

When replying please quote: 910/150/9/1 W Heerdegen

19 December 2011

Southland District Council  
PO Box 903  
15 Forth Street  
Invercargill 9840

Attention: Roy Hammond

Dear Roy

**Resource Consent Application 11/134 - Around the Mountain Cycle Trail - Request for Further Information**

Thank you for your requests for further information in relation to the resource consent application for the Around the Mountain Cycle Trail. Set out below are responses to your requests.

Included in the responses and attached to this letter are:

Maps

- Map 20 - Amended to add DOC Lincoln Hut at base for location purposes only.
- Map 27 - Amended ratepayer notification buffer area (blue dashes) changed by altering locations of toilet and shelter on Map 28.
- Map 28 - Shelter and toilet has been moved 150m from previous position, associated notification buffer area altered also.
- Map 32 - Labelled DOC Oreti Hut 50m from map frame (just outside map extent), for information purposes only.
- Map 41 - Gravel extraction site GE12A has been moved 500m downstream from previous location, associated notification buffer area altered also.
- Map 63 - Amended to identify a Hazardous Activities and Industries List (HAIL) site on 120 Flora Road, Lumsden that is opposite where the cycle trail enters Lumsden on Marcion Street, for information purposes only (note site does not form part of cycle trail).

Reports

- Addendum 1 and 2 to the Landscape and Visual Assessment Report by Blakely Wallace Associates. Addendum 1 has previously been provided to SDC in response to a prior information request.
- Addendum 1 to Aquatic Ecology Report (MWH) providing an assessment of effects of rock groyne at Map 23A for Option B.
- Special Tribunal Report on a Water Conservation Order application for the Oreti River, November 2007.
- Amended Consent and Consession Application to include Rule WAT.4 – Structures and Buildings

## Southland District Council Further Information Request

### *Request*

1. Council seeks more detailed assessment of:
  - the potential effects of the construction of the cycle trail and structures
  - the potential effects of the physical structures
  - and the potential effects of the use of the track on angling amenity
  - Council seeks a more detailed assessment of how these potential effects can be avoided, remedied or mitigated.

### *Response*

Please find attached Addendum 2 to the Landscape and Visual Assessment Report by Blakely Wallace Associates providing further information and assessment of the potential effects of the construction of the trail, potential effects of the physical structures and the potential effects of the use of the track on angling amenity.

In addition the construction phase of the trail may have some minor effect on water clarity however these effects like those of didymo would only be for short periods of time and not have a lasting impact, thereby preserving angler amenity.

### *Request*

- 2.1. Provide a more detailed assessment of the visual effects of the proposal on the angling experience and the sense of wilderness and remoteness in the Upper Oreti Valley.

### *Response*

Please find attached Addendum 2 to the Landscape and Visual Assessment Report by Blakely Wallace Associates amended Landscape Report considering the visual effects of the proposal on the angling experience and the sense of wilderness and remoteness in the Upper Oreti Valley.

In addition we note that the report of the special tribunal on a Water Conservation Order for the Oreti River directly considers the **wild and scenic values** of the upper Oreti River<sup>1</sup>.

The directly relevant section of the report is set out below.

- 200. The upper Oreti is certainly a visually impressive valley. Formed by a glacier, it is conspicuously U-shaped, surrounded by mountains that are clad by beech forest at lower altitudes giving way at higher altitudes to sub-alpine vegetation and bare tops. The river itself is visually quite striking, particularly with regard to its classic pool-riffle-run reaches and for its remarkably clear waters. We can well imagine that to a trout angler or other visitor the river and its valley may for very good reason appear to be scenically outstanding. Indeed, many of the anglers who spoke to us said as much.
- 201. We do not consider that the upper Oreti catchment can be described as “wild”. There are several reasons for this. Much of the upper valley is easily accessible by

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<sup>1</sup> Page 33, 5.1 Wild and Scenic Values, Special Tribunal Report on a Water Conservation Order application for the Oreti River, November 2007.

road. Many of the flats beside the river are farmed, albeit extensively and the riverbed is in places accessed by grazing stock and encroached upon by introduced weed species such as gorse and broom. The river itself is an unconfined single-thread channel, with no rapids or waterfalls between narrow rock buttresses that make river channels appear “wild”<sup>13</sup> (the upper Mohaka, Rangitikei and Motu rivers being very good examples).

- 202. In a comparative context we also consider that the scenic values are nothing particularly out of the ordinary. There are many similar headwater river systems to the east of the main divide of the South Island that in our view have greater wild and scenic values than those of the upper Oreti. Many of these river valleys are already protected in perpetuity by being part of National Parks (good examples being the headwaters of the Waimakariri Catchment in Arthur’s Pass National Park, the Travers, D’Urville and Sabine Rivers in Nelson Lakes National Park, and the Greenstone and Caples Rivers in Fiordland National Park).
- 203. **Accordingly we do not find the upper Oreti catchment to have outstanding wild and scenic values as, to quote the Environment Court, it is not in our view “quite out of the ordinary on a national basis”.**
- 204. The lower river certainly has no notable scenic values. It is a typical semi-braided river running across the relatively flat Southland Plains. It is like many other similar rivers in the south and east of the South Island.

#### *Request*

2.2. Provide a more detailed assessment of the following:

- 2.2a. The potential adverse effects of the proposed suspension bridge reference SUB 223 on the natural character of the area including the river and how these potential effects could be remedied or mitigated.
- 2.2b. The potential adverse visual effects of the proposed WC and shelter on the Three Kings landscape feature shown on Map 28 and how these potential effects could be remedied or mitigated. There appears to be alternative sites in the immediate vicinity that may be more appropriate. For example there appears to be an opportunity to site the WC and shelter proposed at Three Kings on top of a terrace approximately 150 metres north of their proposed position.
- 2.2c. The potential adverse visual effects of the proposed track works along the toe of the slopes in the Lincoln Hill to Windy Hill area (Option A), particularly when viewed from the opposite bank, and how these effects could be remedied or mitigated.

In particular, with regard to the sections of the track that run immediately adjacent to the river along the toe of the slopes in the Lincoln Hill area (Map 23A – 26) it is apparent that the slope of the ground in certain places is severe and certain areas of ground appear to be unstable. I am concerned that insufficient regard has been given to these ground conditions where they exist and that the actual works to form the trail and stabilise the land down-slope and up-slope of the trail bed, even where rock groyne are to be sighted, will be more substantial than proposed in the application and with greater potential for adverse visual effects. Please consider this issue further and if necessary provide more detailed information to Council on the construction of the trail where the slope is severe and the ground is unstable.

#### *Response*

- 2.2a Please find attached Addendum 2 to the Landscape and Visual Assessment Report by Blakely Wallace Associates which at Page 4 under the heading **Section 7: Windy Hill to Oreti Bridge crossing** provides a detailed assessment of the visual effects of the proposed suspension bridge reference SUB 223.
- 2.2b Please find attached a revised Map 28 showing new location for the proposed WC and Shelter to a more appropriate site that has a lower visual impact.

The NZTM2000 coordinates to the subject site are:

Asset 193U – Shelter:  
1219880, 4955833

Asset 193V – Toilet:  
1219884, 4955829

- 2.2c The rock groyne and its face will be visible to a person standing on the river bed, however the track will not be visible. The rock groyne/stopbank/riprap is necessary as slippage is coming from the bottom from wash in via the river. The slippage is not from the top. The rock groyne/stopbank/riprap will stabilise the bank from the bottom removing most erosion risks, there may be occasional slippage caused by inclement weather, although this slippage will be minor and easy remedied.

Works required to create the rock groyne are not understated, whilst heavy machinery is required, this will be for a short period of time.

#### *Request*

- 2.3. Provide a response to Mr Petrie's concerns about the potential impact of the track construction on the beech forest and the slow rate of growth of remedial planting proposed for the reinstatement of the gravel extraction sites.

#### *Response*

Please find attached Addendum 2 to the Landscape and Visual Assessment Report by Blakely Wallace Associates in particular Page 4, heading **Potential impact on beech forest** and Page 5 **Slow growth rate of remedial planting proposed for the reinstatement of the gravel extraction sites**.

#### *Request*

3. Please provide further clarification in writing to Council in respect of construction timing and duration for the section of the cycle trail within the Upper Oreti Valley. Please also clarify the types of machinery to be used in the construction and how this machinery will be transported into the valley - for example what does 'standard road building equipment' mean?

#### *Response*

Construction for the trail in the upper Oreti would be through February, March and April outside of fish spawning and bird breeding seasons.

Annual trail maintenance is anticipated to occur during spring time (approx September to end November). The track will be inspected four times a year for the first three years and then twice a year subsequently in particular for weed investment.

Light machinery up to 5 tonne digger may be utilised from time to time. By ensuring a good track is developed at the start it is not anticipated that significant maintenance will be required.

It is anticipated all maintenance machinery will be cleaned and inspected, there may need to be some river crossing needed but anticipate this will be infrequent, we note that other recreational users already cross the river now by four wheel drive vehicles. Any disturbance to water quality will be very localised and minor. The alluvial gravel/cobble bed of the river quickly disappates any disturbance.

Contractors will have to submit a management plan of cleaning vechicles for entering and exiting the conservation park.

Equipment size will depend to a degree on which contractor is the successful tenderer for track construction. It is anticipated that 5 to 12 tonne diggers and light tandem wheel trucks will be utilised. It is anticipated that heavy equipment will be used to install the rock groynes/stopbanks/riprap. All equipment will be washed and inspected as per standard conservation department procedudres before entering conservation park.

#### *Request*

4. Please provide further clarification in writing to Council in respect of track maintenance including frequency of maintenance, how inspections will be undertaken, what machinery will be involved and how this machinery will be transported into the valley?

#### *Response*

Annual trail maintenance is anticipated to occur during spring time (approx September to end November). The track will be inspected four times a year for the first three years and then twice a year subsequently in particular for weed investment.

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Equipment size will depend to a degree on which contractor is the successful tenderer for track construction. It is anticipated that 5 to 12 tonne diggers and light tandem wheel trucks will be utilised. It is anticipated that heavy equipment will be used to install the rock groynes/stopbanks/riprap. All equipment will be washed and inspected as per standard conservation department procedudres before entering conservation park.

#### *Request*

5. Please find enclosed a copy of the submissions made by Cameron Kerr and Parawa Farmlands Limited in respect of impact of the cycle trail on farming operations and conversely the impact of the farming operations on users of the cycle trail. In particular, following a meeting with these landowners on 12 October 2011, the landowners are proposing alternative routes to the trail which would have only minor impact on farming operations, ensure the security of stock, equipment and buildings on those farms and secure the health and safety of cyclists using the cycle trail. Please confirm in writing to Council how you propose to address the concerns raised by these parties.

*Response*

Council has developed a series of options for those farms and is holding further meetings to discuss these options with Cameron Kerr and Parawa Farmlands Limited. Enclosed is a copy of the maps with alternative options being considered.

*Request*

6. Please find enclosed the submission made by Environment Southland. Please address in writing to Council the matter raised in Point 2 of the letter from Environment Southland.

*Response*

The HAIL site identified by Environment Southland at 120 Flora Road, Lumsden (defunct Lumsden Timber Products plant) does not form part of the trail, but is opposite from the Marcion Street intersection where it is proposed for the trail to enter Lumsden. An amended Map 63 has been prepared (attached) identifying 120 Flora Road as a hail site. Should there be any further cycle trail development in the future the location of this HAIL site will inform route design.

*Request*

7. Please find enclosed the submission made by the New Zealand Transport Agency (NZTA). Please address in writing to Council the matters raised by the NZTA. I recommend you contact NZTA to discuss its submission further.

*Response*

Further discussions are occurring with NZTA to confirm transit crossing and safety related issues where the trail enters, runs parallel to, or exits the State Highway.

*Request*

8. Please find enclosed a copy of Rule WAT.4 of the Operative Southland District Plan. Please amend the 'Consent and Concession Application Document' to incorporate Rule WAT.4 within the matters considered by Section ii 'The Southland Council District Plan'.

*Response*

Please find an amended Consent and Concession Application Document which incorporates Rule WAT 4 within matters considered by Section ii 'The Southland Council District Plan'

*Request*

9. Please confirm in writing to Council whether or not you require me to organise a pre-hearing meeting pursuant to Section 99 of the Resource Management Act, and that you agree to meet the cost of an independent facilitator.

*Response*

A pre hearing meeting is not considered necessary as a series of meetings have already been held with stakeholders both allowing issues to be raised and discussed. It is not considered that any new information or change in positions would come forward from a pre-hearing meeting. Specific meetings have been set up with NZTA, Cameron Kerr and Parawa properties.

*Request*

10. Please confirm in writing to Council that you agree to meet the Commissioner's full costs for the site visit and hearing.

*Response*

We confirm that we agree to meet the Commissioner's full costs for the site visit and hearing.

Wayne Heerdegen  
**SENIOR POLICY ANALYST**