

**Recommended Amendments following consideration of submitter evidence & hearing appearances – Michael Bathgate**

**KEY:**

**Ms Picard’s amendments:**

Green underline and ~~strike through~~ text are recommended amendments to notified provisions made in response to submitter evidence, Highlights Summary 29/06/20.

Red underline and strike through text are recommended amendments made in section 42A report, 18/03/2

Any black underlined or ~~strike through~~ text, reflect notified variations.

**Mr Bathgate’s amendments:**

Blue underline and ~~strike through~~ are recommended amendments to notified provisions made in response to submitter evidence and hearing appearances (incorporating earlier changes in pre-circulated evidence, and sometimes adopting Ms Picard’s recommended amendments)

*Italics* indicates non-drafting changes recommended or when providing clarification with respect to recommended amendments.

Provision/S42a Topic	Sarah Picard Recommended Amendments following consideration of submitter evidence	Michael Bathgate Recommended Amendments following consideration of submitter evidence & hearing appearances
Objective 39.2.1	The values held by Manawhenua, in particular within <u>identified</u> wāhi tūpuna areas, are recognised and provided for, and considered as part of decision making.	The values held by Manawhenua, <del>in particular</del> within <u>identified</u> wāhi tūpuna areas, are recognised and provided for, and considered as part of decision making.
Policy 39.2.1.1	Recognise that the following activities may be incompatible with values held by Manawhenua where ever they occur within the District;  a. Mining and mining activities, including gravel extraction; b. Landfills; c. Cemeteries and crematoria; d. Forestry;	<i>Recommend move Policy 39.2.1.1 to Chapter 5 Tangata Whenua, subject to possible amendment to Chapter 5 objectives.</i>

Provision/S42a Topic	Sarah Picard Recommended Amendments following consideration of submitter evidence	Michael Bathgate Recommended Amendments following consideration of submitter evidence & hearing appearances
	<ul style="list-style-type: none"> <li>e. Removal of indigenous vegetation from significant natural areas (SNA); and</li> <li>f. Wastewater treatment plants.</li> </ul>	
Policy 39.2.1.2	<p>Recognise that the following activities may be incompatible with values held by Manawhenua when the activity includes activities or effects that are a recognised threat and could result in the modification, damage or destruction of values held for an identified wāhi tūpuna area, as set out in Schedule 39.6:</p> <ul style="list-style-type: none"> <li>a. Activities affecting water quality, <del>including buildings or structures in close proximity to waterbodies;</del></li> <li>b. Earthworks <del>which exceed 10m<sup>3</sup> outside of the urban environment;</del></li> <li>c. Buildings and structures;</li> <li>d. Forestry, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 prevails;</li> <li>e. New roads, additions/alterations to existing roads, vehicle tracks and driveways;</li> <li>f. Activities that affect a ridgeline including buildings and structures, and activities on the upper slopes;</li> <li>g. Commercial and commercial recreational activities;</li> <li>h. Activities within Significant Natural Areas;</li> <li>i. Subdivision and development <u>outside of the urban environment;</u> or</li> <li>j. Utilities and energy activities.</li> </ul>	<p>Recognise that the following activities may be incompatible with <u>cultural</u> values held by <del>Manawhenua</del> <u>Manawhenua</u> when <del>the activity includes activities or effects that are listed as a recognised potential threat and could result in the modification, damage or destruction of values held</del> for an identified wāhi tūpuna area, as set out in Schedule 39.6:</p> <ul style="list-style-type: none"> <li>a. Activities affecting water quality, <del>including buildings or structures in close proximity to waterbodies;</del></li> <li>b. Earthworks <del>which exceed 10m<sup>3</sup> outside of the urban environment;</del></li> <li>c. Buildings and structures;</li> <li>d. Forestry, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 prevails;</li> <li>e. New roads, additions/alterations to existing roads, vehicle tracks and driveways;</li> <li>f. Activities that affect a ridgeline including buildings and structures, and activities on the upper slopes;</li> <li>g. Commercial and commercial recreational activities;</li> <li>h. Activities within Significant Natural Areas;</li> <li>i. Subdivision and development <u>outside of the urban environment;</u> or</li> <li>j. Utilities and energy activities.</li> </ul>

Provision/S42a Topic	Sarah Picard Recommended Amendments following consideration of submitter evidence	Michael Bathgate Recommended Amendments following consideration of submitter evidence & hearing appearances
Policy 39.2.1.3	Recognise that certain activities, when undertaken in wāhi tūpuna areas, can have <del>such</del> significant adverse effects on Manawhenua values <del>that they are culturally inappropriate and should must</del> be avoided.	<del>Recognise that certain activities, when undertaken in</del> <u>In identified</u> wāhi tūpuna areas, <del>can have:</del> <u>a. such</u> significant adverse effects on <u>the cultural values of</u> manawhenua <del>values that they are culturally inappropriate and should must</del> be avoided; <u>and</u> <u>b. other adverse effects on the cultural values of manawhenua must be avoided, remedied or mitigated.</u>
Policy 39.2.1.4	<del>Avoid significant adverse effects on values within wāhi tūpuna areas and where significant adverse effects cannot be practicably avoided, require them to be remedied or mitigated. Avoid, remedy or mitigate any other adverse effects on the cultural values of Manawhenua of on the identified wāhi tūpuna areas.</del>	<del>Avoid significant adverse effects on values within wāhi tūpuna areas and where significant adverse effects cannot be practicably avoided, require them to be remedied or mitigated.</del>
Policy 39.2.1.5	Encourage consultation with Manawhenua as the most appropriate way for obtaining understanding of the impact of any activity on a wāhi tūpuna area.	Encourage consultation with Manawhenua as the most appropriate way for obtaining understanding of the impact of any activity on a wāhi tūpuna area.
Policy 39.2.1.6	Recognise that an application <del>for activities as set out in Policy 39.2.1.1 and Policy 39.2.1.2 that does not include detail of consultation undertaken with Manawhenua</del> <u>mana whenua</u> may require a cultural impact assessment as part of an Assessment of Environment Effects so that any adverse effects that <del>an the</del> activity may have on <u>the cultural values of Manawhenua of on the identified wāhi tūpuna areas</u> <del>a wāhi tūpuna</del> can be understood.	<del>Recognise that an application that does not include detail of consultation undertaken with mana whenua may require a cultural impact assessment as part of an Assessment of Environment Effects so that any adverse effects that an activity may have on a wāhi tūpuna can be understood.</del> <i>Delete policy, consider inserting method</i>
Policy 39.2.1.7	When deciding whether <del>mana whenua</del> <u>Manawhenua</u> are an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will consider Policies 39.2.1.1 and 39.2.1.2.	<del>When deciding whether mana whenua Manawhenua are an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will consider Policies 39.2.1.1 and 39.2.1.2.</del> <i>Delete policy, consider inserting method</i>

Provision/S42a Topic	Sarah Picard Recommended Amendments following consideration of submitter evidence	Michael Bathgate Recommended Amendments following consideration of submitter evidence & hearing appearances
Schedule 39.6	<p data-bbox="427 280 1151 312"><i>[Mapping of urban wāhi tūpuna not supported by Ms Picard]</i></p> <p data-bbox="427 571 1211 724"><u>Due to its extensive level of modification, there are no recognised threats listed for this wāhi tūpuna and the rules specific to wāhi tūpuna do not apply. However, this wāhi tūpuna remains significant to Manawhenua.</u></p> <p data-bbox="427 943 730 975"><i>[Supported by Ms Picard]</i></p>	<p data-bbox="1261 280 1973 352"><i>Number and map the following urban wāhi tūpuna: Tāhuna (Queenstown), Te Kirikiri, Take Kārara</i></p> <p data-bbox="1261 408 1995 440">Amend column titles as follows: <u>Recognised Potential Threats</u></p> <p data-bbox="1261 488 2024 560">Replace the current wording in the Potential Threats column for these 3 urban wāhi tūpuna with the following:</p> <p data-bbox="1261 568 2047 807"><u>Due to its extensive level of modification, there are no recognised potential threats listed for this wāhi tūpuna and the rules specific to wāhi tūpuna do not apply. However, this wāhi tūpuna remains significant to manawhenua and cultural values may be considered relevant to assessment of discretionary and non-complying activities.</u></p> <p data-bbox="1261 863 1957 935"><i>Remove notation regarding urbanised area of Hāwea from description column for # 2 Paetarariki &amp; Timaru</i></p> <p data-bbox="1261 983 2051 1094"><i>Amend wāhi tūpuna descriptions and values in Schedule 39.6, as per the revised descriptions and values set out in Appendix 1 of the cultural evidence of Edward Ellison.</i></p>

Provision/S42a Topic	Sarah Picard Recommended Amendments following consideration of submitter evidence	Michael Bathgate Recommended Amendments following consideration of submitter evidence & hearing appearances												
Mapping	[Not supported by Ms Picard in respect of notification of D and NC activities in the urban environment]	Include differentiated mapping for all areas where wāhi tūpuna overlap with Urban Environment zones to indicate “Urban Wāhi Tūpuna”, including Tāhuna (Queenstown), Te Kirikiri, Take Kārara. Notate these urban areas to indicate that the rules specific to wāhi tūpuna do not apply, but the important values of these wāhi tūpuna for manawhenua may be used in assessing notified discretionary or non-complying activities. [NB: the intention of the proposed notation was not to suggest that all D, NC consents in these areas should be notified].												
Earthworks	<p>25.3.4 Advice Notes – General ... 25.3.4.5 <u>For Rule 25.5.22 the urban environment relates to those zones set out in Part 3: Urban Environment and the Open Space and Recreation Zones within the Urban Growth Boundary</u></p> <table border="1" data-bbox="427 906 1240 1388"> <thead> <tr> <th>Rule</th> <th>Table 25.1</th> <th>Activity Status</th> </tr> </thead> <tbody> <tr> <td>25.4.5</td> <td> <p>Earthworks <del>25.4.5.1 that modify, damage or destroy a wāhi tapu, wāhi tūpuna or other site of significance to Māori as identified in Schedule 39.6 whether identified on the Planning Maps or not;</del> Discretion is restricted to: <del>Effects on cultural values of Manawhenua.</del></p> <p>... [Rule 25.4.5.2 &amp; Rule 25.4.5.3 not part of this review]</p> </td> <td>RD</td> </tr> </tbody> </table>	Rule	Table 25.1	Activity Status	25.4.5	<p>Earthworks <del>25.4.5.1 that modify, damage or destroy a wāhi tapu, wāhi tūpuna or other site of significance to Māori as identified in Schedule 39.6 whether identified on the Planning Maps or not;</del> Discretion is restricted to: <del>Effects on cultural values of Manawhenua.</del></p> <p>... [Rule 25.4.5.2 &amp; Rule 25.4.5.3 not part of this review]</p>	RD	<p>25.3.4 Advice Notes – General ... 25.3.4.5 <u>For Rules 25.5.7 and 25.5.11-25.5.22 the urban environment relates to those zones set out in Part 3: Urban Environment and the Open Space and Recreation Zones within the Urban Growth Boundary</u></p> <table border="1" data-bbox="1254 906 2058 1388"> <thead> <tr> <th>Rule</th> <th>Table 25.1</th> <th>Activity Status</th> </tr> </thead> <tbody> <tr> <td>25.4.5</td> <td> <p>Earthworks <del>25.4.5.1 that modify, damage or destroy a wāhi tapu, wāhi tūpuna or other site of significance to Māori as identified in Schedule 39.6 whether identified on the Planning Maps or not;</del> Discretion is restricted to: <del>Effects on cultural values of Manawhenua.</del></p> <p>... [Rule 25.4.5.2 &amp; Rule 25.4.5.3 not part of this review]</p> </td> <td>RD</td> </tr> </tbody> </table>	Rule	Table 25.1	Activity Status	25.4.5	<p>Earthworks <del>25.4.5.1 that modify, damage or destroy a wāhi tapu, wāhi tūpuna or other site of significance to Māori as identified in Schedule 39.6 whether identified on the Planning Maps or not;</del> Discretion is restricted to: <del>Effects on cultural values of Manawhenua.</del></p> <p>... [Rule 25.4.5.2 &amp; Rule 25.4.5.3 not part of this review]</p>	RD
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Provision/S42a Topic	Sarah Picard Recommended Amendments following consideration of submitter evidence			Michael Bathgate Recommended Amendments following consideration of submitter evidence & hearing appearances		
	Rule	Table 25.2 – Maximum Volume	Maximum Total Volume	Rule	Table 25.2 – Maximum Volume	Maximum Total Volume
	25.5.2	[delete this text only, remainder of Rule remains and does not form part of this proposal] <a href="#">Wāhi Tūpuna areas</a>	<b>10m<sup>3</sup></b>	25.5.2	[delete this text only, remainder of Rule remains and does not form part of this proposal] <a href="#">Wāhi Tūpuna areas</a>	<b>10m<sup>3</sup></b>
	25.5.7	25.5.7.2 Roads located within an Outstanding Natural Feature identified on the Planning Maps <u>and wāhi tūpuna areas where roads have been identified as a recognised threat to the values of the area (see Schedule 39.6)</u>	<b>10m<sup>3</sup></b>	25.5.7	25.5.7.2 Roads located within: <a href="#">a) an Outstanding Natural Feature identified on the Planning Maps and</a> <a href="#">b) wāhi tūpuna areas outside the urban environment</a> where roads have been identified as a recognised threat to the values of the area (see Schedule 39.6) <a href="#">Except that 25.5.7.2.b does not apply to earthworks for the operation, repair and maintenance of the existing roading network.</a>	<b>10m<sup>3</sup></b>
	<a href="#">25.5.11</a>	<a href="#">Wāhi Tūpuna areas</a> <a href="#">Te Rua Tūpāpaku (Number 5), Mou Tapu (Number 9), Te Koroka (Number 12), Punatapu (Number 16), Te Tapunui (Number 20), Kā Kamu a Hakitekura (Number 22), and Te Taumata o Hakitekura (Number 27).</a>	<b>10m<sup>3</sup></b>	<a href="#">25.5.11</a>	<a href="#">25.5.11.1 In the following Wāhi Tūpuna areas:</a> <a href="#">Te Rua Tūpāpaku (Number 5), Mou Tapu (Number 9), Te Koroka (Number 12), Punatapu (Number 16), Te Tapunui (Number 20), Kā Kamu a Hakitekura (Number 22), and Te Taumata o Hakitekura (Number 27).</a>  <a href="#">25.5.11.2 In Wāhi Tūpuna areas not listed in 25.5.11.1:</a> <a href="#">a. Earthworks within 20m of the bed of any wetland, river or lake;</a>	<b>10m<sup>3</sup></b>

Provision/S42a Topic	Sarah Picard Recommended Amendments following consideration of submitter evidence			Michael Bathgate Recommended Amendments following consideration of submitter evidence & hearing appearances		
	Rule	Table 25.3 – Standards	Maximum Total Volume		<ul style="list-style-type: none"> <li>b. <a href="#">Earthworks located at an elevation exceeding 400 masl, except within Ōrau (Number 12).</a></li> <li>c. <a href="#">For Ōrau (Number 12), earthworks located at an elevation exceeding 600 masl.</a></li> <li>d. <a href="#">Earthworks that modify a skyline or terrace edge when viewed from a public place.</a></li> </ul> <p><a href="#">Except that:</a></p> <ul style="list-style-type: none"> <li>e. <a href="#">The following are exempt from Rule 25.5.11.1 and Rule 25.5.11.2:</a> <ul style="list-style-type: none"> <li>i. <a href="#">Earthworks located in the urban environment.</a></li> <li>ii. <a href="#">Earthworks for the minor upgrading of underground electricity cables or overhead lines, except where this involves the addition of new support structures.</a></li> <li>iii. <a href="#">Earthworks required for the planting of indigenous species.</a></li> </ul> </li> <li>f. <a href="#">The following are exempt from Rule 25.5.11.2:</a> <ul style="list-style-type: none"> <li>iv. <a href="#">Earthworks as part of farming activity for the digging of silage pits or the clearance of drains.</a></li> </ul> </li> </ul>	
25.5.22	<p><a href="#">Any earthworks undertaken in a wāhi tūpuna, with the exception of the wāhi tūpuna listed in Rule 25.5.11 (Table 25.2) or located in the urban environment shall:</a></p> <p><a href="#">25.5.22.1 Be setback a minimum of 20m from a waterbody;</a></p> <p><a href="#">25.5.22.2 not exceed an elevation of 400masl; or</a></p> <p><a href="#">25.5.22.3 not modify a skyline or terrace edge viewed either from adjoining sites, or formed roads within 2km of the earthworks.</a></p>		<b>RD</b>			

Provision/S42a Topic	Sarah Picard Recommended Amendments following consideration of submitter evidence	Michael Bathgate Recommended Amendments following consideration of submitter evidence & hearing appearances	
	<p><b>25.7 Matters of Discretion</b></p> <p>...</p> <p>25.7.1 For all restricted discretionary activities, <u>except in relation to Rule 25.5.11 and 25.5.22</u>, discretion shall be restricted to the following.</p> <p><b><u>25.7.2 For any restricted discretionary resource consent for non-compliance with Rule 25.5.11 and 25.5.22 discretion shall be restricted to effects on cultural values of Manawhenua.</u></b></p>		<p>g. <a href="#">More than one instance of earthworks up to 10m<sup>3</sup> may be undertaken on the same site within any consecutive 12 month period, provided that each earthworks activity is located at least 400m from any other earthworks activity subject to this maximum volume rule.</a></p>
		<p><i>[Do not support Ms Picard’s recommended 25.5.22 as it makes no allowance for up to 10m<sup>3</sup> of earthworks in these areas, and does not appear to exempt urban areas from Rule 25.5.11. It also seems to preclude volume-specific exemptions in Chapter 25 e.g. 25.3.2.5 and 25.3.2.7. Note the latter exemption appears to exempt earthworks within a consented building platform, which would include earthworks for such purpose in a wāhi tūpuna – as requested by some submitters.]</i></p> <p><b>25.7 Matters of Discretion</b></p> <p>...</p> <p>25.7.1 For all restricted discretionary activities, <u>except in relation to Rule 25.5.7.2.b and 25.5.11 and 25.5.22</u>, discretion shall be restricted to the following.</p> <p><b><u>25.7.2 For any restricted discretionary resource consent for non-compliance with Rule 25.5.7.2.b and 25.5.11 and 25.5.22 discretion shall be restricted to effects on cultural values of Manawhenua.</u></b></p>	

Farm Buildings		<b>Table 39.4 - Activity</b>	<b>Activity Status</b>		<b>Table 39.4 - Activity</b>	<b>Activity Status</b>
	39.4.1	<u>A new farm building within 30m of an existing farm building within an identified wāhi tūpuna area.</u>	<u>P</u>	39.4.1	<u>A new farm building within 30m of an existing farm building within an identified wāhi tūpuna area.</u>	<u>P</u>
		<b>Table 39.X –farm buildings within an identified wāhi tūpuna area</b>	<b>Non-compliance status</b>		<b>Table 39.X –farm buildings within an identified wāhi tūpuna area</b>	<b>Non-compliance status</b>
	39.5.1	<u>Any farm building, other than provided for by Rule 39.4.1, shall be located at an elevation no greater than 400 masl.</u>	<u>RD</u> <u>Discretion is restricted to:</u> <u>a. Effects on cultural values of Manawhenua.</u>	39.5.1	<u>Any new farm building, other than provided for by Rule 39.4.1, shall be located at an elevation no greater than 400 masl, except within Ōrau (Number 12) where farm buildings may be located at an elevation up to 600masl.</u>	<u>RD</u> <u>Discretion is restricted to:</u> <u>a. Effects on cultural values of Manawhenua.</u>
39.X.2	<u>Any farm building, other than provided for by Rule 39.4.1, shall not modify a skyline or terrace edge when viewed from either; adjoining sites, or formed roads within 2km of the location of the proposed building.</u>	<u>RD</u> <u>Discretion is restricted to:</u> <u>a. Effects on cultural values of Manawhenua.</u>	39.X.2	<u>Any farm building, other than provided for by Rule 39.4.1, shall not modify a skyline or terrace edge when viewed from either; adjoining sites, or formed roads within 2km of the location of the proposed building a public place.</u>	<u>RD</u> <u>Discretion is restricted to:</u> <u>a. Effects on cultural values of Manawhenua.</u>	
Subdivision						

Provision/S42a Topic	Sarah Picard Recommended Amendments following consideration of submitter evidence			Michael Bathgate Recommended Amendments following consideration of submitter evidence & hearing appearances		
	Rule	Subdivision Activities – District Wide	Activity Status	Rule	Subdivision Activities – District Wide	Activity Status
	<p><del>27.5.12A</del> XX</p>	<p>The subdivision of land within a wāhi tūpuna area where subdivision is a recognised threat as set out in Schedule 39.6.</p> <p><u>Discretion is restricted to:</u></p> <p>a. <u>Effects on cultural values of Manawhenua.</u></p>	<p>RD <del>⊘</del></p>	<p><del>27.5.12A</del> XX</p>	<p>The subdivision of land within a wāhi tūpuna <u>outside the urban environment</u>, where subdivision is a recognised threat as set out in Schedule 39.6.</p> <p><u>Discretion is restricted to:</u></p> <p>a. <u>Effects on cultural values of Manawhenua</u></p>	<p>RD <del>⊘</del></p>
Glossary and Definitions	Glossary moved from Section 5.5 to Section 2.3			<p><i>[I note “Urban environment” not defined in Chapter 27 but consider the notation important for plan clarity – may require advice note as per recommended Earthworks 25.3.4.5]</i></p> <p>Support Ms Picard’s amendments</p>		

Water

	Table 39.5 - Setback from water bodies within a wāhi tūpuna area	Non-compliance status
39.5.1	<del>Any buildings or structures:</del> ...	RD ...
39.5.2	<p><del>Any buildings or structures:</del></p> <p>a. within a wāhi tūpuna area <del>(identified in Schedule 39.6);</del></p> <p>b. where activities affecting water quality are a recognised threat; and</p> <p>c. are within the following zones:</p> <ul style="list-style-type: none"> <li>i. Rural;</li> <li>ii. Rural Residential and Rural Lifestyle; or</li> <li>iii. Gibbston Character.</li> </ul> <p>Shall be setback a minimum of 20m from a <del>waterbody wetland, river or lake.</del></p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Effects on cultural values of Manawhenua.</p>
39.5.3	<del>Any buildings or structures:</del>	RD

	Table 39.5 - Setback from water bodies within a wāhi tūpuna area	Non-compliance status
39.5.1	<del>Any buildings or structures:</del> ...	RD ...
39.5.2	<p><del>Any buildings or structures that are:</del></p> <p>a. within a wāhi tūpuna area <del>(identified in Schedule 39.6);</del></p> <p>b. <del>where activities affecting water quality are a recognised threat;</del> and</p> <p>c. are within the following zones:</p> <ul style="list-style-type: none"> <li>i. Rural;</li> <li>ii. Rural Residential and Rural Lifestyle; or</li> <li>iii. Gibbston Character.</li> </ul> <p>Shall be setback a minimum of 20m from a <del>waterbody wetland, river or lake.</del></p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Effects on cultural values of Manawhenua.</p>

	<p>a. within a wāhi tūpuna area <del>(identified in Schedule 39.6);</del></p> <p>b. where activities affecting water quality are a recognised threat; and</p> <p>c. are within the following zones:</p> <p>i. Wakatipu Lifestyle Precinct; or</p> <p>ii. Open Space and Recreation</p> <p>Shall be setback a minimum of 30m from a <del>waterbody wetland, river or lake.</del></p>	<p>Discretion is restricted to:</p> <p>a. Effects on cultural values of Manawhenua.</p>	<table border="1"> <tr> <td data-bbox="1258 236 1361 962"> <p><b>39.5.3</b></p> </td> <td data-bbox="1361 236 1720 962"> <p><b>Any buildings or structures that are:</b></p> <p>a. within a wāhi tūpuna area <del>(identified in Schedule 39.6);</del></p> <p>b. <del>where activities affecting water quality are a recognised threat;</del> and</p> <p>c. are within the following zones:</p> <p>i. Wakatipu <del>Lifestyle Precinct</del> <u>Rural Amenity Zone</u>; or</p> <p>ii. Open Space and Recreation</p> <p>Shall be setback a minimum of 30m from a <del>waterbody wetland, river or lake.</del></p> </td> <td data-bbox="1720 236 2018 962"> <p>RD</p> <p>Discretion is restricted to:</p> <p>a. Effects on cultural values of Manawhenua.</p> </td> </tr> </table> <p><u>Except that the following structures shall be exempt from Rules 39.5.2 and 39.5.3:</u></p> <p>a. <u>Post and wire fences.</u></p> <p>b. <u>Structures with a maximum height no greater than 2m and a maximum footprint no greater than 5m<sup>2</sup>.</u></p> <p>c. <u>Minor upgrading of electricity transmission and distribution or telecommunication lines, except where this involves the addition of new support structures.</u></p>	<p><b>39.5.3</b></p>	<p><b>Any buildings or structures that are:</b></p> <p>a. within a wāhi tūpuna area <del>(identified in Schedule 39.6);</del></p> <p>b. <del>where activities affecting water quality are a recognised threat;</del> and</p> <p>c. are within the following zones:</p> <p>i. Wakatipu <del>Lifestyle Precinct</del> <u>Rural Amenity Zone</u>; or</p> <p>ii. Open Space and Recreation</p> <p>Shall be setback a minimum of 30m from a <del>waterbody wetland, river or lake.</del></p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Effects on cultural values of Manawhenua.</p>
<p><b>39.5.3</b></p>	<p><b>Any buildings or structures that are:</b></p> <p>a. within a wāhi tūpuna area <del>(identified in Schedule 39.6);</del></p> <p>b. <del>where activities affecting water quality are a recognised threat;</del> and</p> <p>c. are within the following zones:</p> <p>i. Wakatipu <del>Lifestyle Precinct</del> <u>Rural Amenity Zone</u>; or</p> <p>ii. Open Space and Recreation</p> <p>Shall be setback a minimum of 30m from a <del>waterbody wetland, river or lake.</del></p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Effects on cultural values of Manawhenua.</p>				

Provision/S42a Topic	Sarah Picard Recommended Amendments following consideration of submitter evidence	Michael Bathgate Recommended Amendments following consideration of submitter evidence & hearing appearances
Other Amendments	<i>Various recommended amendments under 39.3 Other Provisions and Rules</i>	<i>Support Ms Picard's amendments but note that the "District Wide" component of 39.3 may require numbering for consistency with other chapters</i>