

SUBMISSION ON NOTIFIED APPLICATION CONCERNING RESOURCE CONSENT

(Form 13)

Section 95A Resource Management Act 1991

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

03 440 0056

Info@codc.govt.nz
www.codc.govt.nz



To: The Chief Executive
Central Otago District Council
PO Box 122
Alexandra 9340

DETAILS OF SUBMITTER

Full name: Central Otago Heritage Trust

Contact person (if applicable):

Derek Graye Shattky

Electronic address for service of submitter: grayeshattky@gmail.com

Telephone: 0274 995 141

Postal address (or alternative method of service under [section 352](#) of the Act):

10 Coulson Place

Alexandra

This is a submission on the following resource consent application: RC No: **210226**

Applicant: **Matangi MTB Park Limited** Valuation No: **2846222601**

Location of Site: **160 Graveyard Gully Road, Alexandra**

Brief Description of Application: **Land Use Consent to establish a Mountain Bike Park and on a Pastoral Lease area.**

The specific parts of the application that my submission relates to are:
(give details, attach on separate page if necessary)

Heritage - please refer to attached submission

This submission is: *(attach on separate page if necessary)*

Include:

- *whether you support or oppose the specific parts of the application or wish to have them amended; and*
- *the reasons for your views.*

please refer to attached submission

We seek the following decision from the consent authority:
(give precise details, including the general nature of any conditions sought)

Heritage matters in relation to the proposed development

please refer to the attached submission

I support/oppose the application OR neither support or oppose (select one)

I wish / do not wish to be heard in support of this submission (select one)

I am am not* a trade competitor for the purposes of [section 308B](#) of the Resource Management Act 1991 (select one)

*I/We am am not (select one) 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 the effects of trade competition.

**Delete this paragraph if you are not a trade competitor.*

*I We will consider presenting a joint case if others make a similar submission

**Delete this paragraph if not applicable.*

I request do not request (select one), pursuant to [section 100A](#) of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or

more hearings commissioners who are not members of the local authority. “See note 4 below as you may incur costs relating to this request.”



09/09/2021

Signature

Date

(to be signed by submitter or person authorised to sign on behalf of submitter)

Notes to submitter

1. If you are making a submission to the Environmental Protection Authority, you should use [form 16B](#).

The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.

2. You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.
3. 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.
4. 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 will be liable to meet the additional costs of the hearings commissioner or commissioners, compared to our hearing panel. Typically these costs range from \$3,000 - \$10,000.
5. 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.

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To: The Chief Executive
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PO Box 122
Alexandra 9340

DETAILS OF SUBMITTER

Name: Central Otago Heritage Trust
Contact: Derek Graye Shattky
E-mail: grayeshattky@gmail.com **Tel:** 0274 995 141
Address: 10 Coulson Place. Alexandra

This is a submission on the following resource consent application: **RC No:10226**

Applicant: Matangi MTB Park Ltd **Valuation No:** 2846222601

Location of Site: 160 Graveyard Gully Road, Alexandra

Brief Description: Land Use consent to establish a Mountain Bike Park and on a Pastoral Lease Area

Our Submission

We draw both the District Council and the applicant's attention to the numerous examples of historic heritage known to exist across the landscape on which it is proposed to create the Matangi MTB Park. Some recorded, but much unrecorded including evidence of early human history (features of potential significance to Maori), remnant pastoral heritage features, water races and dams, gold workings, miners' huts, and wagon trails. None of these sites have yet been surveyed or assessed but together, they provide valuable insights into the early days of Central Otago's settlement, historic transport links, early pastoral farming, goldmining and Alexandra's early town water supply.

Application Information

The COHT notes that the application has been submitted without a heritage or archaeological assessment to support the statements that the proposal has nil impact on heritage features or archaeological features. The COHT considers that such an assessment should be performed in order to make an appropriate decision under the Resource Management Act 1991. Heritage and archaeological assessments are necessary to inform the appropriate resource consent conditions and ensure that unnecessary duplication of consent conditions with any requirements of the Heritage New Zealand Pouhere Taonga Act 2021 are avoided.

Scope of application

We note the bike park has a landscape designation of ONF (Outstanding Natural Feature) for the front faces east of Alexandra and SAL (Significant Amenity Area) for the landscapes beyond the ONF. The remaining significant array of regenerating indigenous flora and fauna is part of our environmental and landscape heritage and requires an appropriate survey to fully assess the effects arising from the unconsented

development of the existing trails. This will ensure that the cumulative effects on significant landscapes are appropriately managed. We encourage the Council to consider whether the application scope should include retrospective approval for the existing unauthorised trails.

The Trust also notes that the use of interpretive panels for heritage items while not proposed as part of the consent application, would assist park users to appreciate the heritage and archaeological features.

Heritage elements

The application proposes using the channels of a water race as a part of the new trails. The applicant does not describe whether this will include modification of the channel by filling the water race with earth and rocks or otherwise armouring the channel. From the information provided it cannot be determined what impact will occur to this heritage feature. The Trust strongly supports the preservation of these water races, either by ensuring that base materials are protected from wheel tracks or alternatively they be excluded from the proposed trail network so that their form and structural integrity is not compromised or damaged.

We note too that the historic Tucker Hill diggings lay within the area proposed as a car park while other historic gold workings, miners hut sites, historic wagon trails and pack tracks are also likely to be impacted by the proposed bike trails.

From a historic heritage perspective, it is quite clear that the precursor to any development of this historic landscape should be an assessment and recording of its heritage values; the consequent heritage impact report will provide valuable guidance enabling both the applicant and the CODC to better assess the proposal considering requirements to prevent, avoid or minimise damage to historic heritage.

COHT appreciates the proposal to position structural elements of the park away from skylines and ridgelines and for similar reasons, requests that a condition of consent require that structural elements not be placed adjacent to or intrude on historic heritage features or archaeological sites.

Positive Benefits of the Application

COHT makes no comment on the matters concerning the applicant's statements regarding the legality of public access across Crown Pastoral Lease Land. However, the Trust considers that improving and enhancing access to heritage and archaeological features would be a positive benefit to the region. Placing the trail within a heritage landscape will encourage public engagement with the layers of Central Otago's heritage legacy, particularly if interpretive panels, not proposed as part of the consent application, were placed to explain heritage features.

Trail design will be crucial, requiring sensitive alignment on and around historic heritage elements and the trail footprint take account of useage and the possibility of required upgrades which will not modify or compromise heritage elements. To that end it is essential that the Council require that the trail design and development be overseen by a suitably qualified landscape architect with specific experience of developing public access to sensitive landscapes and heritage sites.

Environmental and heritage interests are both likely to benefit from the on-going management of water and vegetation along the bike trails and around heritage sites; to that end, COHT requests that Council require the applicant by way of a consent condition, to prepare and implement a heritage site management plan which will be subject to periodic independent audit.

Conclusion:

COHT neither supports or opposes the application: while considering the positive aspects of the activity described in the application we consider it essential that an archaeological survey and heritage assessment be completed before the Council makes its decision. Additionally, heritage and archaeological features should be protected from modification and damage with appropriate consent conditions also taking account

of the placement of structures in relation to heritage features, appropriate trail design and development expertise and the on-going management and maintenance of historic heritage.

The COHT wishes to be heard regarding this submission.

We are not a trade competitor for the purposes of section 308B of the Resource Management Act.

We are not directly affected by an effect of the subject matter of the submission that adversely affects the environment.

We will consider presenting a joint case if others make a similar submission.

I do not request that you delegate your functions, powers, and duties to hear and decide this application to hearing commissioners who are not a member of the local authority.

A handwritten signature in black ink, appearing to read "D. Shattley". The signature is written in a cursive style with a large initial "D" and a long, sweeping underline.

7 Sep 2021