



Order Paper for a meeting

**HEARING OF SUBMISSIONS:**

**Proposed New Licence: Go Jets Wanaka**

to be held on

Thursday, 5 July 2018  
commencing at 1.00pm

in the

Armstrong Room, Lake Wanaka Centre, Wanaka

## **9.12 ITEMS OF BUSINESS NOT ON THE AGENDA WHICH CANNOT BE DELAYED**

A meeting may deal with an item of business that is not on the agenda where the meeting resolves to deal with the item and the Chairperson provides the following information during the public part of the meeting:

- (a) the reason the item is not on the agenda; and
- (b) the reason why the discussion of the item cannot be delayed until a subsequent meeting.

*s. 46A (7), LGOIMA*

Items not on the agenda may be brought before the meeting through a report from either the chief executive or the Chairperson.

**Please note** that nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA 2002 with regard to consultation and decision-making.

## **9.13 DISCUSSION OF MINOR MATTERS NOT ON THE AGENDA**

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

## **REFERENCE:**

Queenstown Lakes District Council Standing Orders adopted on 15 December 2016.

**QUEENSTOWN LAKES DISTRICT COUNCIL**

**CONSIDERATION OF SUBMISSIONS ON:  
APPLICATION FOR NEW LICENCE - GO JETS WANAKA**

**PANEL MEMBERS**

**Ms J Battson**

**Ms R Harrison**

**Councillor R McRobie**

**Consideration of submissions**  
**Proposed New Licence: Go Jets Wanaka**



**Agenda for a hearing of submissions on a proposed new licence for Go Jets Wanaka to be held in the Armstrong Room, Lake Wanaka Centre, Wanaka on Thursday, 5 July 2018 beginning at 1pm**

<b>Item</b>	<b>Page Number</b>	<b>Report Title</b>
		<b>Election of Chairperson</b>
		<b>Declarations of Conflict of Interest</b>
		<b>Confirmation of Agenda</b>
1	Page 5 Page 13 Page 35	<b>Officer report</b>  <b>Attachment A: Submissions</b>  <b>Attachment B: Aerial of reserve</b>



**Hearing: Submissions on proposed new Licence – Go-Jets Wanaka****5 July 2018****Report for Agenda Item: 1****Department: Community Services****Hearing: Submissions on proposed new Licence – Go Jets Wanaka****Purpose**

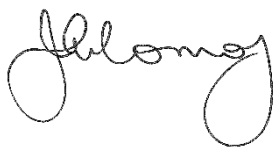
The purpose of this report is to consider the submissions received on the proposed intention to grant a new licence to Go Jets Wanaka Limited at the Albert town Boat Ramp.

**Recommendation**

That the hearings panel:

1. **Note** the contents of this report;
2. **Consider** the submissions received on the proposed intention to grant a new licence to Go Jets Wanaka Limited to load and unload passengers at the boat ramp in Albert Town, together with advice from officers; and
3. **Determine** whether or not a new licence is to be granted and the appropriate terms of such licence if approved and make a recommendation to Council on that basis.

Prepared by:



Joanne Conroy  
Property Advisor - APL  
20/06/2018

**Background**

1. Go Jets Wanaka Ltd (**the applicant**) has been in operation since 2004. The company has been active under two existing resource consents for the past 13 years and are now seeking landowner permission as this was never completed at the time of the consents. The previous owner traded as "River Journeys" and mainly operated on the Matukituki River, with a few trips on the Clutha.
2. There are currently two existing consents in place which allow for 8 return trips on the Clutha River per day and 100 trips per annum respectively. It is intended that the new licence being sought will work in conjunction with the applicant's existing consents.

3. In November 2017, QLDC's Resource Consent Monitoring Team found the company to be operating within the consent conditions, however they highlighted the need to obtain landowner approval for the activity.
4. The purpose of the new licence is to allow for the continuation of their current operations by providing landowner approval for the use of the reserve.
5. The reserve land will serve as the primary location for boat loading and unloading utilising the existing boat ramp. The reserve will also serve to provide an area for customers to embark and disembark the boats for jetboating trips on the river.
6. A temporary permit was issued by QLDC's Parks and Reserves Team to allow operations during the months of December 2017 to March 2018 whilst their activity was monitored. No complaints or issues were raised with the property or reserves offices at Council, although we now understand some complaints have been made to the harbourmaster's office and the applicant.
7. The matter was considered by the Wanaka Community Board on 12 April 2018 and the Board approved notification of the application. The notice was published on 26 April with submissions closing 26 May 2018. Five submissions were received.

## Submissions

8. The following submissions were received (copies attached):

Name	For/ Against	Wish to be heard	Overview
Graham Walmsley	Against	Yes	Many submissions on matter for Navigation Safety Bylaw (NSB) process, area well used and only getting busier, sets precedent for other commercial jet boat companies, RC would allow even more trips if landowner approval given, noise, safety (for swimmers), inconsistent with management plan (see commentary below), inconsistent with QLDC District Plan (see submission). Maybe grant temporary licence (until NSB complete) with limited times (eg not weekends or late afternoons).
Albert Town Community Association (Nathan Weathington)	Against	Yes	Noise, environmental degradation and safety, contrary to management plan. Maybe issue short-term licence until NSB is complete.
Catherine Rezaei	Against	Yes	Noise, safety, conflict with private users, contrary to management plan and District Plan.
Adrian Camm	Against	Yes	Unsafe due to increasing river users, noise for nearby residents
Ian Hall	Against	No	Unsuitable location for commercial jet boating, damage to river bank, dangerous, no facilities.

9. The issues raised by the submitters are discussed below.

### **Albert Town Recreation Reserve Management Plan**

10. The following excerpts from the Reserve Management Plan (RMP) relate to the application (and submissions received):

### **3. Management Objectives**

Management objectives describe how the Council will manage each reserve, in accordance with its classification as recreation reserve.

The Council will:

Preserve in perpetuity the Albert Town recreation reserve as a recreational area for the enjoyment of residents of the Queenstown Lakes District and visitors.

Encourage and facilitate the use of the reserve for active and passive recreational pursuits.

Provide opportunities for camping in an informal setting with simple facilities.

Recognise the importance of the reserve as part of the entrance to Wanaka and Albert Town and ensure the landscape and amenity is managed and enhanced accordingly.

Provide for other public use and events, to the extent that the above objectives are not compromised.

11. Officers believe there is nothing in this section of the RMP that would prevent the application.

#### **Policy 11 – Concessions**

11.1 Prohibit the granting of concessions for commercial activities on the reserve, other than those associated with:

1. access to the adjoining river and Department of Conservation administered reserves,
2. approved events (refer to Policy 1), temporary filming, sporting tournaments, or sports coaching.
3. the hire of recreational equipment for use within the reserve.
4. guiding on the tracks and rivers within and adjoining the reserve.

#### ***Explanation***

Commercial activities are not generally consistent with the values of reserves, and the impact needs to be carefully managed and confined to more appropriate spaces.

12. Officer's view is that the proposed licence provides "access to the adjoining river" and therefore complies with this section of the RMP. However, the impact on the reserve must be taken into consideration.

## **Policy 14 – Hawea Jet Sprint Course**

### 14.1 Discontinue the Jet Sprint Course.

***Explanation***

The Jet Sprint course has not been used for many years and is not considered compatible with the quiet values of the reserve and adjacent camping areas.

13. Officer's view is that while this section of the RMP refers to a previous activity, the principal is that a commercial Jet Sprint activity is not compatible with the current activities on the reserve.

### **District Plan**

14. Several submitters have referred to the District Plan and the relationship between the resource consents held and any permit to occupy the reserve. The consent assessments would have taken into account the District Plan conditions at the time and the relationship between them and the application. If the application for a licence on the reserve is declined, it does not prevent the operation on the river and the issues raised relating to noise, safety and environmental degradation will not be addressed.
15. The first consent is RM040018A (granted to Wanaka Jet Ltd). The consent approval includes conditions about noise, operation times, location of the activity, restriction on "Hamilton" turns, number of trips per day and a number of other conditions.
16. The second consent is RM 040018 and the conditions included in the approval also cover noise, the number of trips and hours of operation.
17. Council Officers undertook a monitoring inspection in November 2017 and advised that the conditions were being met but Go Jet Wanaka ought to have a licence to load and unload on the reserve.

### **Noise**

18. Issues of noise are relevant but only where the noise is generated from the proposed activity on the reserve. As previously stated, if the application is declined, the applicant is still entitled to undertake commercial jetboat rides on the river. Invariably the activity would have an effect on people's ability to enjoy the reserve but not granting the licence will not necessarily address noise on the reserve.
19. The issue raised about boats idling while waiting to load and unload the next load of passengers is very relevant to the reserve and could be removed if the application is declined.
20. Concern was raised about the noise from idling boats directly with the owners and they have tried to address the concerns. The current practice is:
- Start up the boat on the trailer

- Warm up for 2-3 minutes before removing the boat off the trailer
- Warm up the boat in the water far down the river from Albert Town
- Drive the boat back up to the boat ramp and nose into the bank. The engine is then turned off
- The engine is not turned on until after the passengers have loaded onto the boat and listened to the safety briefing. At this point the engine is turned on for approximately 2 minutes until it is warm enough to continue
- The engine is warmed up further again by driving slowing down the river until it is back up to the required temperature

21. The applicants have advised that they will be fitting a new muffler to the boat in July which will result in reduced operational noise.

### **Safety**

22. The area can be quite congested in summer and there can be swimmers in the area. Having commercial boats load and unload on the reserve may increase the risk of an incident.

23. The applicants have advised that their operation on the boat ramp includes the following mitigation measures:

- At all times, there is a spotter on the land for the duration of loading, disembarking, reversing the boat and for the duration of the boat trip. They operate with a VHF tuned in with the driver and advise any hazards or potential hazards prior, during and after these manoeuvres, and when the boat is out with passengers.
- Once the boat is down the river, the spotter is constantly on watch from the boat ramp area to advise any hazards including kayakers and swimmers, and will radio (VHF) through if there appears to be any risk at all to any person/boat safety.
- The boat will slow up to 5 knots if there are any swimmers/kayakers nearby.
- This is one of the benefits of operating from the Albert Town ramp rather than the lake front- the visibility from the spotter on the land.
- Hamilton turns only occur 50m or more down the river from the boat ramp/below the bridge. If there are any other boats or other potential conflicts nearby (swimmers etc.), no Hamilton turns will occur within 50m of the risk.
- The driver reduces the speed down to 5 knots within 50m from the boat ramp when entering the disembarkment area.

24. The applicants advise they have been first on the scene for multiple swimmers in trouble and upturned boats. They see this as another benefit of having a fast boat / spotter on the shoreline in this location. Rather than creating safety issues, they monitor and assist in safety risks to other people.

25. The harbourmaster agrees with that comment and does not see a commercial operator as a safety hazard. He notes that in the past two years, Go-Jets have rescued three boats in trouble and saved around seven people. He advises that although the river is wide, fast and with multiple users, they have experienced few concerns with the main complaints being about private Jetboaters on the river after 6pm.

### **Lack of Facilities**

26. Passengers are picked up from the I-Site in town where they are advised that there are no other toilet stops along the way. Passengers are encouraged to make use of the toilet at the I-Site. The round trip is only 1 hour 20 minutes. If in the unlikely event someone is desperate for the toilet during this time despite this advice/initial encouragement, the passenger is taken to the public toilet at the Albert Town camp ground.
27. At the Wanaka Community Board meeting, the Reserves Department were asked to consider installing toilets at the boat ramp at some time in the future and that in the meantime, if the licence is approved, the applicants will be required to provide a toilet management plan.

### **Precedent**

28. Each and every application for a commercial lease or licence on a reserve must be notified seeking submissions (unless it is clearly contemplated by the Reserve Management Plan). Council can take into account the cumulative effect of multiple operators when considering such leases and licences.

### **Damage to the river bank**

29. The applicants have advised there is no alternative way to load and unload passengers and that all boats do this. There are three main "V's" on the bank that have been there for a long time, well before Go-Jets began operating.

### **Appropriateness of the Location**

30. Some submitters believe the location is inappropriate for a commercial activity. On the south side of the river there are numerous residential dwellings close to the river, and the northern side is a recreation reserve and camping areas all of which are affected by the noise from the jetboats. However, if the application is declined and the applicant continues to offer rides on the river commencing elsewhere, the noise will continue.
31. Conversely, the residential area, camping ground and recreational activities make the area very busy during summer, so that having a commercial operation is not really changing the reserve use, albeit increasing the activity.
32. The applicants have advised that conflict with private ramp users is minimal. They abide by usual boating protocol, lining up if there is a queue. They are always careful to keep out of private boats to avoid upsetting anyone. The vehicle and boat are always manned.

## **Navigation Safety By-Law**

33. At the time of finalising this report an update on the present status of the Navigation Safety Bylaw was not available. This will be reported verbally at the hearing.

## **Complaints**

34. We understand that some complaints have been received by the harbourmaster and applicant previously.

35. A submitter has complained directly to the applicant, primarily about noise, and they have attempted to address his concerns by altering their practices and scheduling changes to the muffler system on the boat.

36. Another submitter has provided their complaint from earlier this year.

## **Reserves Act 1977 Principles**

37. Any licence granted for commercial use on a recreation reserve must meet the principles outlined in section 54 of the Reserves Act 1977. Essentially the “trade, business of occupation must be necessary to enable the public to obtain the benefit and enjoyment of the reserve or for the convenience of persons using the reserve”.

38. In this instance the proposed activity enables people to enjoy boating when they might not otherwise be able to do so. While the actual Jet Boat ride is on the river rather than the reserve, the river is an inherent part of the reserve’s attraction and a boat ramp has been provided on the river to facilitate boating. The activity also brings people to the reserve when they would not necessarily visit otherwise.

## **Proposed Licence terms**

39. The following lease terms and conditions (along with those contained in Schedule 1 of the Act) were approved for notification by the Wanaka Community Board:

Commencement	TBC
Term	5 years.
Rent	The greater of \$500.00 plus GST or 7.5% of gross revenue.
Reviews	At renewal.
Renewals	1 of a further 5 years by agreement of both parties.
Assignment/Sublease	With Council’s approval.
Use	Utilise the Albert Town boat ramp for loading and unloading of boats and passengers for commercial jetboating trips.

Insurance	Requirement to have public liability insurance of \$2 million
Safety/Suspension	<p>Council to retain ability to suspend the licence for safety purposes or to avoid large public events.</p> <p>Health and Safety plan to be provided to Council and be approved by the Harbourmasters office prior to commencing the activity. Council to retain the ability to relocate and manage the activity within the reserve if required.</p>
Other	<p>Licensee must ensure they hold a valid resource consent for the purpose of commercial jetboating trips.</p> <p>The licensee to obtain a Commercial Activity Permit in accordance with the Waterways and Ramp Fees Bylaws (if required) or successors to this policy.</p> <p>Licensee to ensure that all customers/staff are aware there is no bathroom facility at the reserve, and that all rubbish is to be removed.</p>

40. The Board also asked that an appropriate plan be put in place to enable guests to use a toilet and asked that Council consider installing a toilet on the site in the near future. In the meantime all customers toileting must be closely managed by the applicant.

41. The panel may consider amendments to these proposed terms, particularly in light of the submissions received.

### **Council Policies, Strategies and Bylaws**

42. The following Council policies, strategies and bylaws were considered:

- Community Facility Pricing Policy
- Albert Town Recreation Reserve Management Plan.
- Navigation Safety By-law

### **Attachments**

- A Submissions received
- B Aerial of reserve



## QLDC Reserves Act 1977 Submission

### Go-Jets Application for a license to launch commercial jet boats from the Albert Town Recreational Reserve

25<sup>th</sup> May 2018

By email: [queenstown@aplproperty.co.nz](mailto:queenstown@aplproperty.co.nz) cc [chris.green@aplproperty.co.nz](mailto:chris.green@aplproperty.co.nz)

Thank you for the opportunity to make this submission.

I do not support the issuance of a license to Go-Jets to conduct commercial jet boat activities using the Albert Town recreational reserve to launch the boats and embark and disembark passengers.

The Albert Town Recreational Reserve (ATRR) Management Plan adopted in October 2010 [[https://www.qldc.govt.nz/assets/OldImages/Files/Reserve\\_Management\\_Plans/Albert\\_Town\\_Recreation\\_Reserve\\_Mgmt\\_Plan\\_2010.pdf](https://www.qldc.govt.nz/assets/OldImages/Files/Reserve_Management_Plans/Albert_Town_Recreation_Reserve_Mgmt_Plan_2010.pdf)] should be the primary guide for the decision and previous decisions make it clear that any commercial activity which wants a concession to use the reserve should not engage in water based activity adjacent to the reserve that creates a safety hazard to other users of the reserve or conflict with the wider values, including the quiet values.

The submission document [2<sup>nd</sup> May APL Property Queenstown] states that '*Submitters should note that this notice relates to the granting of a license.....for the proposed activity on the reserve only. It does not relate to the Jet Boat operation on the river*'.

That is true in terms of any decision on access could not impose conditions on the operation on the water (unless by a bilateral agreement with the operator) **HOWEVER that does not mean activity on the water shouldn't be considered in the granting of an access concession – in fact it must be considered.**

The Management Plan doesn't rule out commercial concessions to use the reserve, however there are clear precedents from previous decisions regarding commercial concessions on the reserve. Clearly if the access concession was for kayaking, walking access to the adjacent DOC reserve or drift fishing and it was clear that the operation '*operate the facility in a manner consistent with the wider reserve values*' there would be a case to consider. A commercial jet boat operation is clearly not aligned with the wider values of the reserve!

I would like to be heard in support of my submission. My contact details are as follows:-

Graham Walmsley

[REDACTED]

## Submission

### IT IS INCORRECT TO STATE THAT NO COMPLAINTS OR ISSUES HAVE ARISEN DURING THE TEMPORARY PERMIT

1. The submission document [APL Property Ltd, 2 May 2018 – Para 6] incorrectly states “*No complaints or issues have arisen throughout the duration*” of the temporary permit. Based on my own experience and in discussion with other residents there have been several face to face discussions with Go-Jets at the boat ramp, email communications on issues and incidents with swimmers complaining to boat operators whilst on the river.
2. In addition the summary of submissions on the Navigation Safety Bylaw give a clear indication of community concerns around the operation of Jet Boats, with comments on safety hazards, impact on peace & quiet, noise pollution, intrusiveness recurring throughout the individual submissions. <https://www.qldc.govt.nz/assets/Uploads/Your-Views/2017-Navigation-Safety-Bylaw/Summary-of-submissions-Navigation-Safety-Bylaw-2017.pdf>

### ANY DECISION SHOULD BE FORWARD LOOKING

3. Albert Town is expanding rapidly, as is the usage of the river by swimmers and bridge jumpers, walkways and the recreational reserves.
4. The area downstream of the Albert Town Bridge adjacent to the reserve is one of the heaviest used recreational areas on the river. As noted in the Albert Town Recreational Reserve Management Plan [ATRR Management Plan] the reserve is used extensively for swimming, picnicking, fishing & walking.
5. The recreational reserve will become increasingly important as a peaceful & quiet reserve that the community can enjoy as urban density in the area continues to grow. As such the reserve is not a suitable location for a commercial jet boat operation to start and end its trip, currently or into the future.
6. It is not just usage of the reserve by passive users that is increasing. The extent of Commercial Jet Boating activity embarking and disembarking passengers and idling adjacent to the reserve, and hence its impact on other users, is also increasing rapidly and could very easily double in a matter of years. A growing conflict is inevitable.
7. The existing commercial jet-boat resource consents were issued several decades ago, when Wanaka had less than 5,000 residents and Albert Town was a collection of a small number of residences. If Resource Consents were applied for today conditions would arguably be a lot more stringent and more likely consents would NOT be granted. For the purposes of this decision they should not be relied or used as a benchmark.
8. It is also important to consider that any decision allowing Go-Jet to operate a commercial business from the reserve will **set the precedent** for other commercial jet boat operators

such as 'Wana Jet' (who currently operate from the wharf) to gain similar concessions. Therefore the impact goes above & beyond just Go-Jets operation.

## COMMERCIAL JET BOAT OPERATIONS ARE VERY DIFFERENT TO RECREATIONAL JET BOATING

9. Commercial Jet Boating is significantly different to recreational jet boating and are far more intrusive. Differences include: -

- a) **Frequency:** – 'Go Jet' currently operates 4 or more trips per day (7 days a week) throughout the summer season and three trips per day throughout winter on most days. This is very different to the recreational jet boat activity, which focuses on the peak of summer holidays weeks and weekends.

		THU 1 FEB	FRI 2 FEB	SAT 3 FEB	SUN 4 FEB	MON 5 FEB	TUE 6 FEB	WED 7 FEB
JET BOAT RIDE	10:00AM	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW
	12:00PM	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW
	14:00PM	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW
	16:00PM	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW	10 PLACES FROM \$125 BOOK NOW

*Go-Jet website Feb 2018*

Under the Resource consents, issued almost 2 decades ago, Go-Jets activity could more than double in a short period of time (noting it has likely doubled over the last 12-18 months).

Allowing other Jet Boat operators such as Wana-Jet a similar concession, operating within their resource consents, could see the number of trips quadruple from Go-Jet current unpermitted operation to around 16-20 trips per day throughout the year from the recreational reserve

- b) **Engines Idling whilst waiting for the next van load:** Go-Jet spend significant periods of time (15-30 minutes is not unusual) on the river immediately in front of the boat ramp waiting with the boat engine running for the next van of passengers to arrive & embark. The deep loud low frequency noise of the motor cuts through and carries for a long distance - thereby having a significant impact on the enjoyment of the reserve for campers, fishermen, picnickers and swimmers.

Go-Jet have received verbal and e-mail communications on this issue.

- c) **Safety Issues:** Go-Jet treats the embarkation and disembarkation point as an opportunity to start and end the trip with a thrill.

- At the start of every trip they undertake high speed Hamilton turns (usually 2 turns abruptly bringing the boat to rest from high speed) immediately in front of the embarkation and disembarkation point.
- At the end of every trip they undertake a similar maneuver as a last 'adrenalin rush' immediately before disembarkation.

Whilst this makes commercial sense it has complete disregard for other users. The high speed 'Hamilton Turns' almost certainly exceeds noise restrictions but more importantly are a very real safety hazard to swimmers, bridge jumpers and small children at the side of the river as the wake created is significant.

I have personally seen on several occasions this summer commercial boats performing Hamilton turns by the reserve whilst swimmers were in the water some distance from the banks. A large number of the submitters on the Navigation Safety By-law cited concerns over safety <https://www.gldc.govt.nz/assets/Uploads/Your-Views/2017-Navigation-Safety-Bylaw/Summary-of-submissions-Navigation-Safety-Bylaw-2017.pdf>

Go-Jets have received verbal and e-mail communications on this issue.

In conclusion the activity of Go-Jets at the point of entry to the river comes as a 'package'. The point of access to the river is directly linked to certain activities and these activities have a significant impact on the safe enjoyment of the reserve by other users.

## **GRANTING A LICENSE IS INCONSISTENT WITH THE ALBERT TOWN RECREATIONAL RESERVE MANAGEMENT PLAN**

10. In 2010 the full council adopted a Management Plan for the recreational reserve – Albert Town Recreational Reserve Management Plan (ATRR Management Plan). The primary purpose of the reserve is recreational and it is *"Used extensively to access the Hawea and Clutha/Matu-Au rivers for fishing picnicking and swimming"* [2.3.4 Albert Town Recreational Reserve Management Plan]
11. In that document a recurring theme is that certain activities are not *'considered compatible with the quiet values of the reserve and adjacent camp ground'*.
12. The most directly relevant portion of the document in providing guidance as to whether a concession should be granted is the consideration given to the Hawea Jet Sprint Course and a proposed Kayak facility [Policy 14 page 17].
13. Both of these are commercial water based activities that gain access from the reserve.

### **Hawea Jet Sprint assessed as incompatible with quiet values of the reserve**

14. In the explanation for DISCONTINUING a concession the ATRR Management Plan states that the Jet Sprint course was *'not considered compatible with the quiet values of the reserve*

**and the adjacent campground'** (Page 17 Policy 14 – explanation - emphasis added).

15. In other words noise from activity on the water that impacts on enjoyment of the reserve is in conflict with the 'natural values of the reserve'.

**As a consequence any commercial activity which wants a concession to use the reserve should not engage in water based activity adjacent to the reserve that conflicts with the values of the reserve.**

16. Go Jets activities create a significant disturbance for reserve users, multiple times a day, day-in-day-out!

**Kayak Facility must operate in a manner consistent with the WIDER reserve values**

17. Furthermore the ATRR Management Plan goes on to note that a commercial kayak operation expressed interest in creating a kayak polo and training facility. Another water based activity that would gain access from the reserve.
18. The ATRR Management Plan then states "*The creation of the facility will require careful design and engineering to ensure it is safe and **does not present a hazard to other reserve users***" (emphasis added)
19. The ATRR Management Plan (para 14.2 page 17) goes wider than just safety only permitting the construction of a kayak facility on the basis that it will "**operate the facility in a manner consistent with the wider reserve values**" (emphasis added)
20. In other words activity of water-based vehicles should not be a safety hazard to users of the reserve and whilst adjacent to the reserve operate within the wider values of the reserve – including being '*considered compatible with the quiet values of the reserve and adjacent camp ground*' .

**As a consequence any commercial activity which wants a concession to use the reserve should not engage in water based activity adjacent to the reserve that creates a safety hazard to other users of the reserve or conflict with the wider values.**

21. Go-Jets activity does create a significant safety hazard to reserve users - swimmers, fishermen and small children paddling when undertaking high speed Hamilton turns with a large wake resulting. The majority of submissions on the Navigation Safety Bylaw 2017 support that conclusion. <https://www.qldc.govt.nz/assets/Uploads/Your-Views/2017-Navigation-Safety-Bylaw/Summary-of-submissions-Navigation-Safety-Bylaw-2017.pdf>

**ACTIVITY ON THE WATER ADJACENT TO THE RESERVE MUST BE CONSIDERED**

22. The submission document [2<sup>nd</sup> May APL Property Queenstown] states that '*Submitters should note that this notice relates to the granting of a license.....for the proposed activity on the reserve only. It does not relate to the Jet Boat operation on the river*'.

23. That is true in terms of any decision on access could not impose conditions on the operation on the water (unless by a bilateral agreement with the operator)

**HOWEVER that does not mean activity on the water shouldn't be considered in the granting of an access concession – in fact it must be considered.**

24. As detailed above the ATRR Management plan makes it clear that the impact of commercial water based activity on other users of the reserve is highly relevant to the granting of concession for access. It must be 'consistent with the wider reserve values!

25. The ATRR Management Plan does allow for concessions for commercial activities [Policy 11 (page 15) ]

*11.1 Prohibit the granting of concessions for commercial activities on the reserve, other than those associated with:*

- 1. access to the adjoining river and Department of Conservation administered reserves,*
- 2. approved events (refer to Policy 1), temporary filming, sporting tournaments, or sports coaching.*
- 3. the hire of recreational equipment for use within the reserve.*
- 4. guiding on the tracks and rivers within and adjoining the reserve.*

***Explanation***

*Commercial activities are not generally consistent with the values of reserves, and the impact needs to be carefully managed and confined to more appropriate spaces.*

26. However it is clear from the precedents from previous decisions above and the ATRR Management Plan that the intent of the ATRR Management Plan is that use of the reserve, including for access, should not be granted for water based activity adjacent to the reserve and camping site that create a disturbance or a safety hazard for users of the reserve. Go-Jets commercial activity does both!

27. Clearly if the access concession was for kayaking, walking access to the adjacent DOC reserve or drift fishing and it was clear that the operation '*operate the facility in a manner consistent with the wider reserve values*' there would be a case to consider. A commercial jet boat operation is clearly not!

**ACTIVITY IS AT ODDS WITH THE QLDC DISTRICT PLAN**

28. The QLDC District Plan (July 2016) provides some guidance on factors to be considered (see Appendix A, highlights added). The reserve is zoned rural and factors associated with the operation of the jet boat around the embarkation and disembarkation that are at odds with the plan include [emphasis added]:

*(c) The extent to which the water-based activity will reduce opportunities for passive recreation, enjoyment of peace and tranquility and, particularly, opportunities for remote experience recreation.*

*(d) The extent to which the water-based activity will compromise levels of public*

**safety,**

*(e) Any adverse effects of the proposed activity in terms of:*

*(i) **noise**, vibration and lighting, which is incompatible with the levels acceptable in the particular lake or river environment.*

*(ii) loss of privacy or a **sense of remoteness** or isolation.*

*(iii) levels of congestion or reduction in levels of lake or **river safety**, which are unacceptable for the nature of the lake or river.*

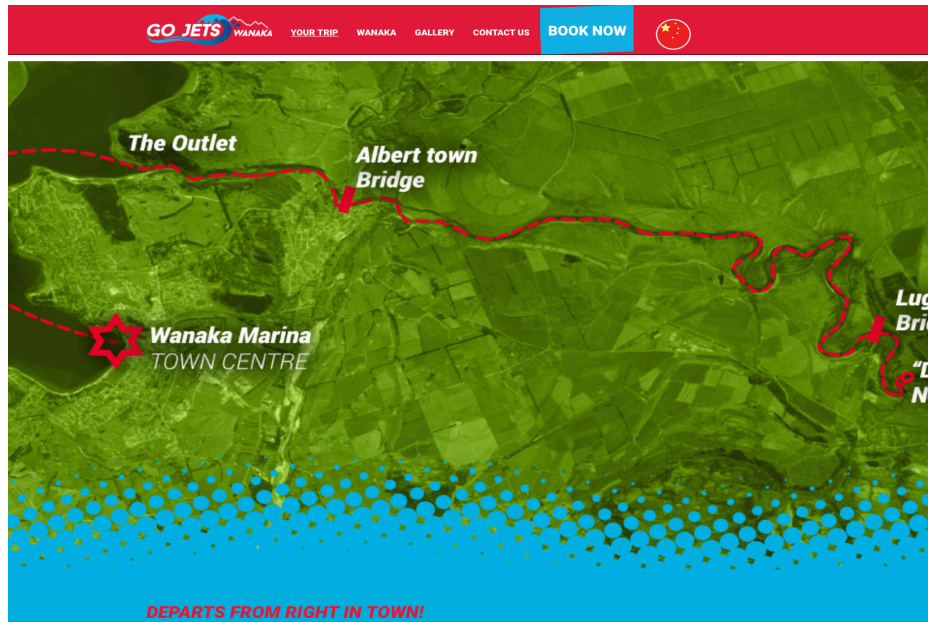
*(iv) accumulation of litter and waste, and **access to toilet facilities**.*

**NOW IS NOT THE TIME TO GRANT A LICENSE**

29. Granting a concession would be wrong at a time when the issue of Jet Boat access and speed limits on the Clutha is under consideration by the Council with a view to reviewing the 'Navigation Safety Bylaws'.
30. Existing submissions already provide valuable insights into the community's thoughts on boat operations.
31. Further rounds of submissions on the issue are due mid-year. The consultation has attracted a high volume of submitters; the vast majority in favour of tightening up on access to the river for Jet Boats.
32. There is clearly a linkage between this application and the wider council consideration. Information gleaned from the submission on the 'Navigation Safety Bylaws' consultation will be informative and should be used as an input to consideration of whether to grant a permanent concession.

**What are the options for Go-Jet?**

33. It should be remembered that this request is in the context of Go-Jets using the reserve without getting the necessary permission for that use. This should not be allowed to be a creeping commitment.
34. Interestingly Go-Jets own website shows its trips, like those of other boat operators such as Wana Jet, leaving from the wharf at the lake front. It is only in recent years Go-Jets started to use, without permission, the reserve



35. The wharf at the lakefront is a more appropriate point for access to the water with better facilities, control on speeds near shorelines etc.

- For example: In the absence of a jetty Jet boat operators bump their boats onto the recreational reserve bank for passengers to embark and disembark. There are now several noticeable triangles carved into the bank.

36. Go-Jet, like other operators, should revert to operating from the main jetty at the lake front rather than using a rural recreational reserve that is ill-equipped to cater for a commercial operation that can operate 8+ trips per day for up to 10 people.

37. It would be incorrect to issue a further temporary license as it seems clear that is in conflict with the Albert Town Recreational Reserve Management Objectives for the reasons outlined.

### **ANY TEMPORARY LICENSE SHOULD RESTRICT TIME OF ACCESS AND BE SHORT DURATION**

38. Go Jet should not be issued a license in accordance with the ATRR Management Plan however there may be a case to issue a temporary concession to allow them to transition there operation to the wharf.

39. Given that the heaviest time for use of the reserve by its primary intended users (fishermen, swimmers, picnickers, walkers) are weekends and late afternoon a time restriction should be placed for any temporary access to weekdays 10-4pm.

40. Any temporary license should be short duration - 3-4 months – given the rapidly changing situation with respect to escalation of jet boat operations and council reviews of access and speed limits on that stretch of the Clutha.



## Appendix A

### Extract From QLDC District Plan (July 2016)

Page 5-33 Rural Area rules

#### xv Discretionary Activity - Surface of Lakes and Rivers

- (a) The extent to which the water-based activity will adversely affect the range of recreational opportunities available in the District or the quality of experience of the people partaking of those opportunities.
- (b) The extent to which the water-based activity is suited to and benefits from the identified natural characteristics of the particular lake or river.
- (c) The extent to which the water-based activity will reduce opportunities for passive recreation, enjoyment of peace and tranquillity and, particularly, opportunities for remote experience recreation.
- (d) The extent to which the water-based activity will compromise levels of public safety, particularly where conflict between operators may make a reasonable level of public safety impossible or difficult to achieve.
- (e) Any adverse effects of the proposed activity in terms of:
  - (i) noise, vibration and lighting, which is incompatible with the levels acceptable in the particular lake or river environment.
  - (ii) loss of privacy or a sense of remoteness or isolation.
  - (iii) levels of congestion or reduction in levels of lake or river safety, which are unacceptable for the nature of the lake or river.
  - (iv) accumulation of litter and waste, and access to toilet facilities.
  - (v) any cumulative effect from the activity in conjunction with other activities in the vicinity.
- (f) The extent to which the water-based activity is compatible with, and will not adversely affect nature conservation values or wildlife habitat
- (g) In the case of structures or moorings which pass across or through the surface of any lake or river or are attached to the bank of any lake or river, the extent to which the structures or moorings:
  - (i) are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place.
  - (ii) cause an impediment to craft manoeuvring and using shore waters.
  - (iii) diminish the recreational experience of people using public areas around the shoreline.
  - (iv) result in congestion and clutter around the shoreline.
  - (v) are likely to result in demand for craft to be permanently moored outside of permanent marina sites.
  - (vi) can be used by a number and range of people and craft, including the general public.
  - (vii) are compatible with scenic and amenity values, particularly in Queenstown Bay, Frankton Arm and Roys Bay.

## Submission in respect of a reserve request

To: QLDC Property Manager  
 APL Property Queenstown Ltd  
 PO Box 1586  
 QUEENSTOWN 9348



### YOUR DETAILS

Your Name:

Your Address:

Postal Address for service

Phone Number:

Work:

Fax Number:

Email:

Preferred Contact:

Phone:

Email:

Post:

**This is a submission in respect of the following Reserve Act Application:**

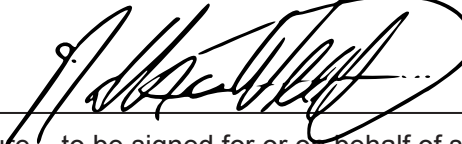
Go Jets Wanaka – Proposed New Licence – Albert Town Ramp

I support (or oppose) the application:

Support

Oppose

I DO      I DO NOT      wish to be heard in support of my submission.

 .....

Signature – to be signed for or on behalf of submitter      Date

A signature is not required if you make your submission by electronic means.


**Contact Details:**      **APL Property Queenstown Ltd, PO Box 1586, Queenstown 9348**  
**Phone:** 03 442 7133      **Fax:** 03 442 7863      **Email:** [queenstown@aplproperty.co.nz](mailto:queenstown@aplproperty.co.nz)

## Submission in respect of a reserve request

To: QLDC Property Manager  
APL Property Queenstown Ltd  
PO Box 1586  
Queenstown 9348

Phone: 03 442 7133  
Fax: 03 442 7863  
Email: [queenstown@aplproperty.co.nz](mailto:queenstown@aplproperty.co.nz)

Submitter name: Catherine Rezaei

A large black rectangular redaction box covers the contact details of the submitter, Catherine Rezaei.

This is a submission in respect of the following Reserve Act Application:  
Go Jets Wanaka – Proposed New Licence – Albert Town Ramp

**I oppose** the Go Jets Wanaka Proposed New Licence application to operate from the Albert Town Boat Ramp.

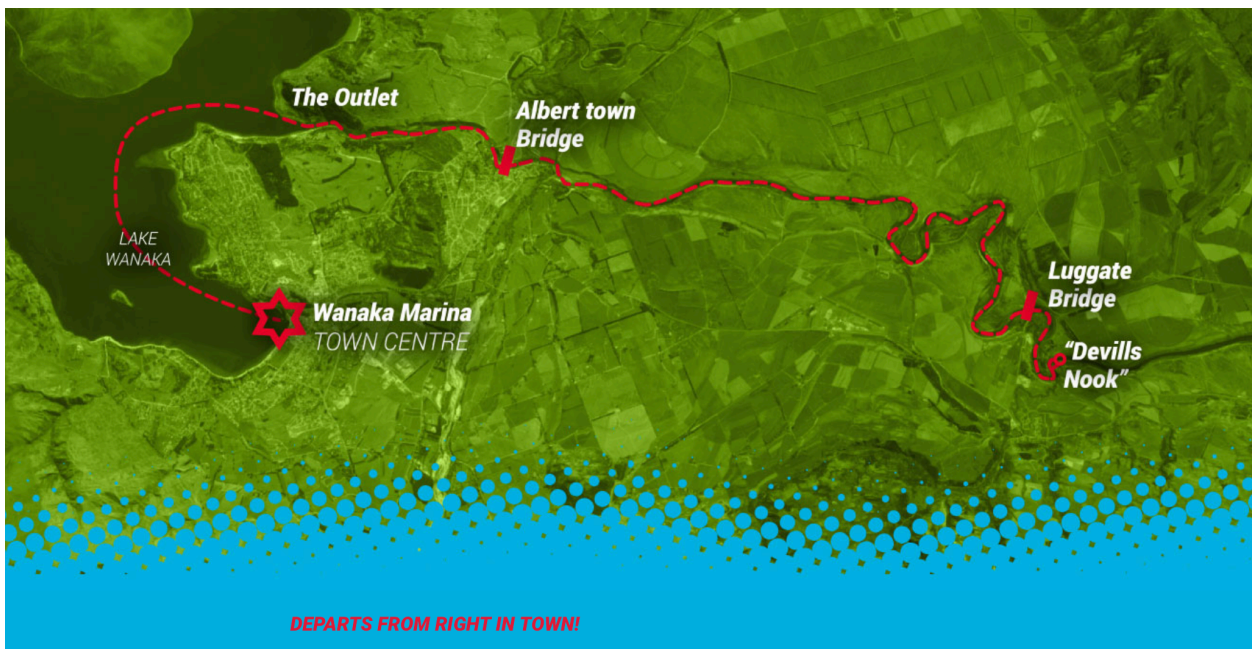
## The Application

### Background:

Reading the information on the Go Jets submission document the impression is given is that Go Jets are a long standing user of the Albert Town Boat Ramp and there have been no issues. That is not an accurate reflection of the situation.

As far as I am aware, Go Jets have only been operating regularly from the Albert Town Boat Ramp for the last couple of years and I had no awareness of their operation before this time. If there was any earlier commercial operation it was so low-key that it was not apparent to me or other local residents I have spoken with.

When referencing the current Go Jets website (22 May 2018), there is the clear implication that the Go Jets boat trips start and finish at the Wanaka lake-front, rather than the Albert Town Boat Ramp. The website represents what you would expect the boat trip to be – similar to other operators such as Wana-Jet. The basing of the operation from the Albert Town Boat Ramp which seems to be in contrast to the other commercial boat operators, as well as possible increased safety and adverse environmental concerns associated with using the Albert Town Boat Ramp specifically is the issue.



The Go Jets application document starts with:

*"Go Jets Wanaka Ltd (the applicant) has been in operation since 2004. The company has been operating under two existing resource consents for the past 13 years and are now seeking landowner permission as this was never completed at the time of the consents".*

It goes on to say, that:

*"A temporary permit was issued by QLDC's Parks and Reserves Team to allow operations during the months of December 2017 to March 2018 whilst their activity was monitored. No complaints or issues have arisen throughout the duration of the current permit."*

The "No complaints" part of the submission came as an absolute shock to me, as in June 2017 I had taken the exceptional step to write to the harbormaster to express my concerns specifically about the use of the Albert Town Boat Ramp as a base point for commercial jet boat operations. I have attached a copy of an email exchange (Appendix A) with the harbormaster expressing my

concerns about the escalation of commercial jet boats and in particular Go-Jets being launched from the Albert Town Boat Ramp and the impact on the environment around the ramp. My email included the following:

*"It looks very much like a recently new commercial activity based from the Albert Town boat ramp which I would have thought should have had to have some sort of public notification, especially given the impact on the residential nature of the area. If they did go through this process, somehow I missed out on hearing about it as did my neighbors. Had I been aware of an application to use this area as a commercial base the following is a list of some of my concerns."*

I went on to express concerns with respect to safety, congestion with recreational boaters on the ramp in summer, sanitation and noise issues! What's more, as the commercial jet boat operations increase in frequency the situation is deteriorating further.

The reply I received from the harbormaster misleadingly suggested that both commercial operators had Resource Consents to operate from the bridge. I received no further communications.

I was therefore surprised to find out that Go Jets have been operating without a licence to use the Albert Town Boat Ramp and that now a proposal is being considered for a 5 year licence, which would set a precedent for other commercial operators. For whatever reason, in light of this new information, it appears that the harbormaster's email to me was misleadingly inaccurate. As I understand, having a Resource Consent to operate commercial jet boat activities on the Clutha is not the same as having a licence to use the Albert Town Boat Ramp as the main base for commercial trips.

Following are a summary of my concerns expressed to the harbormaster in my email last year:

- **Noise:**  
Although the advertised trips start at 10am the daily noise of jet boats idling can start as early as 9.30am 7 days a week, and subsequently between multiple day trips every day, though-out the year (not just seasonal or weekends). At the start of most days the boats will warm up for between 10 to 15 minutes and sometimes as long as 30 minutes.  
[It is also my belief that the regular Hamilton turns that feature at the start and end of most trips cause the boats to exceed permitted noise levels within the Resource Consents. I would be interested to know if there has been official monitoring of the noise generated by the Go Jets boats while executing a Hamilton turn (my possibly inaccurate iPhone App certainly implies a noise level breach).]
- **Speed and Hamilton-turns:** Go Jets boats standard trip formulae is to start and end each trip with one or more Hamilton-turn executions immediately adjacent the ramp and reserve area regardless of other activities such as swimmers, picnickers and other recreational users
- **Safety:** Lots of people use this area for varied passive recreation and having a commercial jet boat activity in such close proximity seems a dangerous mix – especially executing multiple Hamilton-turns.
- **Recreational Boat Ramp Usage – Conflict:** In the summer there can be a significant queue of vehicles with boat trailers vying for launch space in a very small ramp area. I do not feel it to be appropriate to introduce a commercial activity to such a restrictive space that is also used for recreational purposes.

## Submission Process:

In the Go Jets application, set out in the 'Submission Process' I note the following statement:

*"Submitters should note that this notification relates to the granting of a licence pursuant to the Reserves Act 1977 for the proposed activity on the reserve only. It does not relate to the Jet Boating operation on the river or lake."*

In my observation, the behavior and intensity of any commercial Jet Boat operation on the water immediately in the region of any given launching and disembarkation base location is directly and uniquely related. Therefore any commercial Jet Boat operation on the river must be considered in conjunction with this licence application to operate from the Albert Town Recreation Reserve.

Also it is set out in the district plan as the following:

### 5.4 Resource Consents – Assessment Matters – Rural Zones...

#### 5.4.2.1 Step 2 – Determination of Landscape Category...

- (a) to the extent appropriate under the circumstances, both the land subject to the consent application and the wider landscape within which that land is situated

I WOULD INTERPRET THIS AS MEANING THAT THIS APPLICATION MUST BE CONSIDERED TOGETHER WITH JET BOAT OPERATION ON THE RIVER.

## Albert Town Recreation Reserve Management Plan (ATRR management Plan)

As this is the QLDC adopted Management Plan, it should be used as the primary guide for considering the Go Jets application for a licence to launch Jet Boats from the Albert Town Recreation Reserve. The following is from the ATRR Management Plan:

*Commercial activities are not generally consistent with the values of reserves, and the impact needs to be carefully managed and confined to more appropriate spaces.*

For example; the Hawea Jet Sprint Course was discontinued.

The explanation for this decision was as follows:

*The Jet Sprint course has not been used for many years and is not considered compatible with the quiet values of the reserve and adjacent camping areas.*

The clear intent and repeating message in the ATRR Management Plan is "the quiet values of the reserve and adjacent camp ground"

THE LICENCE APPLICATION FOR GO JETS SEEMS TO BE IN CLEAR CONFLICT WITH THE ALBERT TOWN MANAGEMENT PLAN

## QLDC District Plan – Rural Area Rules – Rules

As well as considering the Albert Town Recreational Reserve Management Plan, it is my understanding that the Albert Town Recreation Reserve area also falls within the QLDC District Plan Rural Area Rules, which makes it clear that any water-based commercial activity which seeks a concession should not engage in water-based activity that

- will reduce opportunities for passive recreation, enjoyment of peace and tranquillity and, particularly, opportunities for remote experience recreation.
- that will compromise levels of public safety.

Specific referenced rules from the district plan as follows:

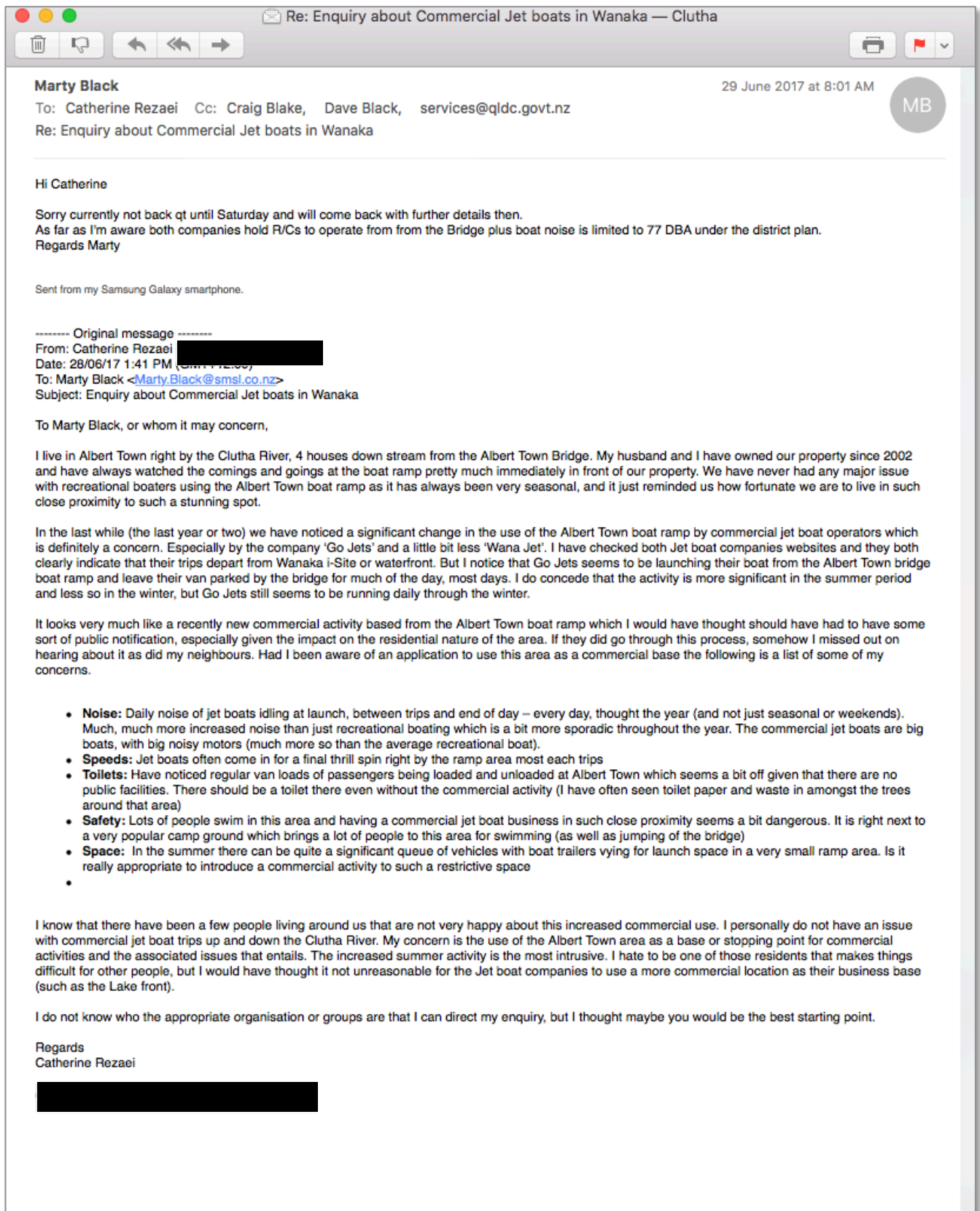
- 5.3.3.4 Non-Complying Activities
- (c) commercial activities ancillary to and located on the same site as recreational activities
- 
- 5.4.2.1 Step 2 – Determination of Landscape Category
- (a) to the extent appropriate under the circumstances, both the land subject to the consent application and the wider landscape within which that land is situated
- 
- 5.4.2.3 xv – Discretionary Activity – Surface of Lakes and Rivers
- (a) The extent to which the water-based activity will adversely affect the range of recreational opportunities available in the District or the quality of experience of the people partaking of those opportunities.
- (b) The extent to which the water-based activity is suited to and benefits from the identified natural characteristics of the particular lake or river.
- (c) The extent to which the water-based activity will reduce opportunities for passive recreation, enjoyment of peace and tranquillity and, particularly, opportunities for remote experience recreation.
- (d) The extent to which the water-based activity will compromise levels of public safety, particularly where conflict between operators may make a reasonable level of public safety impossible or difficult to achieve.
- (e) Any adverse effects of the proposed activity in terms of:
- (i) noise, vibration and lighting, which is incompatible with the levels acceptable in the particular lake or river environment.

THE LICENCE APPLICATION FOR GO JETS SEEMS TO BE IN CLEAR CONFLICT WITH THE CURRENT QLDC DISTRICT PLAN



## Appendix A

Email between myself and the harbormaster: 29 June 2017



**Please note: I DO** wish to be heard in support of my submission

A handwritten signature in blue ink, appearing to read 'Rezaei', with a large, stylized flourish underneath.

Catherine Rezaei  
25 May 2018

## QUEENSTOWN LAKES DISTRICT COUNCIL RESERVES ACT 1977 - SUBMISSION

### Submission in respect of a reserve request

To: QLDC Property Manager  
APL Property Queenstown Ltd  
PO Box 1586  
QUEENSTOWN 9348

#### YOUR DETAILS

Your Name: *Adrian Camm*

Your Address: [REDACTED]

Postal Address for service: *As above.*

Phone Number: [REDACTED]

Fax Number: [REDACTED]

Preferred Contact: Phone: [REDACTED] Email: Yes Post: [REDACTED]

#### This is a submission in respect of the following Reserve Act Application:

I support (or oppose) the application: Support: Oppose: *Oppose*

*I live directly across the river from the boat ramp so I've seen and, unfortunately, heard a lot of Go Jets in recent months. They are a very noisy neighbour.*

*I note that in the Information for Submitters document it says that "No complaints or issues have arisen throughout the duration of the current permit." This is not correct. I have personally walked over the bridge to talk to Patrick Perkins about noise at least twice and there has been email correspondence between us on the subject.*

*I also note that their temporary permit expired in March 2018 yet they continue to operate there in May 2018.*

*I believe that this is not suitable use of the Albert Town Reserve for the following reasons:-*

- 1. Safety. Whilst I realise that there's a separate process ongoing in relation to speed limits etc on the Clutha, Go Jets are easily the heaviest user of this area. I estimate that more than 8 times out of 10 when I see or hear a jet boat at Albert Town, it's them. It is simply not a suitable base for a frequent, high-speed commercial operation since it means the regular mixing of high-speed craft with the increasing numbers of non-powered river users (particularly swimmers) around the Albert Town Reserve.*
- 2. Noise. Go Jets are a noisy user of this area. They have done little so far, either in their choice of boat or their operational practices around the boat ramp, to minimise the negative effects of their business on the many other users of the reserve. The powerful, low-frequency throb of their engine when idling in the boat ramp area penetrates walls and windows and is clearly audible over a large residential and recreational area. The presence of the road nearby is not an excuse to add more noise.*

I **DO** wish to be heard in support of my submission.

\_\_\_\_\_  
Signature – to be signed for or on behalf of  
submitter

\_\_\_\_\_  
Date 11/5/18

A signature is not required if you make your submission by electronic means.

**Contact Details:**

**APL Property Queenstown Ltd, PO Box  
1586, Queenstown 9348**

**Phone:** 03 442 7133

**Fax:**

03 442 7863

**Email:**

queenstown  
@aplpropert  
y.co.nz

17 MAY 2018

## QUEENSTOWN LAKES DISTRICT COUNCIL RESERVES ACT 1977 - SUBMISSION

## Submission in respect of a reserve request

To: QLDC Property Manager  
 APL Property Queenstown Ltd  
 PO Box 1586  
 QUEENSTOWN 9348



## YOUR DETAILS

Your Name: DR IAN HALL

Your Address:



Postal Address for service:

as above.

Phone Number:

Work:



Fax Number:

Preferred Contact:

Phone:

☐

Email:

☒

Post:

☐

## This is a submission in respect of the following Reserve Act Application:

GO JETS LTD - ALBERT TOWN RESERVE

I support (or oppose) the application:

~~Support:~~

Oppose:

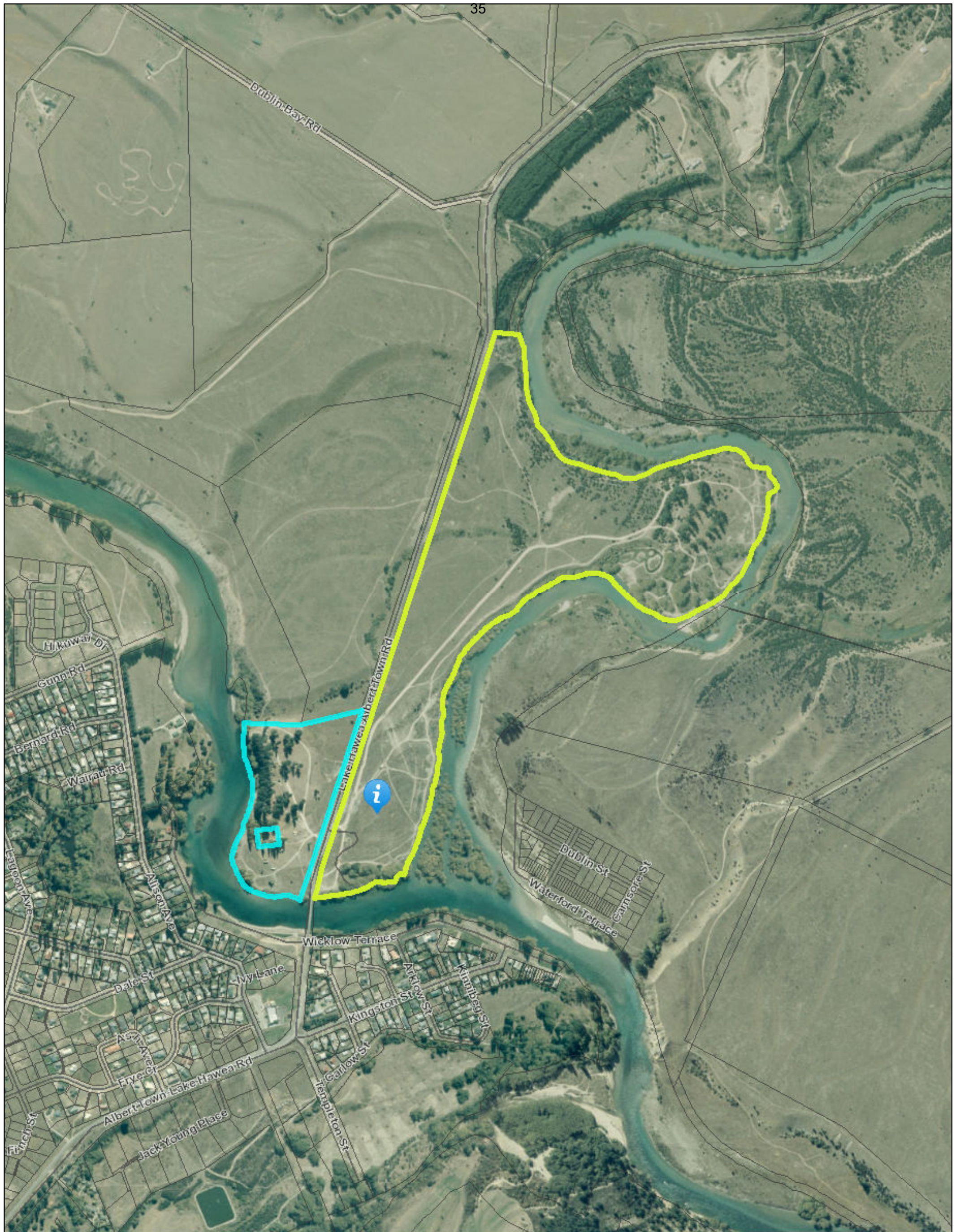
It is not correct to say that Go Jets have been operating since 2004, as they are operating under Resource Consents that were transferred from previous holders. No company previously operated commercial trips from the Albert Town ramp.

The Albert Town ramp has no facilities for safe loading and unloading of passengers and is quite unsuitable as a location for a commercial jet boat operation. Presently, considerable damage is being done to the river bank by the need for the boat to "nose in" to the bank for loading/unloading. This is an inherently risky and potentially dangerous operation.

There are no facilities of any kind at this ramp at present, and it is clear that the ramp was never intended to be used by a commercial jet boat operation.







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