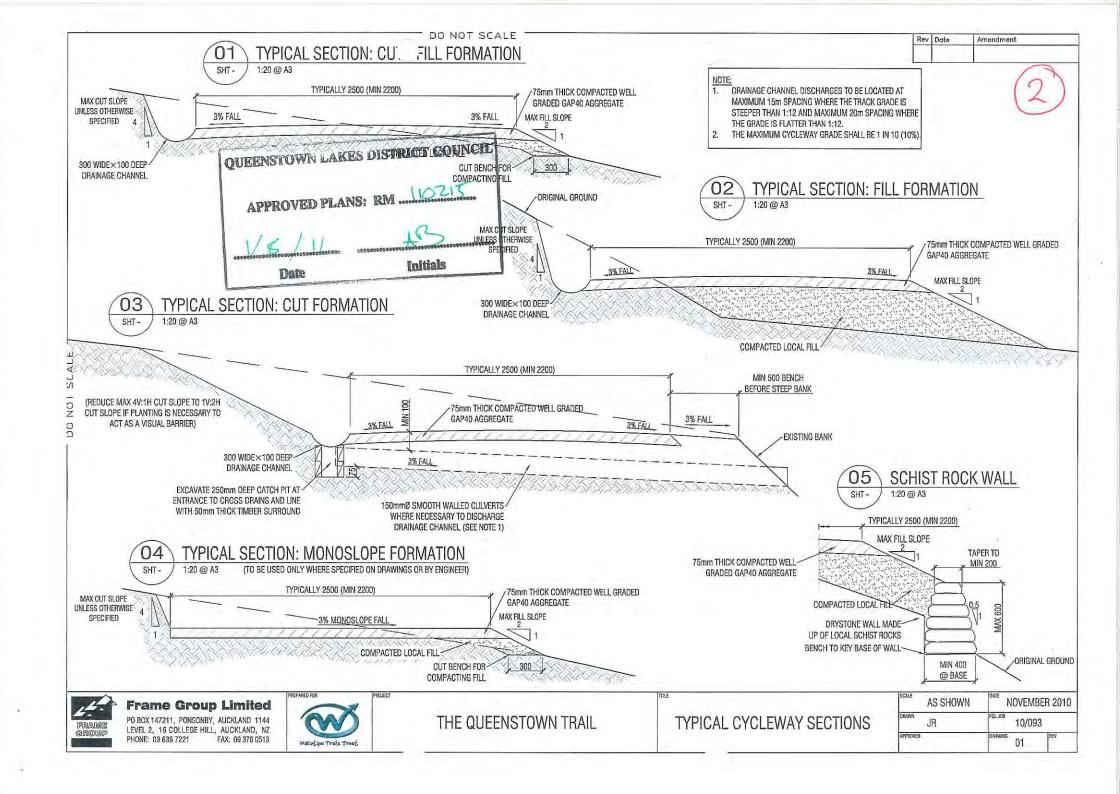
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Aaron Burt PLANNER

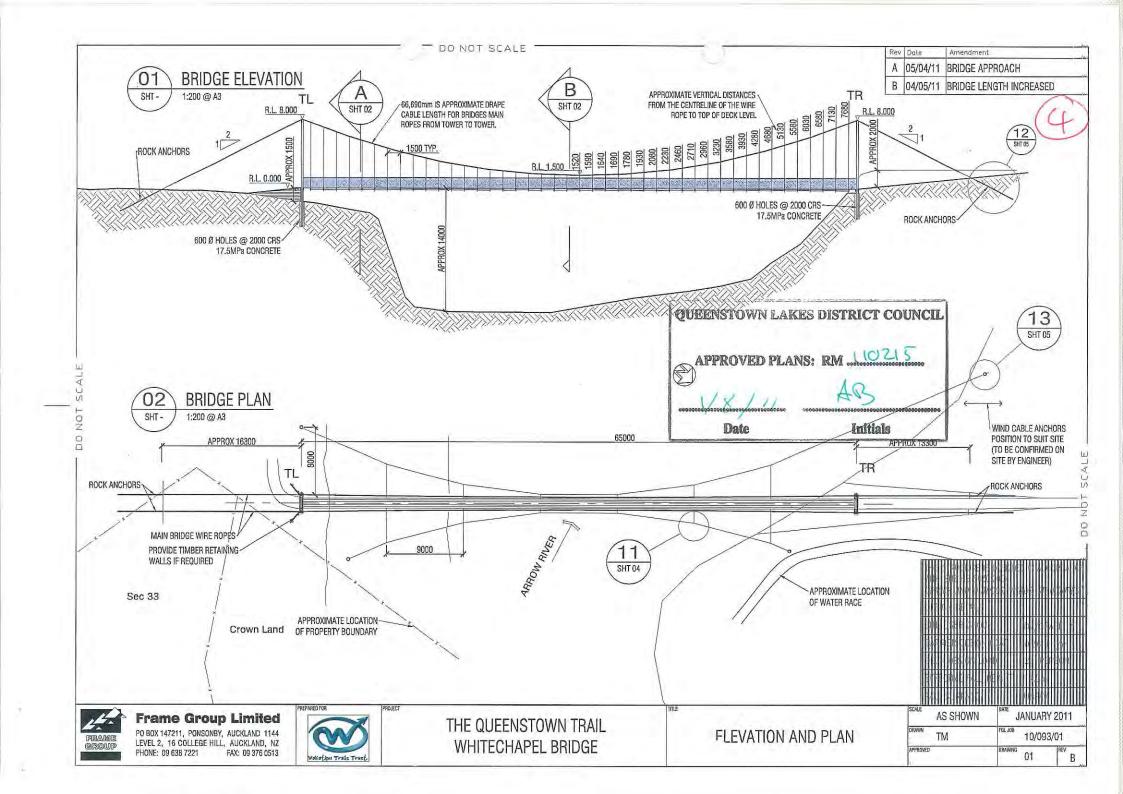
Wendy Baker PLANNING TEAM LEADER

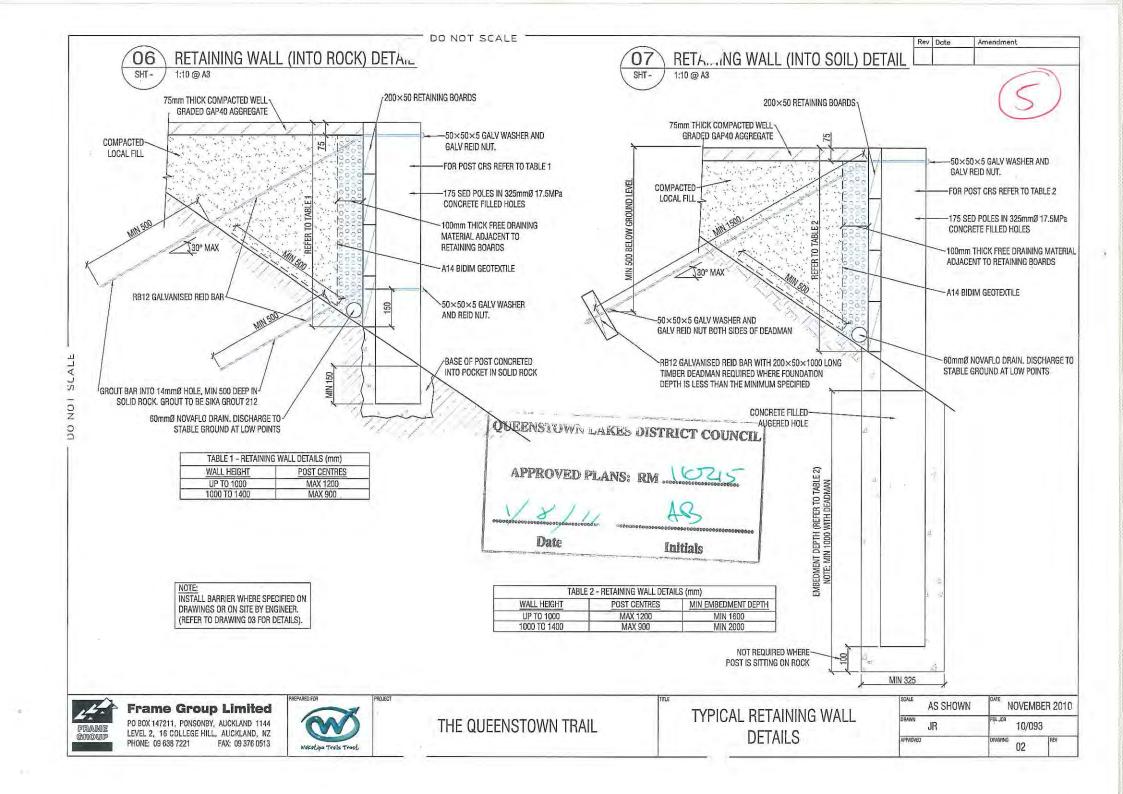


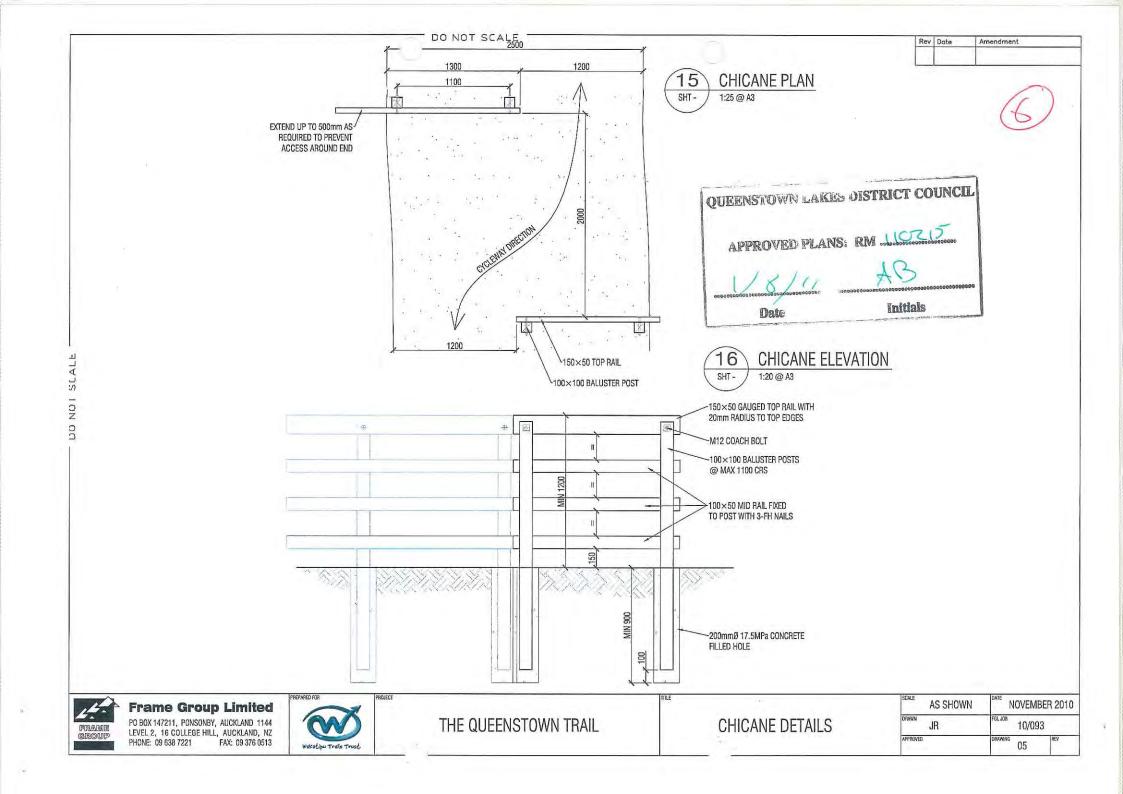


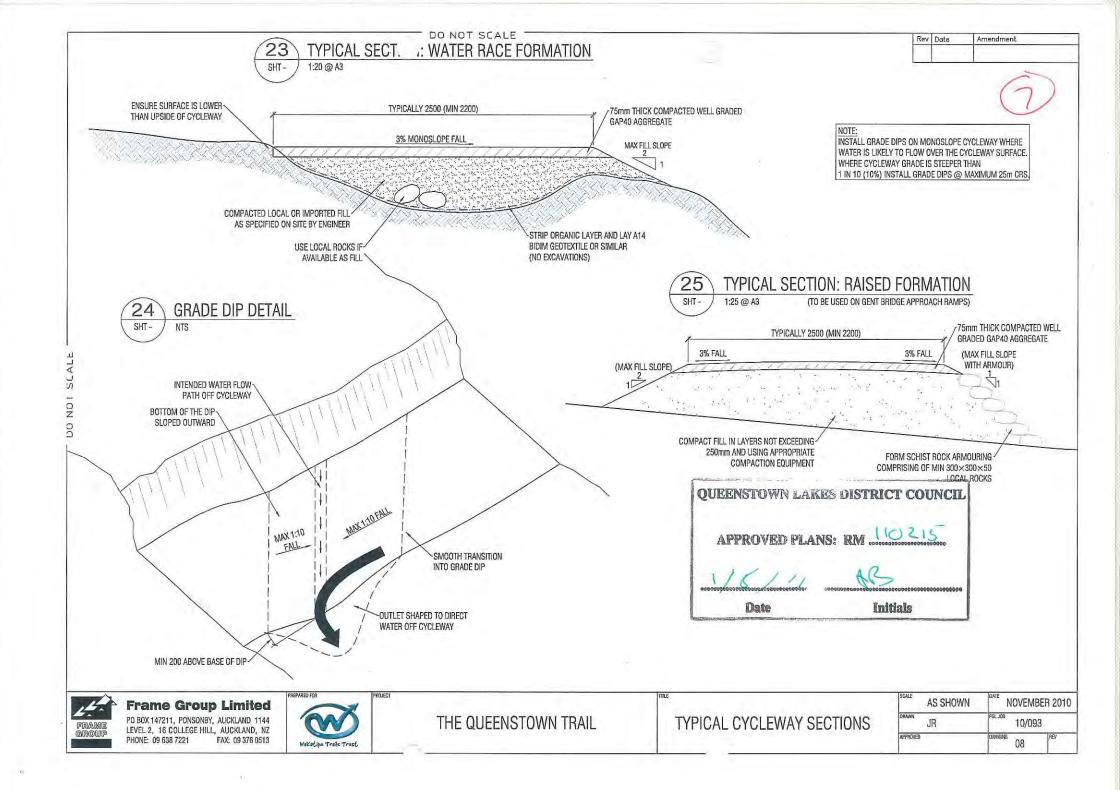


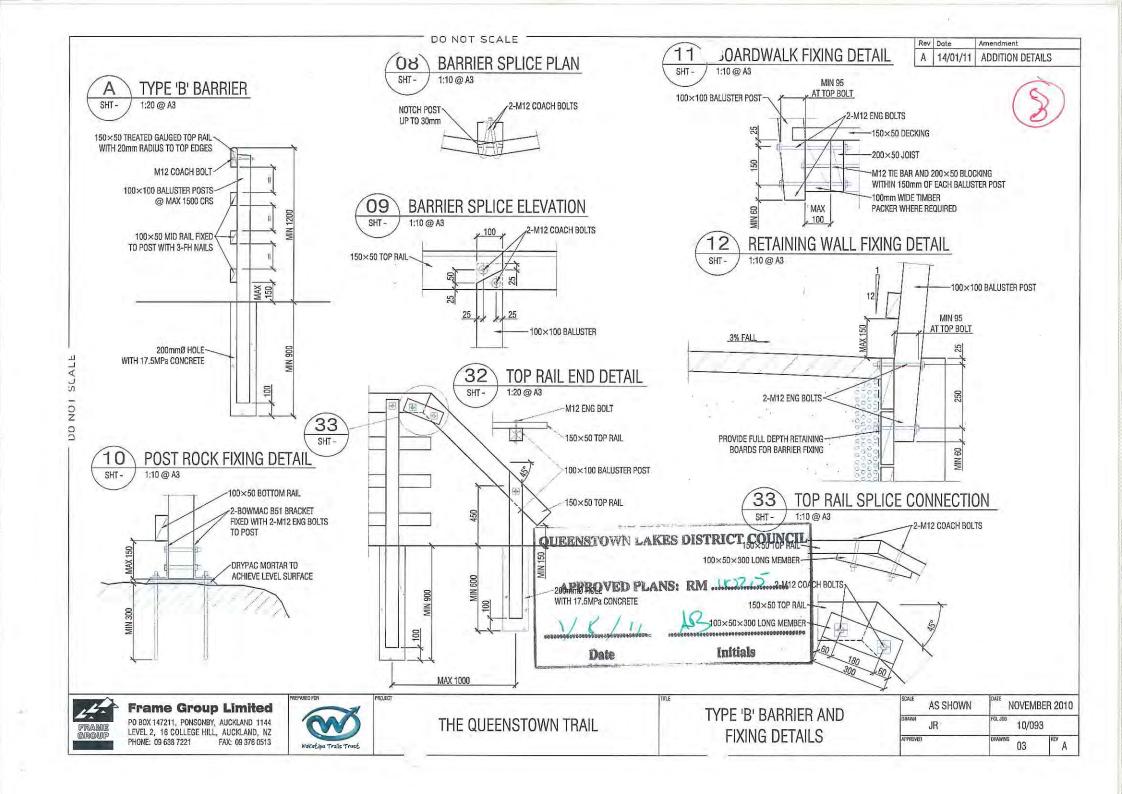
	DO NOT SCALE		Inches Inches	C
			Rev Date Amend	iment
	13 225mmØ, 300mmØ OR 450mmØ C	LILVERT SECTION		^
	SHT - 1:20 @ A3	(SHOWING SCHIST WALL)	(2)
75mm THICK COMPACTED W GRADED GAP40 AGGREG.		COVER OF THE PROPERTY OF THE P	STORMBOSS CULVERT PIPE OR SIMILAR	
divide dri in riddied	LCIONE 3% FALL		FILL AT BOTH ENDS	REAOND
	L SLOPE 2	3% FALL		
COMPACTED LOCAL FILL MIN 200				
MIN 200				
NSIE 0.5	MIN 3% FALL			7
SPECO	MIN 376 FACE	4 3 8 8 8	ORIGINAL GROUND	
225, 300 OR 450 INSIDE DIAMETER AS SPECIFIED		QUEENSTOWN	LAKES DISTRICT COL	INCIL
MIN 400 @ BASE	UP OF LOCAL SCHIST ROCKS	D COMPACT BASE		
	(TAPER TOP TO MIN 200) BENCH TO KEY BASE OF WALL	APPROVED	PLANS: RM	5
150mm// ROCK ARMOURING BOTH ENDS. ENSURE OUTLET IS AT GROUND LEVEL				10000
ENSURE DOTLET IS AT GROUND LEVEL	14 600mmØ CULVERT SE		AB	
	SHT - 1:20 @ A3 (NOT SHOWING SO	70 -	######################################	000000000
		TYPICALLY 2500 (MIN 2200)	Initials	
Lucro	75mm THICK COMPACTED WELL GRADED GAP40 AGGREGATE			
NOTE: USE ROCK WALL WHERE REQUIRED TO REDUCE THE		**************************************	MIN 300 COVER	
CULVERT FILL AND LENGTH OF PIPE REQUIRED.	COMPACTED LOCAL FILL		22	1
	MAX FILL SLOPE	124424444		\
POLYFLOW CULVERT PIPE OR SIMILAR APPROVED. ENSURE SUFFICIENT LENGTH TO EXTEND BEYOND	V/11/11/11/11/11/11			
FILL AT BOTH ENDS				
			777711111111111111111111111111111111111	- K
Si DEE 6	MIN 3% FALL	WILLIAM TO THE TOTAL THE TOTAL TO THE TOTAL TOTAL TO THE		
INSIDE DIAMETER		EXCAVATE AND COMPACT SUBBA	SE.	
	7711111	PRIOR TO PLACING BEDDING		
		VBED AND SURROUND PIPE WITH 75 COMPACTED GAP40 AND 25mm TH	TICK OF	
PROVIDE 1500×1500 AREA OF		LOOSE GAP20 TO FILL CORRUGATIO	JNS	
300mmØ ROCK ARMOURING BO ENSURE OUTLET IS AT GROUND				
PREPARED FOR	PROJECT	TITLE .	SCALE DATE	Manual School Service
Frame Group Limited		Manager Control of the Control of th	AS SHOWN	NOVEMBER 2010
GROUP LEVEL 2, 16 COLLEGE HILL, AUCKLAND, NZ	THE QUEENSTOWN TRAIL	CULVERT DETAILS	JR APPROVED DRAW	10/093
PHONE. 09 030 1221 PM. 09 370 0313 Watetipu Teads Trust				04

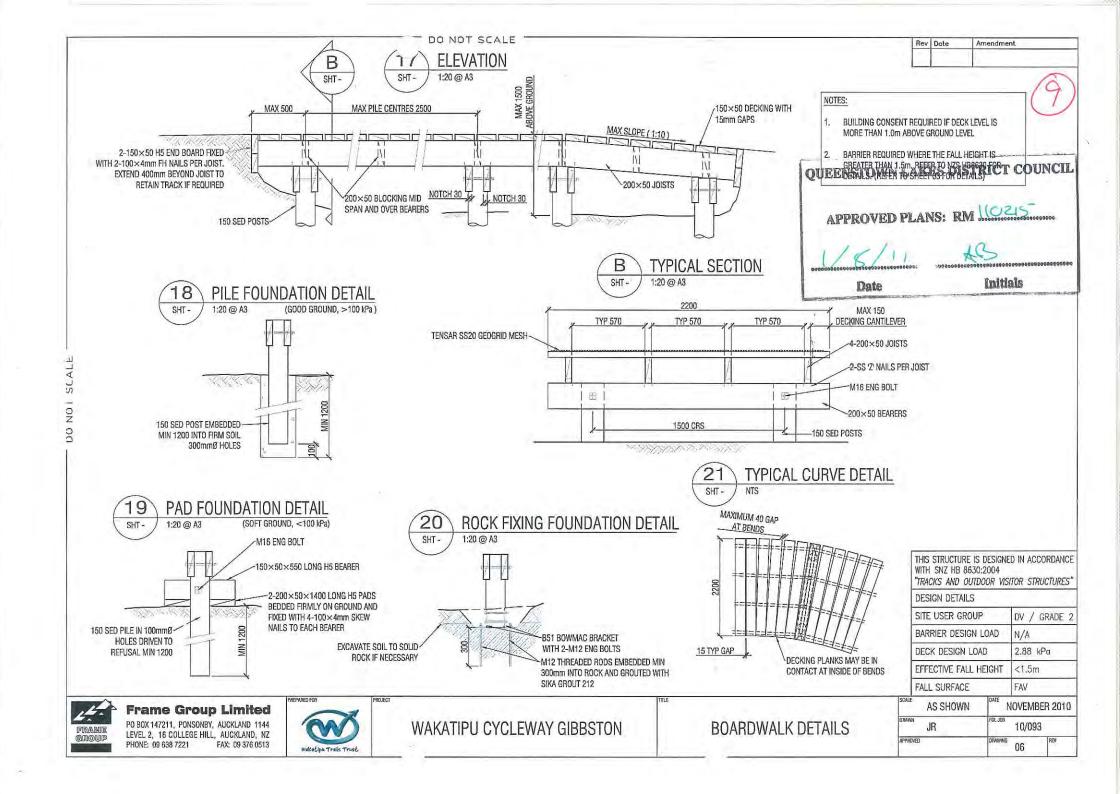


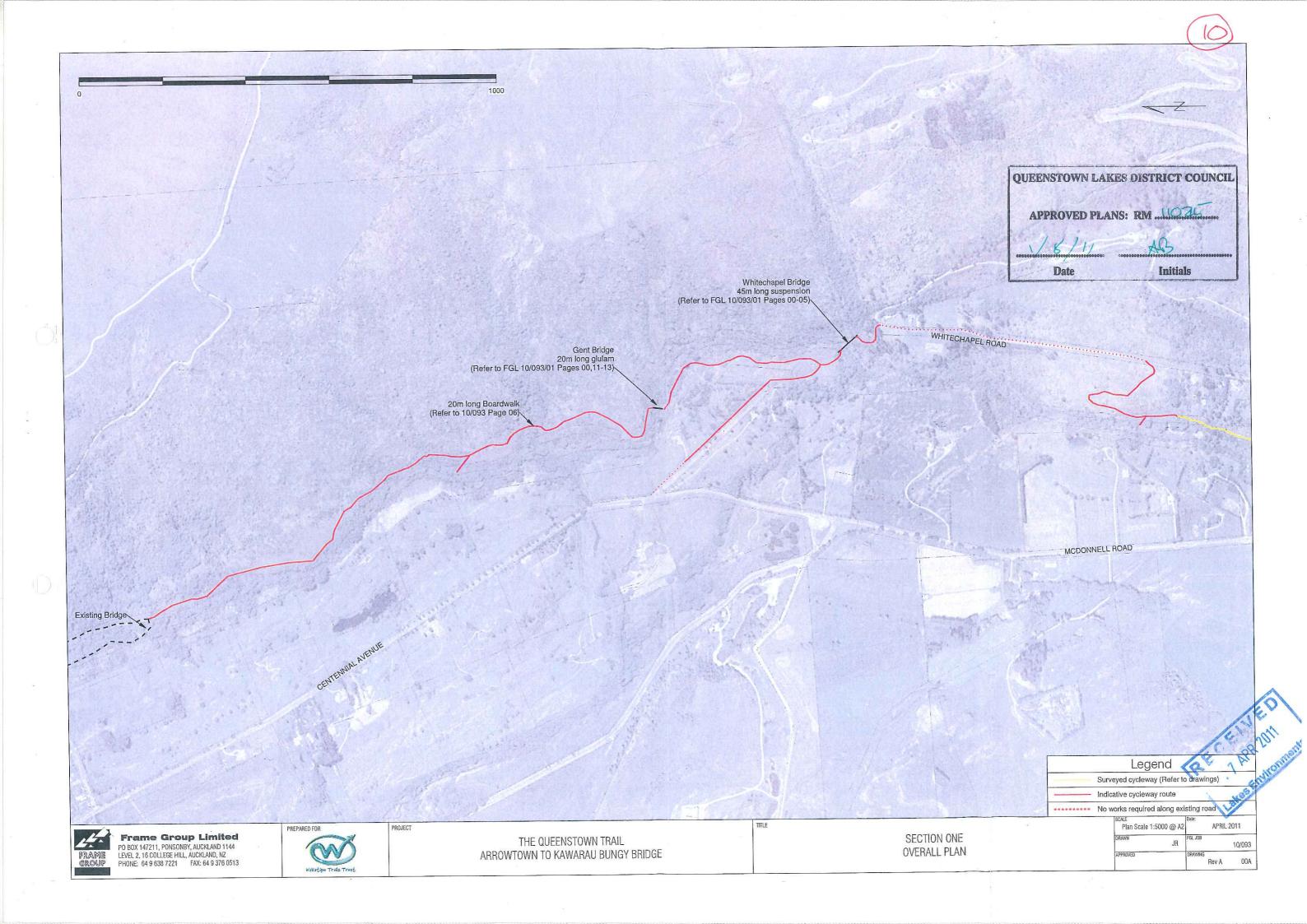


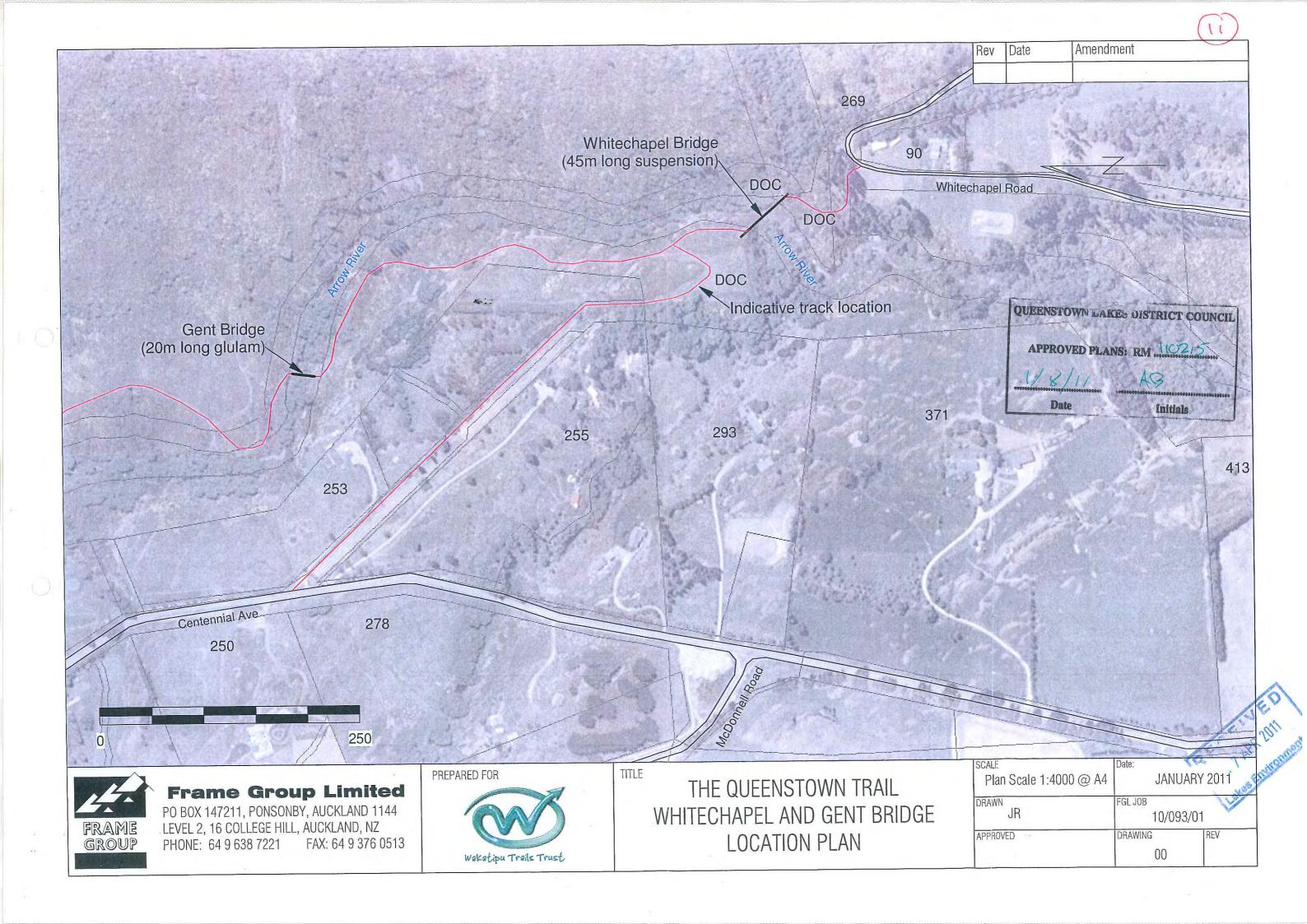


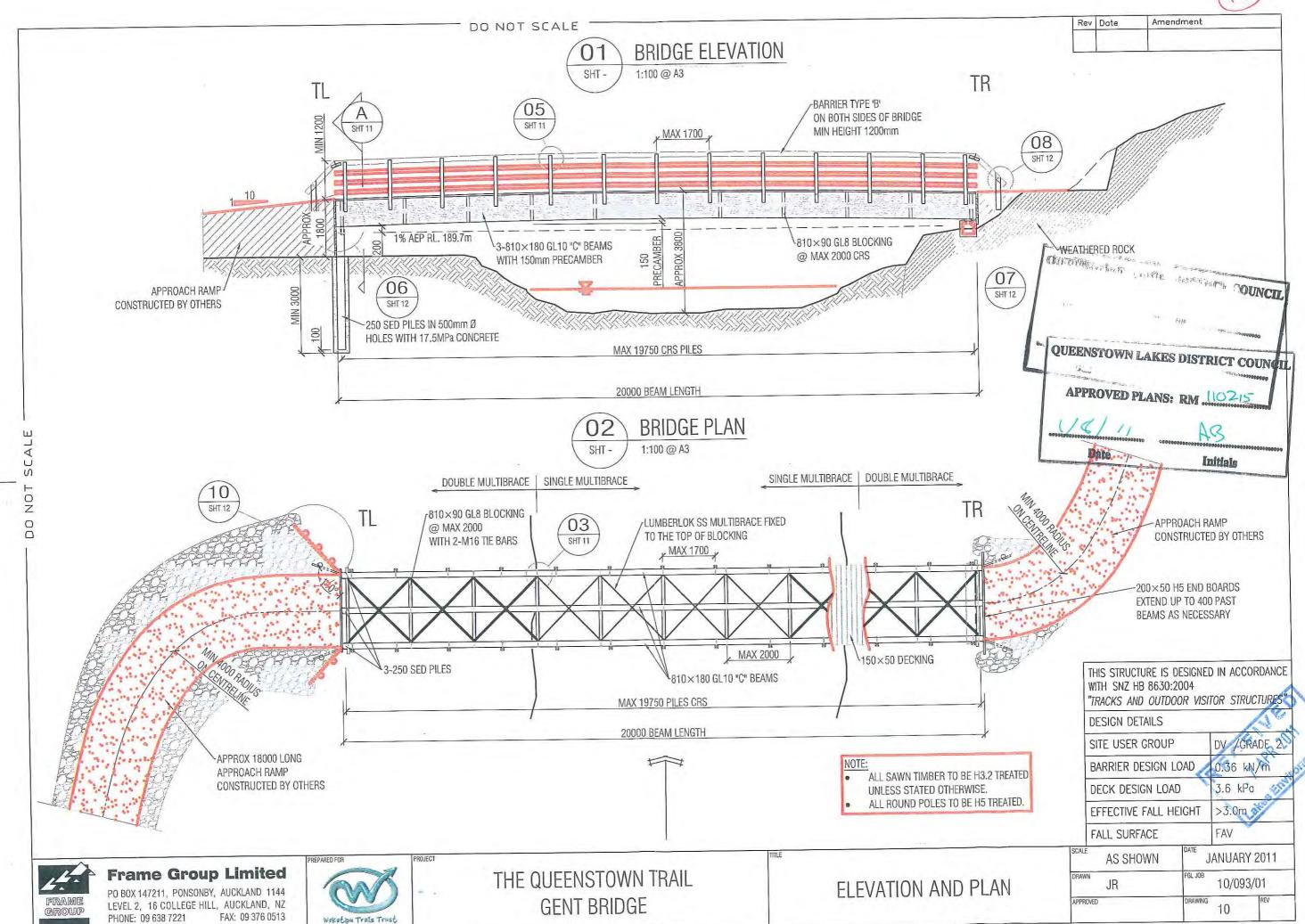


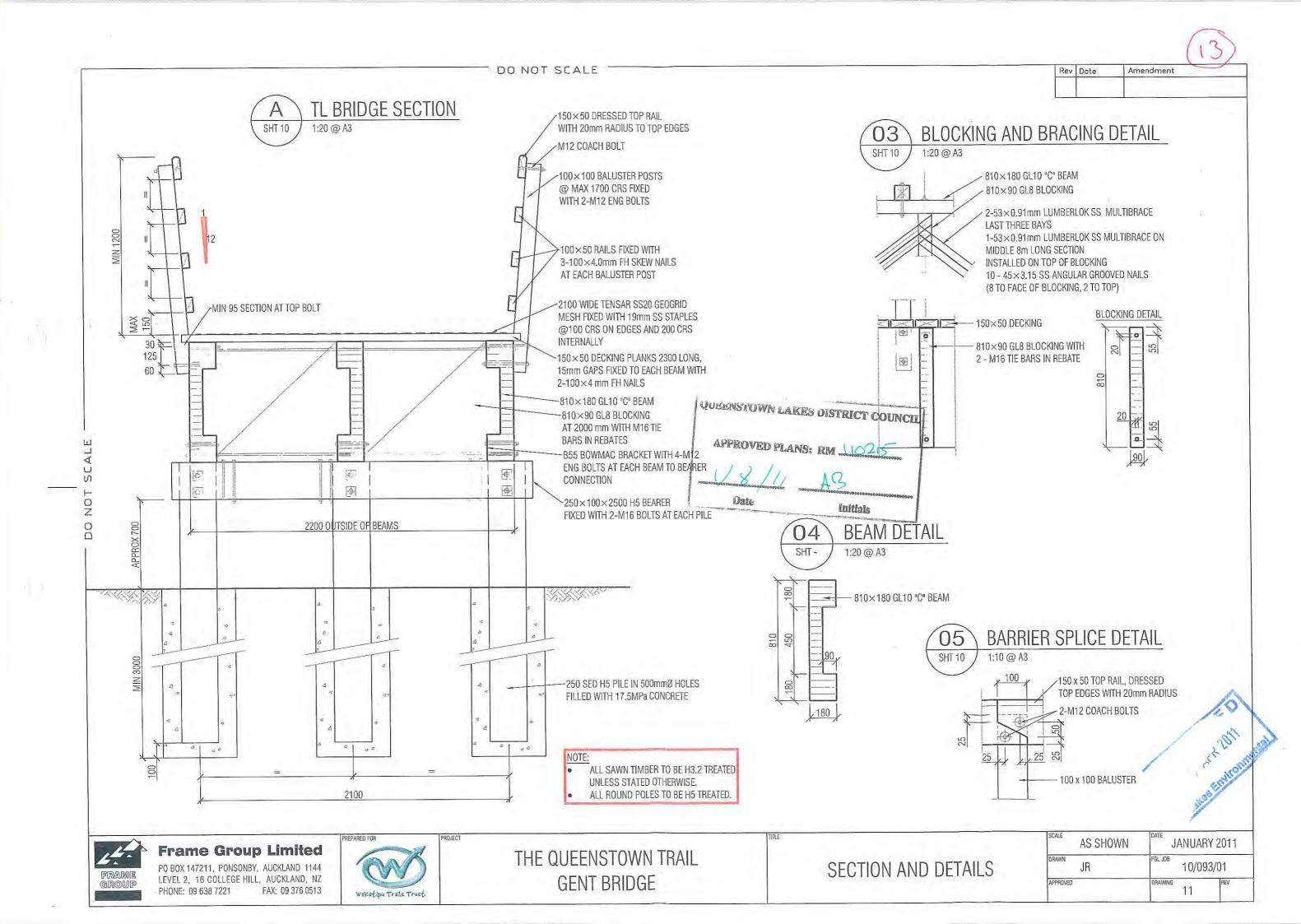




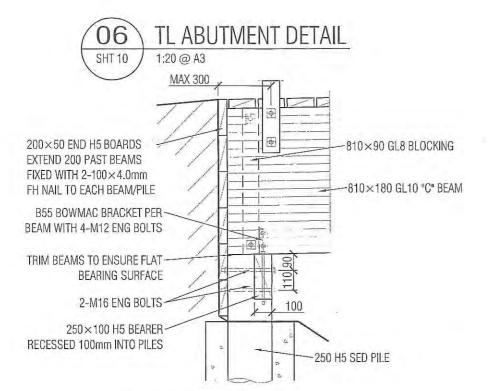


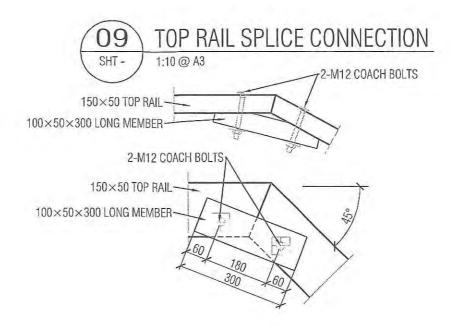


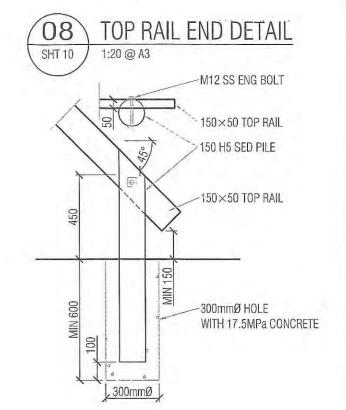




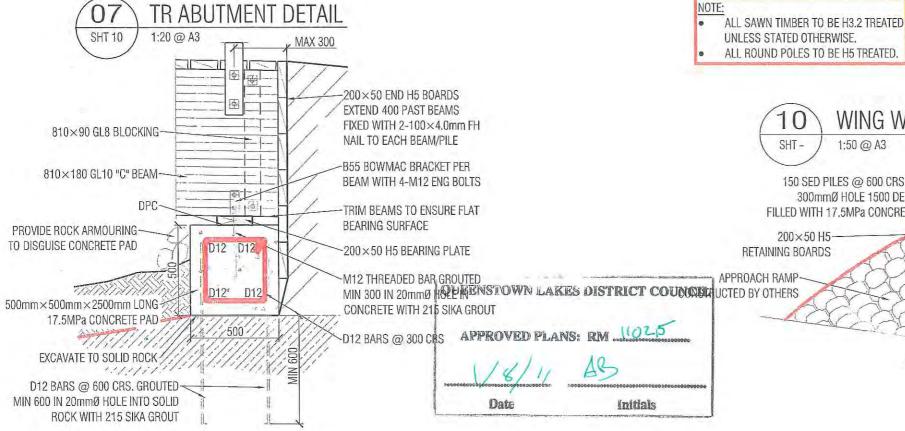








Rev Date





150 SED PILES @ 600 CRS IN 300mmØ HOLE 1500 DEEP FILLED WITH 17.5MPa CONCRETE

200×50 H5-RETAINING BOARDS

250 SED BRIDGE PILES ANGLE TO SUIT



Frame Group Limited

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THE QUEENSTOWN TRAIL **GENT BRIDGE**

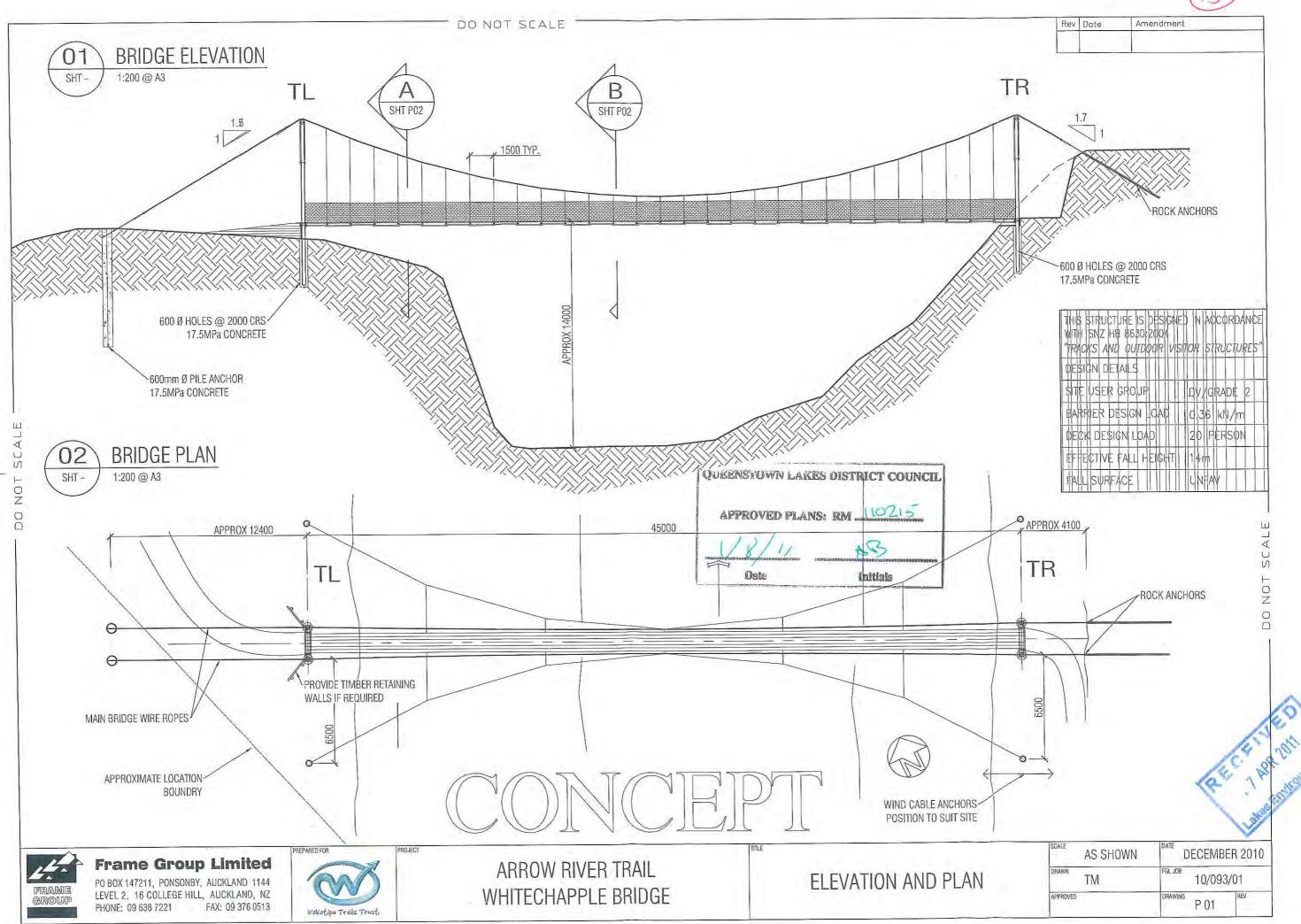
DETAILS

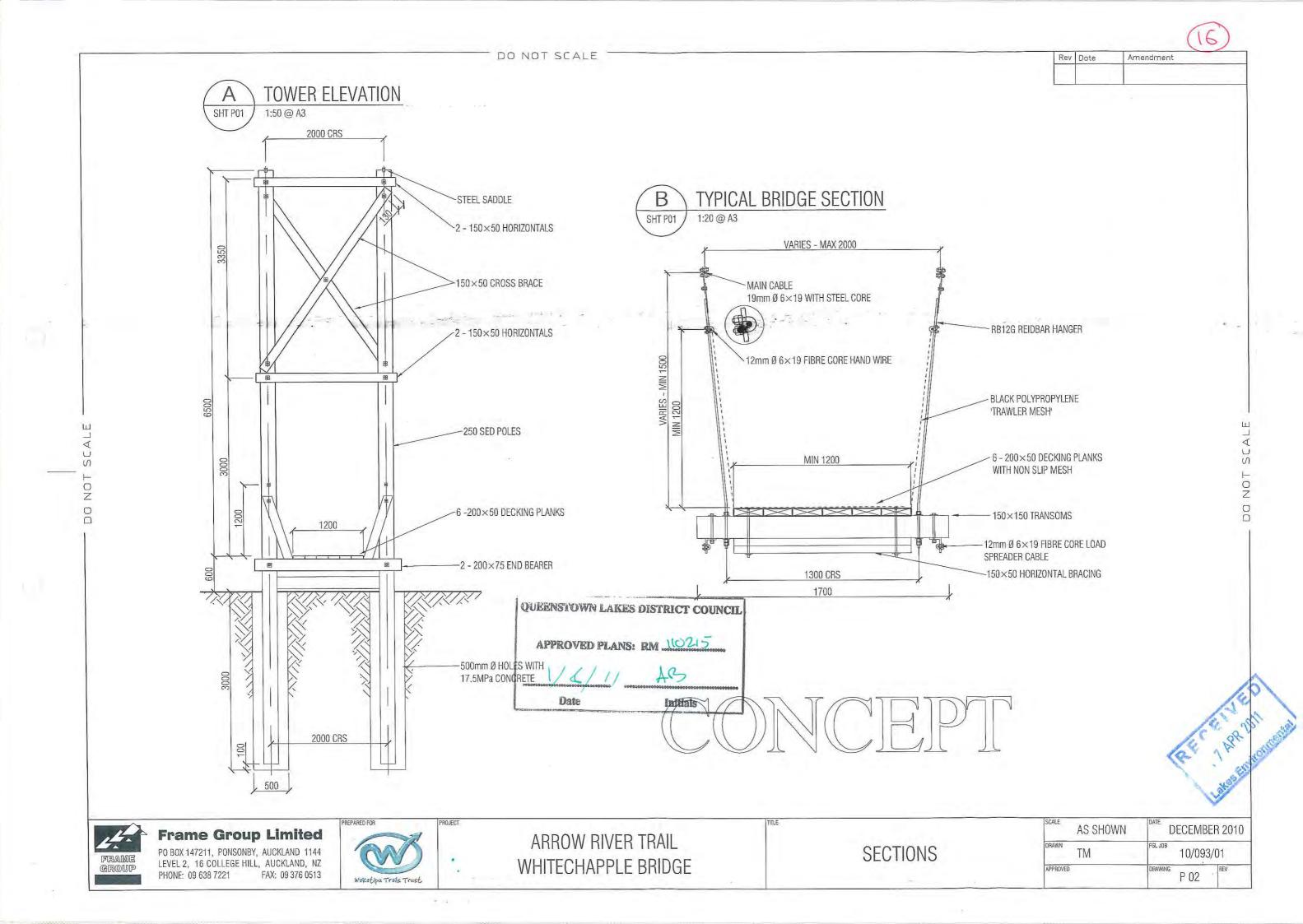
SCALE	AS SHOWN	JANUAR)	2011
DRAWN	JR	FGL JOB 10/093	3/01
APPROVED		DRAWING 12	REV

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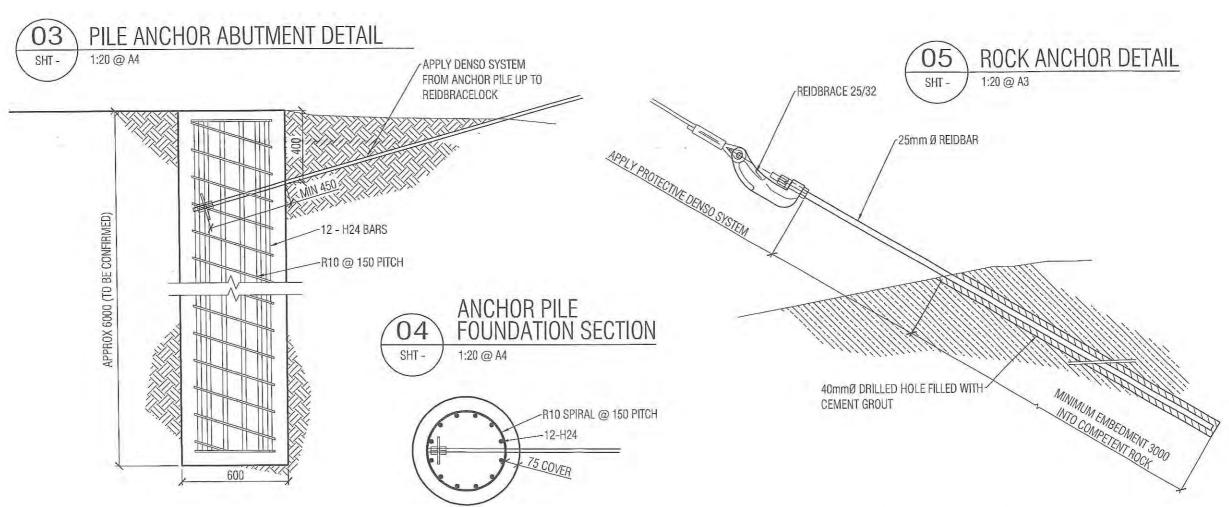
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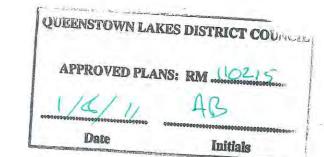








CONCEPT





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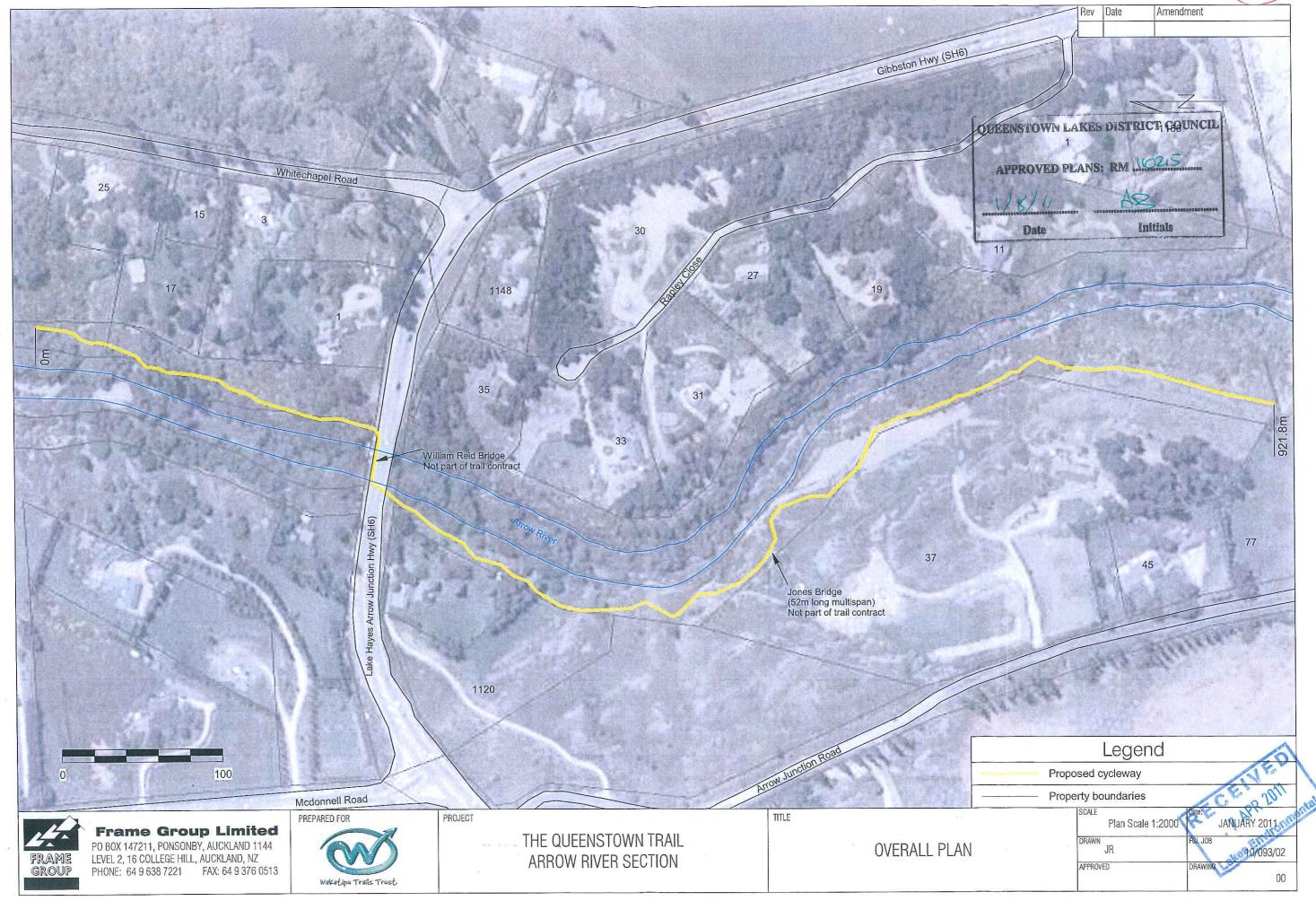
ARROW RIVER TRAIL
WHITECHAPPLE BRIDGE

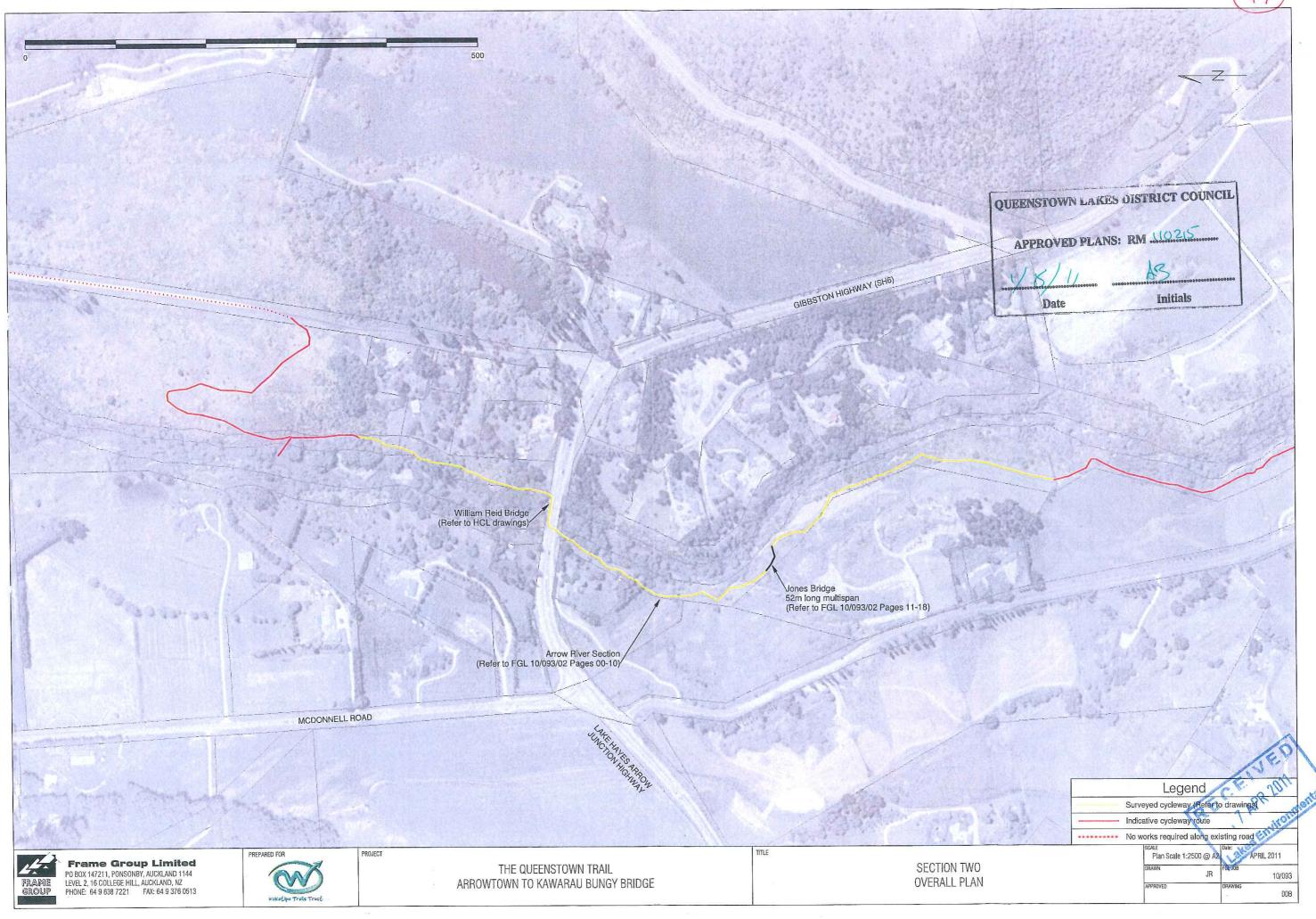
ANCHOR DETAILS

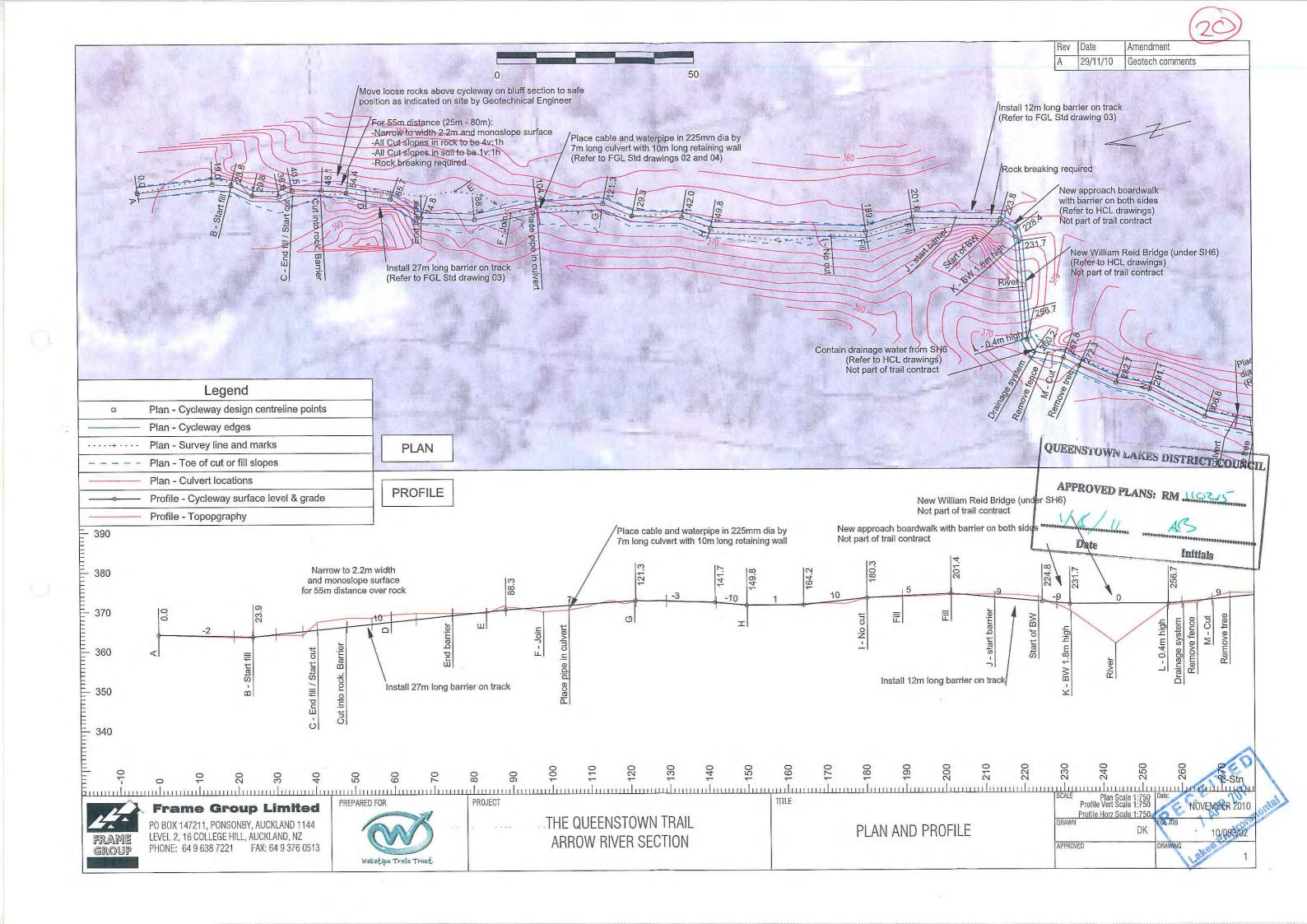
SCALE	AS SHOWN	DECEMBER 2010
DRAWN	TM	FGL JOB 10/093/01
APPROVED		DRAWING P 03

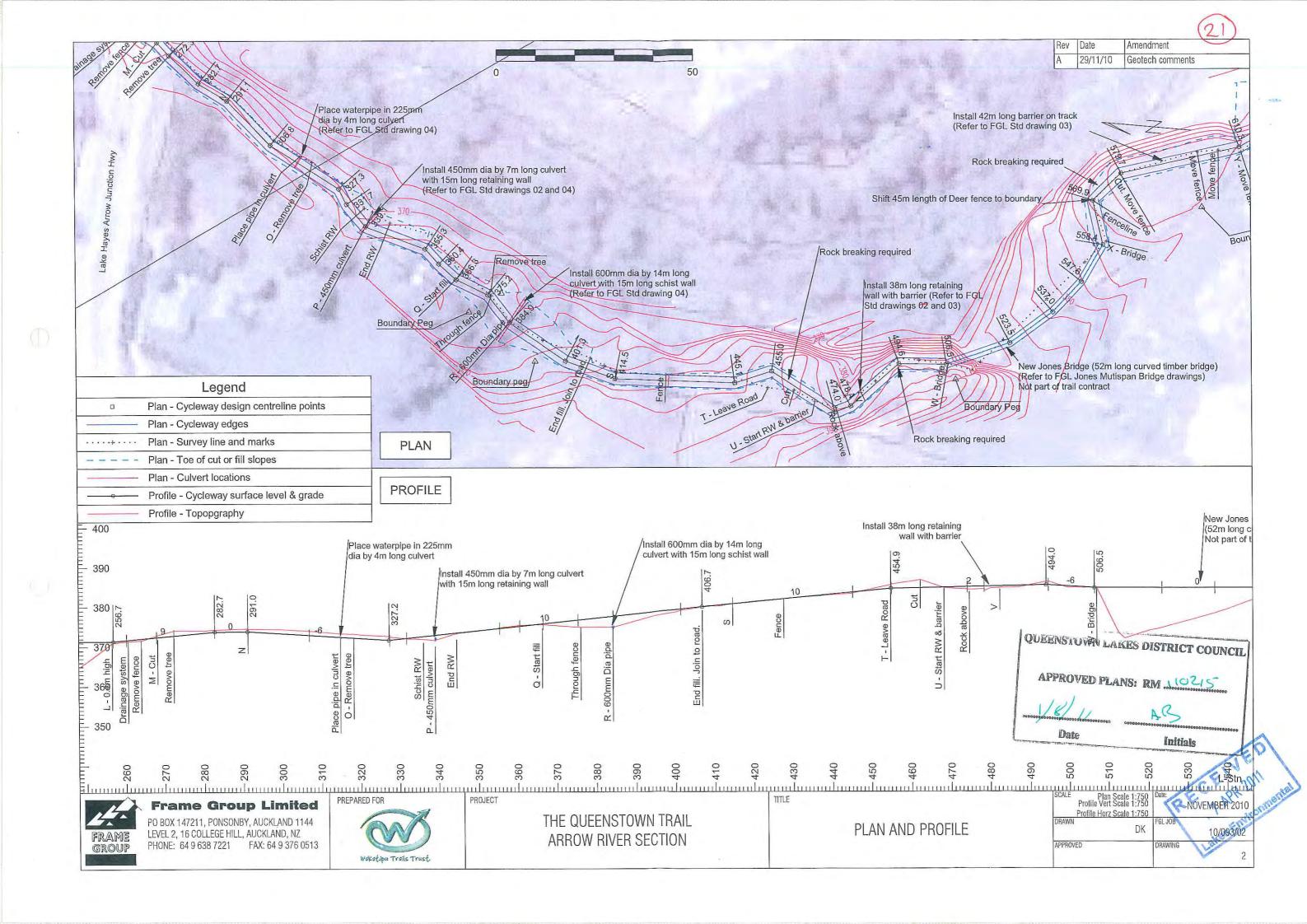
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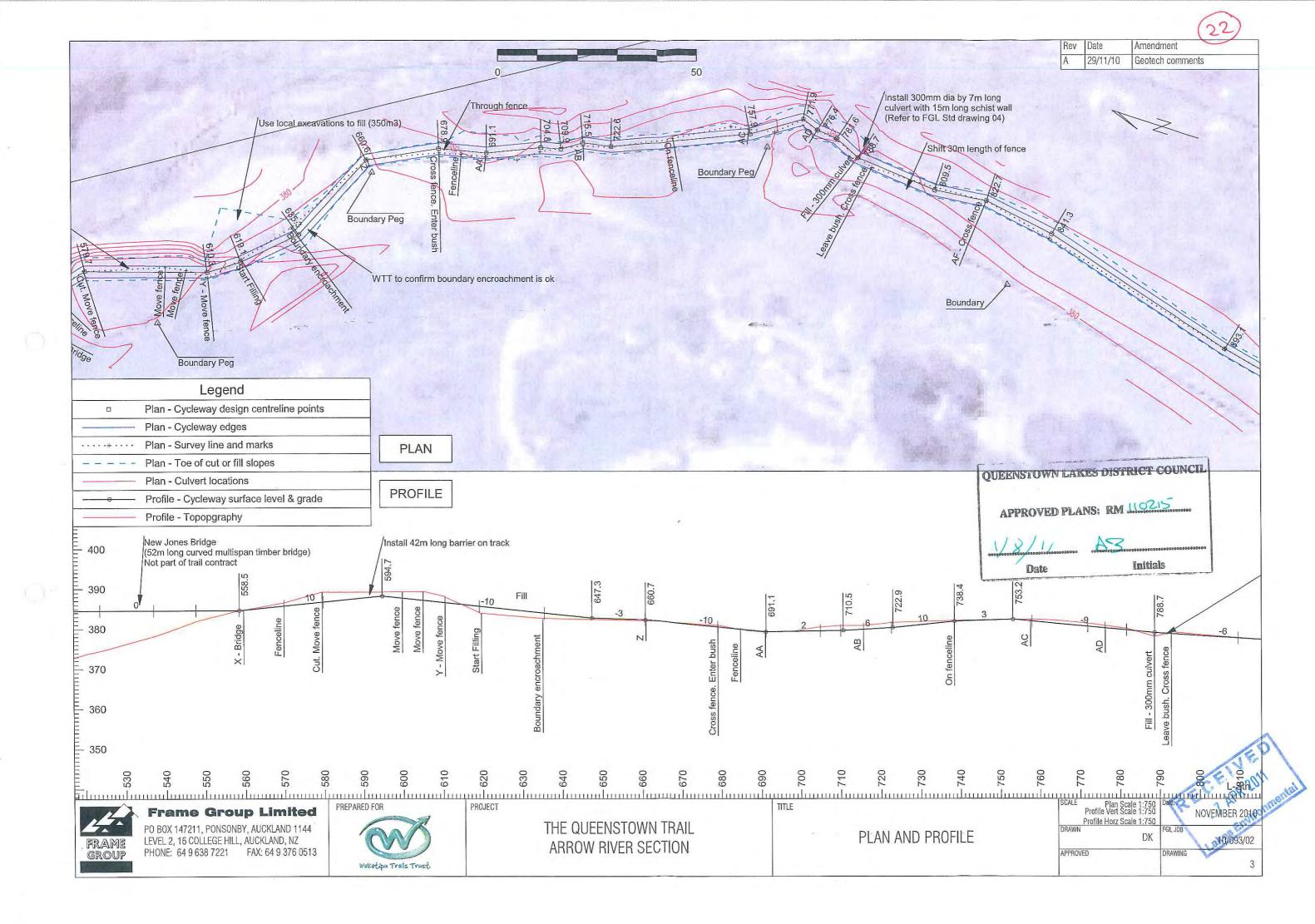
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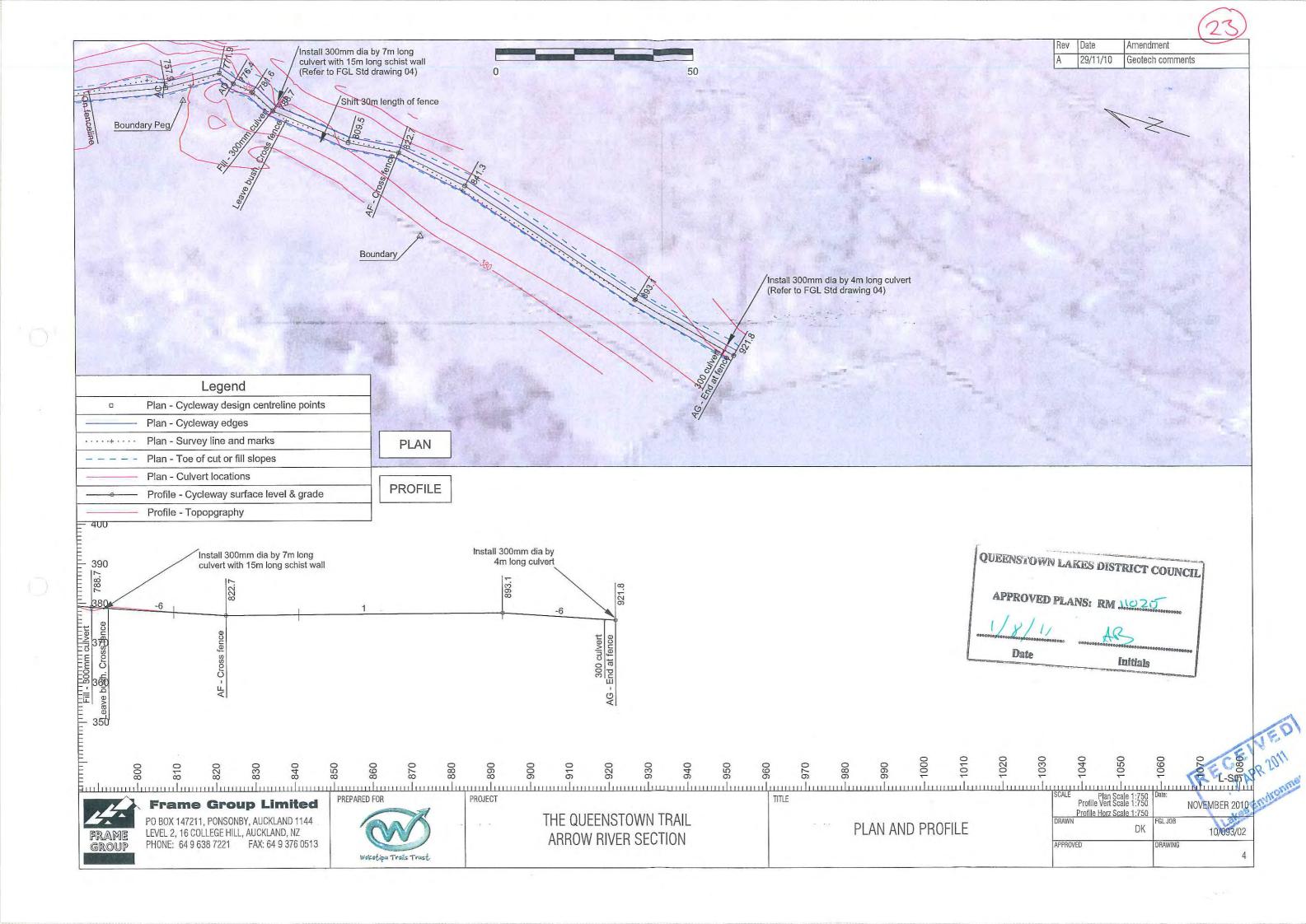




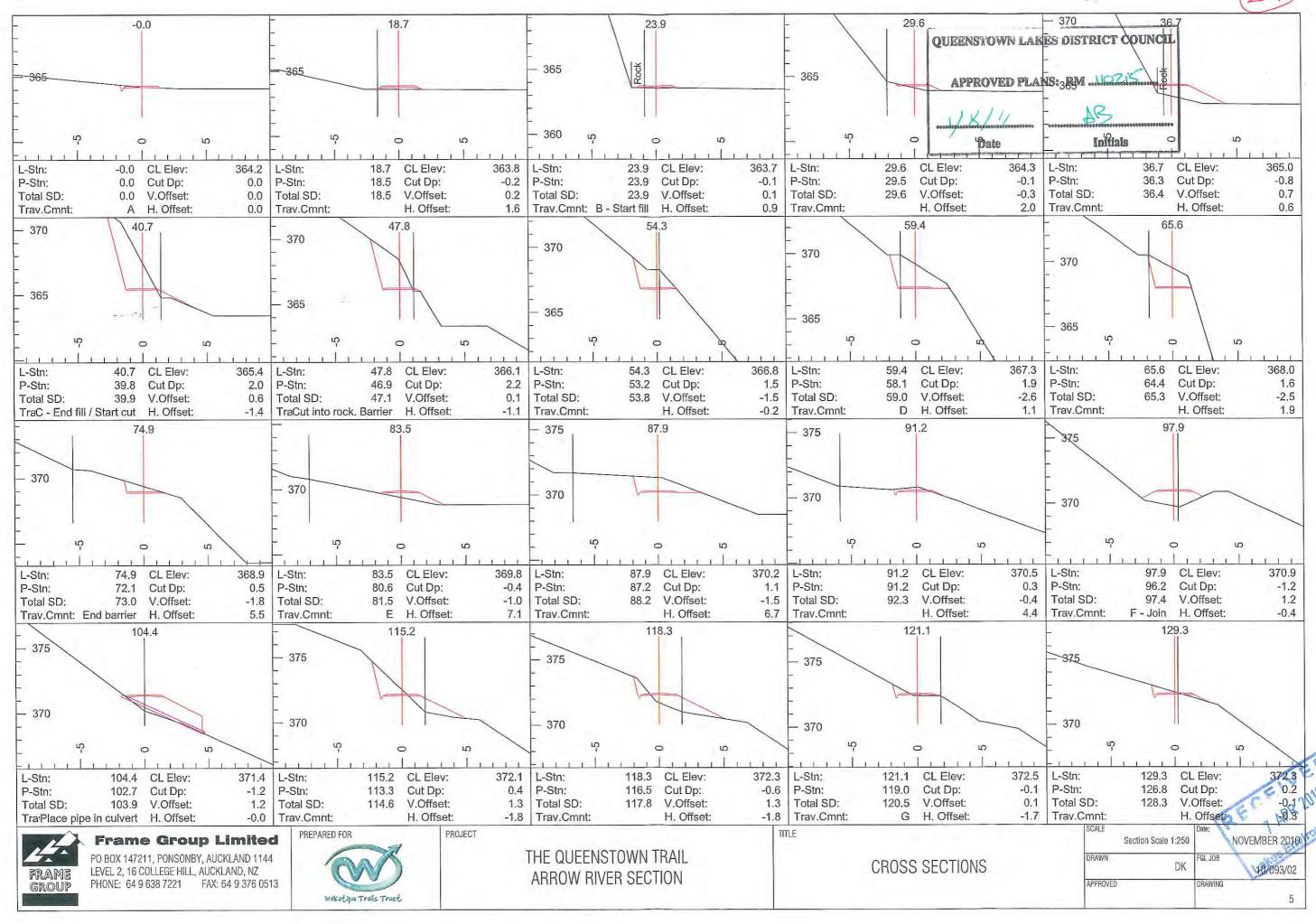


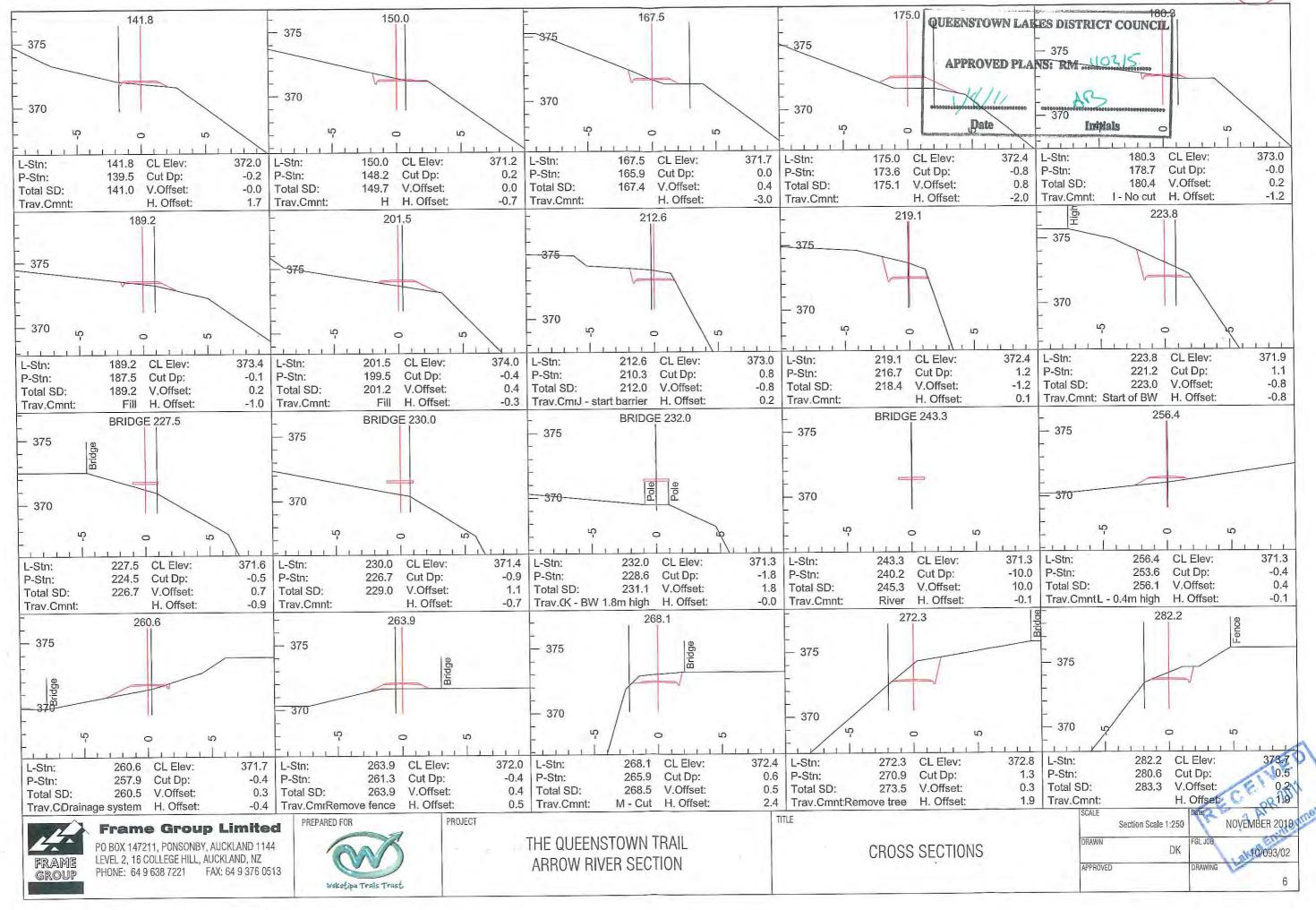




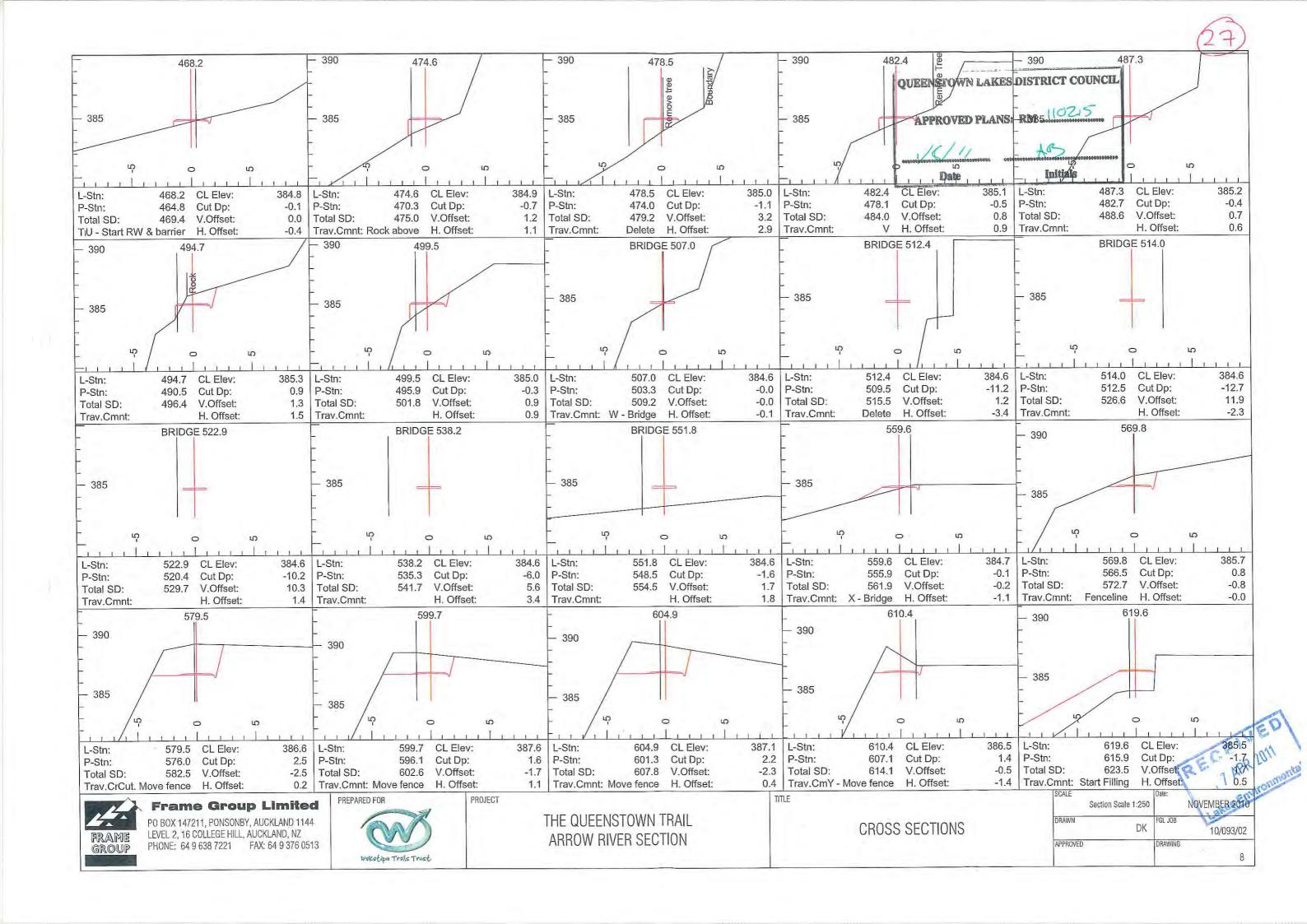


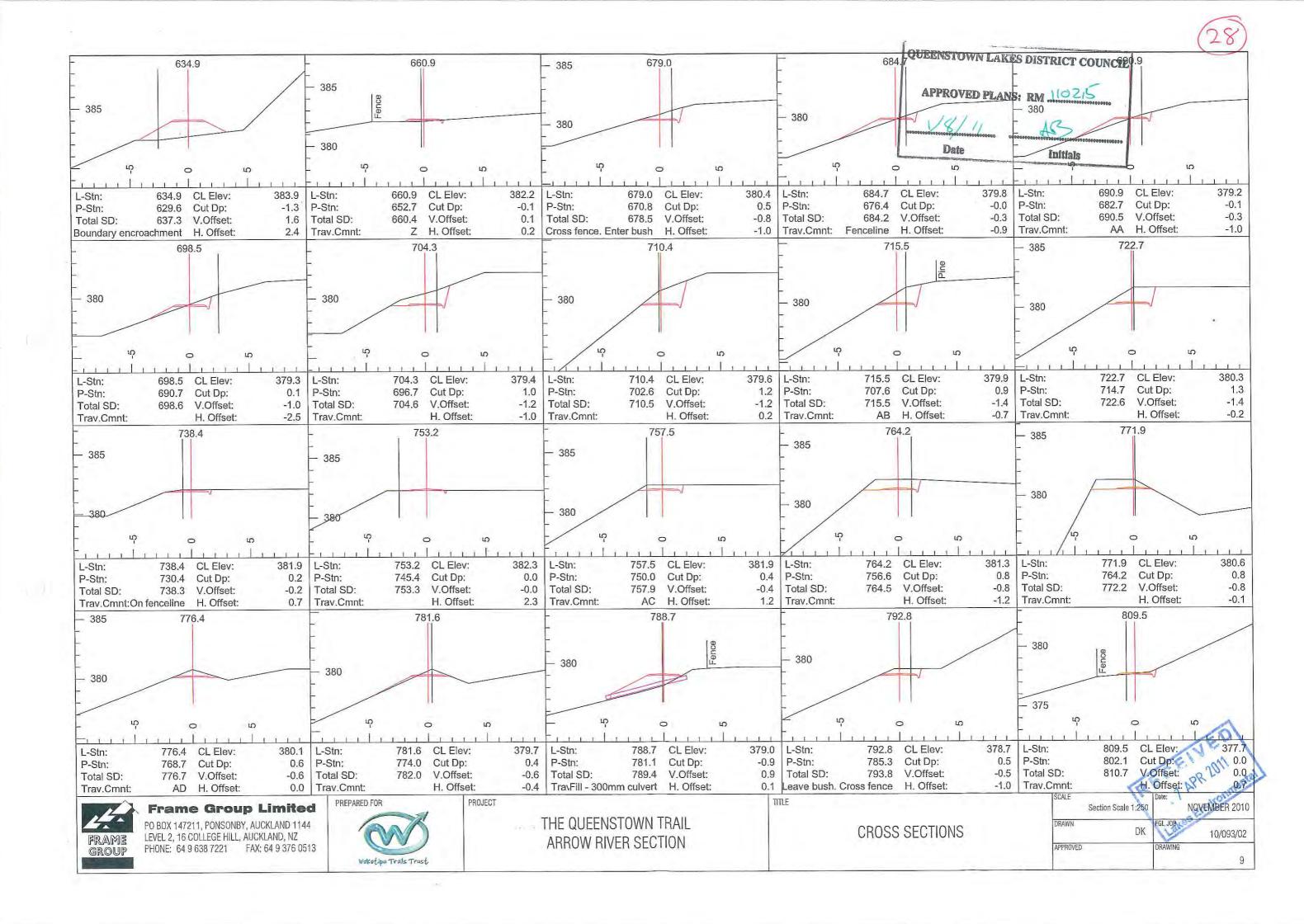
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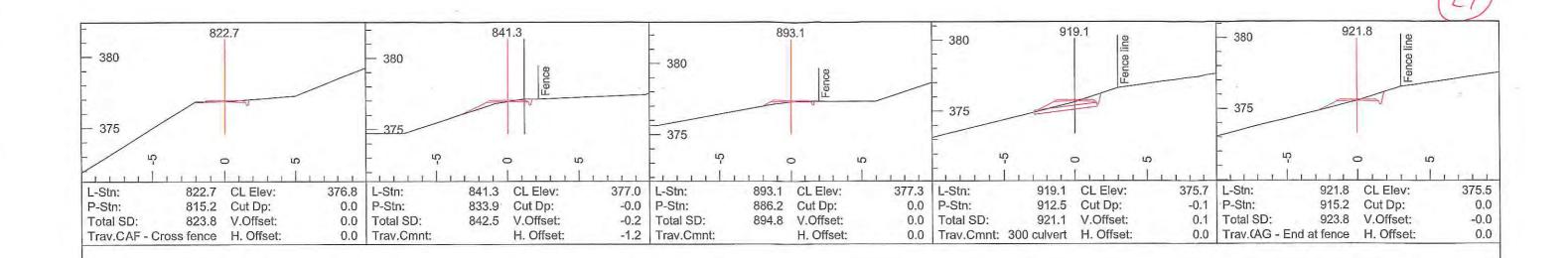




Wakatipu Trails Trust









Frame Group Limited

PO BOX 147211, PONSONBY, AUCKLAND 1144 LEVEL 2, 16 COLLEGE HILL, AUCKLAND, NZ PHONE: 64 9 638 7221 FAX: 64 9 376 0513



PROJECT

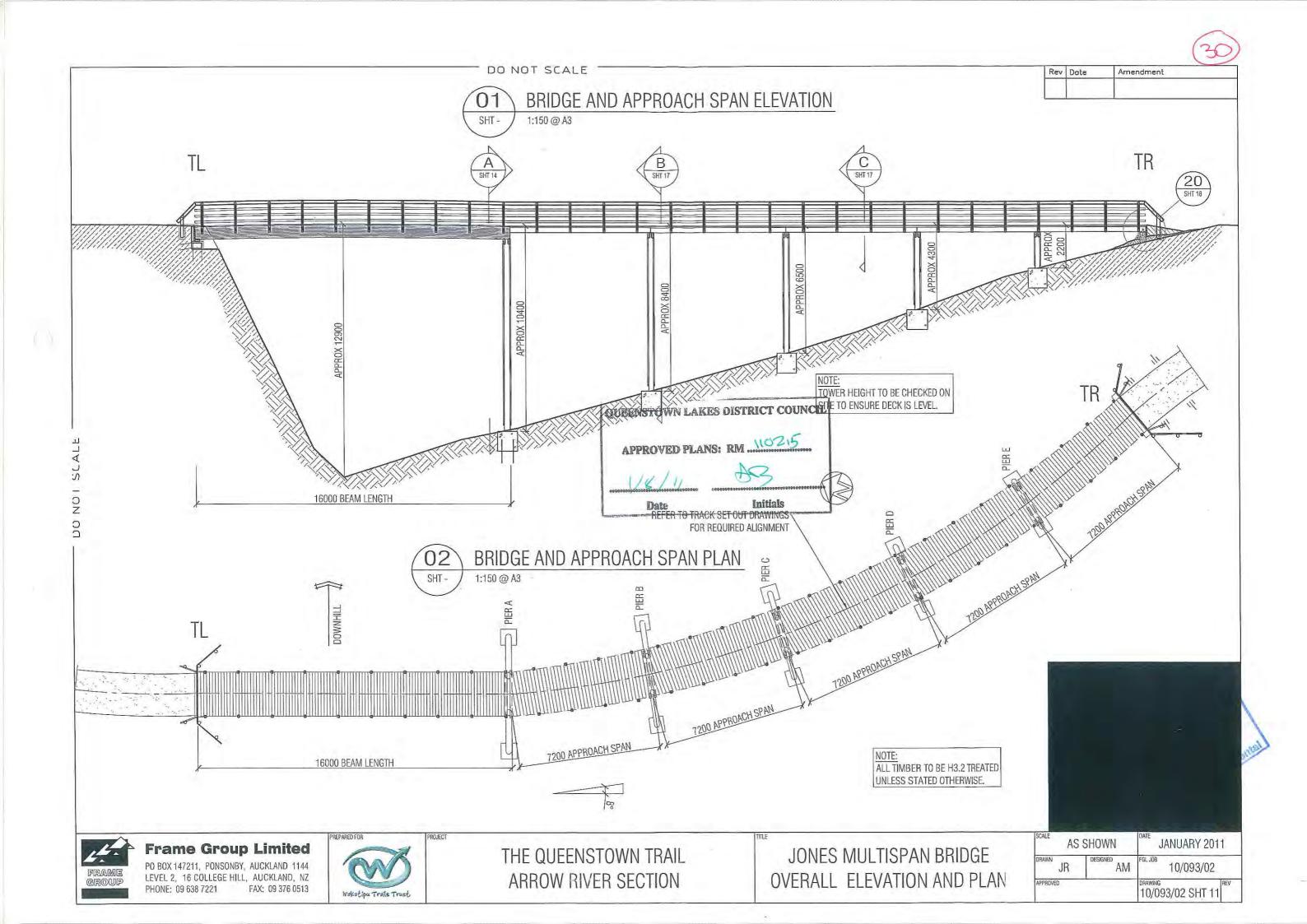
THE QUEENSTOWN TRAIL ARROW RIVER SECTION

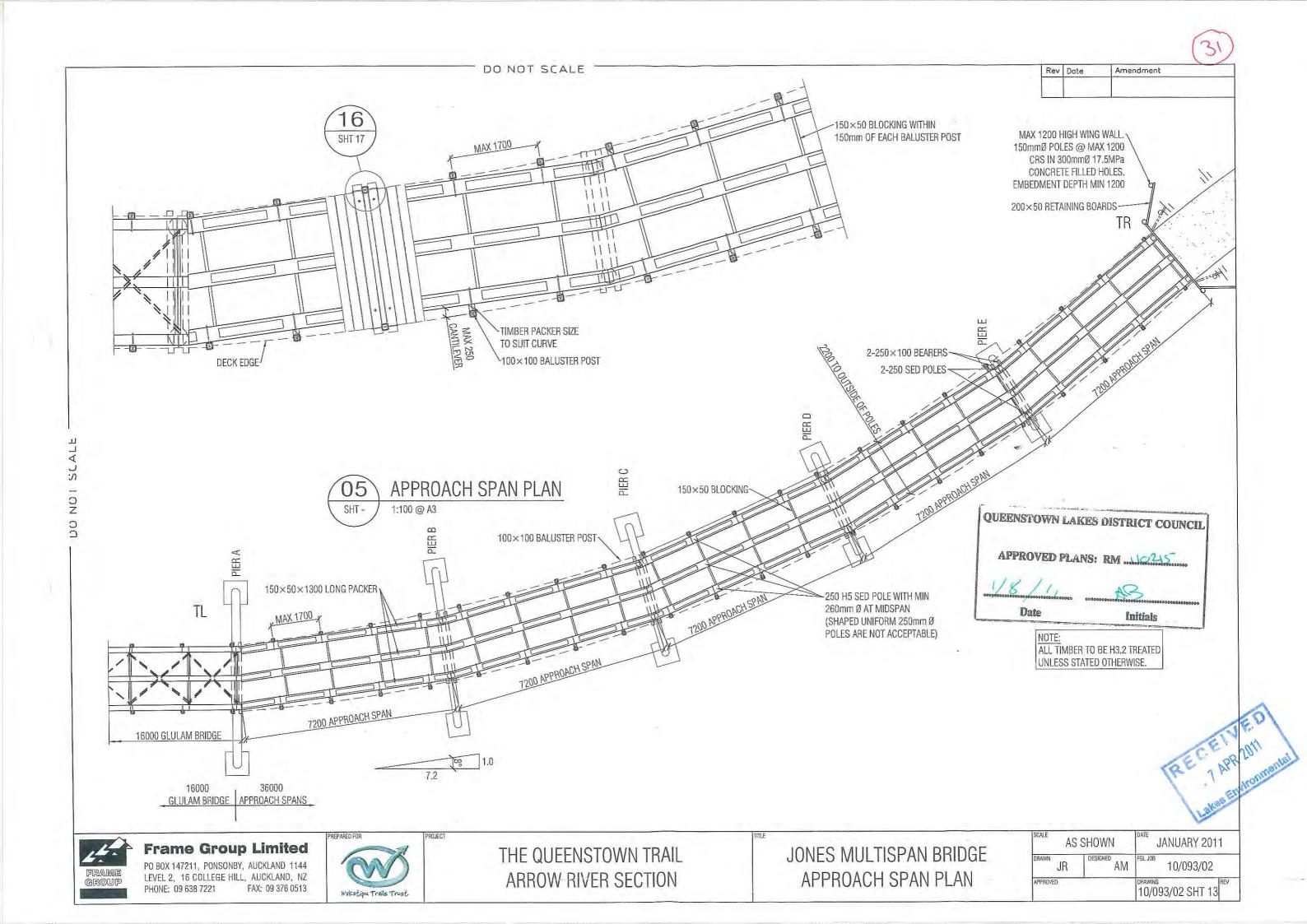
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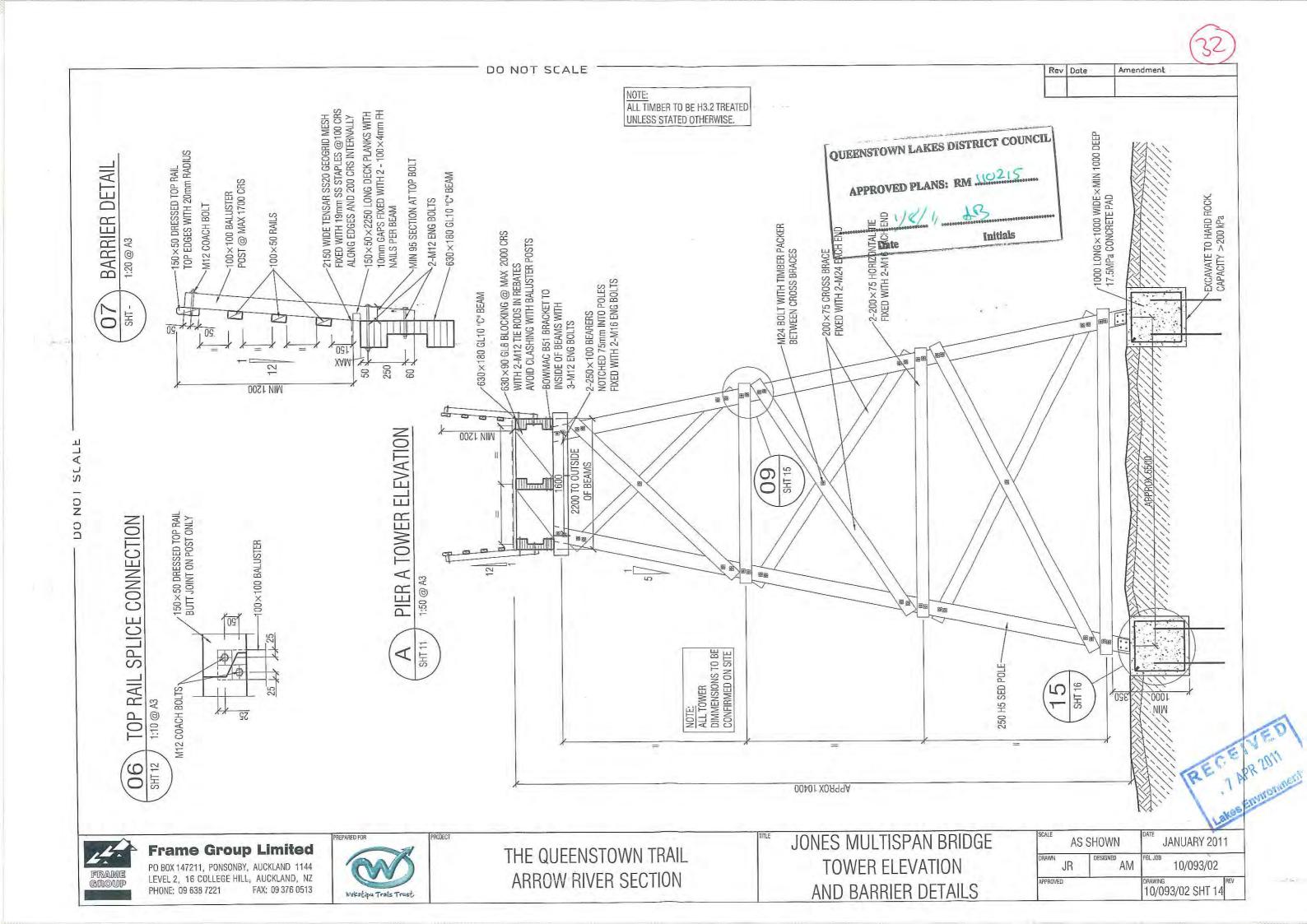
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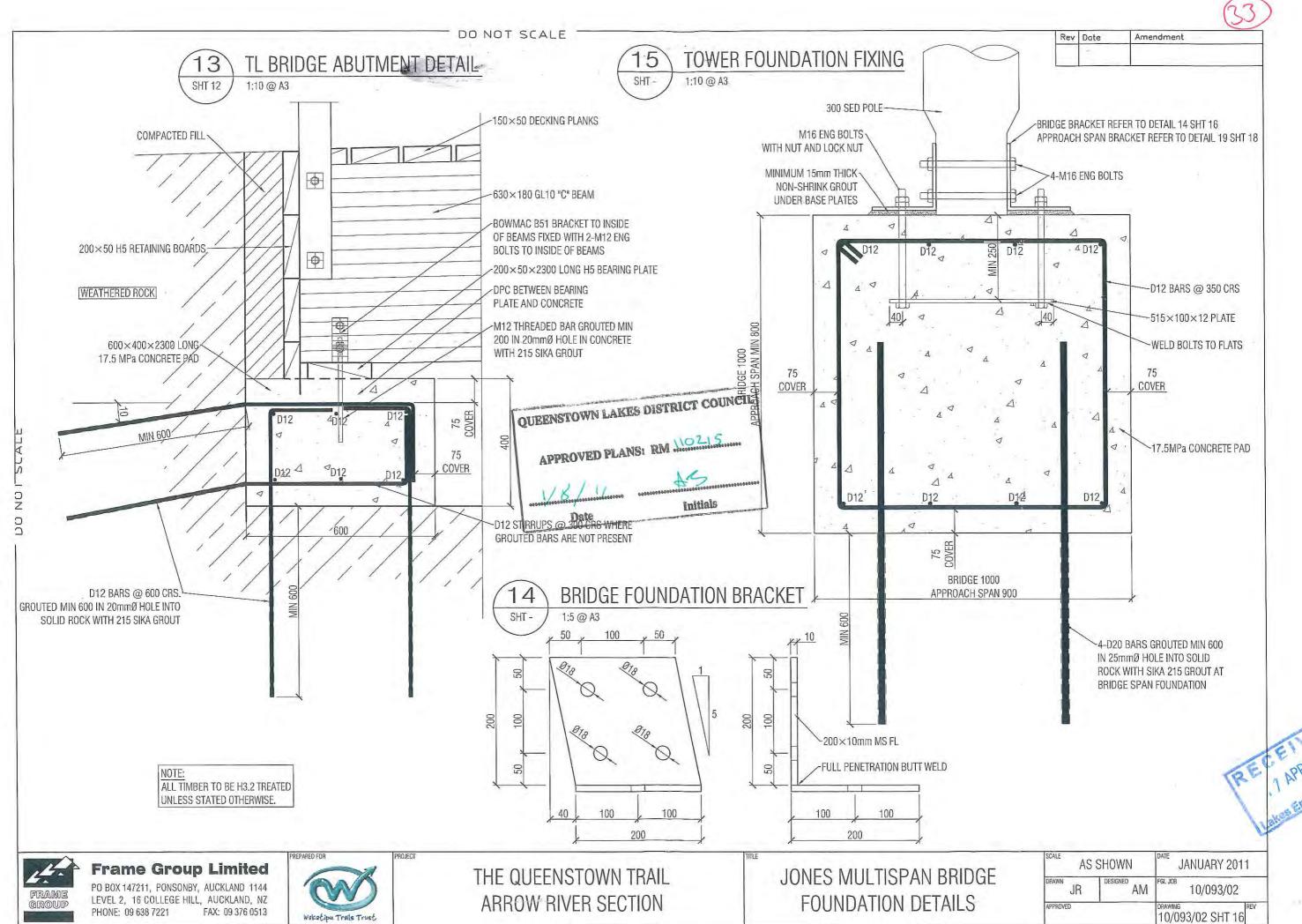
		-	So J HIL
CALE	Section Scale 1:250	Date:	NOVEMBER 2010
RAWN	DK	FGL JOB	10/093/02
PPROVED		DRAWING	10

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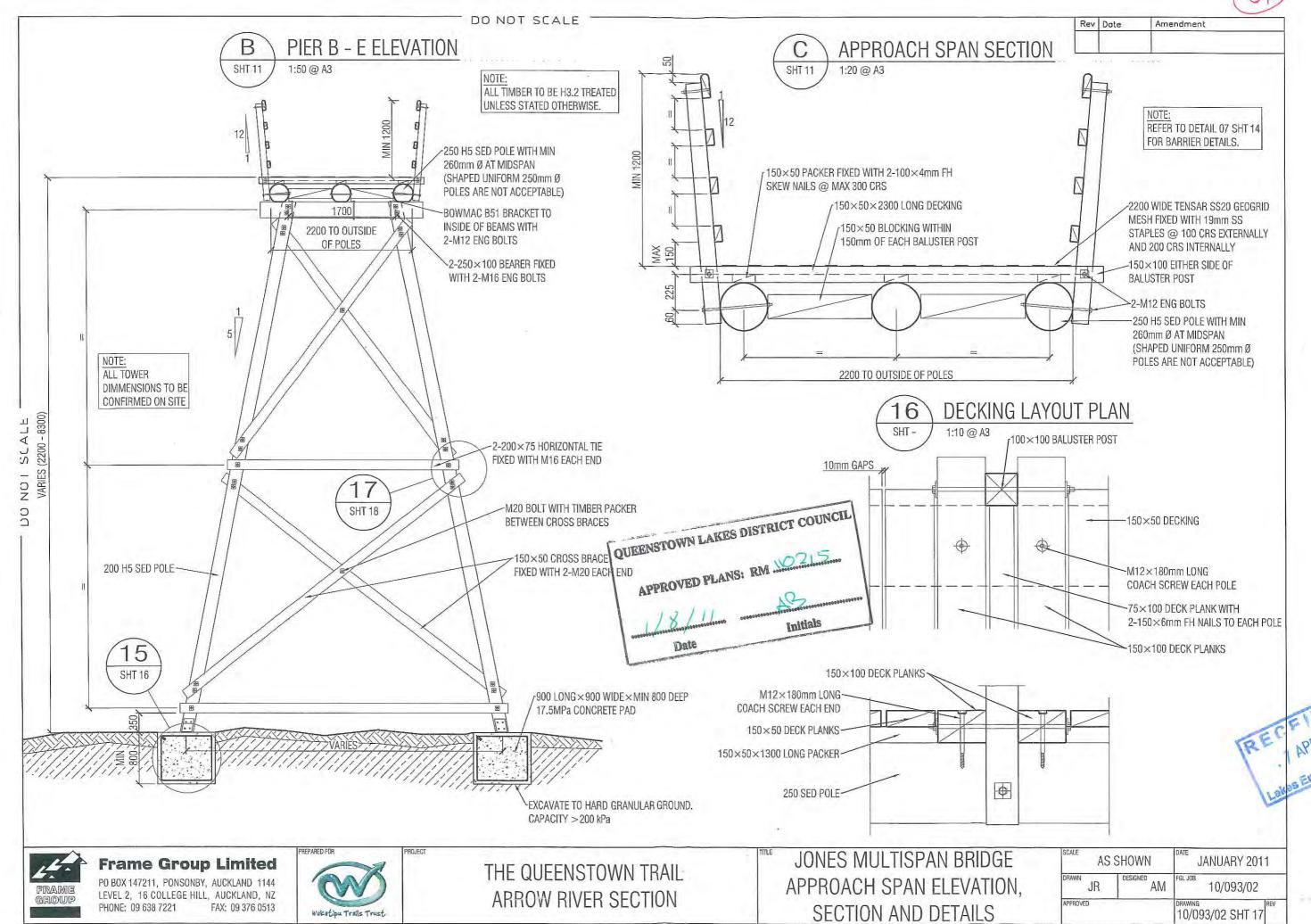


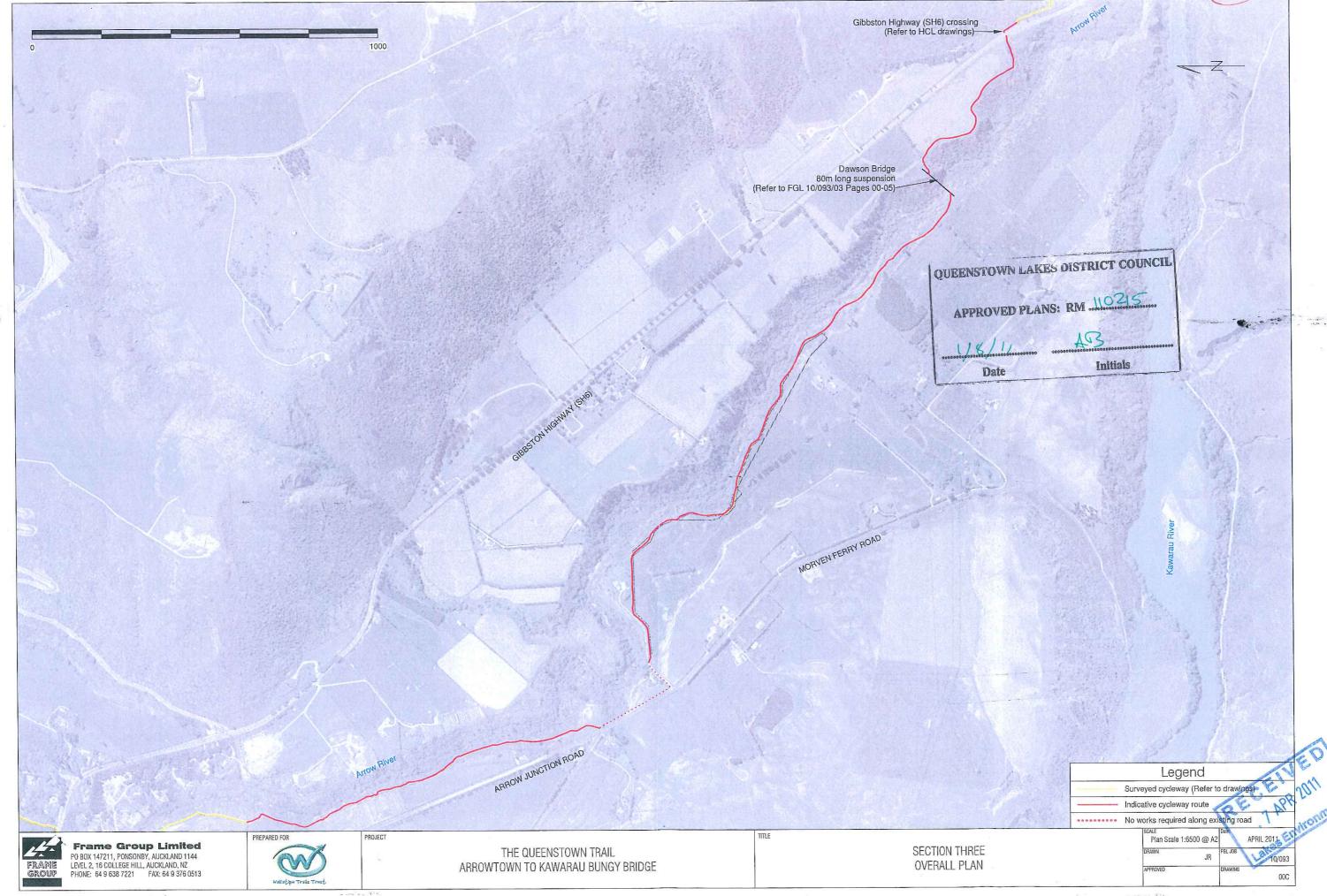




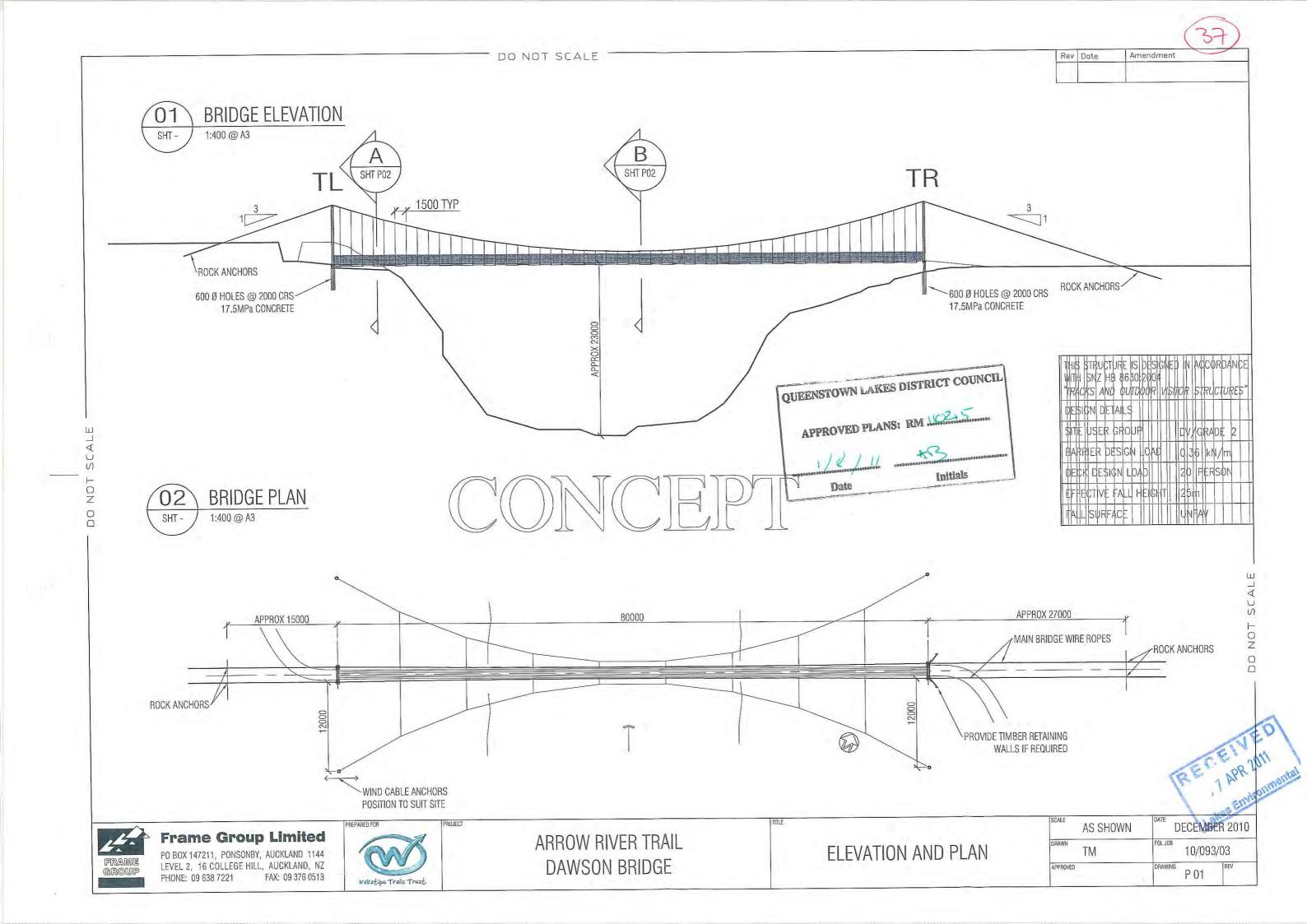


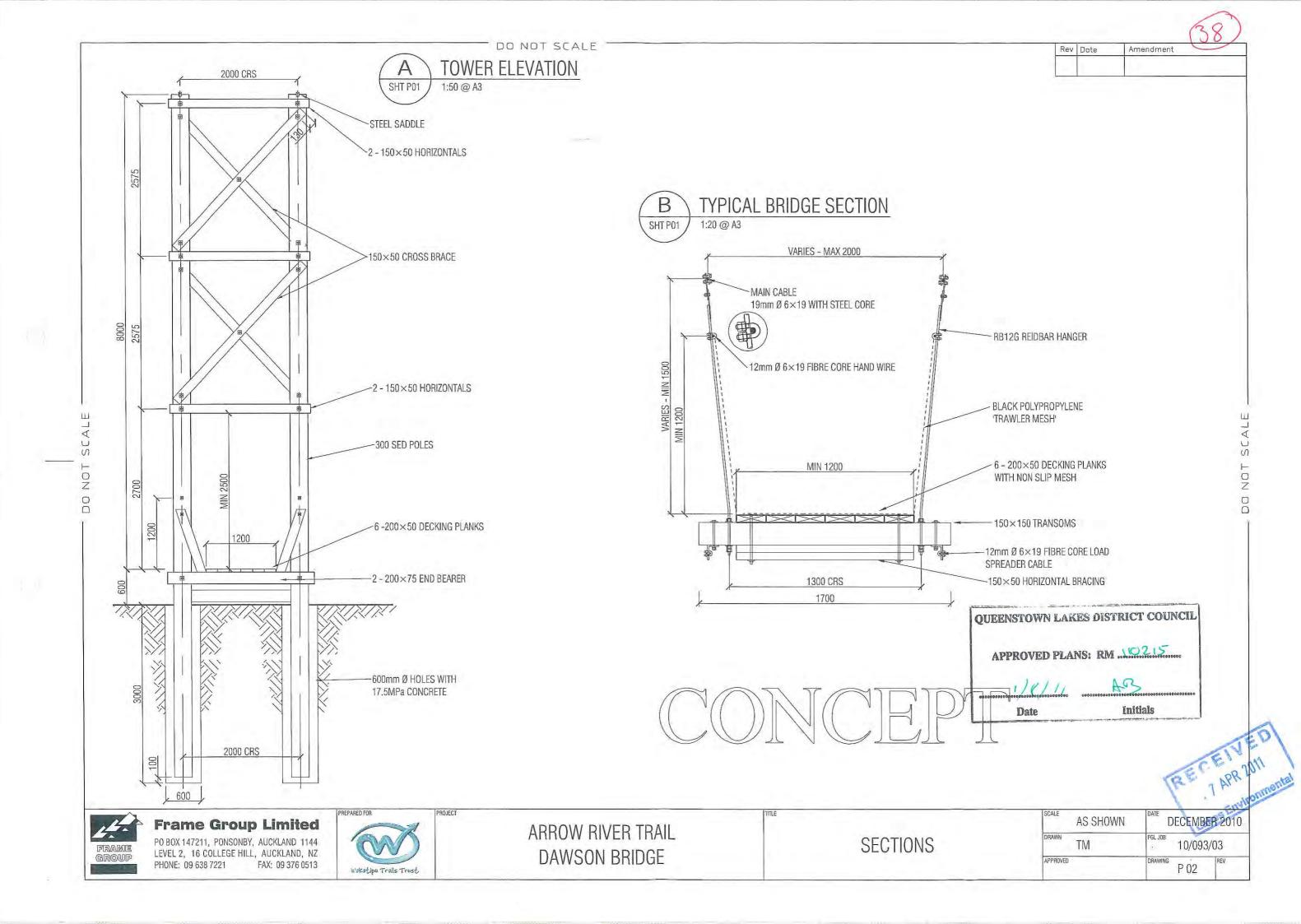






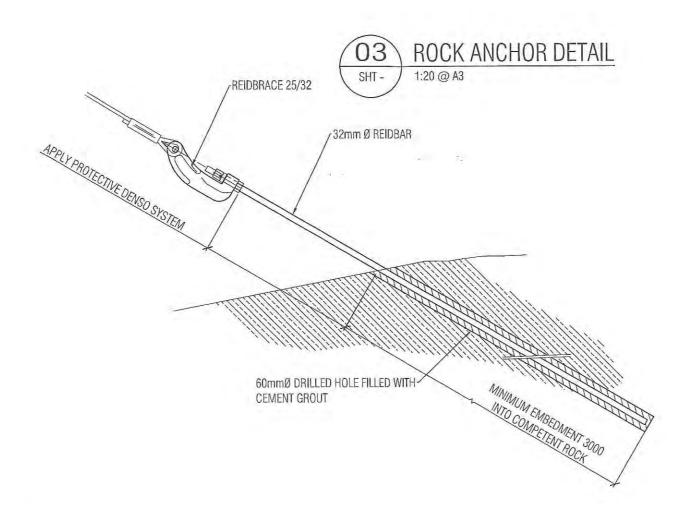






Amendment (3)

Rev Date Amendment



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CONCEPT

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Frame Group Limited

PO BOX 147211, PONSONBY, AUCKLAND 1144 LEVEL 2, 16 COLLEGE HILL, AUCKLAND, NZ PHONE: 09 638 7221 FAX: 09 376 0513



ARROW RIVER TRAIL DAWSON BRIDGE

ANCHOR DETAILS

SCALE	AS SHOWN	DECEMBER 2010
DRAWN	TM	FGL JOB 10/093/03
APPROVED	1	P 03

