

Summary of Evidence - Scott Edgar - Chapter 39 Wāhi Tūpuna

- 1.1 My evidence has been prepared on behalf of a number of rural submitters and addresses a range of concerns including the identification and mapping of the wāhi tūpuna areas and the provisions relating to earthworks, farm buildings and setbacks from waterbodies.
- 1.2 I consider that the absence of a clear and transparent methodology for the identification of wāhi tūpuna areas and apparent anomalies in the wāhi tūpuna mapping has resulted in a significant degree of concern and uncertainty for affected landowners and that insufficient information has been provided to allow for a fair and balanced assessment of the efficiency and effectiveness of the wāhi tūpuna provisions and the scale and significance of the effects resulting from their implementation.
- 1.3 I consider that the broad mapping of the wāhi tūpuna areas does not give effect to Objective 5.4.5 and Policy 5.4.5.1 of Chapter 5 of the Proposed District Plan which seek to ensure that wāhi tūpuna and all their components are mapped and appropriately managed and protected. I consider that more detailed mapping of wāhi tūpuna areas and their component parts would allow Council and plan users to better understand the values of the wāhi tūpuna areas and assist in the drafting of more efficient and effective rules.
- 1.4 I consider that the descriptions of the wāhi tūpuna areas provided by Mr. Ellison are helpful and will assist Council and plan users to better understand their significance.
- 1.5 With regard to the earthworks rules I consider that the recommended amendments to Rule 25.5.11 put forward by Mr. Bathgate go some way to addressing the concerns of the submitters however I consider that further amendments (as set out in my evidence) are required to provide for earthworks associated with buildings, access, servicing and landscaping within an approved residential building platform.
- 1.6 In addition I consider that an amendment to provide for earthworks within wāhi tūpuna Area 11 where the elevation of the valley floor is greater than 400masl would be appropriate.
- 1.7 I do not support the further amendments recommended by Ms. Picard which remove the consent triggers (earthworks in proximity to waterbodies, at an elevation exceeding 400masl or that modify a skyline or terrace edge) from Rule 25.5.11 and places them in a new performance standard 25.5.22 as this removes the 10m³ threshold for permitted earthworks

that would otherwise apply. I prefer Mr. Bathgate’s recommended Rule 25.5.11 with my recommended amendments in this regard.

1.8 Further, upon reflection, I consider that the recommended consent trigger relating to earthworks that modify a skyline or terrace edge is somewhat vague and it is unclear how landowners would satisfy themselves and/or Council that earthworks in proximity to a potentially visible skyline or terrace edge do not trigger a consent. I consider that this is an example of where more detailed wāhi tūpuna mapping would assist the drafting of rules that protect key skylines and terrace edges while being more practical for Council and plan users.

1.9 With regard to the rules relating to farm buildings I generally support the further amendments recommended by Ms. Picard that identify new farm buildings within 30m of an existing farm building as a permitted activity with the elevation limit and the consent trigger relating to the modification of skylines or terrace edges being separated out in to performance standards. I consider however that farming activities could be better enabled and provided for if Ms. Picard’s recommended Rule 39.4.1 was to be amended to read as follows:

39.4.1	<u>The extension of an existing farm building or the construction of a</u> A new farm building within 30m of an existing farm building within an identified wāhi tūpuna area.	P
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1.10 Further I consider that Ms. Picard’s recommended performance standard 39.5.X should be amended as follows to provide for farm buildings within wāhi tūpuna areas that are located on valley floors yet are at an elevation exceeding 400masl (specifically wāhi tūpuna area 11).

	Table 39.X - farm buildings within an identified wāhi tūpuna area	Non-compliance status
39.5.X	Any farm building, other than provided for by Rule 39.4.1 shall be located at an elevation no greater than 400masl <u>or within Ōrau (Number 11) at an elevation no greater than 600masl.</u>	RD Discretion is restricted to: a. Effects on cultural values of Manawhenua.

1.11 As with the earthworks rules I consider that the consent trigger for farm buildings that modify a skyline or terrace edge will create difficulty and uncertainty for landowners and Council in terms of determining whether a farm building is permitted or not and could be improved in conjunction with more detailed wāhi tūpuna mapping.

1.12 With regards to the setback from waterbodies I consider that provision should be made for fencing and small structures in proximity to waterbodies while retaining control over buildings. While I consider the recommended amendments to Rule 39.5.2 set out in my evidence are appropriate I consider that Ms. Picard's recommended further amendments, which simply delete structures from the rule, achieves the intended outcome in a more concise manner and therefore I support Ms. Picard's version of Rule 39.5.2.