

# ATTACHMENT 1 - PLAN CHANGE 46

## MARKED-UP PLAN TEXT (R4)

### Amendments to the Publicly Notified PC46 Recommended by Hearing Panel

#### ***Guide to the annotations shown in this document:***

**Green Underlined** = Additional text to be inserted – recommended by Hearing Panel

**Green Strikethrough** = Text to be deleted – recommended Hearing Panel

**(amendments shown green are in addition to and amend all other amendments described below)**

#### **The Panel also endorses and recommends the following amendments:**

**Brown** = New text proposed by Council Advisers following Hearing (R3)

**Brown Strikethrough** = Draft revisions proposed by Council Advisers following Hearing Version (R3) (note these may delete either notified or yellow text)

**Yellow Strikethrough** = deletions recommended in the s. 42A report as a response to submissions (R1)

**Yellow** = insertion recommended in the s. 42A report as a response to submissions (R1)

**Strikethrough** = deletion from operative text proposed at notification

**Underlined** = insertion to operative text proposed at notification

**Grey** = Not part of PC46, provided for information only

## Planning Maps Urban 3 and Urban 8

- Delete the Otamatea Development Overlay from Plan maps and delete Plan text references.
- Rezone land from Rural Lifestyle to Residential as shown on the plan contained in Attachment 1C, indicated in the Otamatea West Structure Plan report.
- ~~Identify a new 'Heritage Alert Overlay' to include all sites within the Otamatea West Structure Plan area that were, immediately prior to notification of PC46, either: Residential zoned land with development potential or zoned Rural Lifestyle.~~
- Identify the proposed 'North West Structure Plan Area' as shown in Attachment 1B boundary on the District Plan Maps U3 and U8 (excluding number 171 Great North Road which was not shown on the Structure Plan as presented to the hearing)
- Deleting No.171 Great North Road from the Structure Plan area.
- Insert the proposed road layout shown on the from the Otamatea North West Structure Plan in Appendix 1B report, and refer to proposed roads as 'indicative roads', including the following amendments to earlier versions of the road layout but amend that indicative layout by:
  - Moving the link road at the end of Tirimoana Place as notified, slightly to the north.
  - Deleting the indicative road over No.187b Great North Road through to the indicative cul-de-sac intersection, and realigning and reducing the cul-de-sac length so it ends at the multiple accessways to No.193a-d Great North Road and avoids drainage features.
  - Moving the indicative road from No.s 173/175 onto land between No.s 175/177 Great North Road and insert deleting the two short cul-de sacs extending southward perpendicular to the southernmost Road 3. cul-de-sac indicative right of way links to No.173 Great North Road and make any consequential alignment changes.
  - Correcting site number information and inserting three additional archaeological sites as recorded in the Archaeological Assessment Report being sites 990 – 992.

## Appendix K – Archaeological and Other Items

- Correct information and add new sites, being sites 983 – 992, recorded in PC46(N), to be consistent with the Archaeological Assessment Report.
- Identify recorded wāhi tūpuna sites

## Appendix L (A) and (B) – Otamatea North West Structure Plan

- Insert a new appendix Appendix L, comprising plans (A) and (B), being Figures 11 and 12 contained in Attachments 1A and 1B of the Opus Otamatea West Structure Plan Report, as amended by submissions and post-hearing engagement
- Make consequential amendments where necessary to the Plan text to refer to Appendix L. references in the Plan text to this appendix.

## Chapter 2 – Definitions...

<b>Earthworks</b>	means any modification to land associated with development, and includes the digging, cutting, trenching, levelling, filling, blading, boring, cultivation, drilling, excavation, ripping, moving, placing, removing, replacing, thrusting or contouring of land and associated vegetation removal, and includes other activities normally associated with excavation. Apart from activities within the National Grid Yard, this excludes gardening, rural activities, quarrying or forestry activities....
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**Land Disturbance** For the purposes of the North West Structure Plan Chapter 9 – Cultural Heritage and Chapter 13 Subdivision and Infrastructure only, means the disturbance of land by any means including, earthworks, blading, trenching, side-cutting, surface excavation, overburden and spoil disposal, ground levelling and construction of earth dams, roading or tracking, construction, realignment or widening, but does not include the following:

- i) land disturbance associated with residential development within any site in existence prior to 13 September 2018 that has site area of 1,000m<sup>2</sup> or less;
- ii) land disturbance in accordance with the survey regulations 1972 and subsequent amendments;
- iii) land disturbance associated with fencing;

- iv) cultivation provided land disturbance does not extend beyond the area or depth previously disturbed;
- v) land disturbance within paved roads and modified berms, provided land disturbance does not extend beyond the area or depth previously disturbed; and
- vi) land disturbance associated with replacement, maintenance and minor upgrading of existing structures, provided land disturbance does not extend beyond the area or depth previously disturbed.

**Wāhi Waahi Tapu:** means a place sacred to Māori tangata whenua in the traditional, spiritual, religious, ritual or mythological sense. Examples of wāhi tapu include places of ceremonial ritual, interment internment, 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 tangata whenua 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.

**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 wāhi tūpuna these archaeological items recorded as 'wāhi tūpuna' in Appendix K.

## Chapter 3 RURAL ENVIRONMENT

### ...3.6 RULES – RURAL LIFESTYLE

#### ...3.6.2 Restricted Discretionary Activities.

The following are restricted discretionary activities in the Rural Lifestyle Zone:

- a. Any permitted activity which does not comply with a Rural Lifestyle Zone performance standard.

Council's discretion is restricted to:

- i. The effect of the particular non-compliance on the environment, including the cumulative or combined effect of non-compliances.

- b. One dwelling on a site of less than 5000m<sup>2</sup>.

Council restricts its discretion to:

- ii. The ability of the development to be serviced by either off-peak pumping or on-site means with regard to effluent and stormwater disposal; and
- ii. Impact on the character of the surrounding area, ability of the development to achieve quality urban design outcomes.

- c. More than one dwelling on a site.

Council restricts its discretion to:

- i. The ability of the development to be serviced by on-site means with regard to effluent and stormwater disposal; and
- ii. Impact on the character of the surrounding area, ability of the development to achieve quality urban design outcomes.

- d. Subdivision provided that:

- i. Minimum site size is 5000m<sup>2</sup>, except that this shall not apply to allotments required for network utility activities; and
- ii. Complies with the subdivision provisions in Section 13.4.

Council restricts its discretion to:

- i. The ability of sites to:
- o Be independently serviced for water and wastewater;
  - o Comply with the subdivision provisions at Section 13.4; and
  - o Maintain or enhance rural lifestyle character.

- e. Structures located on or within 5 metres of the indicative roads identified in the Otamatea North West Structure Plan (Appendix L).

Council restricts its discretion to:

- i. Consequences for implementation of the Otamatea North West Structure Plan.

### ...3.7 PERFORMANCE STANDARDS – Rural Lifestyle

#### 3.7.1 Amenity.

- a. Minimum site area 5000m<sup>2</sup> per dwelling.
- b. New structures shall be a minimum of 5 metres from any site boundary.

Exception: For Longbeach Drive Rural Lifestyle Zone – Rule 4.5.4 (b) height recession plane applies.

- c. Building height shall not exceed 10 metres. Except that the standard shall not apply to supporting structures such as masts and poles providing that, above 10 metres in height, they have a maximum horizontal dimension of 0.7 metres (excluding aerials and antennas).
- d. Antenna dishes shall not exceed 2 metres in diameter (except as provided for in Chapter 22 in relation to network utilities).
- e. Pedestal mounted dish antenna pivoted up to 4m above ground level and with a maximum diameter of 5 metres.

...f. Structures shall not be located on or within 5 metres of the indicative roads identified in the Otamatea North West Structure Plan (Appendix L).

## ...Chapter 4 RESIDENTIAL ENVIRONMENT

....Urban development is an important component of the District's economy. It provides homes, jobs, shopping facilities, professional and community services and recreation opportunities for people.

Structure Plans have been developed for Springvale and an area to the north Otamatea west of the urban area, to facilitate high quality residential development by managing the location, form and scale. This provides for sustainable development and future growth.

### 4.1 ISSUES

...4.1.6 Otamatea West The Rural Lifestyle Zone at the northwest of the Whanganui urban area has been experiencing residential development pressures. Adhoc Unplanned development made that occurs without consideration of an overall land use framework to guide and direct growth can result in inappropriately located and designed activities outcomes.

### ...4.2 OBJECTIVES

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. Relativity 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.

### 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 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.

...4.3.9 Residential development at Otamatea in the North West Structure Plan Area shall must ensure good quality urban design outcomes and provide efficient, safe and resilient infrastructure. provision, with P particular regard must be given to achieving consistency with the indicative roading layout, landscaping and three water infrastructure, and positive outcomes for the protection of historic heritage, including cultural values features and landscaping.

4.3.10 Developments which that propose seek to vary deviate from the Otamatea North West Structure Plan (Appendix L) are encouraged provided for, provided but only if the following key criteria to ensure 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. provision are adhered to, by requiring that development:

- a. The development cCcreates purposeful linkages for both vehicles and for active modes of transport, including pedestrian use that which are safe, pleasant and work with the natural landform.
- b. The development eEstablishes road linkages to existing residential development adjacent to the Structure Plan area and to adjacent land within the Structure Plan to and achieves good quality road linkages in all four directions as currently proposed to optimise connectivity within the locality.
- c. The development mManages stormwater to ensure hydrological neutrality for each development parcel within the Structure Plan area, thus ensuring neutral environmental effects beyond the wider Structure Plan area.
- d. The development eEnsures residential development and associated infrastructure are designed to work with the natural landscape as far as possible.
- e. The development aAvoids 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. Legal and/or physical access to new allotments via existing single site accessways directly onto State Highway 3, 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, and how where these may vary effects are materially greater than from the effects modelled or anticipated in the development of the Structure Plan, are taken into account. And to the extent the adverse effects are materially greater than modelled or anticipated these are mitigated by works or design.
- i. The development integrates other infrastructure within the Structure Plan area including the electricity, gas and fibre distribution networks.

## 4.4 RULES - RESIDENTIAL ZONES

### ...4.4.3 Restricted Discretionary Activities.

The following are restricted discretionary activities in the Residential Zone:

- a. Subdivision\* provided that:
  - i. Minimum lot size is 400m<sup>2</sup> or in the case of subdivision in the Otamatea Development Overlay 1000m<sup>2</sup> except that;
  - ii. Within the Otamatea North West Structure Plan (Appendix L pink shaded area only) the minimum lot size is 800m<sup>2</sup>.

Note: Refer to Subdivision and Infrastructure provisions for subdivision standards and requirements.
- f. Structures located on or within 5 metres of the indicative roads or rights of way identified in the Otamatea North West Structure Plan (Appendix L).

Council restricts its discretion to the following matters:

- Consequences Implications for implementation of the Otamatea North West Structure Plan (Appendix L)

## ...4.5 PERFORMANCE STANDARDS – Residential

### ...4.5.4 Structures.

- h. New structures shall not be located on or within 5 metres of the indicative roads identified in the Otamatea North West Structure Plan (Appendix L).

### 4.5.5 Amenity.

- a. Minimum net site area is 400m<sup>2</sup> per dwelling, ~~except within the Otamatea Development Overlay which is a minimum of 1000m<sup>2</sup> net site area per dwelling.~~ except that within the Otamatea North West Structure Plan (Appendix L - pink shaded area only) the minimum net site area per dwelling is 800m<sup>2</sup>.

## ...Chapter 9 - Historic Heritage

The Whanganui District has a wealth of historic heritage. It is acknowledged that this resource provides an identity unique to the people of Whanganui and must be recognised and protected.

The term historic heritage is generally applied to things that have cultural heritage significance to people and communities. Heritage is regarded as our 'inheritance' from the past.

Heritage defines the relationship between people and places, the past, present and future. It gives a sense of place, character and community identity and dignity and often plays a fundamental role in the cultural, economic and social wellbeing of the community.

### Whanganui

Whanganui is an area of early settlement in New Zealand. It was an important area for Māori, the Whanganui River margins being heavily populated and the river being an ancient highway to the interior.

Connections between tangata whenua and the local environment are known to have existed before the arrival of the Polynesian explorer, Kupe. From that time to the present day the inter-dependence between tangata whenua and their environment has resulted in the development of a sophisticated value system.

Tangata Whenua (whānau, hapū and iwi) of the Whanganui District share strong connections; being links between past and present; between individuals and their kin groups; and between kin groups. Whanganui is an ancestral landscape for tangata whenua, in which the Whanganui River is the

dominant feature. To Whanganui Iwi the River is the people who have lived there for generations and is commonly heard expressed as:

<i>I rere mai te awa nui</i>	<i>For as long as the great river</i>
<i>mai i te Kāhui Maunga ki Tangaroa</i>	<i>has run its course from the noble assemblage of ancestral mountains to the sea</i>
<i>Ko au te awa,</i>	<i>I am the river</i>
<i>Ko te awa ko au.</i>	<i>and the river is me.</i>

The tribal estates of Ngaa Rauru Kiitahi and Ngāti Apa extend into this District and overlay boundaries with iwi of the lower reaches of the Whanganui River. All whānau, hapū and iwi who claim mana whenua in the Whanganui District are recognised by this Plan.

Whanganui was the second New Zealand Company settlement in the country, Wellington having been the first. Whanganui town centre still retains a very coherent collection of late nineteenth and early twentieth century buildings, with the Old Town as the core. This concentration of significant heritage buildings is rare in New Zealand and represents an important part of the historic heritage resource of the District.

Given the long history of settlement, much of the Old Town and other parts of the District are effectively historical areas comprising particular cultural values, wāhi tapu, wāhi tūpuna and archaeological sites.

## Legislation

The protection and control of the destruction of archaeological sites is primarily the responsibility of Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014.

However, section 6 of the Resource Management Act 1991 (the Act) places specific responsibilities on local authorities to recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga; and protection of historic heritage from inappropriate subdivision, use, and development as matters of national importance.

The Act definition of historic heritage:

“(a) means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:

- (i) archaeological:
- (ii) architectural:
- (iii) cultural:
- (iv) historic:

(v) *scientific;*

(vi) *technological; and*

(b) *includes—*

(i) *historic sites, structures, places, and areas; and*

(ii) *archaeological sites; and*

(iii) *sites of significance to Māori, including wāhi tapu; and*

(iv) *surroundings associated with the natural and physical resources.”*

The Act is clear that local authorities, as a matter of national importance, must take steps to protect not just built heritage items but also archaeological sites and other sites of significance to Māori, as part of protecting historic heritage. This is in addition to the role of Heritage New Zealand as provided for in the Heritage New Zealand Pouhere Taonga Act 2014.

A prerequisite of recognition and protection is identification, which in turn is dependent on information and knowledge.

### **Tangata Whenua Cultural Values**

Council recognises a need to be better informed about tangata whenua cultural values and traditions, in order to understand and assess the potential effects of use and development. Māori values and traditions in this context include the need to protect sites of significance, manage the use of natural and physical resources according to spiritual and cultural values.

Statutory Acknowledgements are one way that sites of significance are formally recorded. Such acknowledgements place obligations on a range of statutory decision makers including the Whanganui District Council.

The Te Awa Tupua settlement has accorded the Whanganui River legal status as Te Awa Tupua, a living and indivisible whole with innate values called Tupua te Kawa. Tupua te Kawa are the intrinsic values that represent the essence of Te Awa Tupua, those values will logically guide all interactions in relation to the health and wellbeing of the Whanganui River and its tributaries for the future.

For Ngaa Rauru Kītahi their cultural, spiritual, historical and traditional association with the Nukumarū Recreation Reserve is acknowledged. For Ngāti Apa their cultural, spiritual, historical and traditional association with Ruakiwi as well as parts of the Whangaehu River and Mangawhero River is acknowledged.

Council recognises the potential value of establishing processes such as Mana Whakahono a Rohe to facilitate and formalise iwi participation and appropriate Council consideration of cultural values and traditions to ensure that use and development of natural and physical resources will achieve the purpose of the Act, particularly sections 6(e) and (f).

The purpose of Mana Whakahono a Rohe is to provide a mechanism for councils and iwi to come to agreement on ways tangata whenua may participate in RMA decision-making, and to assist councils with their statutory obligations to tangata whenua under the RMA.

Ngaa Rauru Kiihahi have formalised an intention, through their Puutaiao Management Plan, to assist local government and other agencies in resource management processes and to assess how Ngaa Rauru Kiihahi values and interests are affected by environmental policy and resource use activities. To this end, they signal a commitment to building their internal capacity and capability to enable full participation in the resource management arena.

### **Built Heritage**

Information on Whanganui built heritage values derives from a number of studies. The first, in 1990, focused on identifying relevant themes and an examination of central city buildings. Between 2003 and 2009, significant updating was carried out by the Whanganui Branch of the New Zealand Historic Places Trust. The 2012 study considered a wider range of buildings and a more comprehensive inventory.

The Christchurch earthquakes of September 2010 and February 2011 confirmed how valuable and vulnerable our historic heritage is, and how imperative it is to find a balance between retention and demolition of key heritage items and areas.

In order to protect those items of significance and sustainably manage them, it is necessary to prioritise heritage values. This enables the allocation of resources to be directed to those items of greatest value and significance.

Built heritage items are prioritised for protection as follows:

Class A – High values at an international or national level, is ranked highly in a number of heritage areas and has high integrity or has very significant values in at least one heritage value.

Class B – At a regional or local level it has several high heritage values and/or has good integrity.

Class C – There are a few heritage values but these have been in some way compromised eg relocated, extensively modified or significant components removed.

The Whanganui town centre including the Old Town Overlay has a concentration of heritage buildings. Although some have been strengthened, many are at high risk from damage or loss from earthquake, as the bulk are un-reinforced masonry or poorly reinforced concrete. This poses a high degree of health and safety risk. Heritage buildings, however, are significant for their contribution to the economic success of the town centre, based on

their amenity value, creating attractive and welcoming urban spaces and streetscapes.

In addition to the direct value and contribution of individual heritage buildings is the contribution of the spaces and places around buildings, including associated buildings. This is a form of cumulative effect, and changes in the surroundings of a building can also lead to potentially negative cumulative effects. Building losses need to be carefully considered, as do replacements buildings to protect amenity and cultural values.

The 2012 Heritage Inventory examined a full range of items within the various themes and offers a broad basis for protection.

Historic heritage is dynamic and perceptions and values change over time. The heritage resource therefore needs to be monitored and managed to ensure it remain relevant.

### **Archaeology**

The land in the District has been home to various peoples for about seven centuries. This has resulted in the accumulation of many physical remnants which are of cultural, scientific and general interest. These remnants help us to understand our history. Remnant sites are defined as archaeological if they are associated with human activity that occurred before 1900.

A 2001 Scoping study considered areas of occurrence and development risk, concluding that the areas of most concern were the coastal plains and areas close to the lower Whanganui River.

As part of the District Plan review, further studies in 2011 and 2013 used documentary sources to provide information on as many sites as possible. A process of information sharing with property owners was carried out in early 2013 to more accurately identify sites and eliminate non-sites, including destroyed sites.

In 2015 a further review of site locations corrected location coordinates for around 80 existing sites.

All recorded archaeological sites are mapped in the District Plan with an un-dimensioned symbol. For the purposes of protection a precautionary alert buffer will be applied around each site. This is because in the immediate vicinity of a site the likelihood of further finds is high. The buffer area acts as a caution to proceed with care when undertaking any ground disturbance activity. Where an activity lies outside any buffer area but is in the vicinity of several sites, caution should be exercised.

The District Plan information is not exhaustive and the obligations of the Heritage New Zealand Pouhere Taonga Act 2014 apply regardless of, and in addition to, information or regulation contained in the Plan.

## Heritage Alert Overlay – Cultural Heritage - Otamatea North West Structure Plan Area

The area identified in the District Plan as the Otamatea North West Structure Plan Area, is known to be part of a wider area of ancestral land which has significant cultural value and significance for the Iwi of Whanganui iwi and Ngaa Rauru Kiiitahi.

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, i.e. 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 areas are the remaining physical connection that tangata whenua have to their ancestors. 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 Kiiitahi, 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 and recorded in the *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 Rauru Kiiitahi - Otamatea Plan Change Cultural Values Report (12 April 2018)* prepared by Whanganui me Ngaa Rauru Kiiitahi.

Although the 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.

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 intention purpose of the Heritage Alert Overlay cultural heritage related objectives, policies and methods applying to the North Otamatea 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 specifically recognise and provide for the relationship of mana whenua with the ancestral lands, water, sites, wāhi tapu and other taonga of this ancestral area and provide for the protection of cultural heritage. provide a trigger to

The Plan will require:

- require resource consents for land disturbance activities on sites with recorded wāhi tūpuna and where wāhi tapu have been discovered; and
- 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, require site-specific assessment to identify wāhi tapu and wāhi tūpuna sites 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 and the proposal is in accordance with any recommendations of that assessment for management of identified culturally significant sites; and liaison with tangata whenua to obtain an archaeological assessment and/or cultural impact assessments may be required to assist inform Council's assessment of the potential effects of subdivision and land disturbance applications activities within the Overlay area.
- require assessment of land disturbance activities and subdivision proposals against key criteria that will to 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; and
- encourage applicants for subdivision and those proposing to subdivide or develop 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.

In addition to site identification in the District Plan, the tools for recognition and protection of archaeological sites and cultural values within the Otamatea West Structure Plan area are will primarily a Heritage Alert Overlay which uses a predictive approach to identify an area where, undiscovered archaeological are likely to exist. based on historic temporary human settlement activities in the area, undiscovered archaeological are likely to exist. based on historic temporary human settlement activities in the area.



~~The cultural values of the area and the protection of any areas of wāhi tapu, or archaeological significance, including the potential for accidental discovery of additional archaeological items. The Heritage Alert Overlay will raise awareness for landowners and the community about the historic heritage of the wider Otamatea area.~~

## 9.2 OBJECTIVES

### Historic Heritage

- 9.2.1 Recognise and protect the historic heritage resource of the whole District.
- 9.2.2 Enable all sectors of the community to participate in and contribute to heritage protection.
- 9.2.3 Ensure the sustainable management of historic heritage values and resources, both individual and collective, by prioritising the protection of the resource based on values and significance.

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### Archaeological Heritage

- 9.2.5 Manage inappropriate subdivision, use and development to ensure that adverse effects on the archaeological resource are avoided, remedied or mitigated.
- 9.2.6 Reduce the risk of damage to archaeological sites and areas by identifying the known archaeological resource and avoid or manage activities that may modify or destroy that resource, including activities close to the identified site.
- 9.2.7 Recognise and protect the archaeological resource by encouraging close co-operation with hapū, iwi, landowners and the community, including enabling hapū, iwi, landowners and the wider community to continue to undertake their day to day activities where these activities are compatible with the protection and retention of the resource.
- 9.2.8 Provide information to the community to encourage the protection and retention of the archaeological resource, identifying where relevant, those activities that are consistent with the protection and retention of the resource, and therefore continue to be enabled.

## Cultural Heritage – Otamatea North West Structure Plan Area

9.2.9 Recognise and provide for the relationship of mana whenua with their ancestral lands within the North at Otamatea West Structure Plan Area, including by:

- a. preserving and protecting ancestral heritage, including recorded and discovered wāhi tapu and wāhi tūpuna sites and any discovered wāhi tapu, and the associated cultural, spiritual and historical values of these sites; and which revolve around:
- b. providing opportunities for improved connection of mana whenua with their ancestral lands, water, sites, wāhi tapu and other taonga, including through the provision, location and purpose of public reserves and the naming of streets and public open spaces created within the Structure Plan Area.
  - a. the need for mana whenua to preserve and protect ancestral heritage;
  - b. the interconnectedness of the wellbeing of the land and its people; and
  - c. the desire of mana whenua to reconnect with ancestral lands.

9.2.10 Recognise and provide for the protection of Protect recorded and discovered wāhi tapu and wāhi tūpuna sites, and any discovered wāhi tapu at Otamatea 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. subdivision, modification and development that would adversely affect the qualities and features which contribute to the historic heritage values of these sites.

## 9.3 POLICIES

### Historic Heritage

9.3.1 Maintain and update the historic heritage appendices in the Plan and accompanying database, in an appropriate format.

9.3.2 Promote community awareness, pride and understanding of historic heritage resources in the Whanganui District.

.....

9.3.17 Ensure subdivision, infrastructure and earthworks recognise and provide for the identification and protection of historic heritage, including archaeological sites.

### Archaeological Sites

9.3.18 To enable the sustainable management of the archaeological resource for future generations, consideration shall be given to:

- a. Uniqueness of the site/s or area.
- b. Representative nature of the site/s or area (i.e. the best example of a particular site type).
- c. Condition.
- d. Tradition/historic association
- e. Alternate methods and locations available to carry out the proposed activity or works.
- f. The nature, form and extent of the proposed activity and the likelihood and extent of damage to the site/sites or area taking into account the extent to which there has already been land disturbance or damage.
- g. The findings of an archaeological assessment carried out by a suitably qualified archaeologist and the extent to which adverse effects can be avoided, remedied or mitigated.

9.3.19 To enable development in the site-specific buffer area identified around each archaeological site/s or area in Appendix K, only where no adverse effect on the archaeological site/s or area will result.

9.3.20 To encourage landowners, the community and tangata whenua to investigate sources of funding and methods of voluntary protection for the management of the archaeological resource including the use of covenants.

## Cultural Heritage – Otamatea North West Structure Plan Area

9.3.21 When considering applications for subdivision consent at Otamatea within the North West Structure Plan Area (refer to Appendix L), Council will promote recognition of the relationship of mana whenua with their ancestral land by encouraging developers to appropriately incorporate local culture and traditions into the urban landscape by demonstrating consideration of:

- i. specific design, landscape treatment or naming of public open spaces, roads or facilities to reflect references to tūpuna, events or other cultural themes; and/or
- ii. cultural values and traditions in the design of stormwater management facilities; including avoiding the mixing of water from different catchments; and/or
- iii. names for roads, neighbourhoods, water bodies and open spaces within the subdivision which derive from or have direct association with the ancestral heritage of the locality; and/or
- iv. other methods that may be proposed by mana whenua for the development site, via recommendations in any cultural impact assessment for the development site that may be included with the application.

9.3.22 In the event of accidental discovery of wāhi tapu or wāhi tūpuna at Otamatea within the North West Structure Plan Area, require the implementation of an Accidental the Archaeological Discovery Protocol. must be implemented. (Refer to 9.11.2)

9.3.23 In the event of accidental discovery of wāhi tapu or wāhi tūpuna sites within the North West Structure Plan Area at Otamatea West, the Council will recognise and provide for their protection 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:

- i. the relationship of mana whenua with the site; and
- ii. any cultural values or tikanga associated with the site; and
- iii. individual elements of cultural value and the extent to which each is potentially affected.

Note: An Archaeological Authority must be obtained from Heritage New Zealand prior to any land disturbance that may damage, modify or destroy an archaeological item.

by requiring that Policy 9.3.25 below apply as if the wāhi tapu was recorded in Appendix K.

9.3.24 Recognise and provide for the relationship of mana whenua with wāhi tapu and wāhi tūpuna sites recorded within the North West Structure Plan Area at Otamatea West (Refer to Appendix K).

9.3.25 Applications for subdivision consent and ~~or~~ development that involves land disturbance on any part of a site within the North West Structure Plan Area at Otamatea West which contains a recorded wāhi tapu or wāhi tūpuna 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 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; 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 for karakia, monitoring and/or customary purposes; and
  - iii. providing evidence as to why preservation of the wāhi tapu or wāhi tūpuna site is not practicable.
- c. Subdivision applications may identify specific areas of a site, where land disturbance will not occur, and Council may impose conditions any consent approval precluding land disturbance from any part of a site on that basis, and/or exclude such defined areas from any cultural impact assessment.

9.3.26 Require proposals for subdivision consent and land disturbance to be accompanied by an assessment, undertaken by a person suitably qualified in mana whenua cultural history or archaeology, identifying any wāhi tapu and wāhi tūpuna 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; or
- c. 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 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 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.

- ~~d. liaison with tangata whenua to obtain an archaeological assessment and/or cultural impact assessments may be required to assist inform Council's assessment of the potential effects of subdivision and land disturbance applications activities within the Overlay area~~

~~9.3.27~~ Where a cultural impact ~~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~~, Council will deem the activity to have a less than minor effect on cultural values.

~~9.3.14~~ When assessing an application for subdivision or land disturbance activity within the Heritage Alert Overlay, Council must have regard to the following matters to ensure that adverse effects on historic heritage values are avoided in the first instance, but if that is not practicable then remedied or mitigated:

- ~~• alternate methods and locations available for applicants to carry out the works or activities;~~
- ~~• the nature, form and extent of the activity and the likelihood of damage, modification or destruction of the archaeological site;~~
- ~~• extent to which individual elements of historic heritage value are affected;~~

- ~~measures taken to protect the historic heritage values including to restore a site to its former state after completion of the work, having regard to customs and values of Tangata Whenua;~~
- ~~the findings of any cultural impact assessment carried out on behalf of Tangata Whenua;~~
- ~~the findings of any archaeological assessment carried out by a suitably qualified archaeologist;~~
- ~~any conditions imposed in an authority issued under the Heritage New Zealand Pouhere Taonga Act, 2014.~~
- ~~the provisions of any relevant iwi management plan where appropriate;~~
- ~~whether the proposal meets the provisions of the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value.~~

**Notes:**

1. ~~Council will hold a register of cultural impact assessments of wāhi tapu and wāhi tūpuna and archaeological assessments. Where an assessment has been previously received by Council for any site a similar scale activity on the same piece of land, a further report will, at Council's discretion, not generally be required.~~
2. ~~However where an archaeological assessment has previously been received by Council for the same land, a further report or an update of an existing report may be required because of the naturally changing nature of the landscape. This is particularly due to sand movement regularly covering and uncovering archaeological items or where the nature or scale of the work originally assessed has been altered.~~

## 9.10 HERITAGE ALERT OVERLAY OTAMATEA NORTH WEST STRUCTURE PLAN AREA

### 9.10.1 Permitted Activities

The following are permitted activities in the Heritage Alert Overlay Otamatea North West Structure Plan Area:

9.10.1.1 Any activity that includes Land disturbance activities not otherwise listed except those listed in Rule 9.10.2.1 or 9.10.2.2 as a restricted discretionary activity.

where an Archaeological Authority for that activity has been obtained under the Heritage New Zealand Pouhere Taonga Act, 2014; or where An suitably qualified archaeologist has confirmed such an Authority is not required.

9.10.1.2 Activities otherwise permitted by this Plan, provided they do not include land disturbance.

#### Note:

1. Earthworks are also regulated in Chapter 14 – Earthworks.
2. This Overlay is an area identified as reasonably likely to contain recorded and as yet undiscovered wāhi tapu or wāhi tūpuna or other archaeological items.
3. Recorded archaeological sites and recorded wāhi tūpuna sites are identified on the Planning Maps. Aerial photo maps are available identifying individual sites. and any associated buffer area.

### 9.10.2 Restricted Discretionary Activities

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

9.10.2.1 Land disturbance activities on any part of a site which contains a recorded wāhi tapu or wāhi tūpuna identified in (Refer to Appendix K).

9.10.2.2 Land disturbance activities on any site 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.

In relation to 9.10.2.1 and 9.10.2.2 above, Council restricts its discretion to:

- a. Consider: The extent to which individual elements of cultural heritage value are affected; and



- b. Whether written approval has been obtained from mana whenua representatives.
- c. Measures taken to recognise and provide for the relationship of mana whenua and their culture and traditions with their ancestral lands, water, wāhi tūpuna, and other taonga.
- d. Whether a cultural impact assessment has been prepared in liaison with mana whenua for the specific development proposed, has been included with the application and any recommendations of that assessment.
- e. Mitigation measures, including measures Whether methods identified in the any cultural impact 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, recorded wāhi tūpuna or discovered wāhi tapu, are to be implemented.
- f. Consider the The location, siting and extent of land disturbance activities and extent of any exclusion areas, buffers or setbacks whether land disturbance exclusion areas should apply; and
- g. Mitigation measures, including rehabilitation planting and the plant species used in rehabilitation planting.

#### **9.10.4 Discretionary Activities**

The following are discretionary activities in the North West Structure Plan Area:

9.10.4.1 Land disturbance activities listed in 9.10.2.1 or 9.10.2.2 that contravene performance standards 9.11.1 or 9.11.2.

#### **9.10.23 Non-Complying Activities**

The following are non-complying activities in the Heritage Alert Overlay:

9.10.23.1 Any activity that includes Land disturbance, not provided for as a permitted activity, by Rule 9.10.1.1.

Re-number chapter 9.10 (Performance Standards) as '9.11' as follows and insert new performance standard 9.11.2 (applicable to new land disturbance rules 9.10.1 and 9.10.2):

## 9.11 Performance Standards

### Note:

1. It is an offence to modify or destroy any archaeological site without an Authority from Heritage New Zealand, under the Heritage New Zealand Pouhere Taonga Act 2014. Where land disturbance is proposed to take place within an archaeological site/s or area mapped and listed in Appendix K (Archaeological and Other Sites) or the buffer area surrounding it, the person undertaking the proposed land disturbance should obtain a report from an archaeologist stating whether the archaeological site will be modified or destroyed.

### **9.11.1 Archaeological Discovery Protocol**

[retain the wording of operative rule 9.10.1, re-numbered here 9.11.1]

### **9.11.2 Land Disturbance Within North West Structure Plan**

9.11.2.1 Applications under 9.10.2.1 and 9.10.2.2 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, which:

- i. assesses the impact the proposed land disturbance could have on any identified wāhi tapu or wāhi tūpuna site; and
- ii. recommends mitigation measures, including setbacks from any identified wāhi tapu or wāhi tūpuna 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 land within the site; **except that no such assessment shall be required where:**

a) 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 and the proposal is in accordance with any recommendations of that assessment for management of those culturally significant sites; or

b) 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 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.

any part of a site where a wāhi tapu has been discovered, but not yet recorded in Appendix K.

## Chapter 13 SUBDIVISION AND INFRASTRUCTURE

### ...13.2 OBJECTIVES

13.2.1 Sustainable subdivision and infrastructure development in the residential areas of Whanganui that:

- a. Appropriately integrates infrastructure with land uses;
- b. Provides a safe, healthy and liveable residential environment;
- c. Connects infrastructure and communities together;
- d. Is resource and energy efficient;
- e. Has low environmental impact and integrates the natural environment and
- f. Avoids, or minimises adverse effects on historic heritage including archaeological sites...

...13.2.3 Subdivision and infrastructure development that:

- a. Performs its function effectively and efficiently;
- b. Is flexible in design;
- c. Provides resilience to natural hazards and local conditions;
- d. Is durable over its lifespan;
- e. Provides capacity and connectivity in reticulated services for the intended future land uses in the catchment;
- f. Provides for ongoing maintenance in an effective, efficient and cost effective manner;
- g. Achieves lifecycle costs that are affordable to the community;
- h. Takes into account the risk of climate change and
- i. Is consistent with any relevant servicing and/or structure plans.

### ...13.3 POLICIES

...13.3.9 Provide for a reduction in minimum allotment size in the Residential Zone where the entire infrastructure catchment can support both:

- a. The level of service required by the proposed development, and;
- b. The proposal will not reduce the ability of the catchment to provide for development in any other location for which it is intended to service.

## ....Springvale Indicative Development Plan and Structure Plans

13.3.35 Require all subdivision and development in the Springvale Indicative Future Development Area (SIDP) and the Otamatea North West Structure Plan Area (OWSPA) to proceed generally in accordance with the provisions of the relevant 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 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.
- f. ~~Proposed subdivision directly adjoins, and is a logical extension to, existing development of residential scale and allotment size. Proposed allotments shall be of residential size.~~

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

13.3.39 Reserve areas within the Otamatea North West Structure Plan Area (Appendix L) shall achieve one or more of the following:

- protect historic heritage or ecological corridors; or
- facilitate stormwater management, including consideration of the impacts of climate change; or
- provide for active public recreational purposes, including cycle/pedestrian and public open space networks.

## Heritage

13.3.39 Ensure subdivision, infrastructure and earthworks are respectful of historic and cultural heritage, including archaeological sites.

13.3.40 Promote the identification and protection of areas and values relating to historic heritage, including archaeological sites.

### 13.4 RULES

#### ...13.4.2 Restricted Discretionary Activities.

The following are restricted discretionary activities:

- a. Subdivision unless otherwise **stated 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, which:**
  - i. **assesses the impact the proposed land disturbance could have on any identified wāhi tapu or wāhi tūpuna site; and**
  - ii. **recommends mitigation measures, including setbacks from any identified wāhi tapu or wāhi tūpuna 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**
  - v. **identifies any consequential implications for the development of the site; except that no such assessment shall be required where:**
    - a) **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; or**
    - b) **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 and the proposal is in accordance with any recommendations of that assessment for management of those culturally significant sites; or**
    - c) **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 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.

Council restricts its discretion to:

- i. The ability of a proposal to meet the relevant subdivision and infrastructure performance standards, and rules.
- ii. The ability of the proposal to meet the relevant general urban design criteria, subdivision general and infrastructure assessment and performance criteria.
- iii. Consequences for the implementation of the Otamatea North West Structure Plan (Appendix L).
- iv. Within the North West Structure Plan Area:
  - a. The extent to which any individual elements of cultural heritage value are affected; and
  - b. Whether written approval has been obtained from mana whenua representatives;
  - c. The extent of land disturbance required to implement the subdivision, including land disturbance associated with the construction of roads, pedestrian paths, stormwater detention areas, infrastructure services and site contouring;
  - d. Measures to recognise and provide for the relationship of mana whenua and their culture and traditions with their ancestral lands, water, wāhi tūpuna, and other taonga;
  - e. Whether a cultural impact assessment, has been prepared in liaison with mana whenua for the specific development proposed, has been included with the application and any recommendations of that assessment;
  - f. Mitigation measures, including measures identified in the any cultural impact 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;
  - g. The location and extent of any exclusion areas, buffers or setbacks; and
  - h. Mitigation measures, including rehabilitation planting and the plant species used in rehabilitation planting; and
  - i. The imposition of an accidental archaeological discovery protocol, as specified in Performance Standard 9.10.1 (b).

v. Whether potential land disturbance resulting from any proposed subdivision, of a site within the Heritage Alert Overlay Otamatea North West Structure Plan Area which contains a recorded wāhi tūpuna (Refer to Appendix K), will affect historic cultural heritage values or sites, including consideration of the:

- a. Location and siting of land disturbance activities building platforms and whether land disturbance exclusion areas should apply;
- b. Effects of land disturbance associated with development of any allotments;
- c. Extent to which individual elements of historic cultural heritage value are affected; and
- d. Any measures taken to protect the historic cultural heritage values; and

Note: Applications subject to this rule (except on land within the Heritage Alert Overlay Otamatea 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. Subdivision in the Residential zone that does not meet the minimum net allotment size of:
  - i. 400m<sup>2</sup> (excluding sites within the Otamatea North West Structure Plan (Appendix L - pink shaded area only)
  - ii. 800m<sup>2</sup> on sites within the Otamatea North West Structure Plan (Appendix L pink shaded area only)
- d. ~~Subdivision in the Otamatea Development Overlay that does not meet the minimum net allotment size of 1000m<sup>2</sup>. Subdivision not in accordance with the Otamatea North West Structure Plan (Appendix L).~~

## ...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 <sup>2</sup> (m <sup>2</sup> ) or Hectares (ha)
Rural Lifestyle	Minimum 5000m <sup>2</sup>



	or 0.5ha
Residential (excluding Otamatea North West Structure Plan - Appendix L - pink shaded area only)	Minimum 400m <sup>2</sup>
Residential (Otamatea North West Structure Plan - Appendix L - pink shaded area only)	Minimum 800m <sup>2</sup>
Reserves and Open Spaces	None
<del>Otamatea Development Overlay</del>	<del>Minimum 1000m<sup>2</sup></del>

### ...13.5.6 Site Suitability.

- b. In addition, the identified building platform shall:
- ix. Comply with 17.5.2(a) (Noise Sensitive Activities) and if 17.5.2(b) applies this will be lodged on a section 221 certificate.

### 13.5.7 Site Serviceability.

- a. Each new allotment shall connect to reticulated water services (sewer, stormwater and water supply) excluding the Rural Lifestyle Zone which shall be required to demonstrate it can provide those services in the proposed allotment.

### ...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 or the Otamatea North West Structure Plan Area (OWSPA); or
- b. Roading Hierarchy.
  - iii. Roading layouts shall generally give effect to the Indicative Roading layouts as shown on the planning maps.

### ...13.5.15 Stormwater.

- f. Low Impact Stormwater Treatment. ....
  - ii. Where low impact stormwater approaches including swales, rain gardens, and other mechanisms are proposed or required, these shall:
    - Be required to be approved by the Alternative Design Procedure, excluding the construction of the swale in the

Springvale Indicative Future Development Area or the stormwater detention areas identified in the Otamatea North West Structure Plan.

- Meet the same performance requirements of conventional infrastructure.

## Chapter 14 EARTHWORKS

### ...14.2 OBJECTIVES

#### 14.2.1 Quality Earthworks Development.

Earthworks and land modification in Whanganui that:

- a. Maintains or enhances:
  - i. Amenity values.
  - ii. Landforms and natural processes.
  - iii. The efficiency and effectiveness of infrastructure.
  - iv. The safety of people and property.
  - v. The stability of soils.
  - vi. The structural stability of infrastructure and the ability for that infrastructure to safely operate and be maintained; and
- b. Has appropriate regard to cultural heritage sites and values.

### 14.3 POLICIES

#### 14.3.3 Maori Values and Earthworks.

To mitigate any potential effects on cultural values and tangata whenua where large scale earthworks are proposed, including by:

- i. Incorporating tangata whenua cultural values and practices into earthworks and land modification methods,
- ii. Requiring cultural and/or archaeological assessments, enabling site access and appropriate site work observation for tangata whenua.

### 14.4 RULES FOR EARTHWORKS

Notes:

1. Certain activities involving disturbance to land will also require regional council consent. Applicants are encouraged to consult the Manawatu-Whanganui Regional Council to identify any regional council requirements.
2. Heritage New Zealand should be consulted regarding any activity that has the potential to modify or destroy an archaeological site in relation to the possible need for an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014.

## **14.5 PERFORMANCE STANDARDS FOR EARTHWORKS ....**

### **14.5.1 Scale of Earthworks.**

Earthworks in the Residential, Airport Enterprise and Neighbourhood Commercial Zones shall not exceed the following:

- a. Earthworks up to and including 50% of the area of any allotment up to a maximum area of 500m<sup>2</sup> of land disturbance. Where there is more than one allotment subject to works as part of a development project, the area of works shall be calculated cumulatively across those allotments affected....

Note: This rule excludes the following:

1. Earthworks associated with forestry or rural activities including tilling, harvesting, planting, ploughing, regrassing, or similar activity in the Rural zones.
2. Sheetpiles
3. Retaining walls for which a valid Building Consent exists.

.....

## APPENDIX K - ARCHAEOLOGICAL and OTHER ITEMS

Note: To avoid confusion, numbers without items are marked as Blank

Note\*\*: Sites without an indicated Buffer shall default to an estimated buffer of 50m. These rural sites have not been specifically researched. The Historic Places Act applies regardless of any District Plan Buffer specified so care should be taken beyond any buffer also.

No Buffer shall apply to sites recorded as wāhi tūpuna

List No.	NZAA NO.	Description	Longitude	Latitude	Comments	Buffer	WDC No.	Urban Map No.	Rural Map No.
325	R22/544	Midden, fire cracked rock and possible pit	<a href="#">2682049.03</a> <a href="#">2682050</a>	<a href="#">6142113.39</a> <a href="#">6142119.4</a>	WRSR	25 <a href="#">Heritage Alert Overlay</a>		Urban 8	Rural 18
326	R22/540	Pits – nine pits and possible terracing on sand ridge (Wāhi Tūpuna)	<a href="#">2682252.02</a> <a href="#">2682251</a>	<a href="#">6142113.39</a> <a href="#">6142141.3</a>	Location good	100x20-No buffer applies <a href="#">Heritage Alert Overlay</a> Omanawa North West Structure Plan Area		Urban 8	Rural 18
327	R22/539	Pits – at least five pits and possible terracing (Wāhi Tūpuna)	<a href="#">2682122.04</a> <a href="#">2682124</a>	<a href="#">6142153.36</a> <a href="#">6142147.4</a>		50-No buffer applies <a href="#">Heritage Alert Overlay</a> Omanawa North West Structure Plan Area		Urban 8	Rural 18
328	R22/541	Pits – two well defined pits on sand ridge end (Wāhi Tūpuna)	<a href="#">2682357.03</a> <a href="#">2682364</a>	<a href="#">6142204.27</a> <a href="#">6142197.3</a>	WNP	15-No buffer applies <a href="#">Heritage Alert Overlay</a> Omanawa		Urban 8	Rural 18

List No.	NZAA NO.	Description	Longitude	Latitude	Comments	Buffer	WDC No.	Urban Map No.	Rural Map No.
						North West Structure Plan Area			
330	R22/543	Midden, fire cracked rock and probable pits, terraces and borrow holes (Wāhi Tūpuna)	<a href="#">2682081.09</a> <a href="#">2682084.1</a>	<a href="#">6142283.36</a> <a href="#">6142285.4</a>	WNP?	150x25 No buffer applies  Heritage Alert Overlay Ovenstones North West Structure Plan Area		Urban 8	Rural 18
983	<a href="#">R22/562</a>	<a href="#">Historic house site Middens</a> (Wāhi Tūpuna)	<a href="#">2682144.2</a>	<a href="#">6142535.3</a>	<a href="#">Indicative location only</a>	Heritage Alert Overlay Ovenstones North West Structure Plan Area		<a href="#">Urban 3</a> <a href="#">Urban 8</a>	<a href="#">Rural 18</a>
984	<a href="#">R22/563</a>	<a href="#">Midden</a> (Wāhi Tūpuna)	<a href="#">2682006.2</a>	<a href="#">6142560.4</a>	<a href="#">Indicative location only</a>			<a href="#">Urban 3</a> <a href="#">Urban 8</a>	<a href="#">Rural 18</a>
985	<a href="#">R22/564</a>	<a href="#">Fire cracked rocks – hangi-Midden</a> (Wāhi Tūpuna)	<a href="#">2681924.2</a>	<a href="#">6142445.4</a>	<a href="#">Indicative location only</a>			<a href="#">Urban 3</a> <a href="#">Urban 8</a>	<a href="#">Rural 18</a>
986	<a href="#">R22/565</a>	<a href="#">Midden-Ovens/oven stones</a> (Wāhi Tūpuna)	<a href="#">2682164.1</a>	<a href="#">6142389.3</a>	<a href="#">Indicative location only</a>			<a href="#">Urban 3</a> <a href="#">Urban 8</a>	<a href="#">Rural 18</a>
987	<a href="#">R22/566</a>	<a href="#">Fire cracked rocks – haangi-Midden</a>	<a href="#">2682224.1</a>	<a href="#">6142401.3</a>	<a href="#">Indicative location only</a>			<a href="#">Urban 3</a> <a href="#">Urban 8</a>	<a href="#">Rural 18</a>
988	<a href="#">R22/542 - continuation</a>	<a href="#">Midden</a> (Wāhi Tūpuna)	<a href="#">2681979</a>	<a href="#">6142111.4</a>	<a href="#">Indicative location only</a>	Heritage Alert Overlay Ovenstones North West Structure Plan Area		<a href="#">Urban 3</a> <a href="#">Urban 8</a>	<a href="#">Rural 18</a>
989	<a href="#">R22/567</a>	<a href="#">Middens/ Ovenstones</a>	<a href="#">2681797.1</a>	<a href="#">6142215.5</a>	<a href="#">Indicative location only</a>			<a href="#">Urban 3</a> <a href="#">Urban 8</a>	<a href="#">Rural 18</a>
990	<a href="#">R22/568</a>	<a href="#">Midden Building Homestead</a>	<a href="#">2681807.1</a>	<a href="#">6142185.5</a>	<a href="#">Indicative location only</a>			<a href="#">Urban 3</a> <a href="#">Urban 8</a>	<a href="#">Rural 18</a>
991	<a href="#">R22/569</a>	<a href="#">Fence – Ditch and Bank</a>			<a href="#">Indicative location only</a>	Heritage Alert Overlay Ovenstones North West Structure Plan Area		<a href="#">Urban 3</a>	<a href="#">Rural 18</a>
992	<a href="#">R22/570</a>	<a href="#">Ceramic Pipeline</a>			<a href="#">Indicative location only</a>			<a href="#">Urban 3</a>	<a href="#">Rural 18</a>

