
Submission No:

**Submission Form 13
Resource Management Act 1991**

ORC File No: RM14.026
QLDC File No: RM 1140061

This is a Submission on a publicly notified resource consent application pursuant to the Resource Management Act 1991.

To: Otago Regional Council
and Queenstown Lakes District Council

Applicant Details:

Name of Applicant: **Lakes Marina Projects Limited**

Otago Regional Council

Application Number: RM14.026.01 - RM14.026.03
Type and Description of Applications: Appendix One
Location: Appendix One
Legal Description: Appendix One
NZTM 2000 Map Reference: Appendix One

Queenstown Lakes District Council

Application Number: RM140061
Type and Description of Applications: Appendix Two
Location: Appendix Two
Legal Description: Appendix Two
NZTM 2000 Map Reference: Appendix Two

Name of submitter: Lou Sanson, Director-General of Conservation

Address: 18-32 Manners Street
Wellington 6011

Statement of Submission by the Director-General of Conservation

Pursuant to section 96(1) of the Resource Management Act 1991, I, Chris Hankin, Acting Conservation Partnerships Manager Wakatipu, acting upon delegation from the Director-General of Conservation, make the following submission in respect of the above applications by Lake Marina Projects Limited for consents (the Applications) for the construction and operation of a 195 berth marina and associated infrastructure on land adjacent to and in the Frankton Arm of Lake Wakatipu.

My submission relates to all the **applications**.

My submission is:

I **oppose** the applications in their entirety.

I do wish to be heard in support of my submission.

If others make a similar submission I will consider presenting a joint case with them at a hearing.

The specific parts of the applications that my submission relates to are:

1. The lack of biosecurity measures could result in the introduction of invasive pest species, in particular exotic pest plants, to the nationally significant Lake Wakatipu.
2. The uncertain provisions for public access by walking and cycling along the margins of the Frankton Arm at the proposed marina site.
3. It is unclear if or how the applications will affect the small Frankton Marina Conservation Area.

The reasons for my submission are that:

Biosecurity

1. Lake Wakatipu has a Water Conservation (Kawarau River) Order 1997 which recognises the scientific values of its bryophyte communities (mosses). Wakatipu is also significant for recreational boating.
2. Apart from the bryophyte values which are found to a depth of 60m, Lake Wakatipu is recognized as a nationally significant lake ecosystem with some of the best aquatic plant communities in NZ if not the best. These include a rare association of aquatic plants (See Schedule 1A Natural Values Regional Plan: Water for Otago).
3. Lake Wakatipu is essentially free of exotic plants such as the oxygen weeds *Lagarosiphon major* and *Elodea Canadensis*. These exotic plants are aggressive invaders and will rapidly colonise the lake bed and will have very significant adverse effects on any indigenous aquatic macrophyte communities present.
4. Plant, machinery and materials used to construct the marina and vessels moored in the marina have the potential to introduce exotic plants to Lake Wakatipu. Once these exotic plants are introduced to the marina, vessels can then transport the plant fragments to various parts of Lake Wakatipu.
5. The failure to institute biosecurity controls is contrary to Resource Management 1991 in particular Parts 2 and 9.
6. The applications are contrary to the Regional Plan: Water for Otago as they fail to maintain and enhance the natural values of Lake Wakatipu (Objective 5.3.1) and in the first instance fails to give priority to avoid adverse effects on the Lakes values (Policy 5.4.2). The applications could allow the introduction of undesirable aquatic plants into Lake Wakatipu. With regard to *Lagarosiphon major*, its introduction is contrary to Policy 8.7.2 and is a prohibited activity under Rule 13.6.1.1.

7. The applications are contrary to the Regional Pest Management for Otago with regard to *Lagarosiphon major*.
8. The applications are contrary to the objectives and policies of the Queenstown Lakes District Plan (District Plan) as they fail to protect and enhance the nature conservation values of Lake Wakatipu. The District Plan requires that adverse effects of marina activities on the environment are avoided, and where necessary are remedied and mitigated (Chapter 4).

Public Access

9. The applications are unclear about public access by walkers and cyclist along the margins of Lake Wakatipu from Queenstown to Frankton.
10. The applications are potentially contrary to Chapter 4.6 Policy 12 of the District Plan as it fails to avoid adverse effects on public availability and enjoyment of the margins of Frankton Arm adjacent to the marina site.

Potential effects on Land managed by Department of Conservation

11. Clarification is required if the small area of Department of Conservation managed land (Frankton Marina Conservation Area) will be adversely affected by the marina. If it is affected an authorisation may be required from the Director-General of Conservation.
12. Any comments made or points raised in this submission in no way limits any decisions made under the Conservation Act 1987 (or any act listed in the First Schedule of that Act) relating to any authorisations which may be required for the described activity.

I seek the following decision from the consent authorities:

The applications be declined.

Dated at Queenstown this 19th day of March 2014.

Chris Hankin
Acting Conservation Partnerships Manager Wakatipu
Acting pursuant to delegated authority

Address for service:

RMA Shared Services
Department of Conservation
Private Bag 4715
Christchurch Mail Centre 8140
Attn: Ken Murray (kmurray@doc.govt.nz) (03 3713759)

Submission No: _____

Appendix One

Otago Regional Council
Application Number: RM14.026.01

Purpose: To disturb, reclaim, remove and place structures and deposit material on, over or under the bed of Lake Wakatipu/Whakatipu-wai-maori and Marina Creek, for the purpose of constructing a marina.

Location: Lake Wakatipu/Whakatipu-wai-maori and Marina Creek Approximately 130 metres south west of the intersection of Sugar Lane and Frankton Road (State Highway 6A), Frankton, Queenstown

Legal Description: Crown Land Lake Bed, Secs 48, 52 and 53 Blk XXI Shotover SD, Pt Sec 39 Blk XXI Shotover SD, Sec 1 SO 21582, Sec 1 SO 24208

Grid Reference: Mid Point NZTM 2000 E1262504 N50060

Application Number: RM14.026.02

Purpose: To permanently divert the flow of Marina Creek into a pipe for the purpose of constructing a marina.

Location: Marina Creek, approximately 190 metres south west of the intersection of Sugar Lane and Frankton Road (State Highway 6A), Frankton, Queenstown

Legal Description: Sec 48 and 52 Blk XXI Shotover SD

Grid Reference: NZTM 2000 E 1262425 N5006038

Application Number: RM14.026.03

Purpose: To discharge sediment to water for the purpose of constructing a marina.

Location: Lake Wakatipu/Whakatipu-wai-maori and Marina Creek Approximately 130 metres south west of the intersection of Sugar Lane and Frankton Road (State Highway 6A), Frankton, Queenstown

Legal Description: Crown Land Lake Secs 48, 52, and 53 Blk XXI Shotover SD, Pt Sec 39 Blk XXI Shotover SD, Sec 1 SO 21582, Sec 1 SO 24208

Grid Reference: Mid Point NZTM 2000 E1262504 N5006069

Appendix Two

Queenstown Lakes District Council

Consent is sought to construct a 195 berth marina, wave attenuator, associated buildings, car parking and public open space on the Frankton Marina Reserve and Lake Wakatipu, Queenstown. The marina will be constructed in two stages, with the intention being to complete Stage 2 within 10 years of the approval date. Once completed, the marina will occupy an area of the lake of approximately 240m x 200m.

The marina structure will be a floating jetty consisting of 5 stems established with pontoons and screw anchors. These stems will provide access to finger berths for craft between 8.5 to 12.5 metres in length. The wave attenuator will connect to shore at the location of the existing floating pontoon at the public boat ramp and will be constructed with large pontoons coupled together with flexible connections. (Occupation of 6.9 ha of lake bed)

An esplanade will be established between the marina and the car parking area by the construction of a retaining wall. The area between the esplanade and the marina will contain 26 single level buildings on floating pontoons, varying in size up to 108m² and intended for commercial use. The buildings have been designed with a gabled form to emulate a group of boatsheds.

On land buildings comprise an additional four 'boatsheds', and two larger (72m²) buildings for commercial use at the eastern end of the site. A public toilet block is also proposed in this location including facilities for marina members, and for the public. Overall the proposal includes a total building footprint of 1200m² excluding decking. Signage platforms of 0.5m² are proposed on the facade of each building facing the esplanade. For the building façades that face the lake it is proposed that each building be permitted only one sign containing the building number and name

The application proposes comprehensive landscaping of the site including along Sugar Lane and around the car park and includes public amenity areas such as a boulder retaining wall and steps down to the lake surface. The application addresses the treatment of the Frankton Track and provides a direct footpath route through the site or an alternative path along the esplanade involving seating and amenity areas. Public Access will be available across the marina near the pontoons and on the main marina access only with restricted access to the floating jetties.

The overall volume of earthworks proposed is approximately 18,003m³. The earthworks include diverting Marina Creek, filling the existing inlet for the car park, formation and construction of road and car park areas, construction of the esplanade, lake bed excavation and excavation for drains and underground services.

As outlined in the Queenstown Lakes District Council Public Notification