

BEFORE THE SOUTHLAND REGIONAL COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of application for resource consent for the
Lake Te Anau to Manapouri multi use trail

BY **THE FIORDLAND TRAILS TRUST**
Applicant

BRIEF OF EVIDENCE OF DAVID BONIFACE

26 May 2020

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1. My full name is David John Boniface.
2. I am a semi-retired civil engineer with extensive experience in asset and project management having lived most of my life in Southland. I currently split my time between Invercargill and Te Anau.
3. I am a trustee of the Fiordland Trails Trust. I am authorised by the Trust to give this evidence.
4. The Trust is an incorporated charitable trust under the Charities Act 2005 (registration 2016799). It is responsible for the construction of the Lake 2 Lake Trail between Te Anau and Manapouri. It has entered into leases and other legal agreements with landowners, including the Crown, for the alignment of the Trail and is responsible for its upkeep and maintenance. The Trail is free to use by locals and visitors alike.
5. The purpose and objects of the Trust include:
 - (a) To promote, plan, fund, develop and establish a functional high quality interconnected network of trails for walking, hiking, cycling, and mountain biking and any similar non-motorised recreational leisure activities.
 - (b) To establish, implement and manage a system for the purpose of seeking, raising and managing funds for the purposes of planning, development, maintenance and operation of trails.
6. In 2010 the Trust commissioned a feasibility study for an initial section of trail from Te Anau travelling south toward Lake Manapouri . It raised funds, obtained permissions and commenced construction of the initial 10km in 2015/16, leading to the opening of Legs 1 and 2 from Te Anau to Queens Reach. Further leg construction has progressed each subsequent construction year and in 2019 the Trust commenced planning and construction of a trail from Te Anau to Te Anau Downs. Leg 6 of the Trail is the subject of this resource consent application.

Trustees and Trust Structure

7. All of the trustees are volunteers. The Trust has within its nine trustees a competent professional group who have effectively managed within time, budget and to a high standard the construction of 5 of 6 legs of the Lake 2 Lake Trail and leg 1 of the Te Anau Downs Trail. As well as

managing the construction and acquisition of interests in land for the Trail, the Trustees other key function is fundraising to fund the construction and maintenance of the Trail.

8. The Trust is highly motivated to provide residents and visitors to the Te Anau Basin with high quality trails. We are providing the community with an asset that is the largest public project since the Kepler Track was developed by DOC in the 1980s.
9. We are hugely encouraged by the use of the Trail. It has become a destination in its own right. Counters are in place along each leg of the trail and the following is a summary of use since the counters were installed in 2017.

Lake2Lake Trail User Summary and 2019 Counts							
Initial Counters placed in Feb 2017							
Leg 1, Te Anau to Control Structure	Leg 2, Control Structure to Queens Reach	Leg 3, Queens Reach to Rainbow Reach	Leg 6 Supply Bay Rd to Manapouri				
Counter 1	Counter 2	Counter 3	Counter 4	Counter 5		Counter 6	
Wildlife Park	Tui Bay	Yerex Reach	Queens Reach	Mt York Road	(6mths only)	Manapouri	
10 months of 2017	33834	16787	7872	6496	4223	Nil	
Peak Month (Dec)	5960	3226	930	894	985	Nil	
Low Month (August)	1310	548	376	514	335	Nil	
			(Discontinued)				
Total per counter 2018	45107	23769	17424	8758		6129	Commenced June 2018
Peak Month (Dec)	7862	3924	1876	1978		1486	
Low Month (August)	1383	609	201	196		318	
Total per counter 2019	39772	20094	10392		7042	9136	
Peak Month	6074	2933	2042		889	1262	
Low Month	1446	877	365		165	362	

10. As a Trust we are immensely proud of our achievements to date, which includes not only the construction of over 28 km of trails but other tangible and associated benefits such as:
 - (c) Management of a \$30,000 noxious plants eradication programme with DOC and volunteers adjacent to Leg 6.
 - (d) Ongoing noxious weed eradication and management along the Trail.
 - (e) An ongoing programme planting native species adjacent to the Trail.
 - (f) Educational programmes with local schools and environmental groups.

Economic Benefits of the Trail

11. Similar to what has been seen in other parts of the country, at least three businesses have started up in Te Anau to service the demand for cycling the Trail by providing guided tours and bike hire. Businesses in Manapouri have reported to us that they have increased visitor numbers arising from the use of the Trail.
12. An economic assessment of the financial viability of the Trail has been undertaken by Trust member Haylee Preston. This study estimates the economic contribution to Fiordland at \$1,768,000 per annum, with a total cumulated contribution in the next 5 years of \$7,013,000. These figures equate to direct expenditure by trail users and do not include expenditure of additional employees and their families coming into the region or expenditure on construction of the Trail and of the contractors involved in the project.

Leg 6 Description

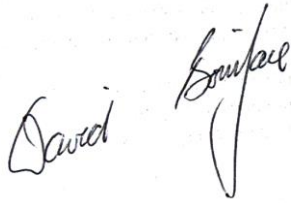
13. Leg 6 of the trail is 4.7 km long and is between Supply Bay Road, just to the south of Te Anau Airport, and the Manapouri Township. It has views out over Lake Manapouri from its raised sections and then, for about half of its length, runs along the foreshore.
14. At this time the Trail (travelling south from Te Anau) terminates at Balloon Loop which is about half way along the Waiau River. At that point there is a 4.5km detour along State Highway 95 and Supply Bay Road to where Leg 6 begins.
15. The part of the Trail that this application relates to is 35 metres long and is located a little over half way along Leg 6, just under 1 km from Frasers Beach Reserve, shown on the plans attached to this evidence.
16. The alignment of this part of the track follows flat /undulating topography and curves as it passes through the wetland. It was originally proposed to be further to the west, but that was ultimately not chosen because it would have passed through significant wetland and outside the road reserve shown on attachments 2 and 3. The purple line on Attachment 2 shows the originally proposed alignment. The orange dashed line on Attachment 3 shown the Trail as constructed.

17. The location of the Trail was also influenced by condition 8 of the Southland District Council land use consent for the trail, which requires it to be at least 30m from the boundaries of the adjoining subdivision.
18. Given the delta shape of the wetland downstream of this crossing point any relocation further downstream would have increased the length of the crossing. In the Trustee's view the current location is the best possible within this area from Trail geometry, engineering and environmental impact perspectives.
19. Should the existing crossing location not be consented then the best practical option would be to reroute the trail from about location 2100m to 2900m (as shown on Attachment 2), out onto the road reserve of SH95, along Mahara Avenue and down the public access track. This location would have inherent user safety risks and not satisfy the Trust's desire to locate off public roads.

Position of the Trust

20. The Trust regrets its inadvertent breach of the wetland rule in the Plan and the fact a retrospective resource consent is required. It is committed to remedying the issue as efficiently as possible.
21. Once the issue was brought to its attention the Trust took immediate action and retained appropriately qualified professionals to assist it to review the effects and seek the necessary approvals from Council. It ultimately determined and was advised that a retrospective resource consent application was the appropriate response. Amongst other things this was because it would have less environment impact than reinstatement and the construction of a new track or structure.
22. We agree to the compensatory work as suggested by Dr Lloyd in his letter of 11 April 2019 and Mr Beale's evidence, including the reinstatement of the water table and the monitoring regime proposed. The Trustees also accept the recommendations of Mr Hamilton discussed in Mr Beale's evidence. Our counsel and planner will address you on the draft conditions of consent, but I can indicate that the general approach and intent of those conditions is accepted by the Trust.

23. The fact that so many members of our community have taken the time to make submissions in support and that key stakeholders, Te Ao Marama, the Department of Conservation and Fish and Game give effected persons consent is hugely encouraging. The Trust is equally encouraged by the complete absence of any submissions in opposition to this application.
24. The Trustees commend this application to you and seek your approval of it.

A handwritten signature in black ink, appearing to read 'David Boniface', with a large, stylized flourish at the end.

David Boniface
Trustee and Engineer
26 May 2020

Attachment 1



Attachment 2



Initial Trail Location shown as a purple line

Attachment 3



Subsequently approved realignment that influenced the stream crossing location shown as an orange dashed line to the west of the purple line – significantly less impact by avoiding major wetland to west.