

Before the Queenstown Lakes District Council

Under the Resource Management Act 1991

And **The Queenstown Lakes District Proposed District Plan
Topic 15**

Legal Summary

Real Journeys Limited (#2466)

Go Orange Limited (#2581)

Cardrona Alpine Resort (#2492)

Te Anau Developments Limited (#2494)

Together (**The Real Journeys Group**)

25 September 2018

Applicant's solicitors:

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- 1 Reliance is placed on the case law that emphasises the less restrictive regime that gives effect to higher order documents and meets the purpose of the Act should be adopted, in order to give proper weight to benefits and costs under section 32 (1) (b) (ii) and best enable well being.¹
- 2 In respect of transport, there is no effects based reason to treat ferry service providers that have a tourism element to their service different to public transport services in accordance with the definition as notified, particularly as the benefits (provision of a service of benefit to the public, and reduction of road use) are of the same type.
- 3 With respect to earthworks, there is no intention apparent in any of the ski area submissions to be subjected to a lower level of environmental protection; no operator has sought this, and CARL wants to emphasise that it is certainly not seeking a lower environmental outcome in ski areas than elsewhere, as the status quo ensures appropriate environmental outcomes are maintained. Furthermore, there is no evidence of a problem with the current blanket exemption for SASZs – to change this to a partial exemption creates an unnecessarily confusing and unclear rule framework for ski area operators such as CARL.
- 4 However in the context of the other protections and controls through the Regional Plan Water, and consent requirements for other activities such as vegetation clearance and construction of buildings, lifts and other infrastructure, there is already a framework in place that is consistent with the high standards CARL needs to hold itself to, in order to operate at the necessary level to run a quality alpine resort.
- 5 In respect of signage, the changes sought are in order to enable interpretation, directional, safety and temporary signage without unnecessary and inefficient consenting hurdles.

¹Legal Submissions for Real Journeys et al, 21 September 2018, para 19 onwards.