

BEFORE THE ENVIRONMENT COURT

Decision No. W082/2009

IN THE MATTER

of appeals pursuant to clause 14 of the
First Schedule to the Resource
Management Act 1991

BETWEEN

B P CAMMACK and A M R EVANS
(ENV-2008-WLG-000103)
PARAPARAUMU AIRPORT
COALITION INCORPORATED
(ENV-2008-WLG-000126)
TE WHANAU A TE NGARARA INC
(ENV-2008-WLG-000127)
Appellants

AND

KAPITI COAST DISTRICT COUNCIL
Respondent

Court: Environment Judge B P Dwyer
Environment Commissioner J R Mills
Environment Commissioner H M Beaumont
Heard: at Wellington on 2-6, 9-12 March and 21 May 2009
Counsel/ Appearances:

L Watson for Paraparaumu Airport Coalition Incorporated and Te
Whanau a Te Ngarara
C M Stevens for B Cammack and A Evans
J Winchester for Kapiti Coast District Council
B Matheson for Paraparaumu Airport Limited

FINAL DECISION

Decision issued: **16 OCT 2009**

A: Final version of Plan Change confirmed.



Introduction

[1] The Court issued its interim decision (W69/2009) on 3 September 2009, declining the appeals. We directed a timetable for a final version of Plan Change 73 to be prepared and to allow other parties to comment on it. PAL filed a Final Version of Proposed Plan Change 73 dated 11 September 2009, in response to the interim decision. The Court issued a minute on 18 September 2009 suggesting some further refinements.

[2] The Court has now considered the Final Version of Proposed Plan Change 73 dated 21 September 2009. The amendments satisfy the Court's requirements in the interim decision and incorporate the suggestions made in the Court's minute.

[3] The Court has amended what appear to be minor typographical errors, as follows:

- on page 21 at bullet 8, amended “an a prohibition on “sling load”” to read “and a prohibition on “sling load””;
- on page 26 at paragraph (c)(i), amended “which are inconsistent the” to read “which are inconsistent with the”; and
- on page 33, in the last bullet under number 30, amended “used in imaginatively” to read “used imaginatively”.

[4] The Court has also amended the final sentence under the heading “Noise from Aircraft Operations” to read “*The monitoring shall be to determine compliance at the 65 dBA L_{dn} contour only.*” This wording clarifies the intent of the monitoring programme.

[5] The Kapiti Coast District Council is directed to amend its District Plan in accordance with the Final Version of Plan Change 73 (track changes removed, dated 1 October 2009), attached to this decision.

DATED at WELLINGTON this 16th day of October 2009
For the Court:

B P Dwyer
Environment Judge



PLAN CHANGE 73 - KAPITI COAST DISTRICT PLAN

FINAL VERSION

(1 OCTOBER 2009)

AMENDMENTS TO VOLUME I

1. Amend Part B “Significant Resource Management Issues”, “B5 Commercial/Retail Environment” by deleting paragraph 4 (commencing “*The General Business Precinct of the Airport Zone....*”) and replacing it with:

The Airport Zone has been formulated to enable the enhancement of aviation activity and to facilitate sustainable business and employment activity to support the integrated management of the Airport Zone. Non-aviation activities are needed to financially support aviation activity. The Airport Mixed Use Precinct therefore enables both aviation and non-aviation activities. Specific provision is made for retail and commercial activities to provide certainty and avoid or mitigate effects on the Paraparaumu Town Centre.

2. Amend Part B “Significant Resource Management Issues, “B7 Industrial/Service Environment” by deleting paragraph 3 (commencing “*The General Business Precinct of the Airport Zone....*”) and replacing it with:

The Airport Zone has been formulated to provide sustainable employment and economic benefits by permitting use of the land for aviation, commercial and other non-aviation activities so that the role of the Airport as an economic, service and recreational asset is maintained and enhanced, and the ancestral association of tangata whenua to the land is recognised.

3. Amend Part B “Significant Resource Management Issues”, “B13 Open Spaces and Reserves” by adding:

The Airport Zone incorporates an “Airport Buffer Precinct” to provide a physical “buffer” between adjoining residential and rural areas, and open spaces and the Airport Core and Airport Mixed Use Precincts, as well as for stormwater, conservation and recreational purposes.

4. Amend Part B “Significant Resource Management Issues”, “B19 Transportation Issues” by deleting B.19.4.1(iv) (titled “*Paraparaumu Airport*”) and replacing it with:

Paraparaumu Airport

The Paraparaumu Airport has been operating since the late 1930s and has been identified as a valued transport asset for the District.

The Airport is privately owned and if it is to continue operating it needs to be financially supported by non-aviation and commercial activity. The Airport Zone therefore has an Airport Core Precinct” where only aviation and aviation related activities are permitted, and an Airport Mixed Use Precinct” in which commercial and other non-aviation employment



generating activities are permitted in addition to aviation activities. The Zone provisions are designed to facilitate the enhancement of aviation and the achievement of sustainability objectives such as increased opportunities to create local employment, reduction in commuter traffic, and the economic enablement and wellbeing of the community. However, while recognising the importance of the Airport the Council also recognises the potential adverse effects development of the airport may have and the need to avoid, remedy or mitigate these effects. The main resource management issues associated with the airport are:

- *Providing an optimum balance between allowing for reasonable noise associated with aviation activities, and managing the adverse effects on surrounding occupiers.*
- *Controlling noise sensitive activities within the Zone.*
- *Managing the relationship between the Airport and the surrounding area, for example through the provision of a buffer between the site and surrounding areas.*
- *Establishing open space and public access generally within the Airport Zone, subject to safety and operational considerations, and establishing links with existing Cycleways, Walkways and Bridleways linkages.*
- *Managing development, including the timing of development, so that it occurs with appropriate provision for infrastructure and services, including upgrades to transport and infrastructure. Managing development to avoid, remedy and mitigate the effects of airport development on transport and service infrastructure.*
- *Managing environmental effects including protection of the Wharemauku Stream, stormwater, flooding and water quality issues, and potential for protecting and enhancing the biodiversity within the site.*
- *Airport safety.*
- *Providing appropriately for the archaeological and tangata whenua values associated with the Airport, particularly in respect of the area to the south of Wharemauku Stream and in the area to the west of Magrath Avenue.*

Aircraft noise arising from airport operations is an inevitable consequence of airport operations, but one that has the potential to affect amenity values associated with people's enjoyment of their properties. Air noise boundaries have been established, based on a modelling timeframe of 2026, to regulate the amount of noise permitted from the use of the Airport for aviation purposes. Aviation noise at these boundaries will be monitored. This provides some certainty for surrounding occupiers and landowners and the certainty required for the future operation of the Airport and investment in aviation infrastructure.

The uncontrolled development of activities sensitive to aircraft noise around the Airport will exacerbate the problem of exposure to the adverse effects of noise. Noise sensitive activities within the Air Noise Boundary will be strictly managed to limit the additional population within this area. Within the area between the Air Noise Boundary and the Outer Control Boundary, management is less strict reflecting the lower exposure to aircraft noise. (No specific noise mitigation of existing dwellings around the Airport is considered necessary because there are no existing dwellings within the Air Noise Boundary. If however a future plan change is required to extend the Air Noise Boundary to accommodate increased aviation activity, then the owner of the Airport will offer a noise mitigation package for any existing dwellings that fall within that extended Air Noise Boundary.)



Within the area between the Outer Control Boundary and the “Airport Noise Effects Advisory Overlay”, the specific management of noise sensitive activities is not required due to the low noise exposure levels. However, noise management may be a factor that the Council may wish to consider when assessing applications for resource consent for noise sensitive activities within this area under s104(1)(c) of the Act.

5. **Amend Part C “Objectives and Policies” by deleting the initial text to C.19 and C.19.1 and C.19.2 and replacing with:**

C19 AIRPORT ZONE

Paraparaumu Airport is a significant resource that is under-utilised for aviation and non-aviation activities. While the Airport is used for recreational aviation, commercial aviation activity is at a low level. There has been little investment in aviation infrastructure and noise provisions are inadequate for long term sustainability.

Within the Airport Zone the key resource management matters are:

- *The provision for commercial and other non-aviation employment generating activities where this is consistent with the principles of sustainable development.*
- *Existing and new aviation activities and related services should be maintained and enhanced with new investment in aviation related assets and activities.*
- *Provision for one runway with upgrading, modification and extension provided for, together with a grass crosswind runway (runway 12/30) to be used for limited use (imperative) landing purposes and some very limited glider operations in westerly wind conditions.*
- *Residential activity should not be permitted within the Airport Zone.*
- *There should be four precincts; an “Airport Core Precinct” to cover the runways, new terminal, hangars and associate buildings and structures; an “Airport Mixed Use Precinct” for aviation and business activities to support the sustainability of the “Airport Core”; an “Airport Buffer Precinct” for open space; and an “Aviation Heritage Precinct” to protect the historic control tower and museum.*
- *An “Airport Buffer Precinct” should be created between the existing residential areas and the Airport/commercial development to mitigate potential adverse effects and to provide for dune areas, ecological areas, storm-water management, public access, and to protect the water quality in the stream.*
- *A high quality of external design and appearance of building development which will be achieved through design guidelines, and rules and standards in the District Plan.*
- *To recognise the ancestral connection of tangata whenua with the land, including requiring accidental discovery protocols and other necessary Historic Places Act approvals for earthworks, and enabling kaitiakitanga in respect of the buffer land and waterways within the Airport Zone.*

Their noise boundaries will be established to protect the amenity of surrounding areas whilst allowing reasonable aviation noise associated with the sustainable long term use of the Airport.



- *Retail and commercial service activity should not undermine the role and function of the Paraparaumu District Centre.*
- *Roads should facilitate and encourage safe pedestrian and cycle access and provide for public transport, and development should be managed to ensure an efficient road network is maintained.*
- *The intensity of development should not exceed the available infrastructure.*
- *Hydraulic neutrality of the site.*
- *Recreational needs arising from the development will be catered for by the provision of open space, primarily within the Buffer Precinct.*
- *Retention of the weather monitoring facility.*
- *The efficient use of the public potable water supply.*

The objectives and policies set out below in C.19.1 and C.19.2 are intended to address these matters as well as the significant resource management issues pertaining to the Airport as identified in Section B of the Plan, and with the associated rules, provide a high level of certainty for both the airport owners, operators and the community.

C19.1	OBJECTIVES AND POLICIES
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OBJECTIVE 1.0

<i>To achieve significant sustainable aviation, business and employment opportunities by enabling the efficient utilisation of the land for aviation and associated activities and supporting non-aviation business activities, while avoiding, remedying or mitigating adverse effects.</i>

To achieve this objective, the Council will implement the following policies:

POLICY 1: AVIATION

The land area required for the efficient use of the airport for aviation purposes shall be safeguarded. Only aviation and aviation related activities will be permitted within the "Airport Core Precinct".

Explanation: The "Airport Core Precinct" will provide the community and airport users with certainty that one primary runway and one limited use (imperative) crosswind runway (shown as runway 12/30) and associated land for a modern terminal and associated facilities will be retained and safeguarded.

POLICY 2: USES

A range of activities in the "Airport Mixed Use Precinct" will be permitted to support aviation activities and provide for non-aviation, commercial and other employment opportunities.



Explanation: The "Airport Mixed Use Precinct" permits aviation activity to grow beyond the "Airport Core Precinct". Non-aviation business and commercial activity and development is permitted to support the sustainability of the Airport Core Precinct activities. Certain specified activities are non-complying (i.e. residential activity, offensive trades, certain retail/commercial activities etc), discretionary (i.e. work associated with heritage buildings) or controlled activities (i.e. the external design, appearance and siting of buildings and associated development) to enable to the Council to manage potential adverse effects. Supermarkets, Department Stores and more than one small scale retail grocery outlet are prohibited activities.

POLICY 3: AIRPORT SAFETY

Protect the operational safety of the Airport for recreational and general aviation from hazards of encroachments by buildings, structures and trees, inappropriate development within flight paths and associated safety margins and glare from buildings.

Tall buildings, structures or trees may compromise air safety if they are located within defined air spaces around the Airport. Accordingly, take-off and approach surfaces have been defined for aircraft approaching and leaving Paraparaumu Airport. Height restrictions and land use controls are necessary to ensure that these flight paths remain clear from such obstructions as tall buildings, aerals or similar structures and trees.

A large proportion of aircraft operations at Paraparaumu Airport relate to flight training and occasional recreational flying. Sun flashes and glare off buildings while on a landing approach can be disruptive to such aircraft operations. Glare can be mitigated through detail in relation to design and roof form, but mitigation is more commonly achieved through the use of pre-coated building materials or painting upon completion of the building.

POLICY 4: WEATHER MONITORING

Provide for the continued use of the Airport for weather monitoring activities, and ensure that the operational requirements of weather monitoring are not compromised by other activities on surrounding Airport land.

An important weather monitoring facility exists at the Airport. It is strategically important in providing information for local and New Zealand forecasting (including for aviation) and also forms part of a global network for climate change monitoring. The location of buildings and other activities near to the monitoring site need to be controlled to help ensure that its operational requirements are not compromised.

POLICY 5: ANCESTRAL CONNECTION OF TANGATA WHENUA

Provide for the ancestral connection of tangata whenua with the Airport land, specifically by providing opportunities for tangata whenua to exercise kaitiakitanga over the Buffer Land, and to recognise that earthworks activities need to be subject to accidental discovery and other protocols and Historic Places Act approvals. In particular, two specific areas have been identified which should be the subject of further investigation prior to any earthworks commencing in those areas.

Tangata whenua have an ancestral connection with the Airport land. While the Airport land is needed for, and to support, current and future aviation purposes, the



owner of the Airport acknowledges the need to provide for the ancestral connection of tangata whenua and to offer opportunities for kaitiakitanga. This is expected to be primarily achieved through the ongoing relationship between the owner of the Airport and tangata whenua representatives, and through obtaining any necessary Historic Places Act approvals.

OBJECTIVE 2.0

To protect the amenities of areas surrounding the Airport from adverse environmental effects from airport use and development

POLICY 1: NOISE

Air noise boundaries will be established to regulate the amount of noise permitted from the use of the Airport for aviation purposes. In conjunction with a night time curfew and limitations on aircraft engine testing, this will avoid unreasonable exposure of residents to noise. The air noise boundaries also delineate the extent of land use controls applying to noise sensitive activities, to address potential reverse sensitivity effects.

Explanation: Some aircraft noise is an unavoidable consequence of an airport. Noise levels need to be set to give security and certainty to the required investment in aviation infrastructure. However, aviation noise has the potential to adversely affect amenity, particularly for residents underneath the flight paths and close to the Airport. Permitted activity aviation noise levels and the management of noise sensitive activities within the Outer Control Boundary provide a reasonable balance between these two conflicting objectives.

POLICY 2: COMMERCIAL ACTIVITY

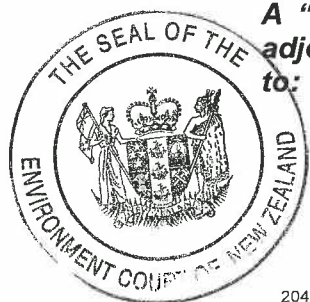
It is desirable that specifically identified retail and commercial activities are permitted, subject to specified threshold standards, so that the nature and scale of such activities does not undermine the role and function of the Paraparaumu Town Centre and is linked to development within the Airport Mixed Use Precinct.

Explanation: The Airport Mixed Use Precinct is a suitable location to accommodate larger format, vehicle orientated retail activities, as well as wholesale/trade activity. Such activities typically require large site areas, large expanses of hard surface parking, and "big box" large scale buildings with few display windows. Such activities are not complementary to and do not fit within town centre environments. Accordingly, the character of these types of activities is in conflict with core Paraparaumu Town Centre retail amenity. Smaller format retail and commercial service activity is also required primarily to serve the needs of people employed or visiting the Airport Zone and to avoid the potential inconvenience, cost and congestion if such activities were solely located in the Paraparaumu Town Centre. However, unlimited allowance for both large and small format retail and commercial service activities may undermine the sustainability of the Paraparaumu Town Centre.

POLICY 3: BUFFER

A "buffer" between the aviation and business activities within the Zone and adjoining residential, rural and open space zoned properties will be provided to:

- **protect the amenity of these adjoining properties;**



- **provide public access routes and Cycleways, Walkways and Bridleways (CWB) linkages;**
- **provide opportunities to recognise the ancestral connection of tangata whenua with the Airport Land;**
- **manage stormwater;**
- **provide open space; and**
- **protect and enhance ecological and conservation values.**

Explanation: The "Airport Buffer Precinct" covers land suitable for open space purposes, pedestrian, bicycle access trails and bridleways, stormwater management and conservation for the amenity benefit of land that adjoins the Zone. In order to ensure these objectives are realised, an Environmental Management Plan for the buffer is required to be prepared by the Airport owners in consultation with the Council and other appropriately qualified expert advisers prior to the first development within the Airport Mixed Use Precinct.

The buffer will serve an important function in mitigating the potential impacts of development on adjoining properties. Landscaping within the buffer should be designed to mitigate the visual impact of the development of the Airport area when viewed from surrounding areas, while promoting conservation/ecological values, and providing safe access routes.

The Council is encouraging the use of alternative forms of transport such as walking and cycling throughout the District. The proposed paths along the two proposed sections of the Wharemauku Stream and the rest of the stream path will create an important pedestrian, cycle link and bridleway between the Paraparaumu Beach area and the Town Centre. This link will provide both commuter access and recreational opportunities. Details of the design and location of the path shall be submitted as part of the Environmental Management Plan and shall incorporate Crime Prevention Through Environmental Design (CPTED) principles in its design.

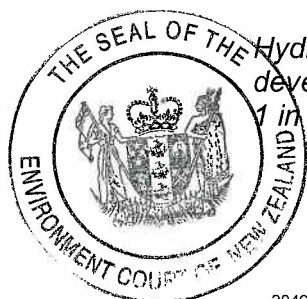
POLICY 4: STORMWATER

To minimise the impact from stormwater run off on surrounding water bodies, and to ensure the protection and enhancement of natural values, a stormwater management plan shall be produced for the overall site.

Explanation: The Wharemauku Stream is an important stream for the community, as reflected in the Wharemauku Stream Community Freshwater Plan.

Stormwater management plans will need to address the issues raised in the Design Guide, including achieving hydraulic neutrality for the site (with peak flows based on a 1 in 5 year, 1 in 10 year and in 1 in 100 year design rainfall event) and the use of low impact stormwater design, and comply with the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005.

Hydraulic neutrality in general requires peak stormwater flows from the site after development to be restricted to no greater than pre-development levels, a 1 in 5 year, 1 in 10 year, and 1 in 100 year event. In addition, the net impact on flood levels in the



receiving watercourse will need to be assessed to ensure no adverse effects on flood risk in the area.

In addition to this, consideration will need to be given to the treatment of stormwater in relation to individual uses. On-site measures may include rain water tanks, rain water gardens, roof gardens or swales. Consideration will also need to be given to the use of the site and, if appropriate, measures to ensure water quality is not adversely affected.

POLICY 5: TRAFFIC EFFECTS

Development within the Airport Zone shall ensure that any traffic effects are avoided, remedied and mitigated through restrictions on the timing of development

Explanation: Development within the Zone will need to comply with the site access and the roading standards of the Plan. Such development will generate traffic on the external road network and contribute to the need for improvements. To ensure that development within the Zone does not outstrip the capacity of the road network, certain "floorspace threshold" controls have been set. These controls specify certain roading improvements to be undertaken in parallel with increasing areas of gross floor area. The proposed rules allow some control flexibility, provided that a traffic assessment of the effects on the local road network and broader State Highway network within the District is undertaken. In recognition of the primary purpose of the Zone, ie aviation related activities, the threshold controls do not apply to activities within the Airport Core Precinct. This is because the threshold controls applying to the Airport Mixed Use Precinct assume that the Airport Core Precinct will be fully developed almost immediately upon these rules coming into effect.

If the situation should arise where approved development in the Airport Mixed Use Precinct proceeds in advance of the completion of the Western Link Road (WLR) due to unforeseen circumstances delaying the completion of the WLR, any potential adverse traffic effects will be addressed by traffic management measures (eg traffic signal timings) implemented by the roading authority to ensure that any such effects are not unnecessarily imposed upon existing road users along Kapiti Road and the wider road network.

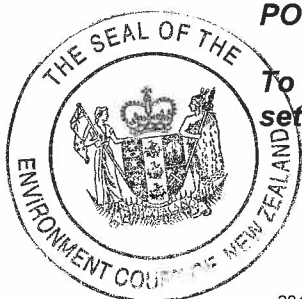
POLICY 6: AVIATION HERITAGE

An Aviation Heritage Precinct is provided in the northern part of the site which shall ensure the continued protection of the listed airport control tower and the museum.

Explanation: The control tower and aviation museum are prominent facilities which are valued by the community and contribute to a sense of place. The Aviation Heritage Precinct will protect the tower, the museum and the surrounding land by providing for some separation between these buildings and the larger scale buildings permitted in the Airport Mixed Use Precinct, and by inclusion of the control tower in the Heritage Register.

POLICY 7: DESIGN

To ensure that development within the Zone is well designed and respects its setting by:



- **Managing the visual impact of buildings seen from Kapiti Road and the extension of Ihakara Street, public open spaces, adjoining residential properties and from all roads and walkways accessible to the public road network. This includes consideration of the bulk, form, massing and colour of buildings and ensuring that there is an overall design cohesiveness whilst still maintaining an individual presence.**
- **Managing the visual impact of car parking areas.**
- **Maintaining visual connections to Kapiti Island and the Tararua Ranges.**
- **Providing, where appropriate, for the successful implementation of Crime Prevention Through Environmental Design principles (CPTED).**
- **Ensuring water and energy efficiency measures are integrated into the design**

The Airport is located in a prominent site adjacent to a residential area and alongside a major through road that links Paraparaumu Town Centre and Paraparaumu Beach. The proposed extension to Ihakara Street will also be an important link in the road network. In this important location, development of the scale provided for could have a significant adverse impact on the amenity of the surrounding residents, and the town as a whole. In order to mitigate the effects of the development of the Airport site, particular controls are necessary.

METHODS

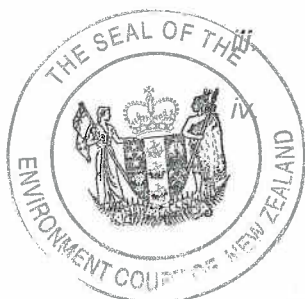
- *Rules and Performance Standards*
- *Design Guide for the "Airport Core Precinct" and "Airport Mixed Use Precinct"*
- *Noise Management Plan and Community Liaison*
- *Designation for Flight Paths*
- *Airport Zone Masterplan*
- *Advocacy*
- *Non-Statutory Initiatives (including Transportation Management Plans for major employers, and building and maintaining relationships with those tangata whenua organisations recognised by the Council), and those which have a specific ancestral connection to the Airport land.*
- *Traffic management measures (e.g. traffic signal timings) implemented by the roading authority*

7. Amend the proposed 'Anticipated Environmental Outcomes' under C19.2 in the District Plan as follows:

- i. An efficient and safe airport serving the needs of the District and wider region, which can be sustainably managed as a valuable asset in the long term.*
- ii. The prevention or mitigation of adverse effects of the Airport's operation on other activities.*

Minimal noise nuisance from airport activities on nearby residential areas.

Providing for the ancestral connection of tangata whenua with the land on which the Airport is located, allowing the tangata whenua to exercise kaitiakitanga.



- v. *Ensuring that any resource consents for earthworks on the site avoid, remedy or mitigate any effects on archaeological values arising from the earthworks.*
- vi. *The protection of aviation-related heritage values associated with Paraparaumu Airport.*
- vii. *The maintenance and enhancement of the Airport's landscape and visual amenity values.*
- viii. *The maintenance and enhancement of transport and services infrastructure.*
- ix. *Regionally rare populations of wetland plants and habitats have been protected and enhanced.*
- x. *The ecological value of Wharemauku Stream has been enhanced and maintained.*
- xi. *A range of healthy wetland habitats have been developed which provide long term amenity and conservation functions.*
- xii. *Integrated and environmentally sustainable stormwater design and implementation provides for the protection of water quality in wetlands, streams and the coastal marine area.*
- xiii. *The need for people to leave Kapiti to gain sustainable employment has been reduced or held at present levels, and Kapiti continues to be an attractive location to reside.*
- xvi. *External design, appearance and siting of development within the "Airport Mixed Use Precinct" results in an attractive urban form within the development.*
- xv. *Commercial and other non-aviation activities are established within the Airport Zone but do not undermine the sustainability of the Paraparaumu District Centre.*
- xvi. *Maintenance of the operational capability of weather monitoring services.*
- xvii. *An Airport Buffer Precinct is provided between aviation and business activities within the Airport Zone and adjoining residential open space zoned properties. The Airport Buffer Precinct has incorporated integrated and sustainable stormwater design which assists protection of water quality in wetlands, streams and the coastal marine area. The creation of this Buffer Precinct has encouraged the enhancement and protection of a regionally rare population of wetland plants and their habitats, the ecological value of Wharemauku Stream, and a range of healthy wetlands habitats which provide long term amenity and conservation functions. The Airport Buffer will also provide an opportunity for tangata whenua to be directly involved in the management and maintenance of this land.*



8. Amend Part D “Rules and Standards” by deleting D9 and replacing with the following:

D.9	AIRPORT ZONE RULES AND STANDARDS
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D.9.1 Airport Zone Rules

D.9.1.1 Permitted Activities

The following are permitted activities within the Airport Zone provided they comply with all the permitted activity standards:

- (i) Within the “Airport Core Precinct”, aviation activities and aviation service activities, including retail activities provided they are located within or adjacent to the main airport terminal building and primarily serve aviation users.
- (ii) Within the “Airport Mixed Use Precinct:
 - Aviation activities and aviation service activities.
 - One hotel/motel activity.
 - Industrial activities
 - Trade/Wholesale
 - Commercial activity, (including logistics or distribution uses) provided that retail activity shall be limited to:
 - Retail activity ancillary to Industrial or Warehousing activities within the Precinct.
 - Large Format Retail activity.
 - Home Improvement Retail activity.
 - Automotive and Marine Equipment Retail activity
 - Small Scale Convenience Retail activity.
 - Small Scale Commercial Services activity.
 - Retail activity permitted by the definition of “Service Station”.
- (iii) Within the “Airport Buffer Precinct”, recreation, conservation, and water management activities and activities listed under D.6.1.1 for the Open Space Zone (except production forestry).
- (iv) Within the “Aviation Heritage Precinct”, heritage and associated and supporting activities.
- (v) Weather monitoring equipment and other meteorological facilities, installations, or equipment to measure, collect and distribute meteorological information on Section 1 SO 36625.

Within all of the Airport Zone



- Residential accommodation for those whose employment requires residence within the Zone
- The maintenance and repair of any Heritage Features which are recorded in the Heritage Register, in Part I of this Plan, where such maintenance and/or repairs are in keeping with the Heritage Feature and which are a minor work, as defined in Part Q of this Plan.
- Earthworks, except Earthworks in Area X and Area Y shown on the Precinct Plan.

D.9.1.2 Controlled Activities

The following are Controlled Activities provided they comply with the permitted and controlled activity standards and provided that they are not otherwise classified as Non-Complying or Prohibited Activities:

- (i) Within the "Airport Mixed Use Precinct", any Development where the gross floor area in the Precinct does not exceed 102,900m² of development
- (ii) Within the "Airport Zone", any new buildings.

The matters over which the Council reserves control in respect of D.9.1.2(i) and (ii) are limited to:

- Site layout and design including location of building(s) and building curtilages, landscaping, carparking, fencing and surface treatments.
- External design, colour, finish and appearance of buildings.
- Within the area marked "curtilage" on Plan "A", the desirability of maintaining views of, and a visual connection to, part of the primary runway from the cab of the control tower in the Aviation Heritage Precinct.
- The installation of water saving devices and energy efficient technologies.
- The provision of communal open space.
- The Design Guidelines for the Airport Zone in Appendix 1.
- The Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005.
- Crime Prevention Through Environmental Design principles.
- The imposition of financial contributions in accordance with Part E of this Plan.

In determining the conditions, if any, the Council will have regard to the above matters and the extent of consistency with the Design Guidelines for the Airport Zone in Appendix 1.

(iii) New airport roads in the Airport Zone. The matters over which Council reserves control are limited to:



- *The route, design, and standard of construction of the road, including pedestrian footpaths, cycle paths, landscaping, stormwater runoff, earthworks, preservation of viewshafts to the Tararuas and Kapiti Island, safety and the provision of access for public transport.*
- *Compliance with Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005.*
- *The imposition of financial contributions in accordance with Part E of this Plan.*
- *In respect of any proposed new intersection with Council roads, the preparation of a traffic management plan.*

In determining the conditions, if any, the Council will have regard to the above matters and the extent of consistency with the Council's "Subdivision Development Principles and Requirements" and "Subdivision Best Practice Guide".

(iv) Subdivision in the Airport Zone. The matters over which the Council reserves control are limited to:

- *The design and layout of the subdivision, including earthworks.*
- *The imposition of financial contributions in accordance with Part E of this Plan.*
- *The imposition of conditions in accordance with Sections 108 and 220 of the Resource Management Act.*
- *The provision of foot and cycle pathways and the provision of access for public transport.*
- *The installation of water saving devices and energy efficient technologies.*
- *Compliance with the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005.*

(v) Earthworks that do not comply with the Permitted Activity Standards, and which are not otherwise listed as a controlled activity.

(vi) Earthworks within Area X and Area Y on the Precinct Plan, subject to those proposed earthworks being the subject of an approval under the Historic Places Act.

The matters over which the Council reserves control are limited to the extent of non-compliance with the permitted activity standards.

In determining the conditions, if any, the Council will have regard to the above matter and the extent of consistency with the Council's "Subdivision Development Principles and Requirements" and "Subdivision Best Practice Guide".

Non-notification/approvals: *Applications for (i) – (v) above need not be publicly notified and no written approvals to or service of notice of the applications will be required.*

The following are discretionary activities (restricted):



