

Form 13



Submission on application concerning resource consent that is subject to public notification by Hurunui District Council

Sections 95A Resource Management Act 1991

Please do not hesitate to phone the planning section at the Hurunui District Council (ph 03 314 8816) if you require any assistance.

To: Hurunui District Council

This is a submission on an application from Hanmer Springs Thermal Pools and Spa (the applicant) for a resource consent to install and operate a gravity-based recreation activity (flyride) on the western face of the Conical Hill Reserve at 54 Lucas Lane, Hanmer Springs.

Submitter details

1. Name of Submitter *

Claire & Nigel Shatford

Please provide your full name

2. For the purposes of Section 308B of the Resource Management Act 1991: *

- I am a trade competitor
- I am not a trade competitor

3. I am or I am not directly affected by an effect of the subject matter of the submission that:

- a) adversely affects the environment; and
- b) does not relate to trade competition or effects of trade competition

*

- I am affected
- I am not affected

4. The specific parts of the application that my submission relates to are: *

The entire application. Refer to the separate submission document attached dated 5 August 2021.

5. My submission is in *

- SUPPORT
- OPPOSITION

*

Include whether you support, oppose or are neutral to specific parts of the application or wish to have them amended and provide reasons for your views. This may be provided on a separate sheet if you need more space.

Refer to the separate submission document attached dated 5 August 2021.

6. I seek the following decision from the consent authority: *

give precise details, including the general nature of any conditions sought

Decline the application.

6.1 Additional information regarding my submission

If you have any additional information please attach the files here.

SUBMISSION ON RC210098 - 40 Acheron Heights - 5 August 2021 -

FINAL.pdf

229.13KB

7. Do you wish to be heard in support of your submission *

- I do wish to be heard
- I do not wish to be heard

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

- Yes
- No

9. In pursuant to Section 100A of the Resource Management Act 1991: I request / do not request that the council delegate their functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority. *

- I request
- I do not request

11. Contact details for the submitter:

Address for service: *

22 Marble Wood Drive
Papanui
Christchurch 8053

Phone Number: *

021997199

Email: *

lovehanmer@gmail.com

Date *

05/08/2021

Note to submitter

- By using this electronic form, a copy of the submission will be sent to the address for service of the applicant automatically.
- The closing date for serving submissions on the consent authority is 5pm on the 20th working day after the date on which public notification is given (5th August 2021).
- If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in [Part 11A](#) of the Resource Management Act 1991.
- If you make a request under [section 100A](#) of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the hearings commissioner or commissioners.
- Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):
 - it is frivolous or vexatious:
 - it discloses no reasonable or relevant case:
 - it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
 - it contains offensive language:
 - it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

5 AUGUST 2021 - SUBMISSION ON RC210098 - HANMER SPRINGS FLYRIDE

Introduction

This submission has been prepared on behalf of Claire and Nigel Shatford, the owners of 40 Acheron Heights, Hanmer Springs, in relation to the publicly notified Hanmer Springs Flyride application (RC210098).

40 Acheron Heights is legally described as Lot 3 DP 80164, CB 45D/992 and is 1,508m² in area. The site is zoned Residential 1H under the Hurunui District Plan.



Figure 1 - Location Plan

The site adjoins 34 Acheron Heights owned by the Hurunui District Council. This site is legally described as Lot 142 DP 49223 and is 1,360m² in area. This site is also zoned Residential 1H and is designated by the Council for water supply (D99 - Conical Hill Reservoir). The site is a fee simple land parcel and is not held as reserve land. This lot is served by a right of way.

34 Acheron Heights is currently being used by Council as a public access to the adjoining Conical Hill Reserve, which is zoned Open Space. The Flyride application proposes to utilise this existing access at 34 Acheron Heights as a walking/biking track to the Reserve.

40 Acheron Heights is currently vacant but the submitters have designed a purpose-built retreat for their site. The retreat is designed around the concept of a couples (or singles) escape and the location was chosen because of the fact that the structure will be nestled in the forest with only the sound of birdsong. The house has been designed with a large fireplace which opens out to a living space and deck which features an outdoor bath with a view over the Hanmer Basin. Increasing utilisation of the access at 34 Acheron Heights will adversely impact on these development plans with respect to privacy and noise, and the financial investment is now also seriously undermined.

The submitters are also particularly concerned about the reality of increased general parking and traffic on Acheron Heights.

Specific submission points are detailed in the table below.

Specific Submission Points		
Specific Part of Application Submission Relates To	Oppose/ Support/ Neutral	Reasons for the submission
Utilisation of 34 Acheron Heights as a public access to Conical Hill Reserve - Loss of residential amenity value	Oppose	<p>34 Acheron Heights is currently being used as a public access to Conical Hill Reserve and includes associated signage encouraging this use. The access is also included as an existing ‘walking/biking’ track to the Reserve as part of the Flyride proposal.</p> <p>The use of 34 Acheron Heights as a public access has adverse effects on the residential amenity of 40 Acheron Heights, which is expected to increase as a result of the Flyride proposal and the increased number of people seeking to access the reserve.</p> <p>In particular, Oregon and Acheron Heights are both cul de sacs and are already subject to traffic congestion during busy times. The applicant expects increasing significant numbers of people will experience the Flyride. This is in addition to the approximate 50,000 that currently walk Conical Hill. These numbers of people will impact on residential amenity and put tremendous parking pressure on surrounding streets.</p> <p>There has been a noticeable increase in pedestrians using the access following COVID and the increase in local recreation, which has resulted in adverse noise and privacy effects in particular, as well as trespass and anti-social behaviour.</p> <p>There is also concern that providing public access to the site is a health and safety risk due to the loose terrain. The access does not appear to be in accordance with the Council’s Development Engineering Standards 2017 as they relate to right of ways and access tracks. The water reservoir and water supply are also at risk by encouraging public access.</p>
Car parking	Oppose	<p>The Addendum dated June 2021 makes no changes to the Traffic and Car Parking section of the application documentation.</p> <p>The District Plan requires on-site car parking and none is proposed.</p> <p>The activity will generate car parking demand which will impact on residential streets and residents living in proximity to the reserve, including 40 Acheron Heights, especially given the existing access at 34 Acheron Heights is proposed to be utilised as an access to the Flyride.</p>

		<p>No car parking assessment was provided with the original application, and an assessment was subsequently undertaken by Novo Group dated 12/5/21.</p> <p>The Council commissioned a peer review of the car parking assessment which was undertaken by Abley dated 8 June 2021 (it appears that this peer review is no longer available on the Council website). The peer review was a desktop assessment only.</p> <p>The findings of the car parking assessment (and in some instances peer review) are strongly opposed for the following reasons:</p> <ul style="list-style-type: none"> - The findings in the Traffic Assessment that the use of Acheron Heights is only by 'locals' is speculative; - There is a substantial increase in people using the Acheron Heights access during weekends and public and school holidays; - The predicted spare car parking capacity of 22 spaces on Acheron Heights is considered incorrect; - The Acheron Heights 'public footpath access' is residential zoned land that Council is allowing to be used as a public access. The land is owned by the Council but is not part of any HDC administered reserves, walkways, or footpaths; - No dedicated car parking areas have been considered; - The applicant has not taken into account the recommendations of the peer review with respect to installing a crossing or an additional monitoring condition. The Addendum states that the Car Parking and Traffic Assessment section of the application is unchanged, despite the findings of the peer review. In particular the peer review found that: <i>"From a parking supply perspective the proposal is generally considered acceptable, however there is a risk that parking demands exceed those stated at peak times."</i> This is a clear concession that car parking demand may exceed supply, which has not been addressed by the application, nor has the Addendum proposed any conditions of consent to address the concerns raised; - Neither the Novo Group assessment or peer review have considered the conditions of the hillside streets in winter and the safety issue that presents. The hillside streets of Oregon Heights, Acheron Heights and Alpine Avenue suffer from frost and ice coverage in winter. The Council employs a local contractor (Coughlan Contracting) to spread fine grit on the affected areas early in the mornings to mitigate hazardous conditions. The worst affected areas happen to be the popular upper reaches that are shaded by Conical Hill. During busy periods i.e.; weekends and public holidays, it is not possible
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		<p>for the contractor to access these areas due to parked cars on either side of the road.</p> <p>The application states that the adverse effects as a result of providing no car parking are no more than minor (paragraph 150). Disagree with this statement for the reasons provided above and without any dedicated on-site car parking being provided.</p> <p>Long-term full accessibility to the site is discussed in brief in the application as something that will be looked at in the future subject to being able to lease land within the Reserve. This issue should be considered now and not left to see what car parking issues eventuate as a lack of car parking will have an immediate impact on residents.</p> <p>The proposed draft monitoring condition of consent to revisit car parking in 2 years is unreasonable given the anticipated immediate adverse effects on residential amenity once the proposal is operational, and the concerns raised by the peer review.</p> <p>The cumulative effect of another adventure activity in the vicinity without car parking has also not been addressed in the application.</p>
Vehicle movements	Oppose	<p>The application states that the 20 vehicle movements per day on the site is met and therefore vehicle movements are permitted and are not considered further. However; in addition to on-site movements, there will also be off-site vehicle movements generated by the activity.</p> <p>As the application is a discretionary activity resource consent application all potential adverse effects can be considered and it is considered off-site traffic generation effects should also be considered, especially given no dedicated car parking is proposed.</p> <p>Both the Novo Group Assessment and Abley peer review do not specifically address traffic generation.</p>
Noise	Oppose	<p>There has been no consideration of the noise of visitors accessing the site by way of the surrounding residential streets and each access point. The assessment has focussed on the noise from the operation of the zipline and people on the ride only.</p> <p>A significant number of people are expected every hour and every day, including weekends. These people accessing the subject site by car and foot will generate noise effects and impact on residential amenity, especially with respect to 40 Acheron Heights given 34 Acheron Heights is proposed to continue to be used as a public access.</p>
Hours	Oppose	<p>The extensive operating hours and seven day a week operation, except Christmas Day, is considered excessive without any dedicated on-site car parking area and given access is proposed to the Reserve via residential streets and sites, including at 34 Acheron Heights.</p>

Fire risk and access for fire appliances	Oppose	Fire and Emergency NZ (FENZ) require a 4.0 metre gap for access for fire appliances to preserve property and life. Currently this is often not possible along portions of Acheron Heights when cars are parked both sides as there is no limitation on parking as compared to other nearby streets that have yellow lines. This matter has not been taken into account and presents serious risk to people and property in the event of fire.
Objectives and Policies	Oppose	The proposal is not considered to meet the Objectives and policies of the District Plan, specifically Objective 4.1 - The protection and enhancement of the special qualities of the Hanmer Basin.
No consideration of Residential Zoning in application	Oppose	The access at 34 Acheron Heights is zoned Residential and has not been assessed in the application in accordance with the Residential Zone District Plan provisions and therefore the application is incomplete.

Overall, it is sought that the application be declined as the proposal:

- i. *Will have more than minor adverse effects on the residential amenity values of local residents and will result in other more than minor adverse effects;*
- ii. *Does not meet the relevant objectives and policies of the Hurunui District Plan; and*
- iii. *Is inconsistent with the provisions of the Reserve Management Plan.*



Vicki Barker

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