

# INTERPRETATION

**All words used in this Plan which are defined in the Act have the definitions given to them in the Act.**

## **Act**

The Resource Management Act 1991.

## **Acute Toxicity**

Adverse effects caused by a toxic agent occurring within a short time following exposure to that agent.

## **Appropriate Comprehensive Development**

“Appropriate Comprehensive Development” for the purpose of Rule RU2.3 means a development which:

- Integrates into the general environment in which it is proposed and in particular its natural features;
- Is sensitive to natural features and landscapes, including those of the adjacent Tongariro National Park, a World Heritage area;
- Is self supporting and self sustaining in that environment;
- Is fully contained within a land area defined by topography and/or physical components;
- Provides a low structural density in relation to open space;
- Provides one access onto the highway through which all development is serviced;
- Specifies the siting, size and construction of all buildings;
- Provides that services, including telephone and power connections, are sited underground;
- Provides that amenity planting will blend into the natural environment through appropriate selection of indigenous vegetation;
- Is developed in a way which avoids, remedies or mitigates adverse effects on the environment, including such effects on:
  - (i) Visual amenity and values;
  - (ii) Recreational amenity;
  - (iii) Existing physical resources such as roading, services and structures.

## **Bioaccumulation**

The accumulation of a substance within the tissues of living organisms.

## **Boardinghouse Activity**

Means a residential building in which accommodation is provided for reward or payment for up to ten (10) persons (not being members of the family or occupiers or persons in charge or control of the building) and includes a guesthouse, bed and breakfast, a small lodge, and a homestay, together with any service or facility accessory to the principal activity for the sole use of the persons residing on the site.

## **BOD<sub>5</sub>**

The biochemical oxygen demand (measured over a five day period) which is the amount of dissolved oxygen in a body of water required for the breakdown of organic material in the water.

**Boundary Adjustment**

A subdivision whereby there is no increase in the number of lots created. No lot shall change area by more than 1 percent of its original area or no more than 1.0 hectare of land shall be removed from the original lot or lots, whichever is less.

**Building**

Any temporary or permanent, movable or immovable structure (including any structure intended for occupation by people, animals, machinery or chattels) more than 2.0 metres in height above the ground level immediately below, excluding mobile caravans covered by a License issued under the Council Bylaws, and post and wire fences for containing animals.

**Chronic Toxicity**

Adverse effects caused by a toxic agent which occur either after prolonged exposure or an extended period after initial exposure.

**Clearance**

Means any action involving the complete removal, burning, clearing or destruction (including destruction by spraying) of an area of indigenous vegetation or habitats of indigenous fauna.

**Club Accommodation Activity**

Means overnight accommodation provided within Tongariro National Park by any club licensed by the Department of Conservation typically being ski clubs providing overnight accommodation to club members and guests who are in the National Park for the purpose of skiing, tramping and outdoor recreation but excludes tourist accommodation activities.

**COD**

Chemical oxygen demand, being a measure of the oxygen equivalent of the organic matter content of a water sample that is able to be oxidised by a strong chemical oxidant.

**Commercial Activity**

Means activities whereby goods, food, beverages or services are sold, exposed, displayed or offered for sale or direct hire to the public and includes premises which can be licensed or are licensed under the Sale of Liquor Act 1989 as well as activities such as banks, offices, post office, real estate offices and other uses similar in nature but excludes tourist accommodation, service stations and motorised sports activities. In this context the repair of small household goods including electrical appliances and furniture are services for sale or direct hire to the public.

**Conservation Activity**

Means activities undertaken to ensure the maintenance and enhancement of natural and historic values which are associated with an area, and includes the clearing of vegetation and activities necessary to undertake scientific study of the natural values.

**Council**

The Ruapehu District Council or any Committee, Community Board, elected member of the Council, Hearings Commissioner, or officer authorised to exercise the functions, duties or powers of the Council under the Act.

**Density**

The ratio of dwelling units to net site area.

**Driveway**

Any passageway providing vehicle access between the road carriageway and an adjoining property.

**Dwelling Unit**

Any building used for residential purposes which include areas for sleeping, food preparation, living and ablutions.

**Earthworks Activity**

Any alteration to the ground contours including the excavation and backfilling or re-compaction of existing natural ground and the stripping of vegetation and topsoil, for the purpose of site development, excluding extraction uses.

**EC<sub>50</sub>**

The effective toxicant concentration resulting in a 50% response of a given parameter (for example, reduced reproduction rate) in a given period.

**Ecotoxicity**

Adverse toxic effects on ecosystems or ecological communities, harmful to any living organism or ecosystem.

**Education Activity**

Means activities providing regular instruction or training in accordance with a systematic curriculum by suitably qualified instructors and includes kohanga reo, schools, technical institutes, teachers colleges and universities and their ancillary administrative, cultural and community uses.

**Electricity Generation Activity**

Means activities, including exploration and investigations, undertaken for electricity production, and includes wind power, hydro electric generation and use of fossil fuels for the generation of electricity, and excludes the transmission and reticulation of electricity, including substations.

**Environmentally Damaging Substance**

Any substance which, by effect other than toxicity, is able to damage an aquatic ecosystem (for example, milk or oil).

**Environmentally Persistent Substance**

Means a substance resistant to natural breakdown in the environment.

**Established Use or Activity**

Means any use (including any building or structure) established in an Amenity Policy Area on 6 December 1994 (being the date of notification of the proposed Plan) and the continuation of that use or activity.

**Exotic**

Means in relation to forestry, the planting and management of trees other than indigenous trees.

#### **Exploration Activity**

Those activities undertaken following completion of prospecting activities, with the objective of discovering mineral deposits, accurately defining and quantifying them, and assessing the feasibility of mining.

#### **Extraction Activity**

The excavation of sand, gravel, rock or other minerals from the earth and includes mining and the removal of overburden and the erection and maintenance of plant, machinery, buildings, and other works connected with such operations, excluding earthworks.

#### **Factory Farming Activity**

The intensive farming of animals and fungi which is predominantly carried out under building cover, including poultry, rabbit, pig and mushroom farming. This activity does not include horticultural activities.

#### **Forestry**

The planting and management of trees for production of timber or other produce from the trees, soil and water conservation, shelter and scientific purposes, where:

- (1) The continuous area of trees planted, regardless of species, is in excess of 1.0ha in area,  
  
or
- (2) The trees are planted in a continuous length in excess of 20 metres.

In this context "continuous" means trees planted in such a manner that upon maturity they will be interlinked and/or form a closed canopy.

#### **Gross Floor Area**

The sum of the gross area of the several floors of all buildings on a site, measured from the exterior faces of the exterior walls, or from the centre lines of walls separating two buildings, or in the absence of walls, from the exterior edge of the floor and in addition includes floor space associated with terraces (open or roofed), external balconies, breezeways and porches.

#### **Gross Retail Floor Area**

Means the gross floor area utilised for the display and sale or hire of goods, food, beverages or service, and includes customer service areas such as counter space and the like.

#### **Hazard**

With respect to hazardous substances, hazard means any intrinsic property of a substance which makes it capable of causing adverse effects to people, the environment or property.

#### **Hazardous Activity**

Activities which do not use, store, transport or dispose of hazardous substances but which pose a risk to the environment or the community (for example, earthworks).

#### **Hazardous Facility**

Activities involving hazardous substances including vehicles for their transport, and sites at which these substances are used, stored, handled and disposed of.

Hazardous facility does not include:

- (a) The incidental use and storage of hazardous substances in minimal domestic scale quantities;
- (b) Hazardous activities (as defined above).

### **Hazardous Substances**

Substances with one or more of the following intrinsic properties;

- (a) An explosive nature
- (b) An oxidising nature
- (c) A corrosive nature
- (d) Flammability
- (e) Acute and Chronic toxicity
- (f) Ecotoxicity with or without bioaccumulation

Which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified above.

### **Healthcare Services Activity**

Means land and buildings:

- (a) Used by one or more health care providers for the purpose of carrying out his/her profession and includes doctors, physiotherapists, optometrists; or
- (b) Used as a medical laboratory or clinic.

### **Heavy Motor Vehicle**

Means a motor vehicle (other than a motorcar that is not used, kept, or available for the carriage of passengers for hire or reward) the gross laden weight of which exceeds 3,500kg.

### **Height**

In relation to a building means the vertical distance between the part of the building being measured and the higher of the ground level immediately below the point being measured, or the average ground level, where measurement is to determine maximum height.

Chimneys and/or aerials may exceed height limits by not more than 2.0 metres, provided that they do not measure more than 1.0 metre in any horizontal dimension.

*In this context average ground level means:*

The mean of the highest and lowest ground level at the external walls of the building.

*In this context ground level means:*

The level of the ground at any point of measurement after completion of all subdivisional earthworks, and before commencement of any earthworks for the development of, or building on, the site.

### **Heritage Minor Work**

With respect to a heritage resource minor work is the minor repair of a building where minor repair means the repair of materials by patching, piecing-in, splicing and consolidating existing materials and including minor replacement of components such as individual bricks, cut-stone, timber sections, tiles, and slates where these have been damaged beyond reasonable repair or are missing. The replacement shall be of the original or similar material, colour, texture, form and design as the original it replaces.

### **Heritage Modification**

The removal, destruction, and/or addition to a heritage resource, specifically excluding heritage minor works.

### **Heritage Resource**

A feature listed in HE 4.0 of this District Plan.

### **Home Enterprise Activity**

The use of a site for an activity which is secondary and incidental to the use of the site for residential purposes, where:

- (a) it is managed and carried out day to day by a person residing on the site, and
- (b) no more than one additional person residing elsewhere than on the site is employed on the site, and
- (c) all of the home enterprise activity is carried out, including the storage of materials, products, tools and machinery, within legally established principal or accessory buildings, and
- (d) involves no retailing of goods from the site.

### **Hospital Activity**

Means:

- (a) Any institution for the reception, treatment, and convalescence of persons requiring medical treatment or suffering from any disease; or
- (b) Any maternity hospital; or
- (c) Any convalescent home (including those for the aged); or
- (d) Any retirement village or complex;

and includes all clinics, dispensaries, out-patient departments, services, offices and other accessory activities maintained in connection with, or incidental to, the primary hospital activity.

### **Indigenous**

Means flora or fauna that has established in New Zealand without human assistance before or after the arrival of human beings, and includes species which are only found in New Zealand (endemic) as well as those found in New Zealand and also found elsewhere in the world but excludes indigenous understory established beneath plantation forests.

### **Indigenous Riparian Vegetation**

Indigenous vegetation that is less than 20 metres from a river, stream or lake bank or wetland edge.

**Industrial Activity**

Means the production, processing, assembly, servicing, testing, repair, and/or storage of any materials, goods or products, excluding service stations.

**Landscape Quality**

Means both landscape character, being the physical aspects of the environment including its natural features, and landscape values, being the values the community (including the local iwi/tangata whenua) attributes to a particular landscape.

**LC<sub>50</sub>**

A measure of acute toxicity. It stands for the lethal concentration of a substance at which 50% of the test organisms die in a given period.

**LD<sub>50</sub>**

A measure of acute toxicity. It stands for the lethal dose of a substance at which 50% of the test organisms die in a given period.

**Maori Cultural Activity**

Means activities for the social, cultural and ceremonial purposes of the Maori people and includes: village sites, Marae, meeting places, recreation grounds, sports grounds, church sites, burial grounds, landing places, and educational establishments based on Maori language and/or culture, and Nga Whenua Rahui (tangata whenua conservation areas). A cultural activity also includes tourist activities based on Maori Culture undertaken on-site where one or more of the above activities occur, but shall be secondary and ancillary to the other activities.

**Maori Cultural Education Activity**

Education activities based on Maori language and/or culture.

**Maori Land**

Means Maori customary land, Maori freehold land and land gazetted as a Maori reservation for communal purposes.

**Marae Activity**

Means spiritual, social, political and economic gathering places of iwi, hapu, whanau and all manner of Maori groups and organisations. Marae may be whanau, hapu or iwi based. This activity includes building(s) used for meetings, recreation, cooking, sleeping, and ablutions.

**Minerals**

Means the same as in the Crown Minerals Act 1991.

**Modification**

Means any action taken to alter, disturb, or partly remove or partly clear, an area of indigenous vegetation or habitats of indigenous fauna.

**Motorised Land Activity**

Means activities providing sport, recreation or entertainment opportunities primarily through the provision and/or use of motorised vehicles, excluding any activity undertaken on a road, the surface of water, or as part of an airport activity.

#### **Net Site Area**

Means site area exclusive of any access strip right of way, access lot or similar.

#### **Notional Boundary**

Means a line parallel to the facade of any dwelling 20 metres from the facade of any dwelling, or the legal boundary where this is closer to the dwelling.

#### **Outdoor Living Space**

Means outdoor space provided immediately adjacent to the main glazing of one of the main living areas for a unit's sole use. This space shall not be occupied by vehicles or other service and storage facilities.

#### **Papakainga Housing Activity**

Means a use of land or a building for the purpose of providing permanent living accommodation for Maori in a building designed to accommodate a single family which includes sleeping, living and ablution facilities and may include areas for food preparation. Accessory buildings and ancillary uses secondary to residential living are also provided for.

#### **Parking Space**

Means a space on a site which is available at all times for the parking of vehicles.

#### **Prospecting Activity**

Those activities undertaken at an early stage of mineral resource identification and definition, with the objective of appraising the mineral potential of a large area using standard geological surveying techniques, and ranking any mineralisation identified as being worthy of more detailed exploration. Prospecting activities include the following:

- (a) Geological mapping, including remote sensing via aerial photography, satellite images studies etc.
- (b) Geophysical survey, both aerial and ground.
- (c) Geochemical surveys, including soil, stream sediment, rock, vegetation and/or water sampling, using hand held methods of sample collection and access provision.
- (d) Gridding and line surveying.
- (e) Minimum impact activity as defined in Section 2(1) of the Crown Minerals Act 1991.

#### **Recognised Carcinogen**

A carcinogenic substance causing a statistically significant increase in the incidence of tumours. A substance is confirmed as carcinogenic if this has been documented by internationally relevant agencies such as the USEPA.

#### **Recognised Mutagen**

A mutagenic substance causing heritable change in genetic material. A substance is confirmed as a mutagenic if this has been documented by internationally relevant agencies such as the USEPA.

### **Recognised Teratogen**

A teratogenic substance causing non-transmissible changes in off-spring. A substance is confirmed as teratogenic if this has been documented by internationally relevant agencies such as the USEPA.

### **Recreation and Community Activity**

Any land or building or part thereof intended to be used principally for the assembly of people for recreation, entertainment, cultural instruction, worship and deliberation. These may also incorporate activities (and the facilities to accommodate those activities) which are ancillary to the main recreation activities such as grandstands, clubrooms, equipment storage sheds, and tracks. Included within this are facilities which can gain a club license under the Sale of Liquor Act 1989.

### **Recycling Facilities**

Recycling facility means a facility where materials, excluding liquids and hazardous substances, are collected and stored for the express purpose of reusing the materials, either in their present form or in a reprocessed form. In this context a recycling facility explicitly excludes the reprocessing and sale of the collected materials.

### **Relocated Building**

Any building or part of a building relocated onto one site that previously has been located on another site, but excludes buildings that have not previously been occupied or used, and caravans which are not for the purpose of providing permanent accommodation such as provided for by a dwelling unit. In this context "permanent" is defined as for a continuous period exceeding 4 months.

### **Residential Activity**

Any use of land or a building or part of a building for the purposes of permanent living accommodation and includes accessory buildings and ancillary uses secondary and accessory to residential living, and includes papakainga, dwelling units together with such dwelling units leased to tenants and flats.

### **Residential Zone**

A Residential High, Residential Medium or Residential Low Zone.

### **Risk**

With respect to Hazardous Substances, risk means the probability of occurrence of an adverse effect from a substance combined with the magnitude of the consequence of that adverse effect.

### **Retail**

Means an activity whereby goods, food, beverages or services are sold, exposed, displayed or offered for sale or direct hire to the public.

### **Road**

Road is defined to include:

- (a) Road as defined in the Local Government Act 1974 and the Transit New Zealand Act 1989

- (b) All land within the legal road reserve
- (c) All land comprising formed and existing roads under the control of the road controlling authority.

For the purposes of clarification "tracking" on private land to service a legally established activity is not a road.

- (a) *Arterial roads* are defined as roads with a dominant through traffic function either serving to link territorial authorities or major areas of activity within a territorial authority.
- (b) *Collector roads* are defined as locally preferred routes forming a link between the arterial roads and residential, commercial, industrial and recreational areas. Collector roads have a main through traffic carrying function but often also serve adjacent properties.
- (c) *Local roads* are defined as roads with the main function of providing access to adjacent properties.

### **Rock Grooming Activity**

Means the movement of rock for the purpose of maintaining and enhancing ski runs.

### **Rural Activity**

Any activity for the production of primary produce directly from the land. It includes the breeding and keeping of livestock for the production of food, wool, skins or fur, horticulture, fruit or seed growing, flower production, market gardening and forestry, including the growing of plants in glasshouses and tunnel houses and also includes activities that are secondary and accessory to rural activities. Factory farming is specifically excluded from this definition.

### **Seismic Survey**

Means to ascertain the nature of geological structures by recording the underground travel of sound waves generated by the use of explosive charges.

### **Service Court**

An outdoor space provided for the provision of everyday services to a residential activity, including rubbish storage and clothes lines.

### **Service Station Activity**

Any site where the dominant activity is the sale of motor vehicle fuels (including petrol, LPG, CNG and diesel), and may also include any one or more of the following:

- (a) The sale of kerosene, alcohol based fuels, lubrication oils, tyres, batteries, vehicle spare parts and other accessories normally associated with motor vehicles; and
- (b) Mechanical repair and servicing of motor vehicles (includes motor cycles, caravans, boat motors, trailers) and domestic gardening equipment; and
- (c) Warrant of fitness testing; and
- (d) The sale of merchandise where this is an ancillary activity to the main use of the site.

In respect to a Service Station the control of hazardous substances, being vehicle and associated fuels, shall be in accordance with the chapter of this Plan relating to hazardous substances.

## **Sign**

Any display or other advertising device intended to attract attention which is visible from a public place and shall include a motor vehicle, trailer and the like and any board, hoarding or similar structure which supports or contains the sign, but shall not include any advertising matter within a retail display window, a sandwich board less than 1.5 metres in height located in a commercial zone, or any device attached to a letterbox less than 0.25 metres in size.

- (a) *Temporary Signs* are signs providing information to the community on an upcoming community event but shall exclude the reference to, or the display of, material associated with commercial enterprises such as logos, brand names or listening frequencies. In this context, the definition of a temporary sign excludes any sign which would fall under the definition of a commercial advertising sign.
- (b) *Commercial Advertising Signs* are signs designed to inform the public of a good, product or service available from an enterprise and includes signs advising of shops, recreational opportunities, accommodation, industries, services such as banks and real estate agents, and providers of regular recreational products such as skifields and mountain bike and river products.
- (c) *Information Kiosks* are signs located in laybys adjacent to road, and contain areas for the display of information and directories relating to commercial businesses in an upcoming township.
- (d) *Information Signs* are signs providing information, including; safety instructions, warnings, and directory information, located within the Protected Areas Zone and not visible from any location outside the Protected Areas Zone.
- (e) *Traffic Control and Advisory Signs* are signs solely for the purpose of directing or controlling traffic located on roads conforming with nationally recognised standards approved by the road controlling authority.
- (f) *Welcome to Signs* are signs advising people of an upcoming region, district or township and shall not include the display of material associated with commercial enterprises such as logos, brand names or listening frequencies.
- (g) *Warning signs* are defined to mean signs advising people of an environmental danger in the immediate vicinity that they are exposed to in a manner greater than the general public, and may contain information on how to avoid or minimise their exposure to that danger. For the purposes of clarification warning signs include signs erected on a skifield for its safe and efficient operation, and may contain information identifying the party erecting the sign.

## **Site**

An allotment or allotments held in a separate Certificate of Title or any area of land that is managed as an individual unit, including areas of land subject to composite Certificates of Title, or the equivalent, issued following a Cross Lease, Company Lease or Unit Title approval.

## **Site Coverage**

The portion of net site area, expressed as a percentage, which may be covered by all buildings, including eaves.

**Skifield Operation and Maintenance Activity**

Includes Rock Grooming Activity, Snow ploughing, Snow grooming, Trail preparation and maintenance, Snow making, Power generation, Skifield administration and maintenance, collection, storage and use of water and related buildings, structures, facilities and activities, except for skilifts and gondolas.

**Storage**

With respect to Hazardous Substances, storage means the containment of a substance or mixture of substances, either above ground or underground, which is not being used for manufacturing or altered to another substance, but does not include substances used as a cooling or heating medium. Storage does include the filling and emptying of the container.

**Street Furniture**

Means a structure erected on a road that aids the functioning of that road for traffic, people, and vehicle movement, and includes lights, and rubbish bins, but excludes signs.

**Structure**

Means a man made physical entity.

**Temporary Military Training Activity**

An activity undertaken for Defence purposes in terms of the Defence Act 1990.

**Tino Rangatiratanga**

Full expression of chiefly authority.

**Tourist Accommodation Activity**

Land or buildings used for transient accommodation and includes: motels, holiday flats, motor tourist lodges, club lodges (not located in the Protected Area Zone) camping facilities, and all rental residential accommodation offered at a tariff either long term or short term (but excluding Boardinghouse activities), and provided accessory to the principal activity, any service or facility such as restaurant, swimming pool, playground and the like, for the use of occupants only, including the sale of liquor to persons lodging on the premises.

**Transfer Station**

Means a facility that is used to collect and temporarily store a community's, or a number of household's, waste in a receptacle prior to its removal to a waste disposal facility, where all waste is contained so that it is not deposited on land and that any contaminants are not deposited on land or into water. For the purpose of clarification a transfer station does not include domestic rubbish bins on the site of a residential activity used solely by the residential activity on that site.

**Trimming**

Means limbing or pruning a tree or shrub whilst maintaining its ability to survive.

**Urban Periphery**

The area of land located between an Urban Zone, excluding the townships of Ohura and Pipiriki, and the lines notated as urban periphery on the Planning Maps, and for the purpose of clarification shall not include land more than 3,000 metres from an Urban Zone.

## **Urban Zone**

A Residential High, Residential Medium, Residential Low, Commercial, Industrial or Urban Settlement Zone.

## **Use**

With respect to Hazardous Substances, use means the manufacturing, processing or handling of a substance or mixture of substances for a particular state or chemical structure of the substance involved. This includes mixing, blending and packaging operations, but does not include the filling or drawing of substances from bulk storage tanks unless the processing is permanently connected to the bulk storage, and does not include loading out and dispensing of petroleum products.

## **Utility**

Utility means:

- (a) distribution or transmission by pipeline of natural or manufactured gas, petroleum, or geothermal energy; or
- (b) a network for the purpose of telecommunication or radio communication as defined in Section 2(1) of the Telecommunications Act 1987; or
- (c) the operation and/or distribution of electricity for the purpose of line function services as defined in Section 2 of the Electricity Act 1992; or
- (d) the distribution of water for supply (including irrigation); or
- (e) drainage or sewerage systems; or
- (f) approach services within the meaning of the Civil Aviation Act 1990; or
- (g) the establishment and operation of facilities and installations or equipment to measure, collect and distribute meteorological information, including telecommunication, radio and satellite links.

## **Waste Disposal Activity**

The disposal of community, hazardous, and non-hazardous solid waste by deposit in, on, or under land. For the purposes of clarification "solid waste" does not include the disposal of sewage following treatment, and does not include conveyance of waste through sewerage pipes.

## **Work of Art**

Means a visual display designed for the primary purpose of being aesthetically appealing and includes memorials and statues.

## **Yard**

A part of a site which is to be kept clear and unobstructed by buildings from the ground upwards, except that the eaves of any building and any roof, gutter, or down pipe may project over any yard.

- (a) *Front Yard* means a yard between the road boundary and a line parallel thereto, extending across the full width of the site.
- (b) *Rear Yard* means a yard on any site other than a corner site being bounded by the rear boundary of the site and a line extending across the full width of the site;

except that the rear yard in respect of any rear site means a yard which except for any portion of the site comprised in a front yard, lies between the full length of all boundaries of the site and a line parallel thereto.

- (c) *Side Yard* means a yard which, except for any portion of the site comprised in a front or rear yard, lies between the full length of a side boundary and a line parallel thereto; except than in respect of a corner site every boundary not being a road frontage shall be deemed to be a side boundary.

