

Before an Independent Hearing Commissioner at Hurunui District Council

*under:* the Resource Management Act 1991

*in the matter of:* application RC210098 for land use consent to install  
and operate a Gravity-Based Recreation Activity within  
the Conical Hill Reserve, Hanmer Springs

*between:* **Hanmer Springs Thermal Pools & Spa**  
*Applicant*

*and:* **Hurunui District Council**  
*Consent Authority*

Summary of Evidence of Tony Douglas Milne

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Dated: 7 October 2021

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## **INTRODUCTION**

- 1 My full name is Tony Douglas Milne. My qualifications and experience are set out in my Evidence in Chief.
- 2 This summary of evidence sets out the key points within my Evidence in Chief. I have also read Transportation Evidence of Mr Raymond Edwards and Planning Evidence of Ms Vicki Barker on behalf of the Friends of Conical Hill, and I have responded to their comments.

## **SUMMARY OF EVIDENCE**

- 3 The following summary sets out the key points within my Evidence in Chief in regard to the matters raised in the Section 42A Officer's Report and matters raised by Submitters.

### **Matters Raised in the Section 42A Officer's Report**

- 4 The Section 42A Officer's Report prepared by Ms Bewley raises the following key issues with regard to landscape and visual amenity:
  - 4.1 The non-complying roof pitch of the proposed toilet and the non-complying cladding of the poles and track line.
  - 4.2 The potential effects on amenity values, particularly privacy.
- 5 I have commented on these matters in my Evidence in Chief and do not consider there to be any further matters to address. I support the inclusion of Condition 13 as recommended in the Section 42A report and consider this condition to provide adequate mitigation in terms of loss of privacy.
- 6 As stated in my Evidence in Chief, I support inclusion of Conditions 12 – 16 related to landscaping. However, I consider a slight change of wording for Condition 16 will better ensure the success of replacement planting and suggest that this condition be amended to require replanting "as soon as reasonably practicable".

### **Matters Raised by Submitters**

- 7 The submissions received during notification of the application raise the following key concerns with regard to landscape and visual amenity:
  - 7.1 Visual effects of the ride poles, lines, stop and start stations as experienced from both private residences and public places from the township and walking tracks;
  - 7.2 Landscape and visual impact of the tree removal;

7.3 Effects on residential amenity and privacy for residents in proximity to the ride; and

7.4 Effects on the peace, tranquillity, and natural amenity of the reserve as experienced by users of the walking track.

8 These matters have been addressed in the LVA and in my Evidence in Chief. I do not believe there are any outstanding landscape and visual amenity matters to address.

### **TRANSPORT EVIDENCE OF MR RAYMOND EDWARDS**

9 I have read the Transport Evidence prepared by Mr Raymond Edwards on behalf of the Friends of Conical Hill.

10 With respect to landscape and visual amenity matters, Mr Edwards' evidence identifies the potential to generate overflow on-street parking demand on residential streets in the immediate vicinity of the activity which could result in adverse effects on residential amenity.

11 As Mr Edwards notes in paragraph 56, on-street parking is a shared resource and not an exclusive resource. Mr Edwards carries on to state that *"the Flyride activity as currently proposed is highly likely to place a disproportionate parking load on the available on-street parking supply, and this will have effects upon access and residential amenity that are more likely to be 'more than minor'"*.

12 I am not an expert in transport and therefore defer to the evidence prepared by **Mr Simon de Verteuil** with regard to the potential traffic and parking outcomes. I do consider that the potential increased 'busyness' as a result of additional traffic and on-street parking does have potential to affect residential amenity. However, my view is that mitigation measures as proposed in Conditions 4 and 8, including monitoring of on-street parking and providing a strategic wayfinding plan will help to minimise potential effects.

### **PLANNING EVIDENCE OF MS VICKI BARKER**

13 I have read the Planning Evidence prepared by Ms Vicki Barker on behalf of the Friends of Conical Hill and individual submitters Gavin Martin and William Smith.

14 With regard to landscape and visual amenity matters, Ms Barker's evidence raises concern regarding potential effects on residential amenity values. At paragraph 7.35 Ms Barker outlines the potential impacts as follows:

14.1 Increase in noise at residences as a result of on-street car parking and additional people in the area in general;

- 14.2 An increase in people accessing the reserve via residential streets and especially the access at 34 Acheron Heights resulting in increase noise and privacy being compromised; and
- 14.3 Direct overlooking from the ride into residential properties.
- 15 In regard to noise and car parking, I agree that noise and an increased 'busyness' of the public street has potential to effect residential amenity values. I understand that these have been considered by **Dr Jeremy Trevathan** and **Mr Simon de Verteuil** and defer to their expertise on these potential effects.
- 16 With regard to potential privacy loss as a result of an increased number of people walking on residential streets to access the reserve, I consider privacy from a public street to be irrelevant as the property owner is able to establish a level of privacy to their own frontage that they are comfortable with.
- 17 In relation to the specific concern regarding use of the existing walking track access at 34 Acheron Heights, while it is intended that the main access to the walking track and the Flyride will be from Conical Hill Road, this access may be used by those aware of it. That being said, a wayfinding plan (as in Condition 8) should be used to establish the access from Conical Hill Road as the primary access to the Flyride. This is likely to be effective for the majority of patrons that are visiting the Flyride as it is already the most logical access point and will be reinforced with signage, and information available on the Flyride website and at the i-SITE. I consider these measures to provide adequate mitigation for the privacy of dwellings adjacent to 34 Acheron Heights.
- 18 Regarding privacy for dwellings in close proximity to the stop station, I have previously considered these effects in my Evidence in Chief and as stated above I consider Condition 13 to provide adequate mitigation in terms of loss of privacy for these properties.

### **CONCLUSION**

- 19 As stated in my Evidence in Chief and following further consideration of the matters raised in Mr Edward's and Ms Barker's evidence, I don't believe there are any outstanding landscape and visual amenity matters to address.

Dated: 7 October 2021

A handwritten signature in black ink, appearing to read 'Tony Milne', with a horizontal line extending to the right from the end of the signature.

Tony Milne