

APPENDIX 1 – MARKED UP TEXT

PRE - NOTIFICATION DRAFT PC53

Key

Grey – Not part of PC53, informative purposes only

~~Strikethrough~~ – Removed from operative text

Underlined – Altered from operative text

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Chapter 2 Definitions

Archaeological site: As defined under the Heritage New Zealand Pouhere Taonga Act 2014:

means, subject to section 42(3),—

- (a) any place in New Zealand, including any building or structure (or part of a building or structure), that—
 - (i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and
 - (ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and
- (b) includes a site for which a declaration is made under section 43(1)

Wāhi Tapu: means a place sacred to tangata whenua in the traditional, spiritual, religious, ritual, or mythological sense. Examples of wāhi tapu include places of ceremonial ritual, interment, cremation, birth places, altars, battle grounds or places where blood was spilt.

Wāhi Tūpuna: means a place important to tangata for its ancestral significance and associated cultural and traditional values and includes ancestral places used for purposes including settlement, seasonal and permanent, cultivation and hunting sites as well as healing sites.

Wāhi tūpuna are important because they provide a spiritual connection between the ancestral imprints on the land and their descendants.

Note: **Tongi Tawhito** is a local dialect term that has a translation similar to ‘sites of significance’. It may be used locally in conjunction with or reference to both wāhi tapu and wāhi tūpuna.

~~**Wāhi Tūpuna Site:** for the purposes of the Plan rules, means identified archaeological sites containing evidence of Māori settlement, including middens, oven stones, food storage pits, terraces, borrow holes, and the archaeological items recorded as ‘wāhi tūpuna’ in Appendix K.~~

Chapter 4 Residential Environment

4.1 ISSUES

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- 4.1.6 ~~The Rural Lifestyle Zone at the northwest of the Whanganui surrounding the urban area, has been experiencing residential development pressures. Unplanned development that occurs without an overall land use framework to guide and direct growth can result in inappropriate outcomes.~~

4.2 OBJECTIVE

4.2.1 High quality residential areas which consist of:

- a. A variety of housing forms and densities that are available for different residential lifestyle options;
- b. Amenity values that are maintained or enhanced;
- c. Development that is integrated with infrastructure;
- d. Safe communities through urban design;
- e. Relatively quiet living environments, compared to the other zones;
- f. Low traffic on roads used primarily for property access with greater traffic on roads with a distribution function;
- g. A range of complementary activities where the effects are compatible with the predominantly residential character, scale and amenities of the area;
- h. Retention of natural and cultural heritage features; and
- i. Street infrastructure that provides opportunities for the roading network as a high amenity public space that reflects the roading hierarchy.
- j. Residential streets that are characterised by open frontages and unencumbered by structures forward of principal buildings.

4.3 POLICIES

4.3.1 Protect and enhance the surrounding landscape and the visual character of the urban environment.

4.3.2 To ensure activities in the Residential Zone:

- a. Maintain or enhance the building scale and residential character;
- b. Recognise streetscape as having high public value;
- c. Avoid or mitigate nuisance from noise, light spill and vibration;
- d. Ensure a high standard of property access and avoid street congestion and excessive traffic on roads;
- e. Avoid or mitigate adverse visual amenity and safety problems from advertising;
- f. Avoid excessive shading of public spaces or neighbouring properties from structures;
- g. Maintain and enhance the natural and cultural heritage features of the zone;
- h. Ensure an adequate standard of on-site amenity;

- i. Maintain reasonable levels of sunlight and daylight access for residential properties;
- j. Maintain reasonable levels of privacy for residential properties; and
- k. Maintain visual amenity by avoiding accessory buildings sited in front of principal buildings.

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- 4.3.8 Ensure that land use activities, subdivision or development adjoining strategic land transport networks including the railway corridor, avoid, remedy or mitigate any adverse reverse sensitivity effects of noise and vibration from that land transport network.
- 4.3.9 Residential development in ~~the North West Structure Plan Areas~~ Area must ensure good quality urban design outcomes and provide efficient, safe and resilient infrastructure. Particular regard must be given to achieving the indicative roading layout, indicative neighbourhood parks, indicative shared pathways/walkways, landscaping and three water infrastructure, and positive outcomes for the protection of historic heritage, including cultural values.
- 4.3.10 Developments that seek to deviate from the ~~North West Structure Plans~~ (Appendix J and Appendix L) are provided for; but only if the following key criteria are achieved in a manner that secures positive outcomes for historic heritage protection, quality urban design outcomes, and the provision of efficient, safe and resilient infrastructure:
 - a. The development creates purposeful linkages for both vehicles and for active modes of transport, including pedestrian use that are safe, pleasant and work with the natural landform.
 - b. The development establishes road or shared pathway/walkway linkages to existing residential development adjacent to the Structure Plan area and to adjacent land within the Structure Plan to achieve good quality ~~road~~ linkages as currently proposed to optimise connectivity.
 - c. The development manages stormwater to ensure hydrological neutrality for each development within the Structure Plan area, thus ensuring neutral environmental effects beyond the wider Structure Plan area.
 - d. The development ensures residential development and associated infrastructure are designed to work with the natural landscape as far as possible.
 - e. The development avoids lengthy private rights of way where a road access to serve rear sections is appropriate.
 - f. The development avoids access for new allotments directly onto State Highway 3 and to Mosston Road. Legal and/or physical access to new allotments via existing single or multiple site accessways directly onto State Highway 3 and to Mosston Road, must be avoided.

- g. The development enhances stormwater management and cycle/pedestrian networks to facilitate the potential for ecological corridors through the Structure Plan area.
- h. The development's transportation impacts (including demand generation) on the existing or proposed intersections with the state highway are mitigated by works or design, where these effects are materially greater than the effects modelled or anticipated in the development of the Structure Plan.
- i. The development integrates other infrastructure within the Structure Plan area including the electricity, gas and fibre distribution networks.

Chapter 9 Historic Heritage

Cultural Heritage - North West and Springvale Structure Plan Areas

The North West and Springvale Structure Plan Areas, is are part of a wider area of ancestral land which has significant cultural value for the iwi of Whanganui and Ngaa Rauru Kiitahi.

The iwi taketake (original people) of this wider area are Ngā Aruhe. The name refers to the fernroot that was once the staple diet of early ancestors. According to tribal elders these ancestors came from the land, ie they were here before those that arrived via waka. Elders say that when Kupe came on Matahourua that it was Ngā Aruhe who passed down the record of this event.

Archaeological evidence of Māori occupation in the 'Otamatea West' and Rapanui and 'Springvale' – Kokohuia – Titoki - areas are the remaining physical connection that tangata whenua have to their ancestors occupation of these areas. The urupā on Rapanui Road uncovered in 2008-2009, that dates to the late 14th or early 15th century A.D. is a Ngā Aruhe urupā. The tūpuna were interred upright and their teeth attest to a diet of fern root.

To give further context to the era of Ngā Aruhe, tangata whenua recall, that Turi, captain of the Aotea waka is thought by academics to have arrived in the mid-14th century A.D. Rauru, the eponymous ancestor of Ngaa Rauru Kiitahi, predates Turi by four generations. Rauru's mother was Rongoueroa, a descendant of Ruatipua from whence is derived the old name of the Whanganui River, i.e. Te Wainui-ā-Rua. Rauru married into the ancient people of this coast called Te Kāhui Rere, who were renowned for their ability to levitate at will, hence the name.

The information has been determined primarily through customary knowledge, sourced from oral tradition and documented evidence in the form of Māori Land Court records, museum artefacts, old maps and public information gained from Waitangi Tribunal claims. The cultural impact assessments prepared to inform District Plan changes relating to Otamatea and Springvale are:

- *Interim Cultural Values Report: Otamatea Structure Plan (17 October 2017)* prepared by Raukura Waitai and Te Kaahui o Rauru which supports *Te Whanaungatanga o Whanganui me Ngaa Ruaru Kiitahi - Otamatea Plan Change Cultural Values Report (12 April 2018)* prepared by Whanganui me Ngaa Rauru Kiitahi.
- *Cultural Values, Cultural Impacts Assessment (6 December 2018)*, prepared

by Poipoia Ltd, supporting the Springvale Whenua Combined Hapu

Although the North West Area was named 'Otamatea' in 1958, and has been known locally by that name since then, this name is not one that Whanganui iwi or Ngaa Rauru Kiiitahi associate with this area.

It is noted that mana whenua refer to the Area as the 'wider kokohuia whenua area' referencing a connection to the Kokohuia wetlands.

Introduction of this section to the Plan acknowledges the ancestry of this area where pre-European human activities would have been likely, and the importance of the area to mana whenua. The purpose of the objectives, policies and methods applying to the Springvale and North West Structure Plan area is to acknowledge that the values held by mana whenua and their relationship with their ancestral lands are vulnerable to adverse effects that can be caused by earthworks, inappropriate road location or built development. The objectives, policies and methods explicitly recognise and provide for the relationship of mana whenua with the ancestral lands, water, sites, wāhi tapu and other taonga of this area and provide for the protection of cultural heritage.

The Plan will:

- require resource consents for land disturbance activities on sites with recorded wāhi tūpuna and where wāhi tapu have been discovered; and
- In the North West Structure Plan Area, except where a person suitably qualified in mana whenua cultural history or archaeology confirms in writing that a proposal will not adversely affect any identifiable wāhi tapu or ~~wāhi tūpuna site~~ archaeological site, require site-specific assessment to identify wāhi tapu and ~~wāhi tūpuna sites~~ archaeological site and potential impacts on those, unless a wider assessment of the Structure Plan Area, including the site, has identified the location of wāhi tapu and ~~wāhi tūpuna sites~~ archaeological sites and the proposal is in accordance with any recommendations of that assessment for management of identified culturally significant sites; and
- require assessment of land disturbance activities and subdivision proposals against criteria that will ensure that the relationship of tangata whenua and their culture and traditions with this ancestral land is appropriately recognised and provided for in the development of land within the North West Structure Plan area Areas; and
- encourage applicants for subdivision and land use consent to demonstrate consideration of cultural values and ways to incorporate local cultural references and respect cultural traditions in the design and construction of infrastructure and public spaces.

9.2 OBJECTIVES

Cultural Heritage – North West Structure Plan Area

- 9.2.9 Recognise and provide for the relationship of mana whenua with their ancestral lands within the North West Structure Plan Area, including by:
- a. preserving and protecting ancestral heritage, including recorded and discovered wāhi tapu and ~~wāhi tūpuna sites~~ archaeological sites, and the associated cultural, spiritual and historical values of these sites; and
- 9.2.10 Protect recorded and discovered wāhi tapu and ~~wāhi tūpuna sites~~ archaeological sites within the North West Structure Plan Area from activities (including earthworks, road building and the construction of buildings) that have the potential to adversely affect the cultural, spiritual and historic heritage values of those wāhi tapu and ~~wāhi tūpuna sites~~ archaeological sites.

9.3 POLICIES

Cultural Heritage – Springvale and North West Structure Plan Area Areas

- 9.3.22 In the event of accidental discovery of wāhi tapu or ~~wāhi tūpuna~~ archaeological site within the Springvale or North West Structure Plan Area, require the implementation of an Accidental Archaeological Discovery Protocol.
- 9.3.23 In the event of accidental discovery of wāhi tapu or ~~wāhi tūpuna sites~~ archaeological sites within the North West Structure Plan ~~area~~ Areas, the Council will require the protection of any discovered remains, from inappropriate subdivision and development that may adversely affect their cultural heritage values, including potential adverse effects on:
- a. the relationship of mana whenua with the site; and
 - b. any cultural values or tikanga associated with the site; and
 - c. individual elements of cultural value and the extent to which each is potentially affected.
- 9.3.24 Recognise and provide for the relationship of mana whenua with wāhi tapu and ~~wāhi tūpuna sites~~ archaeological sites recorded within the Springvale and North West Structure Plan area Areas (Refer to Appendix K).
- 9.3.25 Applications for subdivision consent and development that involves land disturbance on any part of a site within the North West Structure Plan area which contains a recorded wāhi tapu or ~~wāhi tūpuna site~~ archaeological site (Refer to Appendix K), must demonstrate adherence to the following criteria:
- a. Where practicable wāhi tūpuna are to be preserved.

- b. Where adverse effects on a wāhi tūpuna site archaeological site cannot practicably be avoided, applicants for subdivision consent and land disturbance activities must remedy or mitigate those effects by:
 - i. demonstrating consideration of practical alternative methods, locations or designs that would avoid or reduce the impact on the cultural values of the wāhi tapu or wāhi tūpuna site archaeological site; and
 - ii. demonstrating consideration of practical mechanisms to facilitate opportunities for mana whenua to reconnect with their ancestral land related to the wāhi tūpuna site archaeological site for karakia, monitoring and/or customary purposes; and
 - iii. providing evidence as to why preservation of wāhi tapu or wāhi tūpuna site archaeological site is not practicable.

9.3.26 Require proposals for subdivision consent and land disturbance in the North West Structure Plan Area to be accompanied by an assessment, undertaken by a person suitably qualified in mana whenua cultural history or archaeology, identifying any wāhi tapu or wāhi tūpuna sites archaeological sites within the land parcel(s) proposed to be subdivided and identifying any design changes or other mitigation measures required to preserve or otherwise protect the cultural, spiritual and historic heritage values of any identified sites, unless:

- a. the site does not contain any feature identified in Appendix K; and
- b. the proposal will not adversely affect any wāhi tapu or wāhi tūpuna site archaeological site; or
- c. a wider assessment of the Structure Plan area including the site, undertaken by a person or persons qualified in mana whenua cultural history or archaeology, has identified the location of wāhi tapu or wāhi tūpuna sites archaeological sites and the proposal is in accordance with any recommendations of that assessment for management of those culturally significant sites; or
- d. an earlier assessment of the site, undertaken by a person or persons qualified in mana whenua cultural history or archaeology, has identified the location of wāhi tapu or wāhi tūpuna sites archaeological sites and any consequential implications for the alignment of connecting roads on adjoining sites, and the proposal is in accordance with any recommendations of that assessment for management of those culturally significant sites.

9.3.27 Where an assessment described in Policy 9.3.26 confirms that the proposed subdivision or land disturbance activity will not cause significant adverse effects on any wāhi tapu or wāhi tūpuna site archaeological site, Council will deem the activity to have a less than minor effect on cultural values.

9.3.28 Applications for subdivision and development that involve land disturbance on a site within the Springvale Structure Plan area which contains recorded wāhi tapu (Refer to Appendix K), must demonstrate adherence to the following criteria:

- a. Where practicable wāhi tapu are to be preserved.
- b. Where adverse effects on wāhi tapu cannot practicably be avoided, applicants must remedy or mitigate those effects by:
 - i. demonstrating consideration of practical alternative methods, locations or designs that would avoid or reduce the impact on the cultural values of the wāhi tapu; and
 - ii. demonstrating consideration of practical mechanisms to facilitate opportunities for mana whenua to reconnect with their ancestral land related to the wāhi tapu for karakia, monitoring and/or customary purposes; and
 - iii. providing evidence as to why preservation of wāhi tapu is not practicable.

9.10 RULES - SPRINGVALE AND NORTH WEST STRUCTURE PLAN AREAS

9.10.1 Permitted Activities

The following are permitted activities in the Springvale and North West Structure Plan Area Areas as specified:

- a. Land disturbance activities in the North West Structure Plan Area except those listed in Rule 9.10.2.(a) or 9.10.2.(b) as a restricted discretionary activity.
- b. Land disturbance activities in the Springvale Structure Plan Area, except where a wāhi tapu is recorded in Appendix K.
- c. Activities otherwise permitted by this Plan, provided they do not include land disturbance.

Notes:

1. Earthworks are also regulated in Chapter 14 – Earthworks.
2. Recorded archaeological sites and recorded wāhi tūpuna sites are identified on the Planning Map. Aerial photo maps are available identifying individual sites.

9.10.2 Restricted Discretionary Activities

The following are restricted discretionary activities in the Springvale and North West Structure Plan Area Areas, subject to compliance with Performance Standards 9.11.1 and 9.11.2:

- a. Subject to compliance with Performance Standards 9.11.1 and 9.11.2, Land disturbance activities on any part of a site in the North West Structure Plan Area which contains a recorded wāhi tūpuna identified in Appendix K.

- b Subject to compliance with Performance Standards 9.11.1 and 9.11.2, Land disturbance activities in the North West Structure Plan Area only, on sites not identified in Appendix K, **except where** a person suitably qualified in mana whenua cultural history or archaeology certifies in writing that the proposed land disturbance will not damage or destroy any identifiable wāhi tapu or ~~wāhi tūpuna site~~ archaeological site.

In relation to a and b above, Council restrict its discretion to:

- i. The extent to which individual elements of cultural heritage value are affected, and
- ii. Whether written approval has been obtained from mana whenua representatives.
- iii. Whether a cultural impact assessment prepared in liaison with mana whenua for the specific development proposed, has been included with the application and any recommendations of that assessment.
- iv. Mitigation measures, including measures identified in any assessment prepared under 9.11.2, to avoid, remedy or mitigate any identified adverse effects of the activity on the cultural values associated with any identified wāhi tapu or ~~wāhi tūpuna sites~~ archeological sites.
- v. The location and extent of land disturbance and extent of any exclusion areas, buffers or setbacks; and
- vi. Mitigation measures, including rehabilitation planting and the plant species used in rehabilitation planting.

- c Land disturbance activities in the Springvale Structure Plan Area that do not comply with rule 9.10.1(b).

Council restrict its discretion to:

- i. The extent to which individual elements of cultural heritage value are affected, and
- ii. Mitigation measures, to avoid, remedy or mitigate identified adverse effects of the activity on the cultural values associated with wāhi tapu on the site, including rehabilitation planting.

9.11 PERFORMANCE STANDARDS

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- 9.11.2 Applications under 9.10.2(a) and 9.10.2(b) must be accompanied by an assessment, by a person suitably qualified in mana whenua cultural history or archaeology, confirming the location within the site of any identifiable wāhi tapu or ~~wāhi tūpuna site~~ archaeological site which:

- a. assesses the impact the proposed land disturbance could have on any identified wāhi tapu or ~~wāhi tūpuna site~~ archaeological site; and

- b. recommends mitigation measures, including setbacks from any identified wāhi tapu or wāhi tūpuna site archaeological site, to preserve or otherwise protect the cultural, spiritual and historic heritage values of the identified sites; and
- c. identifies opportunities for strengthening the cultural connection between mana whenua and any of the identified sites; and
- d. identifies any consequential implications for the development of the site; **except that no such assessment shall be required where:**
 - i. a pre-existing wider assessment of the Structure Plan area including the site, undertaken by a person or persons qualified in mana whenua cultural history or archaeology, has identified the location of wāhi tapu and wāhi tūpuna sites archaeological sites and the proposal is in accordance with any recommendations of that assessment for management of those culturally significant sites; or
 - ii. a pre-existing assessment of the site, undertaken by a person or persons qualified in mana whenua cultural history or archaeology, has identified the location of wāhi tapu and wāhi tūpuna sites archaeological sites and any consequential implications for the alignment of connecting roads on adjoining sites, and the proposal is in accordance with any recommendations of that assessment for management of those culturally significant sites.

Chapter 12 Parking, Loading and Vehicle Crossings

12.4 RULES

12.4.2 Restricted Discretionary Activities

The following are restricted discretionary activities:

- a. Car parking that does not comply with the performance standards in Section 12.5.

12.4.3 Non Complying Activities

The following are non-complying activities:

- a. New vehicle crossings or intensification of use for vehicle existing crossings on roads identified as Heavy Vehicle Routes in the Whanganui Urban Transportation Strategy 2011 being:
 - Mosston Road between Heads Road and Tayforth Road; and

- Montgomery Road

12.5 PERFORMANCE STANDARDS – Parking, Loading and Vehicle Crossings

12.5.6 Restriction on Vehicle Crossings

No new vehicle crossings shall be created from the following roads:

- a. Display Frontage Streets:
 - Victoria Avenue between Taupo Quay and Ingestre Street.
 - Guyton Street between Wicksteed Street and St Hill Street.
 - Ridgway Street between Drews Avenue and St Hill Street.
 - Maria Place between Watt Street and St Hill Street.
- b. ~~Roads identified as Heavy Vehicle Route in the Whanganui Urban Transportation Strategy:~~
 - ~~Mosston Road between Heads Road and Tayforth Road.~~
 - ~~Montgomery Road.~~
- c. Roads identified as Limited Access Roads by the New Zealand Transport Agency.

Chapter 13 Subdivision and Infrastructure

13.3 POLICIES

Springvale Indicative Development Plan Springvale and North West Structure Plan Areas

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- 13.3.35** Require all subdivision and development in the Springvale Structure Plan ~~Springvale Indicative Future Development Area~~ and the North West Structure Plan Areas to proceed generally in accordance with the provisions of the ~~Development Plan~~ or Structure Plan to ensure that:
- a. Stormwater is managed comprehensively and not in an ad-hoc manner including, within the North West Structure Plan Area only, consideration of the impacts of climate change;
 - b. The transport network is consistent with the Wanganui Urban Transport Strategy 2011, and the indicative roading /shared pathway and walkway layout;
 - c. Encourages connectivity of services and land uses with public open space;
 - d. Quality urban design outcomes are achieved;
 - e. Infrastructure is developed in a logical sequence, and generally designed and located as shown on the relevant Plan.

13.3.36 Avoid development in the Springvale ~~Indicative Future Development~~ Structure Plan Area that:

- a. Is in conflict with the indicative transport layout; and the stormwater management infrastructure, including ponding areas shown ~~on~~ in the Springvale ~~indicative development plan~~ Structure Plan.
- b. Results in ad-hoc, unconnected and piecemeal infrastructure development.
- c. ~~Proceeds in advance of a comprehensive plan for managing infrastructure in the Springvale Indicative Development Structure Plan Area, excluding land identified in Appendix J(B).~~

13.3.37 Enable development on land identified in ~~Appendix J(B)~~ and in the Springvale ~~Indicative Future Development~~ Structure Plan Area where the development is generally in accordance with the provisions of the ~~Springvale Indicative Development~~ Structure Plan.

13.3.38 Avoid any land use and/or subdivision development that allocates reticulated infrastructure intended to service the Structure Plan Areas (Appendix L and K) ~~Springvale Indicative Future Development Area or the North West Structure Plan area (Appendix L)~~ to other areas. Sufficient existing capacity must be available in the infrastructure catchment to provide for the scale of development proposed.

13.4 RULES FOR SUBDIVISION (Part 1)

13.4.2 Restricted Discretionary Activities

The following are restricted discretionary activities:

- a. Subdivision unless otherwise stated ~~in~~ ~~except in the North West Structure Plan Area.~~
- b. Subdivision within the North West Structure Plan Area provided that the application is accompanied by an assessment, by a person suitably qualified in mana whenua cultural history or archaeology, confirming the location within the site of any identifiable wāhi tapu or wāhi tūpuna site archaeological site, which:
 - i. assesses the impact the proposed land disturbance could have on any identified wāhi tapu or wāhi tūpuna site archaeological site; and
 - ii. recommends mitigation measures, including setbacks from any identified wāhi tapu or wāhi tūpuna site archaeological site, to preserve or otherwise protect the cultural, spiritual and historic heritage values of the identified sites; and
 - iii. identifies opportunities for strengthening the cultural connection between mana whenua and any of the identified sites; and
 - iv. identifies any consequential implications for the development of the site; **except that no such assessment shall be required where:**

- a person suitably qualified in mana whenua cultural history or archaeology certifies in writing that the proposed land disturbance will not damage or destroy any identifiable wāhi tapu or wāhi tūpuna site archaeological site; or
- a pre-existing wider assessment of the Structure Plan Area including the site, undertaken by a person or persons qualified in mana whenua cultural history or archaeology, has identified the location of wāhi tapu and wāhi tūpuna sites archaeological sites and the proposal is in accordance with any recommendations of that assessment for management of those culturally significant sites; or
- a pre-existing assessment of the site, undertaken by a person or persons qualified in mana whenua cultural history or archaeology, has identified the location of wāhi tapu and wāhi tūpuna sites archaeological sites and any consequential implications for the alignment of connecting roads on adjoining sites, and the proposal is in accordance with any recommendations of that assessment for management of those culturally significant sites.
 - i. The ability of a proposal to meet the relevant subdivision and infrastructure performance standards, and rules.
 - ii. The ability of a proposal to meet the relevant urban design performance standards.
 - iii. Consequences for the implementation of the North West Structure Plan (Appendix L).
 - iv. Within the North West Structure Plan Area:
 -
 - Mitigation measures, including measures identified in any assessment prepared under 13.4.2 (b), to avoid, remedy or mitigate any identified adverse effects of the activity on the cultural values, associated with any identified wāhi tapu or wāhi tūpuna site archaeological site;
 -
 - The imposition of an accidental archaeological discovery protocol, as specified in Performance Standard 9.10.1(b) 9.11.2.

Note: Applications subject to this rule (except on land within the North West Structure Plan Area) shall be considered without service, public notification or written approvals from affected persons.

13.4.3 Discretionary Activities

The following are discretionary activities:

- a. Any subdivision or infrastructure development that results in non-compliance with any performance standards unless otherwise stated.
- b. Any subdivision that contravenes 13.4.2 (b).
- ~~c. All subdivision in the Springvale Indicative Future Development Area that:

 - i. Gains legal and physical access from Kelsi Street; and
 - ii. Is in general accordance with the key infrastructure linkages and indicative roading layout, detailed in the Springvale Indicative Development Plan.~~

13.4.4 Non-Complying Activities

The following are non-complying activities:

- ~~a. Subdivision in the Springvale Indicative Future Development Area not provided for by Rule 13.4.3 (b).~~

13.5 PERFORMANCE STANDARDS - SUBDIVISION

13.5.4 Allotment Size

- a. New allotments, including balance allotments, shall meet the requirements of the following table:

Zone	Allotment Size Requirements - Net Site Area – Metres (m ²) or Hectares (ha)
.....
Residential (excluding North West Structure Plan - Appendix L -pink shaded area only)	Minimum 400m ²
.....
Springvale Indicative Future Development Area	Refer to the underlying zoning except that the Residential Zone provisions apply to land subject to Rule 13.4.3(b)
.....

Table 1: Minimum Net Allotment Area

13.5.10 Transport

- a. Any applications for subdivision shall not include the creation of segregation strips or any other mechanism that:
 - i. Prevents access to any existing road or public pedestrian or cycle accessway;
 - ii. Prevents connectivity or connections to a proposed road in the ~~Springvale Indicative Future Development Area~~ Springvale Structure Plan Area or the North West Structure Plan Area; or

13.5.15 Stormwater

- f. Low Impact Stormwater Treatment

- i. Stormwater management and treatment shall avoid significant modification to natural drainage system and overland flow paths.
- ii. Where low impact stormwater approaches including swales, rain gardens, and other mechanisms are proposed or required, these shall:
 - o Be required to be approved by the Alternative Design Procedure, excluding the construction of the swale in the Springvale Indicative Future Development Area Springvale Structure Plan Area or the stormwater detention areas identified in the North West Structure Plan.

Appendix J

Springvale Indicative Development Structure Plan Map (aerial)

Appendix JB

Springvale Indicative Development Plan

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