

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

**ENV-2019-CHCH-00022
ENV-2019-CHCH-00076**

UNDER THE

Resource Management Act 1991 ("**Act**")

IN THE MATTER OF

an appeal under clause 14(1) of Schedule 1 of the
RMA in relation to the proposed Queenstown
Lakes District Plan

BETWEEN

RCL HENLEY DOWNS LIMITED AND OTHERS

Appellant ENV-2019-CHCH-00022

AND

WAYFARE GROUP LIMITED

Appellant ENV-2019-CHCH-00076

AND

QUEENSTOWN LAKES DISTRICT COUNCIL

Respondent

**NOTICE OF KAWARAU JET SERVICES HOLDINGS LIMITED'S
WISH TO BE PARTY TO PROCEEDINGS**

4 JUNE 2019

Counsel instructed:

JGH BARRISTER

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WELLINGTON

- TO:** The Registrar
Environment Court
PO Box 2069
20 Lichfield Street
CHRISTCHURCH
(Christine.McKee@justice.govt.nz)
- AND TO:** The Appellants
By email: vicki.morrison-shaw@ahmlaw.nz;
maree.baker-galloway@al.nz;
roisin.giles@al.nz
- AND TO:** The Respondent
By email: dpappeals@qldc.govt.nz
- AND TO:** Section 274 Parties to the Wayfare appeal, RCL Queenstown Pty Ltd,
RCL Henley Downs Ltd, RCL Jacks Point Ltd
By email: vicki.morrison-shaw@ahmlaw.nz
And Kāi Tahu:
By email: philip@aukaha.co.nz

Notice

1. Kawarau Jet Services Holdings Limited ("**s274 Party**") wishes to be a party to the appeals by:
 - (a) *Wayfare Group Limited ("**Wayfare**") v Queenstown Lakes District Council ENV-2019-CHCH-00076 ("**Wayfare Appeal**")*; and
 - (b) *RCL Henley Downs Limited and others ("**RCL**") v Queenstown Lakes District Council ENV-2019-CHCH-00022 ("**RCL Appeal**")*;

together, the "**Appeals**".

Jurisdiction

2. The s274 Party has a long history as a jet boat operator in the district. It holds a number of resource consents to operate, and has plans for various future operations.
3. One of those future operations is subject to a current resource consent application lodged with the Council, to provide a public ferry service on Lake Wakatipu and the Kawarau River, linking Queenstown Bay and Bridesdale Farm, with intermediate stops at various population centres and other locations adjacent to Frankton Arm and the Kawarau River ("**Public Water Ferry Service**").
4. The Appeals variously raise matters that have the potential to affect the s274 Party's Public Water Ferry Service Application, together with its other current and potential future operations.

5. Accordingly, the s274 Party has an interest in the proceedings that is greater than the interest that the general public has.

No trade competition

6. The s274 Party is not a trade competitor for the purpose of Section 308C or 308CA of the Act.
7. However, to the extent that any Appellant may also engage in services of the type offered by the s274 Party, the s274 Party is directly affected by an effect of the subject matter of the appeal that:
- (a) adversely affects the environment; and
 - (b) does not relate to trade competition or the effects of trade competition.

Extent of interest in the proceedings

8. The s274 Party is interested in all parts of the Appeals that relate to, or address issues relating to, water transport and in particular any Public Water Ferry Service Application.

Relief sought

9. The s274 Party generally:
- (a) supports the relief sought in the Appeals that is supportive of appropriate provision for water transport and in particular any Public Water Ferry Service Application; and
 - (b) opposes the relief sought in the Appeals that is not supportive of appropriate provision for water transport and in particular any Public Water Ferry Service Application.

Mediation

10. The s274 Party agrees to participate in mediation or other alternative dispute resolution of the Appeals.

DATED 4 June 2019



J D K Gardner-Hopkins
Counsel for the s274 Party

The s274 Party's address for service is C/- James Gardner-Hopkins, Barrister, PO Box 25-160, Wellington 6011.

Documents for service on the s274 Party may be sent to that address for service or may be emailed to james@jghbarrister.com. Service by email is preferred, with receipt confirmed by return email.