

IN THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY

I Te Koti Taiao o Aotearoa
Ōtautahi Rohe
ENV-2018-CHC-

IN THE MATTER of an appeal under clause 14(1) of the First Schedule of the Resource Management Act 1991

AND IN THE MATTER OF the Proposed Queenstown Lakes District Plan – Stage 1

BETWEEN

New Zealand Tungsten Mining Limited

Appellant

AND

QUEENSTOWN LAKES DISTRICT COUNCIL

Respondent

MOUNT PLEASANT TRUST SERVES NOTICE PURSUANT TO SECTION 274
OF THE RESOURCE MANAGEMENT ACT 1991

03 JULY 2018

To: The Registrar
Environment Court
Christchurch

TAKE NOTICE that MOUNT PLEASANT TRUST gives notice pursuant to s274 of the Resource Management Act 1991 that it wishes to appear as a party to the above proceedings.

This Notice is made upon the following grounds:

1 Mount Pleasant Trust did not lodge a Submission or Further submission to the Proposed Queenstown Lakes District Plan – Stage 1 (the Plan) to which this appeal relates.

2 Mount Pleasant Trust has an interest in these proceedings that is greater than the public generally under section 274(1)(da). Mount Pleasant Trust formally seeks to join the appeal of the initiator as an s274 party.

3 Notwithstanding the above, Section 308CA sets out the limits for s274 notices to which the party had not previously submitted or provided a further submission. Person A may be a party proceeding only if directly affected by an effect of the subject matter of the proceeding that (a) adversely affects the environment. It is Mount Pleasant Trust's view that it satisfies the requirements to appeal the decision of the respondent by virtue of s308CA and s274.

dmw
ms

4 Mount Pleasant Trust is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.

5 The Trust's hobby mining will be adversely affected, and Mount Pleasant Trust considers the decision document has created an unintended and perverse outcome. Mount Pleasant Trust is part of the environment as described in section 2 of the Act, where the environment includes, (a) ecosystems and their constituent parts, including people and communities.

6 Mount Pleasant Trust holds current mining permit 52201 on the Arrow River within the Queenstown Lakes District.

7 The decisions document for the Plan states in Chapter 21.11 that the standards for mining in the bed of a river is a non-complying activity. New Zealand Tungsten Mining Limited appealed against Chapter 21. This creates a significant challenge to hobby gold miners using suction dredges under the Otago Regional Council permitted activity 13.5.1.7 of the RP:W. This is directly at odds with Chapter 21.4.29 of the Plan.

8 Chapter 21.4.29 of the decision document states:

The following mining and extraction activities that comply with the standards of Table 8 are permitted:

(a) Mineral prospecting

(b) Mining by means of hand-held, non-motorised equipment and suction dredging where the total motive power of the dredge does not exceed 10 horsepower (7.5kw) and...

9 Suction dredge mining exclusively occurs in the bed of the river. While permitted under 21.4.29, it is a non-complying activity under 21.11 and Table 8.

10 It also means that the four public recreation gold mining areas administered by NZ Petroleum and Minerals (NZPAM permit numbers 42020, 42021, 42022, 42023) will require consent. That consent will be non-complying.

11 A non-complying consent requirement is a perverse outcome whilst the Regional Council considers the activity a permitted activity in the same waterbody.

12 Mount Pleasant Trust seeks the following relief, that Table 8 and Chapter 21.11.1.2 is amended to allow for suction dredge mining and hand methods/detecting consistent with the permitted activity rules in 21.4.29 .

13 Mount Pleasant Trust agrees to attend mediation and/or dispute resolution in regard to these proceedings.

Dated the 03 July 2018

Trustees of Mount Pleasant Trust

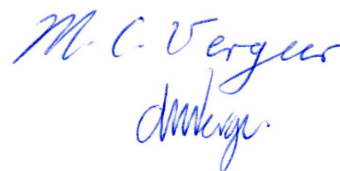
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A handwritten signature in blue ink, appearing to read 'M. C. Vergeer', with a smaller signature below it.