

Adrian Januszkiewicz

By email: [REDACTED]

From John Edmonds
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 Matter no 25095
 Date 26 January 2026

Dear Adrian,

Zipline Options at 12 Mile, Queenstown-Glenorchy Road

District, Regional Plan and National Environmental Standard Review

We have reviewed the information you provided regarding the Zipline options at 12 Mile.

The Proposed District Plan, the Regional Plan: Water for Otago and the National Environmental Standard for Freshwater Management have been reviewed to determine if any resource consents would be required based on the information you have provided.

Overview

The Zipline activity is proposed at 12 Mile, in the vicinity of the existing commercial Canyoning activity, but not in conflict with that activity. The intent is to install a series of interconnected Zip lines so that guests can traverse from the upper reaches of the 12 Mile Creek (near the Queenstown – Glenorchy Road) down to the 12 Mile delta. This will involve installing and suspending elevated steel cables parallel to and across the 12 Mile Creek. The terms true-left and true-right describe the respective sides of the 12 Mile Creek from the perspective of someone facing downstream.

All the land where the activity is proposed to occur is Crown land, managed by the Department of Conservation (DoC). Any proposed activity, as well as associated infrastructure will require a concession from DoC. This advice is prepared in support of your application for a DOC concession and provides advice relating to any resource consent requirements which might attach to the proposed activity.

The guest experience would commence with guests and guides being delivered by mini-coach at the Mt. Crichton Loop Track carpark adjacent to the southern side of the Queenstown-Glenorchy Road. At the completion of their experience, the guest and guides would be picked up by mini-coach at the 12-Mile delta area and transported back to Queenstown. Customers will not have the option of providing their own transport.

The Zipline route generally follows the 12 Mile Creek over a distance of about 400m as drawn on the attached Restore NZ map.

	Zipline Length	Trail Length
		~300m to zip 1 from start
Zip 1	50m	40m from 1 to 2
Zip 2	30m	85m from 2 to 3
Zip 3	80m	~200m walk via sluicing channels to zip 4
Zip 4	300m	Arrive at alluvial deposit and walk ~600m to end

All of the Ziplines traverse through Crown land described as Part Section 1 SO24167 (Scenic Reserve), Section 54 Block IV Mid Wakatipu Survey District and Part Section 39 Block IV, Mid Wakatipu Survey District (Recreation Reserve NZGZ 1955, p.1573).

Ziplines, Support Structures and Cabling

Each Zipline will comprise a heavy steel cable, Zipline support structure on or near each take-off and landing platform.

The support structures will typically involve 220mm diameter steel Pipe or 300mm diameter timber posts fixed into rock, or anchored onto the surrounding trees, with back-stays.

Safety Briefing Area

A cleared area (approx. 5m x 5m) would be established at the commencement of the zip 1, to provide staff and guests with adequate space for a safety briefing. The briefing area would be either conducted on existing ground (with gravel surface if required), or on a small timber deck no higher than 1m off the ground.

Trails and Boardwalks

Where they do not already exist, trails will be formed between the Landing and Take-off platforms. Trails and boardwalks would be no more than 800mm wide. It is understood that the preference is for low impact trails to be formed, avoiding the need for earthworks where possible. Trail formation may involve placing gravel on existing ground with only minor ground disturbance. Some low impact timber-framed, gravel-infilled steps may be required to control erosion and improve user safety.

In some isolated cases, you may be advised by the heritage consultants that boardwalks need to be installed to avoid heritage assets, and/or for safety reasons, in which case they would be no higher than 600mm above existing ground level. Either 600mm deep footings will be dug for the boardwalk, or a ground-screw system will be used.

Take-off and Landing Platforms

The Ziplines will require the construction of Take-off and Landing platforms or decks. These will be at or about ground level (less than 1 m from the ground) and able to support between 2-15 persons. In some instances, where they need to be higher, between 1-2m from the ground (including handrails), the platforms will be small (less than 5m²) and able to support up to 1 -2 persons, with other customers gathering on the nearby trail or low-level deck.

The "Construction Detail" lodged in support of the application shows that the current course design provides for all platforms to be less than 1m from the ground and smaller than 5m². This means that these are not "buildings" as defined by the Building Act 2004.

A short set of stairs or short ramp may need to be provided at some take-off and landing platforms. Handrails, if necessary, and controlled access will be incorporated into the design of any above ground structure.

If trees are not used as zip connection points, poles will be used, and these will be designed to be less than 2m above ground height.

Queenstown Lakes District Council – Proposed District Plan

The sites are zoned Rural in the Proposed District Plan (PDP).

The PDP is deemed operative in respect of the Rural zone.

The additional planning map notations also apply (the implications of these notations are described further below):

- Outstanding Natural Landscape (ONL)
- Wahi Tupuna area (#16).

The following District Plan map notations do not apply:

- Designations,
- Area of Heritage Significance,
- Significant Natural Area,
- Heritage Landscape
- Building line restrictions,
- Protected trees or vegetation

The following District Plan definitions are relevant to this proposed activity.

Building	<p>Shall have the same meaning as the Building Act 2004, with the following exemptions in addition to those set out in the Building Act 2004:</p> <ol style="list-style-type: none"> a. fences and walls not exceeding 2m in height; b. retaining walls that support no more than 2 vertical metres of earthworks; c. structures less than 5m² in area and in addition less than 2m in height above ground level; d. radio and television aerials (excluding dish antennae for receiving satellite television which are greater than 1.2m in diameter), less than 2m in height above ground level; e. uncovered terraces or decks that are no greater than 1m above ground level; f. the upgrading and extension to the Arrow Irrigation Race provided that this exception only applies to upgrading and extension works than involve underground piping of the Arrow Irrigation Race; g. flagpoles not exceeding 7m in height; h. building profile poles, required as part of the notification of Resource Consent applications; i. public outdoor art installations sited on Council owned land; j. pergolas less than 2.5 metres in height either attached or detached to a building; <p>Notwithstanding the definition set out in the Building Act 2004, and the above exemptions a building shall include:</p> <ol style="list-style-type: none"> a. any vehicle, trailer, tent, marquee, shipping container, caravan or boat, whether fixed or moveable, used on a site for a residential accommodation unit for a period exceeding 2 months.
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Commercial Recreation Activity	Means the commercial guiding, training, instructing, transportation or provision of recreation facilities to clients for recreational purposes including the use of any building or land associated with the activity, excluding ski area activities.
Earthworks	Means the disturbance of land by the removal or deposition on or change to the profile of land. Earthworks includes excavation, filling, cuts, root raking and blading, firebreaks, batters and the formation of roads, access, driveways, tracks and the deposition and removal of cleanfill.
Height	Means the vertical distance between ground level (as defined), unless otherwise specified in a District Plan rule, at any point and the highest part of the building immediately above that point. For the purpose of calculating height in all zones, account shall be taken of parapets, but not of: a. aerials and/or antennas, mounting fixtures, mast caps, lightning rods or similar appendages for the purpose of telecommunications but not including dish antennae which are attached to a mast or building, provided that the maximum height normally permitted by the rules is not exceeded by more than 2.5m; and b. chimneys or finials (not exceeding 1.1m in any direction); provided that the maximum height normally permitted by the rules is not exceeded by more than 1.5m.
River	Means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal)
Waterbody	Means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area

Rural Zone – Chapter 21

The purpose of the Rural zone is described as:

...The purpose of the Rural Zone is to enable farming activities and provide for appropriate other activities that rely on rural resources while protecting, maintaining and enhancing landscape values, ecosystem services, nature conservation values, the soil and water resource and rural amenity.

A wide range of productive activities occur in the Rural Zone and because the majority of the District's distinctive landscapes comprising open spaces, lakes and rivers with high visual quality and cultural value are located in the Rural Zone, there also exists a wide range of living, recreation, conservation commercial and tourism activities and the desire for further opportunities for these activities....

Activity

The activity is defined as a Commercial Recreation Activity.

- Rule 21.4.1.3 describes Commercial Recreation activity as a permitted activity, provided it complies with the relevant standards described in Chapter 21- Table 6¹.

¹ The Table 6 standards are reproduced in Appendix 2 of this letter.

- The only relevant standards from Table 6 requires that the activity does not involve more than 15 persons in any one group (rule 21.9.1²).

The precise scale of a group of persons is not defined, so it is a plain and ordinary interpretation that would suggest maintaining a reasonable separation time between groups of clients. The suggested separation of time between groups from the materials suggests that this is compliant.

Structures, Buildings and Boardwalks

Buildings require Discretionary consent (rule 21.7.2) in the Rural zone, unless they are exempt in certain circumstances.

Structures that are less than 1m off the ground, or both less than 5m² and less than 2m above ground level are exempt. This would apply to each of the proposed take-off and landing platforms.

Any handrail around a platform or set of steps will form part of the height calculation (and may result in the structure being classified as a 'building'). Each of your structures are less than 5m² and are intended to be less than 1m off the ground. They will be exempt, even if you decide it prudent to add a handrail, (say for safety reasons) provided the overall structure remains within 2m off the ground. Accordingly, to ensure you are compliant and avoid a consent requirement, you should design platforms so they are less than 800mm off the ground, to allow for a handrail of up to 1100mm.

Boardwalks or platforms will not require resource consent if they are uncovered and less than 1m above ground level.

Other standards relating to buildings include:

- Setback at least 15m from any internal boundary;
- Setback at least 20m from a water body;
- Coloured brown, green or grey and with a light reflectance value less than 30%;
- No higher than 8m;
- Setback at least 20m from a waterbody (as located within a Wahi Tupuna area).

For clarity, where a structure fulfils any of the listed exemptions from the definition of building, the setbacks in the boundary or waterbody standards set out above do not apply. In other words, an exempt structure can be located within the 20m setback from a river as a permitted activity and not require resource consent.

Earthworks - Chapter 25

The earthworks chapter contains standards relating to the quantity and scale of earthworks relative to the location of the site. Any breach of any of the earthworks standards requires a Restricted Discretionary consent (rule 25.4.1).

In this case the Wahi Tupuna location determines a site quantity of 10m³ per site (30m³ over the 3 sites).

Other relevant standards for earthworks include:

- The maximum depth of any cut shall not exceed 2.4 metres.
- The maximum height of any fill shall not exceed 2 metres.
- Earthworks greater than 0.5 metres in height or depth shall be set back from the site boundary a distance at least equal to the maximum height of the fill, as measured from the toe of the fill, with a maximum batter slope angle of 1:3 (vertical: horizontal); or 300mm plus a batter slope angle of a maximum of 1:3 (vertical: horizontal), as measured from the crest of the cut.

² "Commercial recreational activities must be undertaken on land, outdoors and must not involve more than 15 persons in any one group."

- Earthworks within 10m of the bed of any water body, or any drain or water race that flows to a lake or river, shall not exceed 5m³ in total volume, within any consecutive 12-month period.

Our understanding from you is that the proposed earthworks to erect poles and or build platform structures will be well below the thresholds described above. You estimate that the total amount of earthworks will be 4m³. Therefore, consent will not be required.

Indigenous Vegetation Biodiversity – Chapter 33

Removal of Indigenous vegetation for trails up to 1.5m in width is permitted, provided it does not involve the clearance of trees greater than 4m high.

You have confirmed that the proposed trails will be no more than 800mm wide.

If any trees greater than 4m in height are to be removed, resource consent is required as a controlled activity. You advise that you do not intend to remove any trees over 4m high and will position your Ziplines accordingly.

It is understood that there will not be any clearance of vegetation within 20m of a bed of a waterbody. I note that discretionary resource consent would be required in that circumstance.

Wahi Tupuna – Chapter 39

The Wahi Tupuna chapter sets out area of the district that are of particular value to Maori. There are 45 areas across the district that are identified.

The Punatapu (Bob's Cove and Surrounds) is described as:

Punatapu was used as a nohoaka or staging post for mana whenua ancestors who travelled up and down Whakatipu Waimāori (Lake Wakatipu).

The manawhenua values associated with this area include:

- Whakapapa,
- Rakatirataka,
- Kaitiakitaka,
- Mana,
- Mauri.
- Tauraka waka,
- Nohoaka,
- Archaeological values,
- Wāhi tapu.

The potential threats to the values of this area are described as:

- Earthworks
- Subdivision and development
- Buildings and structures
- Energy and Utility activities

Any building within 20m of the bed of any river requires Restricted Discretionary consent (rule 39.5.3.1 (a)).

If consent is required, then the Council are limited to considering the effects on Manawhenua values.

Summary of District Council Rules

The overall activity of operating commercially guided Zipline tours is permitted provided the number of people in any one group is no more than 15. Your application is for a maximum group size of 13 customers plus two guides, so it is a permitted activity.

The suspended Zipline cables are not classified as a building, and in our view are otherwise permitted. This approach is consistent with the other past Council decisions for similar activities.

There are no hours of operation specified in the District Plan for commercial recreation activities, and the lighting standards require fixed lighting to be directed downwards and directed away from roads and adjoining sites. Where any light spoil occurs on an adjoining site, it cannot exceed 3 lux. You have confirmed that you do not intend to install any lighting on the course and intend to only operate in daylight hours.

Take-off and landing platforms that are either less than 1m off the ground, or less than 5m² and no higher than 2m – are not classified as buildings, and do not need resource consent. If either of those standards is breached - then Discretionary consent is needed. You have advised that none of the proposed structures will be buildings as defined by the Building Act 2004, so they do not require a resource consent.

The same principle applies to any support structures that might be used to support the Zipline cables.

If any boardwalk is more than 1 metre above ground level it will need discretionary consent – as they are classified as buildings. Because your proposed structures are less than 1m off the ground, no consent will be required.

There is a limit of 30m³ of earthworks across the three sites. In addition, any earthworks that occurs within 10m of the bed of a river is limited to 5m³. You are proposing earthwork removal of less than 0.384m³ at each platform, and a total of 3.696m³ across all the platforms and cable support structures, so no consent will be required

Given the advice received from Restore NZ, it is unlikely that any resource consent will be required under the District Plan for indigenous vegetation removal.

If any building is constructed within 20m of a river then consent will be needed under the Wahi Tupuna chapter. This would require consultation and written approval from both Te Ao Marama and Aukaha. As noted earlier, if a structure is exempt due to being less than 1m off the ground, or 5m² and less than 2m high, or because it is a boardwalk less than 1m off the ground – then these Wahi tupuna rules do not apply. You are not proposing any buildings within 20m from the river. So, no consent is required.

Otago Regional Council - Regional Plan: Water for Otago

The sites are not identified as containing a Regionally Significant Wetland.

It is understood that there will no works occurring with the bed of any river or stream.

The following definitions and terms are relevant under the Regional Plan: Water

Bed	<p>Means</p> <p>(a) In relation to any river-</p> <p>(i) For the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks</p> <p>(ii) In all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks...</p>
Structure	<p>Means any building, equipment, device, or other facility made by people and which is fixed to land; and includes any raft.</p>

The Regional Plan - Water includes rules relating to cables.

The establishment and use of a cable over a river is permitted (rules 13.1.1 and 13.2.1) if:

- The cable is not fixed to the bed of the river;
- No part of any cable is less than two metres above the 1 percent probability flood level;
- The cable is maintained in good repair.

Your advice is that the one proposed cable over the river will not be fixed to the riverbed and will clear the water by at least 10 vertical metres, so no consent is required.

Under the Regional Plan: water (being the only relevant regional plan), no resource consent approvals are required.

Resource Management (National Environmental Standards for Freshwater) Regulations 2020

The National Policy Statement for Freshwater Management 2020 is implemented through the Resource Management (National Environmental Standards for Freshwater) Regulations 2020. The Regional Council administer this Regulation.

The proposed activity does not trigger the need for any resource consents under these Regulations.

Summary


The proposed Zipline activity is permitted under the District Plan, Regional Plan: Water, and National Environmental Standards for Freshwater.

- Because your guided groups will be no more than 15 persons at any one time, no consent is required for the commercial operation.

- Any suspended steel cables does not appear to trigger the need for a resource consent as it is not a 'building' nor is it described as a 'structure'. If a cable need to be supported by a structure, and that structure exceeds 2m in height, then resource consent will be required for that aspect.
- Where any boardwalk or platform structure is less than 1m off the ground or where a structure is less than 5m² and less than 2m in height – then it is not classified as a building under the District Plan and will not require a resource consent.
- Your earthworks and activity related to indigenous vegetation will not trigger any need for a consent.
- Your ziplines will clear the water by at least 10m, so no consent is required under the Regional Plan.
- If resource consent is required under PDP Chapter 39 (Wahi Tupuna), then consultation and affected person approval will be necessary for local Maori groups.

If there is a rule breach, it is likely that the only affected person approval (aside from iwi in respect of ODP Chapter 39 matters) that will be required is from the Department of Conservation.

These resource consent requirements are, for the most part, in the realm of Controlled, Restricted Discretionary and Discretionary, and with those affected persons approvals, would be likely processed by the District Council on a non-notified basis.

For further information please contact me at 

Yours faithfully



John Edmonds
John Edmonds and Associates Limited

Appendix 1 Restore NZ map

Appendix 2 PDP, Chapter 21, , Table 6 - Standards for Commercial Activities