

BEFORE THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal pursuant to Clause 14 of the First
Schedule of the Resource Management Act 1991

BETWEEN **SKYLINE ENTERPRISES LIMITED**

Appellant
(ENV-2019-CHC-043)

AND **QUEENSTOWN LAKES DISTRICT COUNCIL**

Respondent

**SECTION 274 NOTICE BY ZJV (NZ) LIMITED JOINING SKYLINE ENTERPRISES
LIMITED**

**BROOKFIELDS
LAWYERS**

J D Young / R H Ashton
Telephone No. 09 979 2248
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P O Box 240
DX CP24134
AUCKLAND

TO: The Registrar
Environment Court
Christchurch

AND TO: Skyline Enterprises Limited (**the Appellant**)

1. Take notice that ZJV (NZ) Limited (**ZJV**) requests to be heard in relation to the following proceeding concerning an appeal of Stage 2 of the Queenstown Lakes District Council Proposed District Plan (**PDP**):

- ENV-2019-CHC-043 Skyline Enterprises Limited v Queenstown Lakes District Council (the **Appeal**).

Nature of Interest

2. ZJV operates 'Ziptrek Ecotours', an adventure ecotourism business on Bob's Peak in the Ben Lomond Reserve. Ziptrek Ecotours takes guests on guided zipline tours from the top of the Ben Lomond Reserve, through forest canopy and connecting aerial treetop platforms (treehouses) that descend the Ben Lomond Mountain.
3. ZJV made a submission (#2485) and further submission (#2778) on the subject matter of the proceedings.
4. ZJV is a person who has an interest in the proposal greater than the general public because it operates, or has the right to operate, a commercial recreation activity on land that is the subject to an Open Space and Recreation Zone.
5. ZJV is not a trade competitor for the purposes of section 308C of the RMA.

Extent of Interest

6. ZJV is interested in the parts of the proceeding concerning Chapter 38 Open Space and Recreation Zones effecting the Bobs Peak and the Ben Lomond area.

Relief Sought

7. ZJV **opposes** the relief sought in the Appeal, to the extent that it is inconsistent with ZJV's submission, further submission, and appeal because it:
 - (a) It fails to promote sustainable management;

- (b) It fails to enable social, economic and cultural wellbeing;
 - (c) It is otherwise be inconsistent with Part 2 of the RMA;
 - (d) Is inappropriate in terms of section 32 of the RMA; and
 - (e) Otherwise for the reasons set out in ZJV's submission and further submission on the PDP.
8. ZJV considers that the relief sought in the Appeal could potentially obstruct, hinder or prevent ZJV's existing and future commercial recreation activities for which it holds a resource consent and has entered into commercial arrangements.
9. The extension of the Bob's Peak Area as proposed by the Appellant is inappropriate. The Open Space and Recreation Zone adequately provides for activities and buildings located in the Ben Lomond Reserve, subject to the amendments sought in ZJV's submission, further submission and appeal.
10. ZJV seeks that the relief sought in the Appeal be denied.

Mediation

11. ZJV agrees to participate in mediation or other dispute resolution of the proceedings.

Service

12. A copy of this notice has been served on the Appellant and Respondent.

DATED the 5th day of June 2018

ZJV (NZ) LIMITED by its lawyers and duly authorised agents **BROOKFIELDS**



J D Young / R H Ashton
Counsel for ZJV (NZ) Limited

THIS SECTION 274 is filed by **JOHN DYLAN YOUNG**, solicitor for ZJV (NZ) Limited. The address for service of ZJV (NZ) Limited is at the offices of Brookfields Lawyers, Tower 1, 9th Floor, 205 Queen Street, Auckland.

Documents for service on the appellant may be left at the address for service or may be:

1. Posted to the solicitors at PO Box 240, Auckland 1140.
2. Left for the solicitors at Document Exchange for direction to DX CP24134.
3. Transmitted to the solicitors by facimile to 09 379 3224.
4. Emailed to the solicitors at youngj@brookfields.co.nz / ashton@brookfields.co.nz