

**BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL
INDEPENDENT HEARINGS PANEL**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a submission to the Stage 2 Proposed
Queenstown Lakes District Council Plan
by **ZJV (NZ) Limited (Submission 2485)**

**STATEMENT OF REBUTTAL EVIDENCE OF JEFFREY ANDREW BROWN
ON BEHALF OF ZJV (NZ) LIMITED
STREAM 15 – CHAPTER 38 – OPEN SPACE AND RECREATION
22 August 2018**

**BROOKFIELDS
LAWYERS**

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Introduction

1. My name is Jeffrey Andrew Brown. I have the qualifications and experience set out in paragraphs 1 and 2 of my evidence in chief dated 6 August 2018.
2. I have complied with the Code of Conduct for Expert Witnesses contained in the Environment Court Consolidated Practice Note 2014. This evidence is within my area of expertise, except where I state that I am relying on another person. I have not omitted to consider any material facts known to me that might alter or detract from the opinions I express.
3. This rebuttal evidence is on behalf of ZJV (NZ) Limited (Submitter 2485) (**ZJV**). In this evidence I comment on the following topics in the evidence of Sean Dent, dated 6 August 2018, for Skyline Enterprises Limited (**SEL**):
 - (a) Earthworks – Chapter 25, Rule 25.3.4.5;
 - (b) Informal airports in the proposed Open Space and Recreation Zone (**OSRZ**) (Chapter 38) and the Ben Lomond Sub-Zone (**BLSZ**); and
 - (c) Forest harvesting in the OSRZ.

Earthworks – Chapter 25, Rule 25.3.4.5

4. This topic is addressed in Mr Dent's evidence at paragraph 116. I disagree with Mr Dent's view that an additional point (o) should be added to Rule 25.3.4.5, to specify that earthworks for forestry harvesting and management in the OSRZ are exempt from the earthworks rules and standards. The earthworks required for forest harvesting may involve large cuts and fills, on steep land, to create access for machinery into the forestry areas. This kind of work has the potential to adversely affect the land resources and other users of the Ben Lomond Reserve. I consider that assessment of any earthworks is a necessary component of the forestry harvesting consenting process.

Informal airports

5. Informal airports are addressed in Mr Dent's evidence at paragraphs 146 to 155. I agree that the northeast part of the BLSZ, in the vicinity of the 'fire pond', would be the most suitable location for an informal airport in the BLSZ because it is sufficiently separated from existing activities (including ZJV's upper platform). I therefore support Mr Dent's proposed Rules 38.11.7 and 38.11.8, that the BLSZ is extended to include

the location of the Future Helipad Area, provided that this location is identified on the planning map or described in the rule and provided that the Future Helipad Area replaces (i.e. is not additional to) the existing helipad (as addressed further below).

6. The flight path of helicopters to and from a new helipad is also important, because the route has the potential to create adverse noise effects on other users of the Ben Lomond Reserve. I therefore consider that the matters of discretion in Rule 38.11.7 should also include:

- **Location of proposed flight path, landing/takeoff procedures, and effects of these on existing sensitive activities.**

7. Under Rule 38.11.8, the existing helipad adjacent to the west side of the Skyline building, which is near other outdoor recreational activities, would need to be closed when a new helipad becomes operational. I consider that would be a positive outcome because, along with my additional matter of discretion in paragraph 6 above, the adverse effects of helicopter noise on other reserve users would be reduced.

Forest harvesting

8. Mr Dent addresses forest harvesting at paragraphs 165 to 172 of his evidence. I disagree with the controlled status for this activity, for the reasons set out in my evidence in chief, at paragraphs 16 to 20.
9. However, Mr Dent seeks the inclusion of a new matter of control in Rule 38.11.4: *Debris flow and rock fall hazards and long-term slope stability*. I agree with this additional matter and Mr Dent's reasons for it. I consider that it should be a matter over which discretion is restricted, in my wording of Rule 38.11.4.

J A Brown

22 August 2018