

BEFORE THE ENVIRONMENT COURT

IN THE MATTER OF the Resource Management Act 1991 (The Act)
of notice of motion under Section 87G
requesting the granting of Resource Consents to
**WELLINGTON INTERNATIONAL AIRPORT
LIMITED** for the **WELLINGTON
INTERNATIONAL AIRPORT EXTENSION OF
RUNWAY CONSTRUCTION, OPERATION
AND MAINTENANCE**

[ENV-2016-WLG-000058]

BETWEEN JUMPJET HOLDINGS LIMITED
AND WELLINGTON INTERNATIONAL AIRPORT
LIMITED
TO Registrar; and to
Applicant for Consent; and to
Section 274 Parties

MEMORANDUM ACCOMPANYING COSTS APPLICATION

1st February 2019

MAY IT PLEASE THE COURT:

1. Jumpjet Holdings Limited states that Costs have been applied for as instructed under Clause 6.6(f) of the Environment Court Practice Note 2014 and the Closing Date for Counter Claim was the 20th January 2019. The Applicant (WIAL) has not respected the Court Practice Timeframes and the counter claim is invalid.
2. Mr John Cook is a Director of Jumpjet Holdings Limited/Jumpjet Airlines Limited and he frequently gives business-consulting advice to the Companies. It would be impractical and counter productive to Invoice his services on all occasions. The benefit of his business advice has been put before the Court in the form of advice in relation to Insurance Liabilities in the event of an aircraft accident at Wellington Airport. Particularly in relation to sub-standard runway construction. However, in this application a typo caused the bracket dates of 28th April 2016 to the 12th of December 2018 to be omitted.
3. Mr Nicholas Kile is also a Director of Jumpjet Holdings Limited/Jumpjet Airlines Limited and we state that due to the length of time of this case, the preparation time, the precise legal nature of Court Documents, background technical publishing's, out-of-court legal consultancy and conferencing for Judicial Conferences, including the Conference of the 12th of December 2018 - Jumpjet real Costs are substantially higher than those tabled.
4. Mr Kile's Costs Claim of \$500.00 for out-of pocket office, transport, sundry, administration and Judicial Conference expenses are proportional and derived from total head office costs. The overall administration annual cost of operating the Jumpjet Head Office is some \$3,500 per year derived from a substantial number of Invoices concerning office expenditure. It would be unreasonable, for such a small claim, to spend the amount of time necessary for the production of small precise but partial out-of-pocket Invoices.
5. Key Aspects of the Jumpjet Airlines regional development have been stayed and the Head Office resources re-focussed on this case before the Court for some 2.5 years. We do not accept that the Claim tabled is unreasonable and limited to one Judicial Conference. Particularly as the Applicant (WIAL) has strategically undertaken tactics to stay proceedings around technical safety standards that require technical industry documents.
6. Jumpjet Holdings Limited submits to the Court for the Costs decision.

DATED: at Wellington 1 February 2019

