

**IN THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA**

ENV-2018-CHC-76

IN THE MATTER the Resource Management Act 1991 ("the RMA")

AND

IN THE MATTER of an appeal under Clause 14(1) of Schedule 1 of the RMA

BETWEEN **WAYFARE GROUP LIMITED**

Appellant

AND **QUEENSTOWN LAKES DISTRICT COUNCIL**

Respondent

**NOTICE OF PARTY'S INTENTION TO JOIN PROCEEDINGS
PURSUANT TO SECTION 274 RESOURCE MANAGEMENT ACT 1991**

5 June 2019

Heritage New Zealand Pouhere Taonga
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TO: The Registrar
Environment Court
Christchurch

1. Heritage New Zealand Pouhere Taonga (Heritage New Zealand) wishes to be a party to the following proceedings:

ENV-2018-CHC-076

Wayfare Group Limited v Queenstown Lakes District Council

2. Heritage New Zealand made a submission on the subject matter of the proceedings.
3. Heritage New Zealand is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. Heritage New Zealand is interested in part of the proceedings, being:
 - a) The deletion of Standard 25.5.2;
 - b) The deletion of Standard 25.5.14;
 - c) Removal of "archaeological sites" from the Matters of Discretion at 25.7.1.6 (Cultural, heritage and archaeological sites);
 - d) Deletion of 25.8 Assessment Matters, insofar as it relates to 25.8.7 Cultural, heritage and archaeological sites
5. Heritage New Zealand opposes the relief sought for the following reason:
 - a) Heritage New Zealand considers that the decisions version of the earthworks provisions appropriately manage the potential adverse effects on historic heritage.

The deletion of Standard 25.5.2

6. Earthworks limits in the Heritage Precincts and Heritage Landscape Overlay have the potential to adversely affect historic heritage and as such it is appropriate to impose a maximum total volume of earthworks at 10m³.
7. Removal of this maximum total volume of earthworks would enable activities that could have adverse effects on historic heritage, without the need for a resource consent.

The deletion of Standard 25.5.14

8. Standard 25.5.14 refers to the need to comply with the Accidental Discovery Protocol at Appendix 25.10 in certain circumstances. Heritage New Zealand supports the reference to

the information and guidance in Appendix 25.10 in order to mitigate or avoid any further adverse effects on historic heritage should one of these circumstances arise.

9. Heritage New Zealand does support the deletion of 25.5.14.2 which refers to “any feature or archaeological material that predates 1900”. In this respect, Heritage New Zealand agrees with the Appellant that this circumstance is addressed by other legislation, namely the Heritage New Zealand Pouhere Taonga Act 2014.

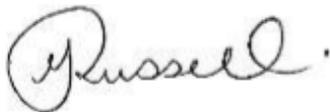
Removal of “archaeological sites” from the Matters of Discretion at 25.7.1.6 (Cultural, heritage and archaeological sites)

10. Earthworks have the potential to adversely affect archaeological sites, and as such it is appropriate that archaeological sites are included for consideration in the matters of discretion at 25.7.1.6.

Deletion of 25.8 Assessment Matters, insofar as it relates to 25.8.7 Cultural, heritage and archaeological sites

11. Heritage New Zealand considers that these assessment matters provide clear guidance to any Plan user when considering and assessing any potential affects on historic heritage which may be generated by earthworks. The assessment matters in 25.8.7 also promote an awareness of the provisions and requirements of the Heritage New Zealand Pouhere Taonga Act 2014, particularly with regard to archaeological authorities.
12. Heritage New Zealand agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated 5 June 2019



Melanie Russell

For and on behalf of Heritage New Zealand Pouhere Taonga

Address for Service of person wishing to be a party:

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