

2 August 2021

To: Hurunui District Council

From: Associate Professor Ann Brower

Re: Conical Hill Flyline resource consent submission

Thank you for the opportunity to submit on the resource consent application for the Conical Hill Flyline. This submission is my own personal and professional opinion. My personal opinions are grounded in my love for the quiet splendour of the forests of Conical Hill, and as **owner of 85 Conical Hill Rd.**

My professional opinion is based on 15 years of experience **lecturing environmental science and resource management at University of Canterbury** (2018-current) and Lincoln University (2006-18). I have a PhD in environmental science from the University of California, Berkeley, and a Masters in Forest Science from Yale University. Though I am giving my professional opinion, I represent neither the University of Canterbury nor its School of Earth and Environment.

I represent no one but myself (though I have some confidence that our cat agrees with me).

My professional concerns are:

- 1) **Unacceptable loss of the natural quiet and amenity values for thousands of visitors** to Conical Hill. The Conical Hill Walkway is the most popular walkway in North Canterbury, enjoyed every day of every year for generations. The flyline proposes to treble the number of visitors to the walkway. Any airborne activity will inspire screeches, squeals, and screams. **This noise, and the towers and other infrastructure for the zipline, will irreparably alter the natural and historic character of Conical Hill.** Both the natural character (including outstanding landscape features and habitat of rare indigenous geckos) and historic heritage (survey point for the surveyor for whom the town is named) meet the RMA's section 6 standard for 'matters of national importance'.¹ It is unacceptable to sacrifice Conical Hill, when there are plenty of other hills around Hanmer that could easily host a zipline. I suggest Chatterton Park as a better location, with much lower impact on public enjoyment of a well-loved taonga.
- 2) Removal of trees and building flyline infrastructure on a steep slope risk **increasing the landslip hazard** of Conical Hill, jeopardising **public safety of visitors** on the popular walkway and **posing significant risk to neighbouring homeowners**. Since 2017 amendments, the Resource Management Act includes natural hazards, such as subsidence and landslip, as '**matters of national importance**'.² Section 6(h) says that anyone proposing to do anything with land must provide for the management of **significant risks from natural hazards**. I am not convinced that the HDC has adequately addressed the increased natural hazard risks to neighbouring property owners and to the users of the walkway. By increased natural hazard risk, I mean the heightened risk of landslip and subsidence caused by removal of trees and building towers and the base station for the flyline. In failing to address the increased natural hazard risk to the walkway and its neighbours (of which I am one), I think that if HDC were to allow this resource consent it would **fail to live up to the clear obligations to attend to this matter of national importance and violate RMA section 6(h)**.

¹ <https://www.legislation.govt.nz/act/public/1991/0069/226.0/DLM231907.html>

² <http://www.environmentguide.org.nz/rma/principles/section-6-matters-of-national-importance/>

- 3) While on the topic of matters of national importance, Conical Hill meets several other Section 6 standards for ‘protection from inappropriate subdivision, use, and development’ – significant fauna habitat (Section 6(c)), historic heritage (section 6(f)), and outstanding natural features and landscapes (section 6(b)). I am concerned that approving this consent will **not adequately protect these three section 6 matters of national importance**.
- 4) While on the topic of significant indigenous fauna habitat that section 6(c) obligates councils to protect, I turn now to rare and endemic geckos that live on Conical Hill. The heart of the RMA lies in the purpose and principles of Part 2. There is a clear hierarchy requiring all of the team of 5 million to first *avoid* adverse environmental effects on the environment; if avoidance isn’t possible, then we are to *remedy* the effects; if still not possible, then we are to *mitigate* (section 5(2)(c)). Plans to re-home the geckos **clearly violate the RMA’s avoid-remedy-mitigate hierarchy, by skipping the avoid and remedy and going straight to mitigate**. Further, there is much evidence from New Zealand and overseas that such attempts to offset biodiversity and habitat loss on Conical Hill by moving and re-homing threatened geckos succeed only at perpetuating biodiversity loss while allowing development to proceed.³

In sum, it is my professional opinion that:

- a) Granting this consent would perpetuate critical loss of rare geckos, natural quiet, and a well-loved walkway with regionally important historic significance. The environmental effects of this are irreparable, even if the business venture fails. As such, to grant any portion of this resource consent would **violate both the letter and the spirit of section 6’s requirement to protect matters of national importance from ‘inappropriate subdivision, use, and development’**.
- b) The flyride proposal forgot the first step in the **avoid-remedy-mitigate hierarchy** at the heart of the RMA. The HDC should decline the consent to **avoid** the adverse effects. it should recommend that the proposers **look at alternate sites for a zipline** that would avoid adversely affecting all aforementioned matters of national significance that the RMA requires us to protect from inappropriate development. Hanmer has plenty of other hills on offer without gecko, and without the natural hazard to people and property concerns.

I also have **personal concerns**, as a neighbouring property owner. These include:

- 1) **Traffic and parking:** our house looks onto Conical Hill Rd, and the driveway comes off of Alpine Avenue. I am very concerned about the proposal’s failure to address parking concerns. Conical Hill Rd is deceptively steep to walk up. People will drive to the bottom of a flyride. And they will park near or possibly in my driveway. That pushes a large part of the cost and environmental effects of the proposal off onto neighbouring homeowners. That is both unfair and unkind, which is why it is unusual in the extreme for a proposal to be exempt from concerns about parking and traffic. Any exemption from parking concerns forces me and my neighbours to indirectly subsidise the flyride.
- 2) **Noise:** High pitched noises from a height travel, and are stress-inducing. I was seriously injured in the 2011 Christchurch earthquake, and 12 people died beside me.⁴ Screams do not trigger happy memories for me. Sensitivity and stress-responses to noise are common in

³ (Walker, Brower, Stephens, Lee (2009) “Why biodiversity barter fails” *Conservation Letters*. Vol 2, pp 149-157).

⁴ <https://www.nzherald.co.nz/nz/the-big-read-the-only-survivor-of-13-from-a-dark-place-to-parliament/Z5LOYO7G5ZI7NNKWA64EHEMI5U/>.

post-traumatic stress disorder. Suffice it to say, even a decade later, **hearing screams incites a stress-response** in me. I am very concerned about the noise effects of a flyride.

I ask the HDC to **decline the resource consent** for the proposed flyride activity, in its entirety. I wish to be heard. Thank you for the opportunity to air my concerns, both personal and professional. I look forward to speaking to my submission.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann Brower".

Ann Brower
Associate Professor of Environmental Science, University of Canterbury
85 Conical Hill Road
Hanmer Springs

Ann.brower@canterbury.ac.nz