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**PART A**

**INTRODUCTION**

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## A. INTRODUCTION

### Explanation

*This section of the District Plan does not form part of the statutory document but is included for information purposes to assist users of the Plan in understanding both the document and the wider context to which it relates. The statutory document commences with Part B of the Plan*

## A.1 HISTORICAL BACKGROUND

### A.1.1 Development of the Coast

The natural environments of the district and communities that have developed on the Kapiti Coast have been subject to significant change over a relatively short period of time. In the first half of the twentieth century the district evolved from farming related activities to more of a holiday retirement area with little urban employment locally. In the latter part of the century, the focus has shifted towards Kapiti becoming a more permanent settlement area to the extent that currently the area is one of the fastest growth centres in New Zealand. The Kapiti Coast District in the inter-censal period between 1986 and 1991 accounted for approximately 70% of the population growth of the Wellington region. The expectation is that a high growth rate will continue over the next twenty to thirty years, probably giving a total population 25 years hence in excess of 60,000 people. Areas zoned residential, commercial and industrial in the District Plan are expected to be able to comfortably meet needs for at least 15 years even assuming present high growth rates continue.

The form of development on the Kapiti Coast has been shaped by antecedent Maori and European historical influences. Kapiti Island symbolises and is an apt focus for these historical influences.

Kapiti Island is traditionally known as “Te Waewae Kapiti O Tara raua ko Rangitane”, the meeting place of the boundaries of Tara and Rangitane, Rangitane being a descendant of Tautoki. The island denoted the division of land owned by Tara of Wellington (Te Whanganui a Tara) and his nephew Rangitane and to the early European explorers was also a landbearing point, being named Entry Island by Captain Cook in 1770. Central to the history of the area is the battle at Waiorua on Kapiti Island in 1826. That battle, the family links of the participants and subsequent immigrants led to the Te Ati Awa, Ngati Raukawa and Ngati Toa establishing themselves as Tangata Whenua of the Kapiti Coast District.

The creation of the reserve on Kapiti Island and subsequent development as a nationally significant site for protection of native wildlife has made the island an important symbol of the emergence of environmental values within the wider community.

## **A.1.2 Origin of the District Plan**

The Kapiti Coast District Council was formed in October 1989. The new Council brought together three former local authorities: Kapiti Borough, Otaki Borough and the southern part of the Horowhenua County. The Resource Management Act came into force in October 1991. This Act replaced a large number of Acts including the Town and Country Planning Act 1977. It also brought into the district planning process requirements for subdivision which were previously dealt with under the Local Government Act 1974. To date, the Council has been operating for resource management purposes under the three separate local authority district schemes, which together form the Kapiti Coast Transitional District Plan. The Transitional District Plan became operative in October 1991. This District Plan replaces the Transitional District Plan.

## **A.2 STATUTORY BASIS AND ROLE OF THE DISTRICT PLAN**

### **A.2.1 Meaning and Purpose of Resource Management**

The Resource Management Act 1991 is concerned with the management of natural and physical resources and is now the principal statute for the management of land, subdivision, water, soil resources, ecosystems, the coast, air and pollution control, including noise control.

The fundamental difference between the Town & Country Planning Act 1977 and the Resource Management Act 1991 is that the former was essentially a code for design of communities which was focused on regulating the location of activities, whilst the latter is directed at the sustainable management of natural and physical resources and focuses on the effects of activities.

The purpose of the Resource Management Act, as defined by Section 5, is to promote the sustainable management of natural and physical resources. Sustainable management means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables communities to provide for their social, economic and cultural well being, and for their health and safety, while sustaining resources to meet the needs of future generations (that can be reasonably foreseen), safeguarding natural environmental processes and ecosystems and avoiding, remedying or mitigating any adverse effects on the environment.

### **A.2.2 Purpose of the District Plan**

The purpose of the District Plan is to assist Council to carry out its functions in order to achieve the purposes of the Resource Management Act. The District Plan is the principal means by which Council seeks to ensure the sustainable management of the natural and physical resources of the district.

### **A.2.3 Role and Scope of the District Plan**

Section 31 of the Resource Management Act defines the general functions of territorial authorities for the purpose of giving effect to the Act. In summary, Council has to put into effect objectives, policies and methods to achieve integrated management of the effects of land use activities in the District, to control the actual and potential effects of activities and in particular to control the subdivision of land, activities on the surface of water, and noise. The Resource Management Act requires that in exercising these functions Council must take into consideration key principles set out in Part II of the Act.

Council must:

- Recognise and provide for matters of national importance specified in Section 6 of the Act.
- Have particular regard to other matters defined in Section 7 of the Act.
- Take into account the principles of the Treaty of Waitangi.

The role of the District Plan is to give effect to the above functions of Council. The preparation of a District Plan by Council is a mandatory requirement of the Resource Management Act.

The specific matters that the District Plan must make provision for are referred to in Section 75 of the Resource Management Act. The Act provides that District Plans can include rules to achieve objectives and policies but is not limited to this means alone. The Act puts significant emphasis on the consideration of alternatives at all stages of the process of policy and plan preparation. District rules can prohibit, regulate or allow activities in order to mitigate, avoid or remedy effects.

*Amended  
Change 64  
19/12/07*

The matters to be covered by the District Plan are not unlimited. The Plan can only address matters which fall within the powers and jurisdiction of the Resource Management Act. The Plan cannot impose requirements that relate entirely to other legislative powers and functions such as responsibilities under the Building Act 1991.

Similarly, the District Plan is not the only planning instrument under the Resource Management Act 1991. The scope of the District Plan is limited to the functions of the Council in terms of the Act. There are other planning functions affecting resource management in the District in terms of the Act which are the responsibility of the Wellington Regional Council and Government Agencies.

The Act requires that the District Plan must not be inconsistent with a regional plan or a water conservation order and must give effect to any national policy statement, New Zealand Coastal Policy Statement and any regional policy statements. In addition, when considering any application for resource consent in terms of the District Plan, Council must have regard to these planning documents.

*Amended  
Change 64  
19/12/07*

While the territorial area of the Kapiti Coast District extends out to sea, the jurisdiction of the District Plan does not. On resource management issues, the coastal marine area comprising the area extending seaward from the line of mean high water spring tide to the limit of the territorial sea is subject to the Regional Coastal Plan.

## **A.3 ROLES AND RESPONSIBILITIES OF OTHER ORGANISATIONS**

### **A.3.1 Wellington Regional Council**

Wellington Regional Council has responsibility for developing regional resource management policy. The Regional Council's resource management functions include those set out in Section 30 and the Second Schedule of the Resource Management Act. It must prepare a Regional Policy Statement and a Regional Coastal Plan. It can formulate other regional plans for specific resource management issues, if that is necessary. The Council's responsibilities include the control of discharges to land, water and air within the Region. The Council also has functions in relation to the taking of water, activities in river and lake beds and soil conservation. Resource consents from the Regional Council may be required for activities independent of any consents required in terms of the District Plan. The Council shares some of its coastal marine area management responsibilities with the Minister of Conservation.

The general purpose and function of regional policy statements and plans is to assist the Regional Council in carrying out its functions to achieve the purposes of the Resource Management Act. The Regional Policy Statement for the Wellington Region became operative in May 1995. It is an overview document which provides the framework for managing the resources of the region in a sustainable way. Regional plans must be designed to be integrated within this framework. These plans focus on specific resources or issues which require more detailed policies and controls. Regional plans may, similar to the District Plan, include rules which prohibit, regulate or allow activities.

The Regional Coastal Plan is the only regional plan that is mandatory under the Resource Management Act. This Plan has a more direct regulatory role over activities than other regional plans, as it deals with the coastal marine area over which the District Plan has no jurisdiction (except where authority is delegated by the Regional Council). Management of resource issues and activities within this area is the subject of joint control between the Regional Council and the Department of Conservation.

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### **A.3.2 Ministry for the Environment**

The Minister for the Environment has an overview and monitoring role in terms of the Resource Management Act, including powers to ensure local authorities perform functions under the Act. The Minister's functions in Sections 24 of the Act involve some areas of direct resource management responsibility, including the exercise of a power to direct that a resource consent will be decided upon by the Minister in particular circumstances of national significance. The Resource Management Act provides that the Minister for the Environment may issue a national policy statement on any matters of national significance that are relevant to achieving the purposes of the Act. These statements of policy are an optional requirement at the Minister's discretion, but where implemented have a significant impact on the District Plan as indicated in A.2. The Minister for the Environment may also establish environmental standards by means of regulations. These national standards may relate to noise, contaminants, water quality, level or flow, air quality, and soil quality (in relation to the discharge of contaminants).

### **A.3.3 Department of Conservation**

In terms of the Resource Management Act, the Minister of Conservation is responsible for producing New Zealand Coastal Policy Statements. These policy statements are intended to provide an overall management framework for the natural and physical resources of the Coast and address matters of national importance regarding the Coast. A New Zealand Coastal Policy Statement is the only mandatory national policy statement under the Resource Management Act. The Department of Conservation is responsible for ensuring that there is at all times at least one NZ Coastal Policy Statement. The first proposed statement was publicly notified in September 1992 and was confirmed by the Minister in May 1994.

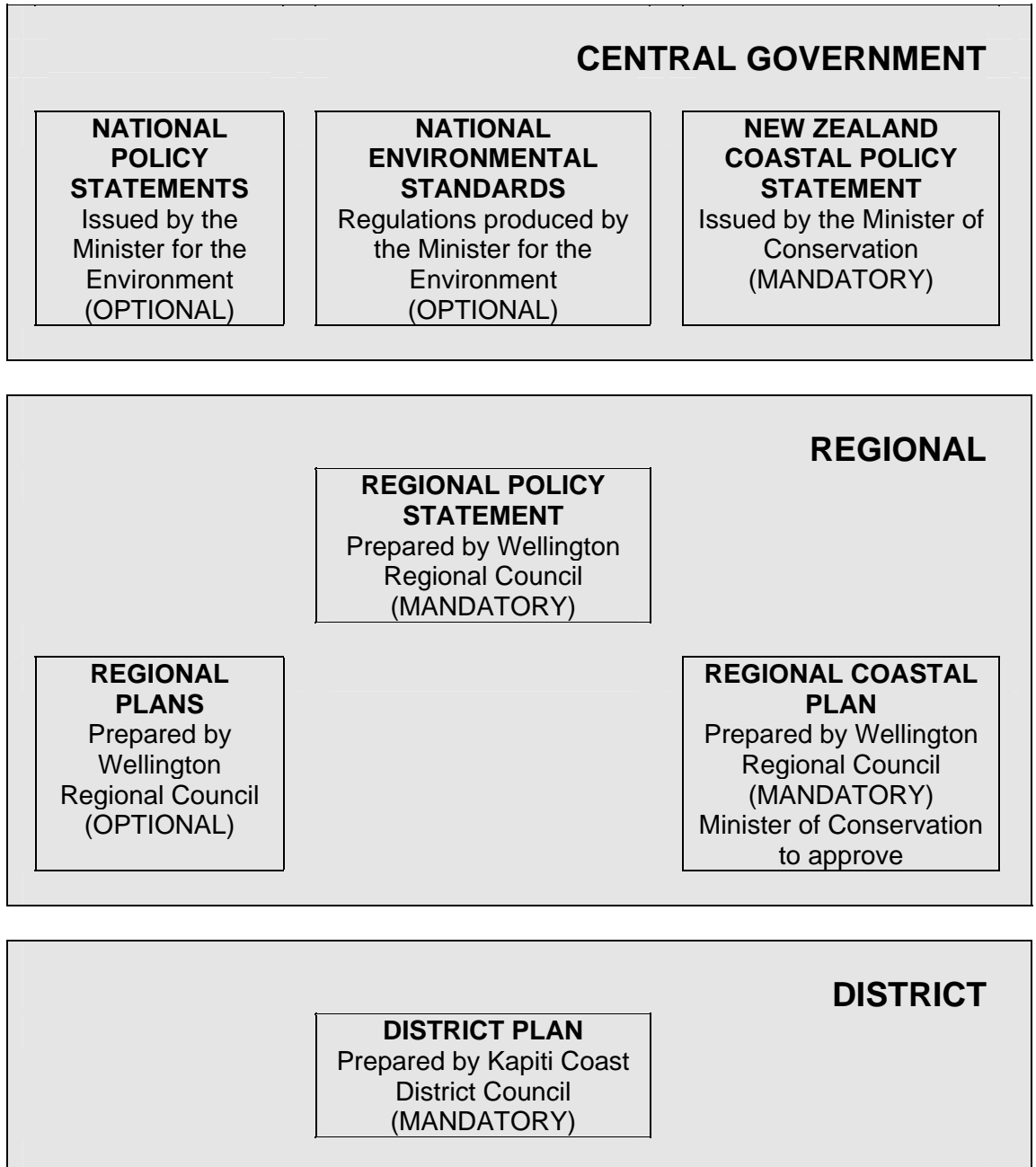
The functions and powers of the Minister of Conservation under the Resource Management Act also include approval of regional coastal plans, and in certain situations, a consent-granting function.

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### A.3.4 Planning Framework

The overall planning structure for the District established by Resource Management Act 1991 can be summarised by the following diagram:

FIGURE 1



(Derived from diagram in Section 1.3 of the Regional Policy Statement for the Wellington Region, May 1995.)

## **A.4 DISTRICT PLAN PROGRAMME**

Building upon the earlier strategic planning exercise (refer A.6), Council undertook a two stage process of public consultation for the preparation of the District Plan. The first stage involved the release of detailed discussion papers for public comment and the second involved the release of the Draft District Plan. The Proposed District Plan was prepared on the basis of the submissions on the Draft Plan and special investigations and studies on specific issues (refer A.5). Council approved the Proposed District Plan on 10 August 1995. The statutory notification and submission process commenced September 1995.

### **A.4.1 Discussion Papers**

Nine discussion papers were prepared and issued over a period of two years between December 1992 and December 1994. The sequence of papers released was as follows:

December 1992	No.1	Issues, Outcomes, Options
June 1993	No.2	Residential Environment
August 1993	No.3	Rural Environment
September 1993	No.4	Esplanade Reserves
December 1993	No.5	Heritage
March 1994	No.6	Signs
July 1994	No.7	Commercial/Industrial Development
September 1994	No.9	Coastal Environment, Significant Landscapes, Natural Environment and Open Space Reserve Issues
December 1994	No.8	Development Impact Fees

The theme of the discussion papers was to present alternatives on matters for possible inclusion in the District Plan for the public and Council's consideration. Public submissions were invited on each discussion paper as it was released. Council's Regulatory Planning and Environment Committee considered each paper, the submissions received and made decisions in principle on matters to include in the Proposed District Plan. In total, approximately 400 submissions were received on the discussion papers.

### **A.4.2 Draft District Plan**

A Draft District Plan was prepared on the basis of the decisions reached on each Discussion Paper and the outcome of separate studies and investigations. These included the Paraparaumu Town Centre Study and information on flood hazards arising from floodplain management investigations. The plan was released for public comment in March 1995. 110 submissions were received on the Draft District Plan and were considered by the Regulatory Planning and Environment Committee. The decisions of the Committee, together with the discussion papers and findings of studies on specific issues (for example - the findings of a Rural Subdivisions Working Group) determined the form and content of the Proposed District Plan.

## A.5 SPECIAL STUDIES AND INVESTIGATIONS

### A.5.1 Consultant Reports

In addition to the discussion papers, various studies were undertaken by consultants and by formal/informal working groups on specific issues requiring investigation. A wide variety of material and data was also collected by staff on the environment and related planning matters. Consultant reports considered during the plan preparation process include:

<i>“Kapiti Coast Open Space/Landscape Reconnaissance”</i> Works Consultancy Services Ltd	February 1992
<i>“Environmental Noise Report for Kapiti Coast District Council: Survey Results and Recommendations for District Plan Noise Performance Standards”</i> Malcolm Hunt Associates	May 1993
<i>“Sustainable Management of the Coastal Environment administered by the Kapiti Coast District Council”</i> Dr Jeremy Gibb	March 1994
<i>“Kapiti Coast District Council Landscape Assessment”</i> Works Consultancy Services Ltd	April 1994
<i>“Significant Indigenous Flora and Fauna in Kapiti Coast District”</i> Wellington Conservancy, Department of Conservation	May 1994
Paraparaumu Town Centre Planning Study: <i>“Interim Report on Findings of Site Analysis and Community Consultation”</i>	June 1994
<i>“Final Report: Implementation Strategy”</i> Works Consultancy Services Ltd	October 1994
<i>“Kapiti Coast District Council Capital Development Levies for Infrastructure”</i> BERL Consultants	March 1995
<i>“District Wide Study And Identification of Walkway, Cycling, Open Space System”</i> The Landscape Management Company (C Harlen)	May 1995
<i>“Predictions of Existing &amp; Future Aircraft Noise At Paraparaumu Airport for Kapiti Coast District Council and Ministry of Transport”</i> Malcolm Hunt Associates	May 1995

<i>“Kapiti Network Study Draft Interim Report”</i> Beca Carter Hollings & Ferner Ltd and Traffic Design Group Ltd	May 1995
<i>“Land Use Planning for Hazardous Facilities”</i> Hazardous Facilities Screening Procedure Review Group	June 1995

Most of these studies were completed prior to the release of the Draft District Plan and were taken into account in the preparation of this document. The Kapiti Network Study was the subject of further investigations and reports completed after the notification of the Proposed District Plan.

## **A.5.2 Paraparaumu Town Centre**

The Council’s vision for the Paraparaumu Town Centre evolved from past investigations for a civic centre by the former Kapiti Borough Council and related development proposals. The planning issues were further examined during the preparation of the Strategic Plan. Both the reports from the Urban and Civic Amenities Strategic Plan Working Groups identified a need to provide for identifiable communities and for the development of a centre or ‘heart’ for the district. The reports each explored aspects of the function of such a centre. They indicated a strong desire in the community to plan for and establish a focal point for social, commercial and cultural aspirations of the community. This led to a comprehensive study of the Paraparaumu Town Centre being undertaken. As part of this study, community consultation was undertaken on both preliminary ideas for the town centre and subsequent alternative concepts for the development of the town centre. A preferred concept was recommended as a basis for future development and was accepted by the Council. The key elements of this concept for the town centre are:

- A central open space.
- Development of activities in functional cores.
- A physical and visual linkage and relationship between the civic core, community core and existing retail area.
- Wharemauku Stream as a green corridor and axial focus.
- A transportation network featuring a clear hierarchy, which separates through traffic from local traffic accessing the town centre, and allows and separates different modes of transportation.

The District Plan provisions are an essential part of achieving this concept.

## **A.5.3 Kapiti Network Study**

In November 1994, the Council commissioned consultants to undertake a study of the Kapiti Roving Network. The Study was designed to examine options and determine a long term strategy for the development of a district roving network, which would also be consistent with Transit New Zealand’s policies as regards the desired optimum location of State Highway 1 as the

regional road north from Wellington. An interim report was prepared in May 1995 and was taken into account in the determination of the provisions for transportation in the Proposed District Plan. The roading proposals identified in the Planning Maps for the Proposed District Plan were based on the recommended proposed network identified by investigations following this report. This network was subsequently the subject of a further report on the Network Definition in September 1995. A Network Implementation report was prepared in March 1996.

#### **A.5.4 Floodplain Management Studies**

The Wellington Regional Council has provided valuable assistance to the Council, especially in the form of flood management plan studies of the Kapiti Coast rivers. The River Corridor Zone and flood hazard mapping for the Otaki and Waikanae rivers arose directly out of the findings and recommendations of the flood plain management studies for these rivers.

#### **A.5.5 Rural Subdivisions Working Group**

The Council undertook extensive public consultation in relation to the control of subdivisions in rural areas, particularly in the more sensitive coastal foredune system. A significant influence on provisions ultimately included in the District Plan was an earlier change to the Council's Transitional District Plan, titled Change 64A (Operative December 1994). This change, which was formulated after consultation with a variety of interested groups, was subject to extensive public submission involving both support and opposition. As a result of an agreement with respect to various appeals against Change 64A, the Council agreed to establish a working group of landowners, ratepayer representatives, professionals and concerned environmentalists to advise the Council on provisions to include in the District Plan with respect to rural subdivision and development. The rules and standards for rural subdivision were derived from the findings of the working group.

#### **A.5.6 Consultation with Tangata Whenua**

An important contribution has been made by the Tangata Whenua which has worked closely with the Council in providing advice on matters affecting Maori interests and ensuring that appropriate recognition is given to the principles of the Treaty of Waitangi in the preparation and provisions of the District Plan. The Council and the Tangata Whenua entered into a Memorandum of Partnership in February 1994. This involved a pledge to develop a mutual commitment regarding the environment and decision making. The provisions of the Proposed District Plan recognising the status and values of the Tangata Whenua were derived from a submission by the Tangata Whenua on the Draft District Plan. This submission was the culmination of a series of meetings during 1994 and 1995 held between Council staff and representatives of the Tangata Whenua, on the Resource Management Act 1991 and District Plan.

## **A.6 THE STRATEGIC PLAN**

The process of the preparation of the new District Plan began with the introduction of the Resource Management Act 1991. However, rather than embark at that time on the statutory process to produce the new District Plan, Council decided in April 1991 to undertake a major strategic planning exercise. The purpose of this exercise was to formulate a vision concerning the type of community and environment the new Kapiti Coast District should be aiming for in the future.

As part of the strategic planning exercise in August 1991 appointments were made to five working groups - Urban, Public Utilities, Civic Amenities, Ecology and Transport. The groups which were convened by Councillors comprised volunteers from the public and were assisted by professional people acting as facilitators. They met over a period of several months. Group members were representative of various parts of the district and came from a variety of different backgrounds including landowners, environmental groups, professionals and the Tangata Whenua.

At the end of February 1992, the groups produced their final reports giving ideas and proposals for the future. Council made no decisions on the reports at that stage and in April 1992 released them for public comment. The public was given a period of up to two months to make submissions on the reports. Where requested, Councillors and staff attended public meetings to explain the strategic planning process and the role of the reports.

Following receipt of 88 separate submissions, Council set up five subgroups of Councillors to consider the reports, public submissions and officer reports. A Strategic Plan was adopted at a special meeting of the Kapiti Coast District Council on 20 August 1992. This plan, titled "Kapiti Coast : A Strategy for the Future", was published in September 1992 and re-endorsed by Council in 1994 subject to minor refinement.

The Strategic Plan is a long term planning strategy. It was intended that the scope of the plan would be as a guide to future planning and operations of Council, particularly in relation to the preparation of the District Plan. The strategy adopted by Council is believed to be a fair reflection of community opinion and is considered by Council to be an invaluable foundation upon which it is appropriate to build the first Kapiti Coast District Plan. Many of the proposals and principles contained in the District Plan are a reflection of the strategy.

## **A.7 THE VISION**

An important part of the development of Council's planning strategy is the vision adopted by Council in its September 1992 Strategic Plan. This is:

1. *Of a district which values and cares for people in an atmosphere of consultation and communication, provides for a variety of lifestyles, recreational and cultural experiences and basic infrastructure for the positive health and well-being of all.*
2. *Of a district that balances lifestyle with protection of its natural environment and cultural heritage; that displays beauty and character and a sustainable quality of life for its people.*
3. *Of a district which treasures Maori history, which ascertains, listens to and responds sensitively to Maori interest and concerns in line with the Treaty of Waitangi and with specific reference to the requirements of the Resource Management Act 1991.*
4. *Of a district which provides and maintains public utility services at an affordable cost to meet needs, with minimal adverse effects on the environment, and with particular regard for water quantities and respect for cultural sensitivities.*
5. *Of a district with communities informed of the risk of natural hazards and the responses necessary to minimise risks.*
6. *Of a district which recognises the distinct identity of its different communities yet develops a sense of unity and cohesiveness*
7. *Of a district with a transport system which meets high standards of environmental protection and which provides for a safe and efficient movement of people and freight through the District with and between communities, as well as offering residents a selection of transport mode alternatives.*
8. *Of a district which plans development in accordance with sound ecological principles, conserves and enhances natural resources, valuable agricultural land, visual values and taonga (treasures, spiritual, physical) and protects land, air and water from pollution.*
9. *Of a district which is likely to continue to be the major growth centre in the Wellington Region with the rate of growth constrained by the ability of the district to provide water, essential public utilities systems, efficient arterial traffic links and employment opportunities.*

Each of the nine elements of the vision have been addressed by the District Plan as follows:

1. This is the philosophical view central to the whole of the District Plan and is expressed through the objectives and policies and also the process by which the Plan was prepared.
2. This element of the vision is central to the entire Plan. The Plan is designed to avoid, remedy or mitigate the effects of lifestyle demands and consequence development on environmental values on a sustainable basis consistent with the statutory purpose of resource management.
3. Parts B.1, C.6 and I are designed to respect and specifically address the concerns of the Tangata Whenua. The rules and standards for each zone incorporate rules for the protection of heritage sites including waahi tapu.
4. The District Plan has provided for public utility services in terms of the objective and policies of Part C.16 and the corresponding rules of the Plan. The practical implementation of this aspect of the vision relates to other operations and responsibilities of Council beyond the scope of the District Plan.
5. Part C.15 of the District Plan deals precisely with natural hazard issues. Precautionary measures are included in the rules and standards and related maps of the District Plan to avoid or mitigate the consequences of flood risks, coastal erosion and earthquake hazards. Particular attention has been given to identifying and addressing the flood hazards affecting the district. Key areas of the river environments have been defined as a zone (river corridor) to enable special control on the effects of activities.
6. The District Plan has sought to enhance the unity of the district by eliminating the large number of zones and the differing planning requirements existing between the communities identified in the Transitional District Plan. A simple division into a small number of zones based on environmental effects is adopted. Yet it is recognised in the Plan that not all environmental effects should be met by uniform controls. For example, specific provisions are included in the rules for residential subdivision, in recognition of a desire from a significant group within the Waikanae community to retain the present low density character of Waikanae, particularly the area known as the 'Garden Area'. Similarly, provisions for control of development in a Paraparaumu Town Centre Zone have been determined, having regard to both the unique character and circumstances of the particular location, and the role this centre is expected to perform for the wider community of the district. The need for this zone relates also to the other elements of the vision for the district such as the overall enhancement of the district's character, visual values and cultural experiences.

7. The District Plan specifically addresses transport issues in Part B.19, C.18, Part G and the planning maps. The provisions of the Plan for transport are influenced by and largely dependent on other investigations undertaken separately from the District Plan process. The Plan makes provision for the future roading network envisaged as a consequence of the Kapiti Network Study. At the same time, the Plan seeks to encourage the use of alternative forms of transport within the district by means of the identification of possible routes on the planning maps for walkways, cycleways, tram routes and also for horse trails (for recreational use) and identification of the existing rail network. The Plan facilitates where necessary the provision of enhanced parking and access to make the use of rail services more convenient.
8. The recognition of ecological principles and protection of natural resources and their associated values is fundamental to the District Plan. It is expressed particularly (but not exclusively) in the objectives and policies for Ecology C.11 and Coastal Environment C.9, and the rules and standards for earthworks and protection of heritage sites. However this element of the vision relates to many issues and is addressed throughout the Plan.
9. Dealing with the effects of urban growth is central to the District Plan and is addressed in particular by the objectives and policies for subdivision and development set out in Part C.7 and the associated rules and standards in Part D of the Plan. This element of the vision also relates to many issues and is addressed directly or indirectly throughout the Plan. For example, the zoning provisions for the Paraparaumu Town Centre were developed with regard to the character and consequences of urban growth in the District and are intended to be consistent with the overall strategy of urban consolidation.

## A.8 USER GUIDE

*The following user guide is in addition to the general guides at the start of both Part C and D of the Plan. The guide on page C-3 explains the format and rationale of the objectives and policies. The guide on page D-3 deals with the rules and standards of the District Plan. The information contained below is intended to reinforce the guides in the District Plan and to further assist users of the District Plan in understanding how the Plan operates and how to apply it to particular activities.*

### A.8.1 District Plan Philosophy

The Plan emphasises the effects of activities rather than the activities. The focus of objectives, policies, rules and methods is on achieving specified environmental outcomes with special regard to medium and long term effects.

The listing of specific activities in the District Plan is limited. The fundamental philosophy is that if explicit and unequivocal standards which safeguard or enhance environmental quality are met, with particular regard to the long term consequences of activities, the activities are either permitted as of right or controlled if Council wishes to control certain aspects of activities for good effect based reasons. In all other cases, activities are subject to various levels of Council discretion with or without formal public notification. In a few cases, activities are specifically prohibited for effects based reasons.

In the past, the main planning technique used to control development has been zoning. The three District Schemes had 53 different zones with related objectives, policies and ordinances which controlled use and development within these zones. In the District Plan the number of zones has been rationalised and reduced to eight. The philosophy of the Plan has been to eliminate any arbitrary divisions and use zoning where the resource management issues relate to distinct areas. The zones included in this Plan have been derived from analysis of the significant resource management issues. This analysis identified eight areas of the district which had their own distinctive character and associated issues. These are the Residential, Rural, Commercial/Retail, Paraparaumu Town Centre, Industrial Service, Open Spaces, River Corridor and Conservation Zones. Subsequently, by way of a plan change, the Airport Zone was established to acknowledge the distinctive character and issues associated with Paraparaumu Airport.

*Amendment  
Change 18  
20/01/05*

### A.8.2 Plan Format

The District Plan is divided into 16 sections comprising two main parts (Parts C & D) and 14 other sections (Part B & Parts E - Q). Looking at the sections in sequence:

**Part B** sets the context for the District Plan requirements by defining the significant resource management issues.

**Part C** defines the Objectives and Policies of the District Plan, the methods for achieving them and the environmental outcomes anticipated.

**Part D** sets out the rules and standards specific to each zoned area.

**Part E to Q** contain general standards and requirements of the Plan on specific issues that relate to all zones, procedural information regarding applications for resource consent and sections on monitoring, cross boundary issues and terminology of the Plan.

The key sections of the District Plan for managing the environmental effects of activities are Parts C and D. Part C of the Plan is the statement of Council's policy direction with regard to resource management. It represents the planning strategy Council is trying to achieve in the medium term, compared with the long term strategy of the Strategic Plan. The requirements of Parts D-Q of the Plan are the principal means by which this planning strategy is to be implemented. While Parts E-Q are important and include specific requirements for activities in all zones (e.g. parking standards in J), the rules and standards in Part D of the Plan are the primary basis for determinations regarding the consent status of activities. The following will outline in more detail the format of Parts C & D.

### **A.8.2.1 Part C - Objectives and Policies**

Part C contains 18 subsections, each directly referring to one or more of the significant resource management issues outlined in Part B. The effects and consequences of activities involve different considerations with regard to each of these areas or issues.

Each subsection on a zone or issue contains the following:

- statement of the objective(s) of the Plan in regard to the issue;
- statement of the policies for achieving the objective(s);
- statement of the methods used to achieve the objectives and policies;
- description of the anticipated environmental outcomes.

Explanations are set out in each section to assist interpretation and note the reasons for the objectives and policies. The objectives are generally very broad statements as they are intended to be the overall direction of Council on each issue. The policies are statements which relate to more particular aspects of the issue and means of action. Generally, the Plan only specifies the details of rules and standards designed to achieve the objectives and policies. It is intended that the other methods of achieving the objectives and policies will be pursued and implemented in accordance with the District Plan. However, while these methods are described, it is not practical to expand on the details of these measures in the plan document. Some of these measures (such as bylaws and education programmes) are dependent on Council

decisions or allocation of resources outside the statutory planning process. Some measures will need to be considered as part of Council's annual plan and business plan processes.

### **A.8.2.2. Part D - Rules and Standards**

The requirements for each zoned area consist of rules and standards. The rules comprise a classification of activities into five categories: Permitted, Controlled, Discretionary, Non-complying and Prohibited (refer Guide to Part D). The standards are in the form of performance standards or other criteria based on the known or likely effects of activities. Standards are set out in the same sequence as the rules and relate to Permitted, Controlled and Discretionary Activities. For some zones no standards are required or applicable for particular types of activity as the effects are considered minor or are subject to other means of control.

## **A.8.3 How To Use The Plan**

To determine the planning status of any proposed activity and whether any consent is required, the nature and extent of the effects of that activity must be considered. The zoning serves as a broad indicator as to the differing environmental considerations between areas and as to the type of activities permitted as a consequence. The requirements of the Plan for any activity hinge on the effects of what is proposed.

The following steps are a practical approach to using the Plan:

### **A.8.3.1 Check Planning Maps**

- (a) Refer to the Urban Zone Maps sections A-E for the zoning of the land. Check for any special notations affecting the land such as heritage sites (refer to map legend) or coastal building line restrictions. For a rural subdivision, the Rural Subdivision Maps should be examined as this is crucial to the application of the rules and standards.
- (b) Check the maps to confirm if the land is affected by any identified natural hazard. The Flood Hazard Maps show estimated flood hazards relating to the Otaki River, Waikanae River, Mazengarb and Wharemauku Streams and associated drainage systems.
- (c) Check the Planning Maps for designations affecting the locality of the site and other special features such as ecological sites.

### **A.8.3.2. Refer to Specific Rules & Standards for Zone**

- (a) Check activity against list of permitted activities (first subsection of rules for each zone) - these are activities that are permitted as of right subject to compliance with the relevant standards.
- (b) Check activity against lists of controlled, discretionary and non-complying activities - these are activities for which a resource consent must be obtained before the activity can proceed.
- (c) Check activity against list of prohibited activities (last subsection of rules for each zone) - these are activities which are not permitted and for which consent cannot be obtained except by means of a change to the District Plan.

The activities specifically listed in the rules are those for which the general effects and environmental consequences of the activity are reasonably well known or foreseeable. Activities which are not specifically listed are covered by the general clause in each subsection of the rules referring to activities which comply with the standards (for example D.1.1.1(x)). They must be examined against the relevant standards to which the clause refers. The presumption of the District Plan is generally that if an activity is not listed as a controlled, discretionary, non-complying or prohibited activity and the activity complies with all relevant standards for permitted activities then it is allowed as of right. Where activities do not comply with standards (and are not prohibited activities) a resource consent is required to be obtained.

*For most activities checking the above will establish the status of the activity in terms of the Plan. However, for some it may be necessary to refer to other sections of the Plan for relevant rules and standards or to clarify the interpretation of the rules and standards as indicated below.*

### **A.8.3.3. Check General Rules Standards in Part E to Q of Plan**

There are some standards where, because of their general nature or application across zone boundaries or special significance, it is more appropriate or convenient to set them out in a separate section from the rules and standards for each zone. There are cross references in each zone which indicate where these apply. Part F contains particular information on resource consent procedures and information requirements, including a guideline on when applications for consent will be required to be publicly notified. This section of the Plan should be examined closely where any application for consent is required.

**A.8.3.4. If Resource Consent Required (Or If Interpretation Of Rules Unclear) Refer Part C - Objectives & Policies.**

Consistency with the objectives and policies of the District Plan are a key consideration which must be taken into account when any application for resource consent is evaluated by Council. Therefore they are extremely important should it be determined that a resource consent is required in order for the activity to be established. They also serve a useful purpose where there is any uncertainty as to the interpretation of the rules and standards, as an indication of Council's intent behind the requirements of the Plan.

## **A.9 TIME PERIOD OF THE PLAN**

The Resource Management Act does not specify a specific time period for the District Plan but requires the Operative District Plan to be reviewed within ten years. In addition, the Act provides for the right of any person or for Council to seek a change to the Plan. The District Plan should therefore be regarded as a dynamic document which of necessity must encourage and be responsive to community involvement on an ongoing basis. The review process enables the performance of the Plan to be assessed and the relevance to changes in community needs and demands evaluated. Whilst to some extent the environmental outcomes and many of the objectives of the Plan are universal and timeless, Council recognises that the review ten years hence will involve important strategic decisions which may lead to a different emphasis with respect to future employment and provision for and limits to residential growth. At that time, Council will have the benefit of the experience of known growth patterns compared with current forecasts, and progress on the roading network in particular.

Council is satisfied that the strategy of continuing to provide employment and housing opportunities within currently urban zoned areas as largely provided for in the Operative Transitional District Plan is sound. Nonetheless it is recognised that improvement of arterial roading in the District in time will provide greater opportunities and development pressures for growth north of the Waikanae River and a rethink of the planning strategy in the terms of the location of future employment and the extent of residential growth opportunities appropriate for the district.

## A.10 STATISTICS

### Population and Dwellings

The resident population of the district was 38,584 at the 1996 census count. Growth of the District over the next 30 years may see the population rise to 60,000. The number of occupied dwellings is over 15,000 and an average of more than 300 new homes are being built in the District each year.

### Population

Over the last 15 years the population of the district has increased by almost 50% and is now close to 40,000 people. The increase in population over the 1986-1991 census period, in particular, was nearly 20%. The distribution of this growth in population is illustrated by the table below. The biggest increase in population was in Paraparaumu and Waikanae. The population of these areas increased by 60% and 70% respectively over the 15 year period. The urban areas from Waikanae to Raumati accounted for 80% of the additional population in the district. While the population of the rural area is not a large proportion of the district population, the percentage increase in the rural area has been significant at over 80%.

**FIGURE 2**

Population statistics derived from census data. Areas shown comprise totals for statistical area units which relate principally to each urban centre.

<b>Population Trends for District by 1991 Area Unit</b>				
	Usually Resident Population (excluding visitors)			
AREA	1981	1986	1991	1996
Otaki	4,458	4,647	5,403	5,580
Waikanae	5,097	6,267	7,617	8,653
Paraparaumu	8,184	9,177	11,358	13,024
Raumati	5,169	5,874	6,561	6,941
Paekakariki	1,779	1,641	1,656	1,671
Rural*	1,494	1,644	2,133	2,715
<b>Kapiti Total</b>	<b>26,181</b>	<b>29,250</b>	<b>34,728</b>	<b>38,584</b>

\*Total for statistical area units which are located entirely in rural areas. Some rural land is included in the other areas listed above.

## Occupied Dwellings

Over the last 15 years the number of occupied dwellings in the district has increased by more than 60% and is now over 15,000. The increase in occupied dwellings has been highest over the 1986-1991 census period (22%). The distribution of the change in occupied dwellings is illustrated by the table below. The biggest increase in dwelling numbers was in Paraparaumu and Waikanae. The number of occupied dwellings in these areas increased by 81% and 80% respectively over the 15 year period. The urban areas from Waikanae to Raumati accounted for nearly 80% of the additional dwellings in the district. While dwellings in the rural area are not a large proportion of the district total, the number of occupied dwellings in the rural area has more than doubled.

**FIGURE 3**

Statistics on number of occupied dwellings derived from census data for same areas shown in Figure 2.

Dwelling Trends for District by 1991 Area Unit				
	Occupied Dwellings			
AREA	1981	1986	1991	1996
Otaki	1,581	1,761	2,121	2,276
Waikanae	2,097	2,706	3,243	3,764
Paraparaumu	2,724	3,189	4,143	4,929
Raumati	1,935	2,223	2,499	2,761
Paekakariki	612	591	612	678
Rural*	480	534	759	1007
Kapiti Total	9,429	11,004	13,377	15,415

\*Refer note for Figure 2 above.

## Area And Frontier Of The District

The land area of the Kapiti Coast District is 730.6 square kilometres or 73,060 hectares. The district has approximately 40 kilometres of coastline. The eastern boundary is located within the Tararua Ranges and is defined by the catchment areas of westward flowing river systems. The northern boundary extends across the coastal plain from a hill feature known as Pukehou Hill. The southern boundary is defined by the end of the coastal plain south of Paekakariki where the mountains extend to the sea.

## Zones

While many of the resource management issues facing the district relate to urban issues and the effects of urban development, the land area of the district zoned for urban purposes is only a small part of the district land area. Nearly half of the district comprises the land vested in the Crown in the Tararua mountain range and associated foothills. Most of the remaining land is zoned rural. The Commercial/Retail and Industrial/Service zones account for only 0.2% of the district land area. The residential zoned areas contain over 24 million square metres of land, but this is less than 4% of the district total.

**FIGURE 4**  
**Area of land within zones**

<u>Zone</u>	<u>Area in Hectares</u>	<u>Percentage of District Area</u>
Residential	2,449.7 ha	3.35
Rural	33,082.6 ha	45.28
Commercial/Retail	46.2 ha	0.06
Paraparaumu Town Centre	58.0 ha	0.08
Industrial/Service	123.8 ha	0.17
Open Space	1,586.9 ha	2.17
River Corridor	558.6 ha	0.77
Conservation	35,154.2 ha	48.12
<b>Total</b>	<b>73,060.0 ha</b>	

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## Reserves

The Conservation and Open Space zones contain the areas of reserve in the District for general recreation and community purposes. The Conservation Zone comprises the Tararua Forest Park and other reserves managed by the Department of Conservation (DOC). The Open Space Zone also includes areas administered by DOC and Queen Elizabeth Park (638ha) which is managed as a regional park by Wellington Regional Council. The remaining land in this zone includes approximately 290 hectares of land owned by the Council as recreation, local purpose and scenic reserves. The number and area of these reserves throughout the district is as follows:

Otaki	30	61.54 ha
Waikanae	35	120.09 ha
Paraparaumu	32	90.80 ha
Raumati	15	13.21 ha
Paekakariki	4	4.45 ha
<u>Total</u>	<u>116</u>	<u>290.09 ha</u>

## **PART B**

# **SIGNIFICANT RESOURCE MANAGEMENT ISSUES**

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## B. SIGNIFICANT RESOURCE MANAGEMENT ISSUES

### Explanation

*The statutory document commences with this section. Part B defines the nature of the planning problems addressed by the District Plan. The other sections of the Plan set out the response to these problems. This section is therefore the basis from which the rest of the Plan is derived.*

The Resource Management Act (RMA) requires that the District Plan include a statement of the significant resource management issues in the District.

The significant resource management issues of the district have emerged through the development of discussion papers (refer A.4) and were the basis for the formulation of the objectives and policies in this Plan. The central consideration in evaluating all resource management issues on the Kapiti Coast has been enabling people and communities to provide for their social, economic and cultural well-being.

The significant resource management issues, which have been identified and addressed by this Plan, are set out below in sections B.1 - B.18. The issues are all interrelated and should be considered as a whole. For this reason they are kept in a separate section from the Objectives, Policies and Rules which derive from them.

### B.1 MATTERS OF CONCERN TO THE TANGATA WHENUA OF THE DISTRICT

The Resource Management Act 1991 makes provision for the views of the Tangata Whenua to be recognised within the District Plan. Ngati Toa Rangatira, Ngati Raukawa and Te Ati Awa ki Whakarongotai comprise the Tangata Whenua iwi of the Kapiti Coast district. For the purposes of the District Plan these iwi are represented by Te Runanga o Toa Rangatira Inc., Te Runanga o Raukawa Inc and Ati Awa ki Whakarongotai Inc respectively, all of which are recognised as “iwi authorities” under the Resource Management Act 1991.

The Act asks that Council recognise within the District Plan those matters of resource management significance to Tangata Whenua. Overall it makes significant statements about the Treaty of Waitangi, the relationship between Maori people and their culture and traditions, ancestral lands, water, sites, waahi tapu and other taonga. Out of this, the Act seeks to recognise more particularly *kaitiakitanga*, a notion employed to denote aspects of Maori environmental management.

The specific issues which are addressed by the District Plan are:

- Understanding the relationship of Maori people and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;
- How to give effect to and take into account the principles of the Treaty of Waitangi;
- How best to provide for the views of the Tangata Whenua through resource management;
- Protection of sites of cultural importance and characteristics of the environment of special significance to Tangata Whenua.

In order to consider these issues it is necessary to take into account the origin of Tangata Whenua values towards the environment and the legislative provision for Tangata Whenua involvement in resource management. The following commentary puts the above issues into context.

### **B.1.1 Tangata Whenua Values and Environmental Management**

By the time the first European contacts, in 1642 (Abel Tasman) and 1769 (James Cook), Tangata Whenua had developed a sophisticated set of resource management practices which ensured that both people and natural resources could be sustained over succeeding generations.

Since the signing of the Treaty of Waitangi in 1840, however, Tangata Whenua systems of resource management have seldom been recognised by European approaches to resource management and planning. It was not until 1975 with the founding of the Waitangi Tribunal, that the relevance of Tangata Whenua values and approaches to environmental management was established. This is particularly relevant today, at a time when the Government is taking steps to ensure that the principle of sustainability underlies future use of the environment.

In order to fully appreciate the depth and meaning and profound implications of the strong conservation ethic within traditional Maori society, it is necessary to refer back to Maori mythological origins.

## **B.1.2 The Maori World View**

The Maori creation myth embodies both physical and spiritual concepts of the world's origins. Maori believe that the world was originally divided into three great states of reality. The first being Te Korekore (the void) within which Io-Matua Kore (the parentless One) dwelt. The second state of reality was the numerous Po (the night), which was created by Io and lasted for eons. Ranginui (the sky father) and Papatuanuku (the earth mother) emerged from these realms and bore many children, all of which were Atua (deities). Tane Mahuta, the first son of Rangi and Papa grew tired of living in the dark, cramped space between his parents. So he forced his parents apart, creating space between earth and sky. Thus, the third state of reality came about and become known as Te Ao Marama (the world of light).

Tane was the procreator of mankind. Having no female counterpart he took part of the soil from mother earth to fashion a female form and invoking authority from Io-Matua Kore, Tane was given the mana (authority) to breathe life (mauri) into the nostrils of his female creation so giving rise to the first human being. Thus began an evolutionary process which produced mankind. In order to cover his mother's nakedness, Tane clothed her with forest and plant life and become dominant over the land and all who dwelt upon her.

The creation and the evolutionary processes were continued by the Atua through the mana (authority), mauri (life force) and wairua (spirit) granted to them by Io-Matua Kore. These Atua were responsible for the creation and evolution of all living things, including human beings, within the physical world. The Maori was born into this physical reality as part of it. He/she belonged to his physical environment, it did not belong to him/her. Although people were seen to test the boundaries of their relationship with the environment, a complex set of concepts and rules, grounded in the spiritual world, ensure that people did not push this relationship too far. These practices or tikanga, were developed to maintain the mauri of the domains of Atua.

## **B.1.3 Tikanga**

Practices, or tikanga were developed and observed by Maori to maintain the mauri of parts of the natural world. Commonly recognised tikanga include such concepts as tapu (sacredness) and rahui (temporary restriction). Tapu implies a prohibition which, if violated would have calamitous consequences; quite possibly, death. A tapu site has been described as being protected by an unseen gate, and has also been likened to an area of harmful radiation. Even though nothing is visible, a person who violates the area knows the awful and inescapable consequences which are certain to follow.

Rahui is a temporary form of prohibition used to preserve birds, fish or any natural product. In many instances the rahui is indicated by a pou rahui, or post, which warns people against trespassing into the area of the rahui. A person becomes tapu when he or she dies. Rahui is used therefore when a person is drowned at sea or in a lake or river. Gathering of fish or shellfish is prohibited for a period sufficient for the remains of the person to be absent from the food chain.

#### **B.1.4 Mauri**

Through the creation process divine forces were transcended into the domains of the Atua, giving them a life force principle or mauri. This life essence contained in resources both animate and inanimate, is important to Maori for two reasons; firstly it holds an eminent binding force that is able to inter-relate one resource to every other element in the natural order (including people), while also binding it to the spirituality of the gods. Despite the diversity of the universal “procession”, it is unified through mauri.

#### **B.1.5 Kaitiakitanga**

Kaitiakitanga is a term that denotes the package of tikanga or practices which have a primary objective in sustaining the mauri of natural and physical resources. Inherent in the notion of kaitiakitanga is the understanding that members of the present generation have responsibility, passed to them by preceding generations, to care for their natural environment by protecting mauri. Kaitiakitanga carries with it an obligation not only to ensure that a viable likelihood is passed on. Kaitiakitanga is inextricably linked to tino rangatiratanga as it may only be practiced by those iwi, hapu or whanau who possess tino rangatiratanga in their iwi area.

#### **B.1.6 Taonga**

Within the domains of Atua there are a variety of sites, resources, environmental phenomena and cultural institutions that are of particular significance to Tangata Whenua. The term taonga is used in section 6(e) of the Resource Management Act and in Article II of the Treaty. Taonga encompasses all things tangible and intangible and derives their meaning at both the physical and spiritual levels. At a spiritual level, taonga includes the three great states of reality, Te Korekore, Te Po and Te Ao Marama and all that was created out of those states. At a physical level, taonga is manifested in the physical state of moana through to whenua. Examples of taonga include wai (water), moana (sea), maunga (mountains), awa (rivers), kai (traditional food), mataitai (seafood), waahi tapu (sacred places), tauranga waka (canoe landing sites), cultural resources such as flora and fauna for rongoa maori (medicine) and weaving, and cultural encystations such as maraes, papakainga (communal housing), mahinga mataitai (seafood gathering areas).

## **B.1.7 The Treaty Of Waitangi**

The Treaty of Waitangi is recognised as the founding document of our nation, The legislative mandate for Tangata Whenua involvement in the resource management system comes from a recognition of the centrality of the Treaty to the management of New Zealand's natural resources.

The Resource Management Act imports the *principles* of the Treaty of Waitangi to guide decision-makers in the exercise of their responsibilities to Tangata Whenua. Section 8 of the Act states that:

*“In achieving the purpose of this Act, all persons exercising functions and powers under it in relation to managing the use, development and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)”.*

Expressions relating to the principles of the Treaty have been enunciated by the Court of Appeal, the High Court and the Waitangi Tribunal.

The thrust of the Resource Management Act requires a new emphasis to be given to those principles for interpretation in the contest of issues concerning resource management as distinguished from resource ownership. It is therefore important that, in the first instance, the Tangata Whenua and the Council endeavour to arrive at a consensus on what the principles should be, bearing in mind that these principles will need to be revised and modified with practical and legal experience under the Act. The spirit of partnership and good faith requires as much.

## **B.1.8 Principles Of The Treaty Of Waitangi**

### **B.1.8.1 The Principle of Mutually-Beneficial Relationship**

This includes the duty to act reasonably and in good faith. It imposes a duty on both Tangata Whenua and Council to interact with reason and respect. This implies a partnership which is fundamental to the compact embodied in the Treaty of Waitangi.

Partnership implies a commitment by decision-makers to determine the extent to which the interests of the Tangata Whenua can be accommodated. The fundamental message of the Treaty is one of balance. Therefore, assertions of rangatiratanga over certain resources are not attacks on the mana of the Crown to make law in respect of Maori resources, but simply expressions of the obligation to ensure that the right of Tangata Whenua to act in accordance with their own values is given an appropriate priority.

### **B.1.8.2 The Principle of Active Protection**

This denotes a duty that is not merely passive, but extends to active protection of Maori resources and other guaranteed taonga to the fullest extent practicable. Active protection implies adequate resourcing for Tangata Whenua in resource management activities.

In the context of the Resource Management Act, what is to be protected under this principle is a continuing capacity for Tangata Whenua to exercise self-regulated decision making authority over those resources important to them. Generally, this obligation has a three-fold application:

Firstly, as far as practicable, Tangata Whenua should be protected from restrictions imposed by legislation, plan or policy which prevent or limit them using their land and resources according to their cultural preferences.

Secondly, Tangata Whenua should be protected from the adverse effects of the activities of others on their ability to use their resources, both in biophysical and spiritual terms.

Thirdly, resources should be directed towards informing and supporting Tangata Whenua in the development of resource management strategies which reflect the cultural and spiritual preferences, and in their participation in local government.

### **B.1.8.3 The Principle of Iwi Self-Regulation**

This principle recognised that Tangata Whenua can retain responsibility and control of the management and allocation of resources that they wish to retain control of. This involves the right to develop these resources to meet iwi social and economic needs. Application of this principle involves recognising the right of Tangata Whenua to exercise tino rangatiratanga.

The use of the term “rangatiratanga” in the context of the Treaty denotes an institutional authority to control the exercise of a range of user rights in resources, including conditions of access, use and conservation management. The ability to exercise rangatiratanga over iwi resources goes to the heart of the mana of the iwi. It reflects the relationship between people and resources as sources, not only of physical commodities, but also of personal and iwi identity and community stability. Rangatiratanga is expressed in decisions which reflect Maori priorities and values, and is given practical effect in application of customary regulatory practices and controls.

### **B.1.8.4 The Principle of Shared Decision-Making**

The aspects of the partnership which imply how decision-making is to be shared between Maori and the Crown arise out of the essential bargain made in the exchange between kawanatanga (sovereignty) and rangatiratanga (full chiefly authority). This requires the Council to allow the Tangata Whenua to be a full party in the decision-making process.

Kawanatanga as ceded by Tangata Whenua under Article 1 of the Treaty, gave the Crown the right to govern and to make laws applying to everyone. The delegation of resource management powers by the Crown to local

authorities under the Resource Management Act means that those authorities can make policies, set objectives and make rules affecting the management of natural and physical resources, **subject to the guarantee of tino rangatiratanga to Maori and recognition of the partnership between Maori and the Crown.**

The transfer of powers provision in Section 33 of the Act is a practical way in which the Council could give effect to tino rangatiratanga. The nature of any function to be transferred to an iwi/hapu authority would depend on the type of resource, the scale of the development project and the particular cultural and spiritual significance that the resource has to Tangata Whenua.

### **B.1.8.5 The Principle of Iwi/Hapu Resource Development**

This principle recognises that Tangata Whenua are not bound in the exercise of rangatiratanga and kaitiakitanga to just the methods and technologies available at the signing of the Treaty, but have the right to take advantage of new technology.

Article III of the Treaty gave to Maori the same rights and duties as other New Zealand citizens. The Treaty guaranteed to Maori the retention of their property under Article II, and the choice of developing those rights under Article III. In pursuing development, Tangata Whenua may choose to pursue non-traditional uses of their resources instead or as complementary to, their traditional practices. Recognition of the ability and needs for iwi/hapu to develop their resources in a manner which achieves the purposes of the Resource Management Act is a fundamental principle embodied in the Treaty.

### **B.1.8.6 The Principle of Consultation**

The spirit of the Treaty calls for Tangata Whenua to have a much greater say in the management of the environment. Effective, early and meaningful consultation is an integral and necessary component and forerunner to greater participation by Tangata Whenua in resource management decision-making.

In the course of their discussions on good faith and reasonableness, the High Court and Waitangi Tribunal have identified a number of characteristics of good consultation, including:

- the obligation to provide sufficient information so as to allow Tangata Whenua to make an informed assessment on the proposal and determine their response to it;
- the obligation to be willing to change plans or proposals, if that is the result of consultation;
- the obligation to ensure adequate timeframes. This means allowing sufficient time for Tangata Whenua to absorb what they are being asked to consider, and giving them sufficient time to respond (extensive iwi discussion and hui must be taken into consideration).

## **B.1.9 The Principles of The Treaty of Waitangi and The Resource Management Act**

The Resource Management Act introduced a number of positive obligations dealing specifically with the principles of the Treaty of Waitangi and with Maori interests. These include:

- a requirement to recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga (section 6(e));
- a requirement to have particular regard to kaitiakitanga (section 7(a));
- a requirement to take into account the principles of the Treaty of Waitangi (section 8)
- a requirement to consult with Iwi in the preparation of plans and policies (First Schedule).

## **B.1.10 Relationship Between Tangata Whenua and The Council**

Tangata Whenua acknowledge that the Council is entrusted by Parliament with statutory duties and responsibilities under the Resource Management Act 1991 to promote the sustainable management of the natural and physical resources of the district.

Council for its part recognises the special status of the Tangata Whenua as separate and distinct from other interest groups and further recognises the need for active protection of Tangata Whenua interest in dealing with other parties and in administering this Plan. In stating this, the Council believes it is discharging its responsibilities under Sections 6(e), 7(a) and 8 of the Resource Management Act 1991.

The Memorandum of Partnership that was signed by the parties on 9 February 1994 pledged to develop a mutual commitment to the progress of the Kapiti Coast District in regard to the environment and, within the limitations of Council's powers and functions, enable the Tangata Whenua, as a Treaty partner, to share in the decision making in the district.

## B.2 RESIDENTIAL ENVIRONMENT

The residential environment of the district comprises the areas of the district where 92% of the population live. It is therefore desirable to ensure that residential areas have a pleasant, safe and healthy living environment. An appropriate design of residential subdivision and development can ensure that the transport and service infrastructure is provided in an efficient manner and enables convenient and safe use of the residential environment and wider urban area by residents. Community services such as schools and recreational services may be more appropriately located in residential areas, subject to management of any adverse effects on residential character and amenity. The key resource management issues are the potentially adverse effects of:

- The design scale and density of new housing and residential development on the amenity values of residents;
- Non-residential activities in residential areas on the safety, amenity values and health of residents and environmental quality.
- Non-residential activities in neighbouring environments (such as factory farms) on the amenity and health of residents.
- The demand for public potable water supply from new development reducing water available to existing residents.

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64(C)  
9/5/11*

The design of new housing and development can affect the environmental character of residential areas and amenity of residents in terms of privacy, natural light conditions, accessibility, noise. The density of housing varies between different areas but is generally characterised by relatively low density development compared to the urban core of the region. This is regarded within communities of the district as a significant factor in the amenity of residential areas of the district. Higher density residential development is appropriate at specific locations within easy walking distance of town centres and transportation nodes where amenity values are not adversely affected. Intensification in selected areas can reduce energy use and vehicle emissions.

*Addition  
Change 62  
22/03/07*

Non-residential activities within residential areas include such activities as shops, halls, clubrooms, churches, factories, commercial businesses and medical centres. While their location in residential environments can contribute to the community and may be more convenient for residents, they can have adverse effects on the environment including inconvenience and nuisance to residents of additional traffic and extensive street-parking of cars in narrow quiet streets and generation of excessive noise.

The character and enjoyment of the residential environment by residents can also be significantly affected by non-residential activities outside the environment, particularly by noise from industrial operations and smell from factory farm activities. Appropriate controls need to be applied with respect to environments adjoining the residential areas to avoid such effects.

The subdivision and development issues are addressed separately in B.8.

*Amendment  
Change 75  
9/5/11*

The demand for the public potable water supply to service residential areas can put significant pressure on the water available especially during the summer. Much of this water is being used for garden irrigation and this puts pressure on the existing water supply, treatment and reticulation network.

## **B.3 RURAL ENVIRONMENT**

### **B.3.1 General Issues**

The rural environment of the Kapiti Coast encompasses a wide range of landform types and associated land uses and activities. These range from intensive horticulture in and around Otaki to pastoral farming on the sand country and foothills of the Tararuas. The rural environment is of considerable value to the residents of the district and, in particular, the farming community. The existing farmers, rural service industries and future generations of people who desire employment in this sector depend on the sustainable management of the resources found in this environment. The visual appearance and character of the amenity of the rural environment is also a major determinant of the unique visual character of the district. The resource management issues facing the rural environment are:

- Effects of rural lifestyle developments and non-farming activities on the life supporting potential of the soils of the rural environment;
- Effects of farming and related activities on the landform, water supply and quality, and on the public health of residents;
- Environmental impacts of logging and milling of forestry on land stability, roads and water quality;
- Environmental impacts of quarrying and rural industries on the landscape and amenity values of the environment, roads, water and air quality, and on the public health of residents;
- Effects of subdivision and development on the availability and practical extraction of mineral resources, in particular aggregate;
- Adverse effects of retail activities, particularly the operation of roadside stalls, on the safety and efficiency of the roads and transport infrastructure;
- Effects of tourist related commercial activities and places of assembly on the amenity values and visual character of the rural environment and on the safety and efficiency of roads and transport infrastructure.
- Effects of rural based activities on the character of neighbouring residential areas and the amenity and health of residents.

Soils are a finite resource within the rural environment of the Kapiti Coast. The protection of this resource is important to the sustainability of the rural environment to meet the needs of future generations. While appropriate to rural areas, farming practices and activities can have significant adverse effects on the environment, such as damage to the stability of sensitive landforms from overgrazing. The effects can be particularly significant for intensive farming uses such as pig and poultry farming. Forestry is a growing industry on the Coast. Apart from the economic effects it can have a positive effect on the environment by contributing to land stability and management of catchment areas during the planting phase. However, it can also have significant adverse environmental effects when the plantations come to be harvested, such as exposure of large areas of bare ground on hillsides and damage to rural roads from intensive heavy traffic use. Quarries and rural industries are an important source of resources necessary to the economy of the district and physical infrastructure. The adverse environmental effects can

be substantial, particularly where established operations have been located in visually prominent areas.

The operation of retail activities has been a long standing planning issue in the rural environment. While some types of retail activities are appropriate in the rural environment, they can lead to significant traffic hazards, particularly along the State Highway network. Tourist related activities and other activities involving places of assembly can have similar traffic effects and also wider impacts on the amenity values of the environment including disturbance of the quiet, peaceful character of rural areas and construction of buildings which are urban in scale and intensity.

### **B.3.2 Mineral Resource Issues**

The significant mineral resources of the Kapiti Coast District are aggregates which are quarried from the foothills of the district and to lesser extent the rivers and their flood plains. Aggregates are used in road construction and maintenance, building construction, concrete manufacture and filling. Aggregates are essential for construction activity for the growth and development of the district. Aggregate minerals are a finite and non-renewable resource. Because minerals are excluded from Section 5(2)(a) of the Resource Management Act, their sustainable management does not include consideration of the needs of future generations. The District Plan should enable aggregate resources to be used efficiently without unnecessarily restricting provision for the future needs of the District's communities for the resource. Aggregate extraction activities must, however, manage their effects on other resources and activities. As indicated above, the potential adverse effects of quarries for aggregate extraction can be significant (refer also B.9, B.11, B.12).

Issues that are particular to aggregate are that:

- as aggregate resources are fixed in location, extraction of the resource can only occur in certain locations;
- access to aggregate resources can be affected by encroaching development which may create conflicts which impede the efficient long-term extraction of rock reserves;
- extraction operations need to be planned with regard to the long-term management of the affected land with appropriate buffer areas from adjoining development and progressive rehabilitation of the land;
- extraction of gravel and sand can assist flood and river management

There are other resource management issues related to development in the rural environment which are set out in B.8, B.10, B.11 and B.12.
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## **B.4 CENTRAL AREA ISSUES**

With the continued growth of the urban area of Paraparaumu - Raumati there has emerged strong community concern at the change in the character of the existing communities and consequences of development for the identity of these communities and amenity of the built environment.

One facet of this concern has been a perception that the area is rapidly developing into a city but the central area is lacking a civic heart or 'sense of place'. There is a lack of coherence between the separate developments that have taken place in terms of both environmental form and relationship to the wider environment and transport and access routes.

Underlying the strategic planning exercise and resulting plan, and the 1994 Paraparaumu Town Centre study, was a concern for a clear direction to the development of the built environment. A cohesive and integrated pattern of development was desired, with a high standard of amenity and effective and varied transport linkages. The significant resource management issues are:

- Visual coherence in the character and scale of development within the central area of Paraparaumu.
- The establishment and maintenance of an integrated transport network providing effective linkages between all elements of the built environment within the central area of Paraparaumu.

## **B.5 COMMERCIAL/RETAIL ENVIRONMENT**

The commercial/retail environment comprises the areas of the district where the exchange of goods and services and associated land use effects are concentrated. Along with industrial/service areas they are the most significant locations of employment growth. Activities which tend to generate and rely on significant movement of people and traffic with consequent environmental effects tend to be concentrated in these areas.

Commercial/retail areas also have a significant social component as a focus of many community activities, and the physical amenity and character of these areas is crucial to the perceptions people have of the urban communities and district as a whole. This includes the visual appearance, convenience and safety of the buildings and physical setting and variety of activities/mixed uses in a close proximity at each location. The significant resource management issues are:

- Effects of non-retail activities on the amenity values of commercial/shopping centres of the district, and the functioning of these areas as meeting places for people;
- Impact of the design and layout of buildings and commercial developments on the functioning, accessibility and amenity values of the commercial/shopping centres of the district;
- Adverse effects of activities within Commercial/Retail zones, including the design and scale of buildings, and noise, on the amenity values of adjoining environments, particularly residential areas and the town centre.
- Ensuring efficient use of energy and reduction of vehicle emissions by increasing residential density within easy walking distance of shops, public transport and local employment.

*Addition  
Change 62  
22/03/07*

Non-retail activities in commercial/retail areas include offices, warehouses, light industry, workshops and residential accommodation. These activities if badly designed and located can have adverse effects on the amenity values of the environment of commercial/retail areas. Industrial operations can have adverse effects on the physical and visual amenity of commercial areas. The establishment and location of extensive areas of office space, industry or residential accommodation, particularly at street level, can create 'dead spaces' in commercial areas where there is little activity. This can result in fragmented shopping areas which lack vitality and focus or interest as a meeting place for people. Such an environment can become unsafe and inconvenient areas for people to visit. On the other hand appropriately located and designed apartments and townhouses can significantly add to the vitality and security of town centres. They are less likely to be 'dead spaces' in the evening and night time. Intensification supports the viability of the public transport system and reduces energy use and vehicle emissions.

*Addition  
Change 62  
22/03/07*

*Amend  
Change 73  
21/1/10*

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.

The design and layout of buildings and commercial developments can be a major determinant in the use and sustainable management of the commercial/retail environment, by facilitating appropriate activities, enabling convenient access to them and creating a pleasant physical setting for social activities which attracts people to this environment.

Addition  
Change  
69  
19/3/09

The Waikanae North Development Zone (WNDZ) primarily provides for residential activities but provides scope for employment, business services and limited retailing within a Mixed Use Precinct that will provide the neighbourhood centre for the development.

## B.6 PARAPARAUMU TOWN CENTRE

The Paraparaumu Town Centre is an area west of Rimu Road in Paraparaumu, adjacent to the existing commercial/retail core, that is strategically located to meet the future needs of the community for civic, community and administrative purposes. Because a large area of undeveloped land, including Council owned land, was situated adjacent to the existing core retailing area of Paraparaumu, Council availed itself of a unique opportunity to plan for an attractive, efficient and effective town centre serving all the district. The provisions of the Plan for this centre are derived from a planning study of options and alternatives for the Paraparaumu Town Centre (refer A.5).

The concept for the Paraparaumu Town Centre arising from the study envisaged the development of a physical form for the centre which maintains, where possible, the natural environment, landforms of the locality and views of Kapiti Island, and is enhanced by attractive public and private open space and amenity planting. The significant resource management issues are:

- Effects of activities including mixed uses and apartments/townhouses on the amenity values of the Paraparaumu Town Centre as a safe, convenient, vibrant and attractive environment;
- Need to reduce inefficient energy use and reliance on single occupancy vehicles.
- Effects of town centre activities on the amenity values of adjoining areas, with particular regard to the integration of the town centre with these adjoining areas;
- Effects of activities on the natural environment and ecological values of the Paraparaumu Town Centre;
- Effects of activities on the landform character and wider landscape setting of the Paraparaumu Town Centre;
- The susceptibility of the land to flood hazards and effects of development on the safe and efficient management of floodwaters;
- The safe and efficient movement of vehicles and other modes of transport to, from and within the town centre.

The focus of the issues concerning development of the town centre is on the cumulative effects of individual proposals and developments on strategic amenity values. These effects are in terms of both the impact of the design and scale of buildings and the overall development on the natural character and values of the site and wider landscape setting. The development and long term role of the Paraparaumu Town Centre is crucial to the identity and character of the local community and the district as a whole.

*Addition  
Change 62  
22/03/07*

## **B.7 INDUSTRIAL/SERVICE ENVIRONMENT**

The industrial and service activities on the Coast are significant employment and economic generators. Virtually all the industrial activities and major service industries on the Coast are located on land which was zoned Industrial or Commercial Service in the Transitional District Plan. Most of the industrial activities in the District are grouped together and located in areas separated from residential areas, such as Te Roto Road, Paraparaumu and Riverbank Road, Otaki. The major source of environmental conflict with industrial activities has been industrial activities which operate in close proximity to residential areas or have significant consequences in terms of the discharge of waste materials into the environment (via the service infrastructure). The significant resource management issues are:

- Effects of the design, layout, appearance and access of buildings and associated facilities on the accessibility and amenity values of the industrial/service environment;
- The adverse effects of industrial/service activities on the amenity and public health of residential areas;
- The effects of non-industrial/service activities, particularly high volume retailing, on the character of industrial/service environment, integration of this environment with the infrastructure and amenity values of the wider area;
- The effects of the operations of industrial/service activities on the service infrastructure and flow-on effects to the receiving environment and effects on the transport infrastructure.

Industrial/service activities on the Coast tend to have minimal adverse effects on the surrounding environment where grouped together at appropriate locations. The benefits of this, however, are dependent on the nature of the operations involved. Activities which generate considerable noise can adversely impact on residential areas and other environments. Operations involving significant discharges of wastes or of substances which are hazardous can create environmental problems for the safe functioning of the service infrastructure and the environment which ultimately receives the output of the infrastructure.

*Amend  
Change 73  
21/1/10*

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.

The intrusion of non-industrial activities into the industrial service environment, particularly high volume retailing, can have significant

consequences for both the local environment and wider locality. Effects on the local environment include traffic conflicts between customer traffic for these activities and movement of heavy vehicles associated with industrial premises. Land banking of vacant land suitable for industrial uses can also occur in anticipation of bulk retailing activities. More significant are the effects on the wider area. The dispersal of commercial activity in Paraparaumu into a wide variety of locations and zones has been a significant factor contributing to the fragmented identity of the area. As noted in B.4, strong community concern has been identified through the Strategic Planning process for a clear direction to development, to enable a more cohesive and integrated environment. The spatial relationship of commercial activity as a whole is important to establishing a 'sense of place'. The location of commercial activities is also crucial to enabling a safe and efficient transportation network, with a clear hierarchy of roads and pathways.

## **B.8 SUBDIVISION AND DEVELOPMENT ISSUES**

### **B.8.1 General**

Subdivision and consequent development has a significant effect on the character of the district. Subdivision design and density is a significant factor determining the availability of resources for activities and the character of urban form. It also creates expectations by landowners that they can further develop their land and utilise services and community resources. The approach taken in the District Plan regarding subdivision and development must be seen in the context of the response to urban growth arising from the Strategic Plan and the consequences of long-term planning options.

### **B.8.2 Urban Growth**

The district has an abundance of land zoned for residential, commercial and industrial development. In producing the District Plan, Council gave consideration to various options with regard to growth, varying from introducing a moratorium on development to increasing the existing residentially zoned areas to accommodate as much growth as possible. Council decided to retain essentially the same area of land zoned residential as is currently in the Transitional District Plan. This approach enables growth to continue for at least the next fifteen years, but for Council to review the situation ten years hence.

An important part of the strategy adopted by Council is the creation of green belts within and between existing communities. Future growth is to be based on Raumati, Paraparaumu, Waikanae and Otaki, with Paekakariki to be retained as a unique village centre. Also the settlements of Te Horo and Peka Peka are expected to retain their special characteristics. Further subdivision of Te Horo Beach beyond the urban area is not envisaged. Any further subdivision at Peka Peka will be of a low density due to the unavailability of Council services and also the desirability of retaining the existing character of this area.

### **B.8.3 Significant Issues**

The significant resource management issues that have emerged relate to subdivision and development in residential and rural environments. The focus of the issues is different in these two areas. The cumulative effects of subdivision and development on the service infrastructure are also an important issue in respect of all environments of the district. The effects of subdivision and development of and on the transport infrastructure are also significant (refer B.19). The appropriate design of subdivision and development can ensure that the transport and service infrastructure (where appropriate) is provided in an efficient manner and enables convenient and environmentally safe usage by residents and businesses.

The effects of subdivision and development in residential areas relate primarily to the landscape and amenity values of the built environment, and impacts on the service infrastructure. The significant effects are more in terms of the attractiveness and convenience of the areas as a living space. Effects

on the natural environment are variable on a case by case basis. In rural areas the effects of subdivision and development relate more to the impacts on the natural character, features and resources of the environment. Amenity values generally more intrinsic or relate to a much wider community and the effects on ecological systems are also generally more of an issue.

## B.8.4 Residential Subdivision and Development

The design of residential subdivision and consequent development has a significant effect on the character of communities of the district. The impacts of subdivision on the ecology and natural values of the environment tend to be more site specific than general in scope, because the environment being developed is often already substantially modified by past development. The major environmental effects and consequences are generally in terms of the landform and amenity values of the established residential communities affected. There is a strong community desire to retain the low density character of the established residential areas of the Coast. There is also a desire amongst the community to provide for greater housing choice which includes apartments and townhouses in and within easy walking distances of town centres and transportation nodes. The ability to subdivide creates expectations by landowners that they can further develop their land. This can put pressure on Council's ability to service this development. The significant issues that need to be addressed are:

*Amendment  
Change 62  
22/03/07*

- The effects of residential subdivision design, density and layout on the landform and environmental features/values of the land;
- The effects of residential subdivision design, density and layout on the amenity values of established residential areas and urban form;
- The effects of residential subdivision on the maintenance and sustainability of Council services;
- The demand for public potable water supply from new development reducing water available to existing residents;
- The potential for potable water supply systems to have adverse impacts on the natural environment.

*Amendment  
Change 75  
9/5/11*

The growth of approximately 250 households per annum can put significant pressure on the public water supplies. Consideration needs to be given to the effects of subdivision and eventual development on the public potable water supply availability to existing residents and the risk of adverse impacts on the natural water systems. Potable public water supply is costly to produce and reticulate and much of it is used for garden irrigation and to flush toilets.

## B.8.5 Rural Subdivision and Development

There is considerable pressure on the rural environment for the subdivision of land for lifestyle/hobby farming. Subdivision of land into the small allotments sizes desired for this activity (e.g. units <4 ha) can create significant problems as a consequence of the subsequent building and the occupation of dwellings. These problems include the effects on water quality, particularly where the land is within the water collection catchments of the district and the

visual impact of buildings on the landscape and open space values of rural areas. Subdivision of such allotments can also have significant implications for long term planning options where a proliferation of dwelling sites are created in areas strategic to development of future urban areas. Specific resource management issues that have arisen are the immediate and cumulative adverse effects of intensive development and subdivision in rural areas on the:

- rural amenity values and open space character of the rural environment;
- the natural character of the coastal environment;
- outstanding landscapes including the foothills of the Tararuas and the wavecut escarpments;
- ecological features and values;
- surface and ground water quality and quantity;
- provision and safe and efficient operation of rural infrastructure including potable water supplies and the roading network;
- efficient provision of future urban infrastructure in areas strategic to urban areas including roads, reserves and reticulated service;
- the effect of rural subdivision and resultant activities on the ability to efficiently utilise fixed rural resources such as high class soils and aggregates, e.g. by hindering the ability to spray crops, use bird scaring devices, or to blast or crush aggregates.

The issues above have emerged from considerable debate over the effects of rural subdivision over many years. As noted in A.5, Council undertook extensive public consultation in relation to the control of subdivisions in rural areas, particularly in the more sensitive coastal foredune system. The overriding consideration in arriving at the policies and rules herein has been the deliberate attempt to control the way and the rate that subdivision can be undertaken on rural land to promote sustainable management in the interests of the district's community in the widest sense.

### **B.8.6 Cumulative Effects on Service Infrastructure**

The district has experienced continued growth which has led to the need to upgrade or provide new services, including water, sewerage, stormwater and reserves. The service infrastructure is a significant resource of the district and the costs of maintenance and upgrading this resource has substantial consequences for the communities of the district. The resource management issue is:

- The cumulative effects of new development on the service infrastructure and consequent economic effects on the communities of the district.

The need to upgrade the service infrastructure to accommodate new development has a significant cumulative effect on the physical resources of the district, in addition to the environmental impacts in the immediate vicinity of the development site. Developments may necessitate significant modification of the overall service network and can lead to significant adverse effects on the receiving environment (i.e. sewage/stormwater) or resource

(i.e. water supply). Council believes that as a means of mitigating the cumulative environmental effects of new development, the developers and new owners who benefit from the development must bear an appropriate share of existing and new infrastructure costs. The approach taken in the Plan is to require financial contributions for new development. Council has given very careful and detailed consideration to different options for setting financial contributions. This included commissioning of a special economic study undertaken by Berl Consultants.

### B.8.7 Waikanae North

Addition  
Change 69  
19/3/09

Since the District Plan was formulated in the early 1990's and made operative in 1999, the demand for residential land has increased at such a rate that additional land for urban expansion is required. The Council anticipated this and identified and protected rural land adjoining the north fringe of Waikanae for urban development. The "Kapiti Coast: Choosing Futures - Waikanae North Local Outcomes" document (developed in consultation with the community using the 2006/07 Long Term Council Community Plan process) has specifically identified the land that the Council and community see as being developed for urban expansion. The Council's policy is to now consider requests for urban expansion within this area.

## B.9 HERITAGE ISSUES

The district has a rich physical, cultural and spiritual heritage for both European and Maori. Heritage includes any natural or man-made place, area, building, tree or site which is significant in the settlement, development and growth of Kapiti or its people by virtue of its association to an area, person, event or era. The values of the Tangata Whenua are particularly important to defining the heritage of the district (refer B.1). This heritage, however, is at risk of being degraded and lost through inappropriate subdivision, use and development. The issues that need to be addressed in this Plan are:

- Effect on heritage sites and values of alterations to the existing landforms and removal of existing vegetation;
- Demolition, removal and alterations to the structure of historic buildings.

A consequence of the rapid development of the Coast has been that many heritage sites have been destroyed or substantially modified and the values of areas in terms of heritage have been undermined. Archaeological sites and waahi tapu have been particularly affected by changes to the landform by earthworks.

## **B.10 COASTAL ISSUES**

The Coast is an important asset of the district and has many unique characteristics and natural qualities. These include wildlife habitats and breeding areas and recreational and potential pleasant/high value residential opportunities. This uniqueness is due in many respects to its undeveloped and “wild” nature. The Coast is also of great cultural and spiritual significance to Maori and is an important source of food. A consequence of this, however, is that the Coast is under considerable development pressure which tends to conflict with the natural character of the Coast.

Cross boundary issues also arise with the Wellington Regional Council having jurisdiction over resource management issues seaward of mean high water springs. This Plan will need to address this issue to ensure consistency and compatibility with the Regional Council’s Coastal Plan and Regional Policy Statement. Consideration must also be given to ensuring consistency with the New Zealand Coastal Policy Statement (NZCPS) which defines matters of national significance and has established an policy framework for management of the Coast. The following resource management issues have emerged:

- The effects of sporadic subdivision, use and development in the coastal environment, particularly where there is still substantial natural character in terms of the landform and associated landscape values;
- The cumulative adverse effects of subdivision, use and development in the coastal environment, including:
  - (i) The effect of activities, including farming practices and lifestyle development and associated earthworks on the indigenous vegetation and plant communities and habitats of indigenous species,
  - (ii) The effect of land use activities, particularly earthworks for dwellings and recontouring of land for farming purposes on the landscapes and landforms of the coastal environment;
- Protection of characteristics of special spiritual, historical or cultural significance to Maori;
- Coastal erosion hazard for development in the foredune, particularly in the residential area of Raumati;
- Effects of development on the integrity, functioning and resilience of the coastal environment in terms of the dynamic coastal processes of sediment, water and air movement;
- A demand for new reserve areas for conservation purposes to enable the restoration and rehabilitation of the natural character of the coastal environment;
- The maintenance and enhancement of public access to and along the Coast.

## **B.11 LANDSCAPE ISSUES**

The district has a variety of landscapes ranging from the rugged coastline and offshore islands through to the Tararua Ranges which gives it distinctive character. Landscapes are important to Maori where iwi identity is embodied in the landscape. These landscapes are, however, under threat from inappropriate development such as flattening of sand dunes and loss of open rural landscape, resulting from the dominance of buildings on the tops of hills and sand dunes and increasing density of dwellings as a consequence of subdivision. Specific landscape issues include:

- Effects of earthworks and other landform modifications on the significant landscape features of the district and associated amenity values;
- Effects of the location of buildings, structures and services on the significant landscape features of the district and associated amenity values.

Land has value to people as both an economic resource and setting for their experiences. Landscapes are an important source of community and personal identity. There are key features of the landscape in both physical and intrinsic terms which represent a finite resource of the district. These features are often vulnerable to change. Subdivision, use and development has a potential to significantly modify the landscapes of the district and therefore if not controlled and managed can destroy or undermine the values of importance to the communities of the district.

## **B.12 ECOLOGY ISSUES**

The natural environment (which includes all living systems and the habitats of animals and plants) are also under threat by the adverse effects of development. This is very significant as there is not much left of what existed prior to human habitation. Specific ecological issues include:

- Effects of subdivision, use and development on the ecological processes of the natural environment of the District;
- Preservation and enhancement of significant ecological sites within the District including significant indigenous vegetation and habitats.

Ecological processes are the basis on which the character of natural environment has been evolved and will be sustained over time. Identified sites of ecological significance are important, as they represent areas where the character of the district remains in a more or less natural state. Such areas are limited in extent and are an important resource for the district.

These processes are generally vulnerable to change and once modified can be impossible to restore. The adverse effects of subdivision, use and development on the natural environment must be carefully controlled and managed to avoid modifications to the ecological processes.

## **B.13 OPEN SPACES & RESERVES**

Open spaces and reserves are an integral part of the district. This is both for recreational and conservation purposes. They are, however, under pressure from Kapiti's high population growth and the effects of subdivision and development. Specific issues include:

- Increasing community usage of existing reserves and demands for and cost of new reserves for a wide range of recreational activities;
- Adverse environmental effects of some active recreational activities and conflict with passive recreation activities;
- Loss of open spaces and adverse effects on associated scenic, ecological and scientific values through subdivision and development;
- Positive environmental effects of provision of reserves and protection of open spaces for both conservation and recreational purposes.

There is a need to identify and protect areas of open space and reserves. There is also a need to meet the increasing demands of a growing population where informal recreational activities such as walking and cycling for pleasure are, to a large sector of the community, of greater importance than formal sporting pursuits. Active recreational activities such as trail biking can have significant adverse environmental effects in ecological sensitive areas such as unstable foredunes in the coastal environment. The provision of new areas for reserves and environmental sustainability of existing reserves can involve significant costs to the district communities. Consideration must be given in the District Plan to means of ensuring that the positive effects of reserves are sustainable.

Addition  
Change 73  
21/1/10

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.

## **B.14 SIGNS**

Signs can have significant adverse effects on the district's environment. This includes both the effects of signs on the visual amenity and character of the district and traffic safety. Specific signage issues include:

- Effect of the design and positioning of signs on traffic safety and amenity values;
- Effect on amenity values of signage for commercial businesses and service industries being located in or facing residential and rural areas.

Signage which is environmentally appropriate in the context of commercial/retail or industrial/service areas can have an adverse effect on the amenity values of residential and rural areas. Signage must be appropriately designed and positioned to avoid creating hazards to the safe movement of traffic and adverse effects on amenity values.

## **B.15 NOISE**

Inappropriate levels of noise in the environment detracts from the amenities of an area and has implications for community health and welfare. This is because noise has the ability to induce annoyance through interrupted communication, rest, relaxation and sleep.

The control of noise is therefore a significant resource management issue which must be addressed in this Plan. Specific noise issues which have been identified include :

- Effects of exposure to excessive or unreasonable noise from non-residential activities on the amenity of residential and rural environments of the district;
- Effects of road traffic noise on amenity on residential environments of the district;
- Effects of noise from the operations of Paraparaumu Airport on amenity of adjoining areas.

## B.16 NATURAL HAZARDS

The district is susceptible to a range of natural hazards including flooding, erosion and earthquakes and geological hazards. Some of these hazards such as flooding are able to be defined in a relatively precise manner. The effects of other hazards such as earthquakes are more difficult to predict. While these natural hazards cannot be eliminated, flooding and land instability can be controlled to some extent to minimise damage to property, land and human health and safety.

Flooding and erosion are the most significant natural hazards. The issues that need to be addressed include:

Amendment  
Change 50  
22/3/10

- Property and structures located in the river corridor, stream corridor, ponding areas and overflow paths are more susceptible to damage from flooding;
- New development within the river corridor, stream corridor, ponding areas and overflow paths can cause additional adverse effects to existing development;
- Use and development within the river corridor, stream corridor, ponding areas and overflow paths can adversely affect the structural integrity of existing flood mitigation structures and works and increase the potential for damage and loss of life. Activities which result in their damage or destruction could increase the potential flood damages.

The work that has been undertaken to date has concentrated on the rivers and major streams within the Kapiti Coast. There is also a risk of flooding from local stormwater and small drains that have not been identified in the District Plan. However where the Council is aware of these hazards they will need to be taken into account when assessing subdivision and development applications.

Addition  
Change 50  
22/3/10

Other issues that need to be addressed include how Council might avoid, remedy or mitigate the effects of natural hazards in areas subject to such as erosion and earthquakes and other natural hazards. In particular, this includes:

- The development of buildings and other significant assets in areas which may be prone to coastal erosion or the effects of sea level rise;
- The development of buildings and other significant assets in close proximity to earthquake fault lines.

The level of control in any methods used to address natural hazards will need to be consistent with the accepted risk to the community of the Kapiti Coast and statutory requirements.

## **B.17 NETWORK UTILITIES**

The network utility infrastructure is vital to the efficient function of activities throughout the district and to the functioning and environmental sustainability of the communities of the district as a whole. However, the structures and facilities comprising the infrastructure can have adverse environmental effects. Similarly, the infrastructure can be adversely affected by the location and demands of activities and development.

The resource management issues relating to network utilities within the District Plan are identified as:

- The efficient development, use and maintenance of network utilities commensurate with needs of the district and region;
- Environmental effects, in particular on the visual amenity of the district of network utility services;
- Effects of subdivision, use and development on the existing network utility infrastructure;
- Effects (including hazards) of siting buildings and structures close to high voltage power transmission lines and high pressure gas pipelines.

The District Plan must have regard for the sustainability of the network utility infrastructure as a resource and the effects and consequences of activities and development on the infrastructure. At the same time it must have regard to adverse effects of network utilities on the natural and physical resources of the district.

## **B.18 HAZARDOUS SUBSTANCES**

Hazardous substances have the potential to have very significant adverse effects on the environment, including the public health of communities of the district. The resource management issues are:

- Effects of the general use, storage and transport of hazardous substances on the environment;
- Environmental hazards caused by inappropriate location and management of hazardous facilities.

The Regional Policy Statement makes it clear that the principal responsibility for controlling the use of land to manage the adverse effects of hazardous substances will be at the district and city level. The Regional Council has a more particular responsibility in controlling the adverse environmental effects of discharges of hazardous substances (refer C.17). Council has a responsibility through this plan to control the effects of activities and facilities involving the use of hazardous substances. The types and level of control must therefore be addressed in this Plan.

## **B.19 TRANSPORTATION ISSUES**

### **B.19.1 General**

Transport is a key means by which social, economic, cultural, recreational and other activities are undertaken. The development of the transport infrastructure represents a considerable investment of money and natural resources. This infrastructure is costly to maintain and develop. The environmental effects of the development of the infrastructure can be significant and likewise the effects of activities on the efficient operation of the infrastructure. The transport network of the Kapiti Coast is dominated by State Highway 1 and the North Island main trunk railway. The urban centres and communities of the district have developed around the transport route established by the highway and railway which provide the only linkage between the main urban centres of the district for vehicle traffic. The specific resource management issues are:

- Availability of public transport alternatives for residents of the district to travel between and within communities of the district;
- Future of State Highway 1 and the sandhills arterial route in terms of separating through traffic on roads of the district from local traffic;
- Need for high quality State Highway network which connects safely and efficiently with the district road network through appropriate arterial routes;
- Need for and effects of additional bridges over the Waikanae River in connection with the sandhills arterial route and future road connections as part of the long term road transport strategy for the district;
- The need for and effects of additional transport linkages between and within communities of the district;
- The effects of subdivision and development of and on the transport infrastructure;
- Traffic congestion and hazards at key road intersections;
- Road damage and noise from movement of large numbers of heavy vehicles through the urban areas of the district;
- Traffic dangers and conflicts over retail developments on State Highway 1 particularly in rural areas;
- Adverse effects of other activities on the safety and efficient use of the State Highway system for traffic movement throughout the district;
- Demand for access to and between recreational open spaces;
- The future of Paraparaumu Airport and effects on the safe and efficient operation of the Airport of surrounding development and associated activities.

The overriding transport issue addressed by the District Plan is how to ensure a transport system which meets high standards of environmental protection, while providing for the safe and efficient movement of people and freight within the district and facilitating a selection of transport mode alternatives.

## **B.19.2 Role of Council and Other Statutory Agencies**

Council is directly responsible for planning, providing and maintaining an efficient roading network appropriate to the level of use, which will ensure the safe and orderly passage of road users and pedestrians throughout the district. In its role as a consent authority throughout the District Plan, Council must have regard to the interrelationship between land use activities and the transport infrastructure and facilitate an appropriate strategy for development of the infrastructure. Council has no direct involvement in the provision of public transport, but does have an advocacy role in Regional Committees and develops commuter carparks and maintains bus stops on behalf of the Regional Council. The District Plan also addresses public transport issues.

The Wellington Regional Council is responsible for funding the provision of public passenger transport services and associated facilities throughout the region. In addition, the Regional Policy Statement for the region has established a policy framework which addresses issues including the transport infrastructure. The District Plan must not be inconsistent with the Regional Policy Statement. The Regional Council has prepared a land transport strategy for the Wellington region in accordance with statutory requirements of the Transit New Zealand Act and the Resource Management Act. This strategy is identified in the Regional Policy Statement as a method of delivery of the Regional Policy Statement. The strategy is a document which is designed to give an overall policy guidance on transport issues within the Region and set the basis for land transportation programmes in accordance with statutory obligations. The land transport programmes of the Kapiti Coast District Council are required to implement the proposals of strategy wherever practicable.

Transit New Zealand is responsible for the maintenance and development of the State Highway network and associated designations, and related management of activities affecting the safety and efficiency of the network. The supply of government funding towards the provision of the transport infrastructure at both the district and regional level and public transport services is controlled by a separate agency - Transfund New Zealand.

As a consequence of the sale of Paraparaumu Airport to private interests, combined with changes in the role and functions of the Civil Aviation Authority, Council has inherited a more direct role in managing the usage and effects of development of the Airport. This is in addition to its role in managing the effects of land use activities in areas surrounding the Airport on the safety and efficient use of the Airport.

### **B.19.3 Relationship between Transport, Land Use Activities And Urban Form**

Consideration of transport issues must be undertaken as part of an integrated approach to management of the effects of activities and urban development. Decisions about urban form and the location of land use activities are all interconnected, and are also crucial in terms of reducing infrastructure costs and environmental damage. An effective transport network is a key influence on the form and rate of future development of the district.

### **B.19.4 Transport Modes**

#### **B.19.4.1 General**

Transportation modes on the Kapiti Coast are road, pedestrian/cycleways, rail, boating and air transport. The realistic options for provision of public transport are in terms of road and rail (main trunk line) based alternatives. The District Plan has little influence in terms of sea and rail transport but has a significant role in terms of pedestrian links, roading and air transport. In terms of public transport the District Plan cannot dictate the provision of services but can facilitate the provision of services.

(i) **PEDESTRIAN & CYCLEWAY LINKS**

Council is desirous to maximise opportunity for people to enjoy walking, running, biking and horse riding and for this reason commissioned a report identifying a district-wide walkway/cycleway and open space system. The provision of opportunities for walking, cycling and horse-riding enables the amenity values of the district's communities and open spaces to be more fully experienced by people. The District Plan reflects this through the provision of objectives, policies, rules and methods in the Open Spaces and Reserves and Transport sections and planning maps of the District Plan.

(ii) **ROADING**

Roading is critical to the future of the Kapiti Coast. Prior to the preparation of this Plan, problems unresolved included uncertainty regarding future links across the Waikanae River and the exact route of the future State Highway No. 1.

(a) **Road Based Public Transport**

Currently public transport services on the Coast are limited, and future provision is constrained by the relatively low population density, urban form and associated economies of scale. Planning provisions which may be appropriate for the urban core of the region may be unrealistic and questionable in the context of Kapiti. For example, the creation of separate bus lanes along major traffic routes within the urban areas of the Coast is not justified by current and foreseeable traffic volumes.

(b) **State Highway Designations**

An important study undertaken by Transit New Zealand, Council and the Wellington Regional Council was a study in 1993 and 1994 which examined different options, costs and benefits for accommodating a future State Highway 1 through the Kapiti Coast. This study concluded in favour of what was known as the “Sandhills Expressway” route. This route was designated in the Proposed District Plan for “State Highways Purposes” at the request of Transit New Zealand. This study was superseded by the Kapiti Network Study.

(c) **Kapiti Network Study**

A further study was conducted in 1995 by consultants for Council to investigate the Kapiti Coast District roading network (refer A.5.3). One of the reasons for undertaking this study was to help ensure that the roading network on the Kapiti Coast met the needs of Kapiti residents for the next two decades and beyond, as well as to identify traffic routes requiring protection on the District Plan. The conclusion of the investigations was that it is necessary to provide additional north-south arterial capacity between Waikanae and Raumati linking into associated east-west capacity. Five options for providing the additional north-south arterial capacity were examined.

Included among the conclusions of the interim report of May 1995 were that -

- Within 5 years a second, but not a third, bridge across the Waikanae River would be justified on the basis of expected demand;
- A local arterial road on the expressway route, connecting with the important employment foci of Paraparaumu Town Centre, Kapiti Road and Te Roto Drive will significantly improve traffic flows within the Kapiti Coast;
- The location of the second bridge should be on the alignment of the “Sandhills Expressway” route as part of a local arterial road initially providing a connection between Te Moana Road and the Paraparaumu Town Centre;
- Extensions ringing the Paraparaumu Town Centre from State Highway 1 and linking with the local arterial road on the expressway route are expected to be needed as traffic volumes increase over time;

In addition the study observed that:

- A new east-west road is required parallel to Kapiti Road, south of Paraparaumu Airport;
- It is prudent to provide protection for a third bridge connection across the Waikanae River linking Paraparaumu/Otaihanga with Waikanae, either into Queens Road across the Waikanae River estuary or into Weggery Drive further to the east of the estuary in the vicinity of Makora Road.

The strategy developed by the roading network study was designed to achieve an appropriate roading network for the district which best provides for the safe and efficient flow of arterial as well as local traffic. The critical feature of the study was that it called into question the need for relocating the State Highway 1 route, given that it was found that it was carrying at peak periods predominantly local traffic. That view has subsequently been accepted by both roading authorities within the district, Transit New Zealand and Kapiti Coast District Council.

(d) **Western Link Road Designation**

After further investigation in December 1997, KCDC issued a Notice of Requirement for a designation of land required for the construction of the "Western Link Road", being a speed restricted limited access road generally following the alignment of the historical "State Highways Purposes" designation. The extent of surplus land within the designated Western Link Road route for uses other than directly required for roading awaits detailed design. There will be sufficient land for an open space corridor to accommodate pedestrian/cycleway/horse riding networks. A policy in the District Plan is to explore possibilities on the designated route for such a network consistent with Council's policy of providing such facilities district wide through the Kapiti Coast. The designation has been confirmed by commissioners and is subject to three appeals to the Environment Court.

(e) **Future Road Links and Connections**

Where roads are not designated, the Plan provides for new roads to be treated as controlled activities. In circumstances that involve connections to state highways, Transit New Zealand will be required to approve any proposed road connections and may restrict access to the State Highway or require alternative access proposals be developed. The reason for this provision is that Council can control the location and function of new roads to ensure achievement of the roading network strategy. One difficulty in providing for protection of a third bridge across the Waikanae River is that the Act requires achievement of a designated work within five years or a specified longer period. The third bridge is not justified on expected traffic origin and destination patterns for at least fifteen years. In the long term if a third bridge is provided, it is prudent to indicate the possibility now and identify a likely route option. Accordingly there is a provision in the Planning Maps reflecting the long term possibility of future roads including the route of a third bridge. It is acknowledged on the Maps that these are notional routes. To be proceeded with as public works they will require resource consents or formal designations and would be subject to detailed environmental impact reports, including full public consultation with affected communities and interests. They would be subject to full rights of objection and appeal in this event. These routes are only shown indicatively in the Plan to indicate the possibility of long term provision, rather than any commitment on the part of Council to provide them. The existence of these routes is a factor to be

taken into account in considering subdivisions of the land they traverse or as opportunity allows. These routes include a link between Waikanae Beach and Peka Peka. An alternative to State Highway No. 1 south of Mackay's Crossing, known as the "Transmission Gully" route, was the subject of a request by Transit New Zealand for designation in the Plan. Hearings have been held and appeals were received on the proposed designation

(iii) **RAIL**

Council's role with regard to rail transport is largely an advocacy role. The development of the railway network is the subject of existing designations for the land use and is determined by the railway operator - Tranz Rail. The provision of passenger rail services is supported by Regional Council funding. Council supports the maintenance and enhancement of the rail services for both passengers and industry. The District Plan addresses, where appropriate these services through facilitating associated facilities. For example, inclusion of the commuter car park area at Paraparaumu in the Town Centre Zone.

(iv) **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.

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- 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 s 104(1)(c) of the Act.

(v) **SEA TRANSPORT**

The present and likely future use of sea transport within the district is largely confined to the use of boats for recreational activities and small scale commercial fishing. Control of the effects of these activities is largely outside the jurisdiction of the District Plan - issues to be addressed by the District Plan are limited to the effects of access to the coastal environment for boat related activities.