



## **DEFINITIONS**

That the use of definitions included within other legislation is undertaken in the following manner:

All words used in this Plan which are defined in the Resource Management Act have the definitions given to them in the Act, as it was on 15 December 2011, the date of adoption of the Plan Change. Some of the more common terms from the RMA and other relevant pieces of legislation have been included in this Chapter. These terms have been included for reference only, and are shown as 'greyed out' text. Readers may wish to check to ensure that the definition remains the same and has not been changed. An online version of the Resource Management Act and other legislation is available at [www.legislation.govt.nz](http://www.legislation.govt.nz).

There are also definitions within specific chapters of this Plan. For example, the Outstanding Natural Features and Landscapes Chapter includes a definition of Riverscape, while the Tangata Whenua Chapter provides definitions and explanations of some of the more common Māori words.

### **Act**

Means the Resource Management Act 1991.

### **Addition**

Means an extension or increase in floor area, number of storeys, or height of a building or structure. It includes the construction of new floors, walls, ceilings and roofs.

### **Aerial**

Means the part of a radio communication facility or telecommunication facility used or intended for transmission or reception including the aerial mountings but not any supporting mast or structure. No part of any aerial excluding the mountings shall be greater than 70mm in diameter. This definition excludes any antenna and utility network apparatus.

### **Airport Activity**

Means an area or place set aside for the take off or landing of light aircraft for commercial, agricultural or recreational activities including ancillary storage and loading activities and approved for such purposes in terms of the current Civil Aviation Regulations. Such an airport shall not be used for any other aircraft purposes. This definition excludes airports for private domestic use by the owners and occupiers of the holding on which the airport is sited.

### **Alteration** (in relation to the Heritage/Heritage Conservation Area Rules)

Means any changes to the fabric or characteristics of a building involving (but not limited to) the removal or replacement of exterior walls, windows, and roofs. It does not include repair or maintenance.

### **Amenity Values** (as defined under Section 2 of the Resource Management Act)

Amenity values mean those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

### **Antenna**

Means a device that receives or transmits radio communication or telecommunication signals and is operated by a network operator. Includes the mount and/or shroud for the device.

### **Appropriate Comprehensive Development**

Means, for the purpose of Policy RU2.5.2, a development which:

- (a) Integrates into the general environment in which it is proposed and in particular its natural features.
- (b) Is sensitive to natural features and landscapes, including those of the adjacent Tongariro National Park, a dual World Heritage area.
- (c) Is self supporting and self sustaining in that environment.



- (d) Is fully contained within a land area defined by topography and/or physical components.
- (e) Provides a low structural density in relation to open space.
- (f) Provides one access onto the highway through which all development is serviced.
- (g) Specifies the siting, size and construction of all buildings.
- (h) Provides that services, including telephone and power connections, are sited underground.
- (i) Provides that amenity planting will blend into the natural environment through appropriate selection of indigenous vegetation.
- (j) 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.

#### Archaeological Site (as defined under the Historic Places Act)

Archaeological site means any place in New Zealand that—

- (a) Either—
  - (i) Was associated with human activity that occurred before 1900; or
  - (ii) Is the site of the wreck of any vessel where that wreck occurred before 1900; and
- (b) Is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand

#### Bed

Means

- (a) In relation to any river:
  - (i) For the purposes of esplanade reserves, esplanade strips and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its bank;
  - (ii) In all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its bank; and
- (b) In relation to any lake, except a lake controlled by artificial means, -
  - (i) For the purposes of esplanade reserves, esplanade strips and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin;
  - (ii) In all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and
- (c) In relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level.

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

Means 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

Means a subdivision involving two or more contiguous sites:

- (a) Where no additional site is created
- (b) No site area is changed by more than 10% of its original area
- (c) No existing complying lot is rendered non-complying in terms of area
- (c) No dwelling is severed from its existing site and
- (d) The frontage of each site is substantially unchanged.

*Advice Note: If a proposal does not comply with this definition it shall be assessed as a subdivision (in accordance with the relevant zone subdivision rules).*



## **Building**

Means 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 Council's Bylaws, and post and wire fences for containing animals.

## **Cabinet**

Means a casing around equipment that is necessary to operate a telecommunication network.

## **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 Visitor Accommodation activities.

## **Commercial Activity**

Means activities whereby goods or services are sold or activities, exposed, displayed or offered for sale or direct hire to the public, and includes the following activities:

### **(a) Entertainment Activities**

Means activities that draw people to specific events, shows or recreational activities and includes theatres, cinemas, gymnasiums, clubs, cabarets, sports grounds, galleries, conference centres, museums, libraries, community halls and places of worship.

### **(b) Eating House**

Means premises where meals are sold principally for consumption on the premises, whether or not the premises are licensed under the Sale of Liquor Act.

### **(c) Motor Vehicle Sale/Hire**

Means the use of land or buildings where motor vehicles (including cars, vans, trucks, motorcycles, and scooters) are sold, exposed, displayed or offered for sale or direct hire to the public.

### **(d) Office Activity**

Means premises used for an administrative or a professional activity, generally focusing on business, government, professional or financial services and includes the personal service elements of these activities offered to consumers or clients, but excludes Health Care Services.

### **(e) Retail**

Means the use of land or buildings where goods, or services are sold, exposed, displayed or offered for sale or direct hire to the public.

### **(f) Service Activity**

Means the provision of services based on intellectual knowledge such as product repair, professional services, personal services.

### **(g) Takeaway**

Means premises where the preparation of cooked food for consumption off the premises is the primary activity of the business and includes fish and chip shops, pizza takeaway and the like.

### **(h) Tavern**

Means any premises used or intended to be used in the course of business principally for the provision to the public of liquor and other refreshments for consumption on site and which is licensed as such under the Sale of Liquor Act.

## **Comprehensive Residential Development**

Means a development of an integrated residential development, including residential units, open space, access and other activities. The development may include retirement villages and other group housing schemes with accommodation ranging from shared accommodation to individual residential units. Ancillary facilities could include medical care, recreation, or other communal facilities which offer exclusive services to the residents of the development.



*Advice Note: Any development sought under this definition that proposes to accommodate people in a transient manner shall instead be regarded as Tourist Accommodation.*

**Conservation Activity**

Means activities undertaken to ensure the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations.

**Conservation Land**

Means land in respect of which an interest is held under the Conservation Act 1987 for conservation purposes or land in respect of which an interest is held under the Wildlife Act 1953.

Note: In this context conservation purposes means the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreation enjoyment by the public and safeguarding the options of future generation.

**Controlled Activity**

Has the same meaning as in the Resource Management Act 1991.

**Council**

Means 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 Council under the Act.

**Critical Infrastructure**

Means infrastructure necessary to provide services which, if interrupted, would have a serious effect on the people within the Region or a wider population and which would require immediate reinstatement. Critical infrastructure includes infrastructure for:

- (a) Electricity substations.
- (b) The treatment and storage of water for public supply (excluding the distribution network).
- (c) The management of human sewage treatment (excluding the reticulation system).
- (d) Strategic road and rail networks (as defined in the Regional Land Transport Strategy).
- (e) Health care institutions including hospitals.

**Demolition** (in relation to the Heritage Rules)

Means to damage and demolish a building or structure. Refer also to '*Partial Demolition*'.

**Density**

Means the ratio of dwelling/s to net site area.

**Designation** (as defined under Section 166 of the RMA)

Means a provision made in a district plan to give effect to a requirement made by a requiring authority under section 168 or section 168A or clause 4 of Schedule 1.

**Destruction** (in relation to the Heritage Rules)

Means to cause substantial harm or injury to a place or area of significance to Māori or an historic site (including archaeological sites). It may be caused by activities such as earthworks, tunnelling, disposal, cutting, construction works, induced vibration, removal of structures, reclamation or drainage, subsidence, gravel or soil extraction, dredging, diverting or damming water and discharge of contaminants.

**Discretionary Activity**

Has the same meaning as in the Resource Management Act 1991.



### **Domestic Scale Non-Renewable Energy Activities**

Means small scale non-renewable energy device providing energy supply capacity to a single dwelling or business premises, for example, a diesel generator.

### **Domestic Scale Renewable Energy**

Means small scale renewable energy device providing energy supply capacity to a single dwelling or business premises. This includes renewable energy sources such as solar and photovoltaic panels, wind turbines and micro-hydro.

Note: Any energy produced shall be used primarily for a single dwelling or business. However, this does not prevent the sale of electricity back to an Energy Supplier, so long as the electricity produced is primarily for the use of the dwelling or business to which it relates.

### **Driveway**

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

### **Dwelling**

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

### **Earthworks Activity**

Means the alteration or disturbance of land contours, including excavation, backfilling, moving, removing, placing, replacing, cutting or filling of soil or earth and the stripping of topsoil. It also includes the removal of such material to another site. It excludes those activities meeting the definition of an "Extraction Activity", foundation piling, cultivation of land, harvesting of horticultural crops, the digging of holes for the erection of posts, the construction of fence lines, or the planting of trees, landscaped area and gardens.

### **Education Activity**

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

### **Electricity Generation Activity**

Means activities undertaken for electricity production and includes wind power, hydro electric generation and use of fossil fuels for the generation of electricity and all ancillary infrastructure including transmission lines and substations related to the operation of the generation facility, but excluding the electricity transmission network (as defined by the National Policy Statement on Electricity Transmission), any local distribution and any ancillary infrastructure related to the transmission or distribution network. For the avoidance of doubt, this definition excludes any associated earthworks or vegetation removal. It includes ancillary activities and facilities such as associated maintenance and repair activities, exploration and investigation.

### **Emergency Services Facilities**

Means those facilities which are responsible for the safety and welfare of people and property in the community and is restricted to fire stations, ambulance stations and police stations.

### **Established Use or Activity**

Means any use (including any building or structure) established in an Amenity Policy Area on *15 December 2011 (being the date of a decision of the Proposed District Plan)* and the continuation of that use or activity.

### **Exploration Activity**

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



### Extraction Activity

Means the excavation of sand, gravel, rock or other minerals or gas 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 and Animal Boarding Activity

Means any agricultural production which results in the creation of living matter and which is carried out primarily within buildings including, but not limited to, such activities as intensive poultry farming (excluding low density free range poultry or the keeping of fewer than 20 birds), boarding kennels and catteries, rabbit or fitch farming, intensive pig farming or mushroom production. For the purpose of the Plan 'factory farming' excludes horticulture, greenhouses and other buildings for the growth of vegetation matter.

Intensive pig farming means the keeping, breeding or rearing for any purpose of more than ten pigs that have been weaned, where the predominant productive processes are carried out within buildings or closely fenced outdoor runs where the stocking density precludes the maintenance of pasture or ground cover but excludes non-intensive pig farming.

Intensive poultry farming means the keeping, rearing or breeding of 20 or more poultry, whether in relation to the production of poultry for human consumption or in relation to egg production, where the predominant productive processes are carried out predominantly within buildings and includes free-range poultry farming activities, but excludes low density free-range poultry.

Low density free range poultry means the keeping, rearing or breeding of poultry (whether for the purpose of raising poultry for human consumption or egg production) where:

- (a) birds have permanent access to open air runs;
- (b) permanent vegetation cover exists on the land where birds are permitted to range;
- (c) the stocking rate of the runs to which the birds have access does not exceed 1.5 per square metre; and
- (d) the stocking rate of any permanent weatherproof shelter to which birds have access does not exceed five birds per square metre of deep litter floor space or ten birds per square metre of slatted floor space or 13 birds per square metre of framed perches.

Non-intensive pig farming means the keeping, breeding or rearing for any purpose, of pigs on pasture (but excluding areas used for access to shelter) at a stocking density that sustains the maintenance of pasture or ground cover.

### Firefighting Water

Means a water supply provided for firefighting purposes. SNZ PAS 4509:2008 *New Zealand Fire Service Firefighting Water Supply Code of Practice* shall be used as a guide.

*Advice Note: SNZ PAS 4509:2008 provides the officially recommended requirements for firefighting in structures, with water from reticulated, non-reticulated, or a combination of water supply systems.*

### Forestry Activities

Means the land preparation, planting, management and harvesting of trees, replanting (within four years of the previous crop being harvested) and any associated earthworks, roading and access arrangements where the closely planted area of trees regardless of species is in excess of 1.0ha in area, for:

- (a) The production of timber or other produce from the trees; or
- (b) Carbon sequestration purposes; or
- (c) Soil or water conservation, shelter or scientific purposes.



### **Gross Floor Area**

Means the sum of the 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, including mezzanine floors and internal balconies, but excluding space occupied by internal walls, stairwells, external balconies and terraces (whether covered or uncovered), rooftop parking areas, machinery rooms and lift shafts. For the purposes of assessment specified by Rule T13.3.3 it shall also exclude other internal carparking and vehicle manoeuvring, loading and unloading spaces.

### **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**

Means activity which does not use, store, transport or dispose of hazardous substances but which poses a risk to the environment or the community (for example, earthworks).

### **Hazardous Facility**

Activities involving hazardous substances and sites, including vehicles for their transport located at a facility for more than short periods of time, at which these substances are used, stored, handled or disposed of.

Hazardous facility does not include:

- (a) The incidental use and storage of hazardous substances in minimal domestic scale quantities.
- (b) Hazardous activities.
- (c) Vehicles while being used for the application of hazardous substances.

### **Hazardous Substances** (as defined under Section 2 of the RMA)

Includes, but is not limited to, any substance defined in Section 2 of the Hazardous Substances and New Organisms Act 1996 as a hazardous substance.

#### *Use*

With respect to Hazardous Substances, use means the manufacturing, processing or handling of a substance or mixture of substances for a particular activity without necessarily changing the physical 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.

#### *Storage*

Means, with respect to Hazardous Substances, 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.

### **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 2m, provided that chimneys do not measure more than 1m in any horizontal dimension.

- (a) In this context average ground level means:  
The mean of the highest and lowest ground level at the external walls of the building.
- (b) 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 Building or Site

Means buildings that contribute to an understanding and appreciation of New Zealand's history and cultures. They may include any land, temporary or permanent, moveable or immovable structures, or structures and anything that is in or fixed to any land. The term may include any building registered as a historic place under the Historic Places Act 1993 and/or a feature listed in Appendix 4 of this District Plan.

### Heritage Item

Means any type of historic heritage place or area. It may include a historic building, historic site (including archaeological site), a place/area of significance to Māori, or heritage landscape.

### Historic Heritage (as defined in Section 2 of the RMA1991)

- (a) Means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:
  - (i) archaeological:
  - (ii) architectural:
  - (iii) cultural:
  - (iv) historic:
  - (v) scientific:
  - (vi) technological; and
- (b) Includes
  - (i) historic sites, structures, places, and areas; and
  - (ii) archaeological sites; and
  - (iii) sites of significance to Māori, including wāhi tapu; and
  - (iv) surroundings associated with the natural and physical resources

### Historic Places (sites)

Means places that contribute to an understanding and appreciation of New Zealand's history and cultures. They may include land (and water) without any temporary or permanent building or structure. The term may include any site registered as a historic place under the Historic Places Act 1993. Historic sites may include historic sites of scientific value, for example, sites of geological and paleontological value. Historic sites include archaeological sites. For the purposes of the RMA, an archaeological site may mean any place in New Zealand that either was associated with historic human activity or is the site of historic wreck of any vessel and is, or may be, able through investigation by archaeological methods to provide evidence relating to the history of New Zealand.





### Home Enterprise Activity

Means 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, diagnosis, treatment or convalescence of persons requiring medical treatment or suffering from any disease; or
  - (b) Any maternity hospital;
- 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.

### Industrial Activity

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

### Informal Recreation and Ancillary Buildings

Means any activity whose primary aim is the enjoyment of physical activity of a primarily non competitive, casual nature and includes amenity and conservation plantings, children's play areas and equipment, shelters, public toilets and other buildings necessary for the maintenance of the park.

### Infrastructure and Other Physical Resources of Regional or National Importance (as identified in Policy 3-1 of the Regional Council's One Plan as Amended by Decisions and as relevant to the Ruapehu District)

- (a)(i) Facilities for the generation of more than 1 MW of electricity and its supporting infrastructure where the electricity generated is supplied to the electricity distribution and transmission networks;
- (a)(ia) The National Grid and electricity distribution and transmission networks defined as the system of transmission lines, subtransmission and distribution feeders (6.6kV and above) and all associated substations and other works to convey electricity;
- (a)(ib) Pipelines and gas facilities used for the transmission and distribution of natural and manufactured gas;
- (a)(iii) The road and rail networks as mapped in the Regional Land Transport Strategy;
- (a)(vi) Telecommunications and radio communications facilities;
- (a)(vii) Public or community sewage treatment plants and associated reticulation and disposal systems;
- (a)(viii) Public water supply intakes, treatment plants and distribution systems;
- (a)(ix) Public or community drainage systems, including stormwater systems;
- (b)(i) Solid waste facilities including landfills, transfer stations and resource recovery facilities that deal with municipal waste;
- (b)(ii) Flood protection schemes;
- (b)(iii) New Zealand Defence Force facilities.

Note: Although at this time there are currently no gas facilities used for the transmission and distribution of natural and manufactured gas within the Ruapehu District, these facilities may be established in the future and should continue to be included within the list of infrastructure and other physical resources of regional or national significance.

**Kaitiakitanga**

Means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship.

**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.

**Loading Zone**

Means a space on a site suitable and available for fuelling and unloading of a heavy commercial vehicle and the adjustment, covering or tying of its load, and the loading, unloading or adjustment of any part of its load.

**Mana Whenua**

Means customary authority exercised by an iwi or hapu in an identified area.

**Māori Cultural Activity**

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

**Māori Cultural Education Activity**

Education activities based on Māori language and/or culture.

**Māori Customary Land**

Means land that, in terms of Part 6 of the Te Ture Whenua Māori Land Act, has the status of Māori Customary Land.

**Māori Freehold Land**

Means land that, in terms of Part 6 of the Te Ture Whenua Māori Land Act, has the status of Māori Freehold Land.

**Māori Land**

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

**Marae Activity**

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

**Mast**

Means any mast, pole or similar structure designed to carry aerials or antennas to facilitate radio communication or telecommunication.

**Minerals** (as defined under Section 2 of the Crown Minerals Act)

A naturally occurring inorganic substance beneath or at the surface of the earth, whether or not under water; and includes all metallic minerals, non-metallic minerals, fuel minerals, precious stones, industrial rocks and building stones, and a prescribed substance within the meaning of the Atomic Energy Act 1945



### **Minor Upgrading – Electricity and Telecommunication Lines**

Means the modification of electricity and telecommunication lines, utilising the existing support structures or structures of the same scale and similar character.

In terms of electricity lines, minor upgrading includes:

- (a) the addition of circuits and conductors;
- (b) the reconductoring of the line with high capacity conductors;
- (c) the resagging of conductors;
- (d) the addition of longer or more efficient insulators;
- (e) the addition of earthwires which may contain telecommunication lines, earthpeaks and lightning rods;
- (f) the addition of electrical fittings;
- (g) tower replacement of the same height and in the same location as existing towers;
- (h) strengthening of towers and foundations, and earthworks for this purpose;
- (i) the replacement of existing cross arms with cross arms of an alternative design; and
- (j) The bonding of conductors and alignment

Minor upgrading of electricity lines shall not include an increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage.

### **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.

### **Mount**

Means a structure for attaching an antenna to an original utility structure or a replacement utility structure.

### **Natural Hazard** (as defined under Section 2 of the RMA)

Any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslide, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.

### **Net Site Area**

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

### **Network Operator**

Has the meaning given to it by Section 5 of the Telecommunications Act 2001.

### **Network Utility Operation**

Has the same meaning as in the Resource Management Act 1991.

### **Network Utility Operator** (as defined under Section 166 of the RMA) a person who:

- (a) Undertakes or proposes to undertake the distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel, or geothermal energy; or
- (b) Operates or proposes to operate a network for the purpose of—
  - (i) Telecommunication as defined in section 5 of the Telecommunications Act 2001; or
  - (ii) Radio communication as defined in section 2(1) of the Radio communications Act 1989; or
- (c) Is an electricity operator or electricity distributor as defined in section 2 of the Electricity Act 1992 for the purpose of line function services as defined in that section; or
- (d) Undertakes or proposes to undertake the distribution of water for supply (including irrigation); or
- (e) Undertakes or proposes to undertake a drainage or sewerage system; or
- (f) Constructs, operates, or proposes to construct or operate, a road or railway line; or



- (g) Is an airport authority as defined by the Airport Authorities Act 1966 for the purposes of operating an airport as defined by that Act; or
- (h) is a provider of any approach control service within the meaning of the Civil Aviation Act 1990; or
- (i) Undertakes or proposes to undertake a project or work prescribed as a network utility operation for the purposes of this definition by regulations made under this Act.

### **Network Utility Structure**

Means any structure associated with a network utility.

### **Network Utility**

Means an activity (including the associated facilities, works and structures) undertaken by a network utility operator and includes -

- The distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel, or geothermal energy,
- The operation of a telecommunication network as defined in section 5 of the Telecommunications Act 2001,
- The operation of radio communication network as defined in section 2(1) of the Radio communications Act 1989,
- electricity operation or electricity distribution as defined in section 2 of the Electricity Act 1992 for the purpose of line function services as defined in that section;
- The distribution of water for supply (including irrigation),
- drainage or sewerage reticulation,
- The operation of a road or railway line including navigation aids and beacons,
- The operation of an airport as defined by the Airport Authorities Act 1966,
- The provider of any approach control service within the meaning of the Civil Aviation Act 1990,
- The establishment and operation of facilities and installations or equipment to measure, collect and distribute meteorological and hydrological information, including telecommunication, radio and satellite links, and
- Investigation of the potential use of a site for renewable electricity generation.

### **Non-Complying Activity**

Has the same meaning as in the Resource Management Act 1991.

### **Noise Sensitive Activities**

Means buildings or parts of buildings used for, or able to be used for the following purposes:

- (a) Residential activity.
- (b) Visitor accommodation activity.
- (c) Residential care activity.
- (d) Education activity.
- (e) Hospital activity.
- (f) Healthcare Services activity.
- (g) Marae activity.

### **Notional Boundary**

Means a line 20m from the facade of any dwelling or the legal boundary where this is closer to the dwelling. In the instance of cross-lease or unit title, the legal boundary shall be the area shown on the certificate of title as an exclusive use area.

### **Original Utility Structure**

Means a power pole, street light pole, traffic light pole, or structure like those kinds of poles, as it is before any of the following happens to it:

- (a) An antenna is added to it; or
- (b) It is modified to enable an antenna to be added to it; or
- (c) It is replaced to enable an antenna to be added to the replacement



### **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. This may include decking.

### **Papakainga Housing Activity**

Means a use of land or a building for the purpose of providing permanent living accommodation for Māori in a building designed to accommodate a 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.

### **Partial Demolition** (in relation to the Heritage Rules)

Means to demolish a substantial part of any building or structure. Partial demolition includes façade retention which normally involves the demolition of the rear or a substantial part of a building or structure and the retention of the front or main façade and the construction of a new building or structure behind the preserved façade. Refer also to '*Demolition*'.

### **Permitted Activity**

Has the same meaning as in the Resource Management Act 1991.

### **Prohibited Activity**

Has the same meaning as in the Resource Management Act 1991.

### **Prospecting Activity**

Those activities undertaken at an early stage of mineral or gas resource identification and definition, with the objective of appraising the mineral or gas 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 or gas 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

### **Public Floor Area**

Means the floor area designed to accommodate customers, excluding toilets and washrooms, parking areas, stairwells and lift shafts. Areas in which the public are not permitted such as office, kitchens, machinery rooms and storage areas are not included in public floor area.

### **Recreation and Community Activity**

Means any land (including playing fields) or building or part thereof intended to be used principally for the assembly of people for recreation, entertainment, cultural instruction, worship or deliberation (but excluding motorised vehicle sports). These may also incorporate facilities which are ancillary to the main recreation activities such as grandstands, clubrooms, equipment storage sheds, floodlights, vehicle parking and manoeuvring areas, toilet/ablution blocks and tracks. Included within this definition are camping grounds, holiday parks and facilities which can gain a club license under the Sale of Liquor Act 1989.

### **Relocated Building**

Means 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. In this context "permanent" is defined as for a



continuous period exceeding four months. Garages and non-habitable accessory buildings (less than 40m<sup>2</sup> in area) are excluded from this definition.

### Replacement Utility Structure

Means:

- (a) An original utility structure that has an antenna added to it; and
- (b) An original utility structure that:
  - (i) Is modified to enable an antenna to be added to it; and
  - (ii) Has an antenna added to it; and
- (c) A replacement of an original utility structure that:
  - (i) Replaces the original utility structure to enable an antenna to be added to the replacement; and
  - (ii) Has an antenna added to it.

### Residential Activity

Means 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, and dwellings, together with dwellings leased to tenants as flats.

### Residential Care Activity

Means buildings and facilities used for accommodation and care, which have a residential character. This specifically includes:

- (a) Rest home for the aged or disabled; or
- (b) Hospice or respite care.

Facilities may include any residential accommodation for staff associated with the primary use of the site.

### Reverse Sensitivity

Means the vulnerability of an existing legally established and/or consented activity to challenge from occupants and/or operators of other activities located in the vicinity which are sensitive to adverse environmental effects that may be lawfully generated by the existing activity. This creates the potential for the operation of the existing legally established and/or consented activity to be constrained

### Risk

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

### River (as defined under Section 2 of the RMA1991)

Means a continually or intermittently flowing body of fresh water and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal).

### Restricted Discretionary Activity

Has the same meaning as in the Resource Management Act 1991.

### 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 Government Roading Powers Act 1989.
- (b) All land comprising formed and existing roads under the control of a Road Controlling Authority.



- (c) For the purposes of clarification, accessways, driveways, raceways and tracks on private land to service a legally established activity are excluded from the definition of a road.
- (d) 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.
- (e) 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.
- (f) Local roads:  
Are defined as roads with the main function of providing access to adjacent properties.

### **Road Reserve**

Means a formed legal road and the land, if there is any, right up to the legal boundary of the adjacent land.

### **Rock Grooming Activity**

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

### **Rural Activity**

Means 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 and commercial vegetable production, including the growing of plants in greenhouses and tunnel houses and also includes activities that are secondary and accessory to rural activities such as farm buildings and water supply and storage. Factory farming is specifically excluded from this definition.

### **Rural Character**

May include, but is not limited to the following elements:

- (a) A high ratio of open space relative to the built environment;
- (b) Significant areas of vegetation in pasture, crops and/or forestry;
- (c) A rural working production environment;
- (d) Presence of farmed animals;
- (e) Noises, smells and effects associated with the use of rural land for a wide range of agricultural, horticultural and forestry purposes;
- (f) Low population densities relative to urban areas;
- (g) Existence of some narrow and/or unsealed roads;
- (h) General lack of urban infrastructure, for example generally no footpaths, or street lighting and no reticulated water or sewage facilities.

### **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**

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

### **Service Station Activity**

Means 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 motorcycles, 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.

### **Shelter Belt(s)**

Means the planting and maintenance of a single row of trees in a continuous length in excess of 20m for the purpose of providing shelter from climate conditions or for providing visual screening. Trees which do not exceed a height envelope of 2m plus for horizontal distance to the boundary (to a maximum distance of 25m) are excluded from this definition.

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

### **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:

- (a) Any advertising matter within a retail display window,
- (b) A sandwich board less than 1.5m in height located in a commercial zone,
- (c) Any device attached to a letterbox less than 0.25m<sup>2</sup> in size, or
- (d) Asset identification markers on public infrastructure, for example, the asset number of a power pole, substation or bridge.

#### **(a) Temporary Signs**

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**

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 ski fields and mountain bike and river products. Commercial signs include signage associated with local body elections.

#### **(c) Information Signs**

Signs providing information, including; safety instructions, warnings, and directory information, located within the Protected Areas Zone.

#### **(d) Traffic Control and Advisory Signs**

Signs solely for the purpose of directing or controlling traffic located on roads conforming with nationally recognised standards approved by the road controlling authority.

#### **(e) "Welcome to" Signs**

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, but may provide information to the community on an upcoming community event.

#### **(f) Warning signs**

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 ski field for its safe and efficient operation, and may contain information identifying the party erecting the sign.

#### **(g) Angler Access/Information Signs**





Means signs erected on behalf of Fish & Game NZ at access points to fisheries, which include information on access, fishing regulations or aquatic pests.

### Site

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

### Site Coverage

Means the portion of net site area, expressed as a percentage, that is covered by buildings, including:

- (a) Decks (over 2m in height) and
- (b) Overhanging balconies; or
- (c) Other overhanging or cantilevered parts of buildings (including any part of the eaves and/or spouting projecting more than 0.6m measured horizontally from the exterior wall).

The following shall not be included in building coverage:

- (a) Pergolas;
- (b) Underground carparking with landscaping above;
- (c) Satellite dishes;
- (d) Any swimming pool or tank which is not defined as a building;
- (e) Any deck, including decks attached to a building, less than 2m in height.

### Ski Field Operation and Maintenance Activity

Includes Rock Grooming Activity, snow ploughing, snow grooming, trail preparation and maintenance, snow making, power generation primarily for ski field related activities, ski field administration and maintenance, collection, storage and use of water and related buildings, structures, facilities and activities, except for ski-lifts and gondolas.

### 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 (as defined under Section 2 of the RMA)

Any building, equipment, device, or other facility made by people and which is fixed to land; and includes any raft.

### Subdivision (as defined under Section 87(b) of the RMA)

- (a) The division of an allotment—
  - (i) By an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of the allotment; or
  - (ii) By the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or
  - (iii) By a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or
  - (iv) By the grant of a company lease or cross lease in respect of any part of the allotment; or
  - (v) By the deposit of a unit plan, or an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; or
- (b) An application to the Registrar-General of Land for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by section 226,—  
and the term **subdivide land** has a corresponding meaning.

### Tangata Whenua

In relation to a particular area, means the iwi or hapu that holds mana whenua over that area.

**Telecommunication Facility**

Means

- (a) An antenna.
- (b) A cabinet.
- (c) If there is one, the concrete foundation plinth for the cabinet.

**Telecommunications Lines**

Has the same meaning as in Section 5 of the Telecommunications Act 2001.

**Temporary Military Training Activity**

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

**Transfer Station**

Means a facility that is used to collect and temporarily store a community's, or a number of dwellings', 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.

**Transmission Line** (as defined in the National Environmental Standards for Electricity Transmission Activities Regulations, 2009)

- (a) Means the facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the national grid; and
- (b) Includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph (a) applies; but
- (c) Does not include an electricity substation

**Trimming**

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

**Urban Zone**

Means a Residential, Commercial, Industrial or Urban Settlement Zone.

**Vegetation Clearance**

Includes the burning, cutting, crushing, spraying and removal of all forms of vegetation including indigenous and exotic plants. It does not include that relating to routine cultivation, harvesting of horticultural crops or grazing, pruning or waste thinning operations or forestry activities and shelterbelts as defined.

**Visitor Accommodation Activity**

Means land or buildings used for transient accommodation and includes:

- (a) Motels.
- (b) Holiday houses and flats, including short term residential accommodation offered at a tariff.
- (c) Club lodges (not located in the Protected Areas Zone) (see definition below).
- (d) Camping facilities and backpackers.
- (e) Club Lodges (not located in the Protected Areas Zone) means buildings that incorporate dormitory sleeping and communal cooking, eating and bathroom facilities, and managed by a recreational club, providing overnight accommodation to club members but do not include bar or cafe / restaurant facilities that are open to the public.

**Waste**

Means any matter, whether liquid, gas or solid, which is discharged, unwanted or discarded by the current generator or owner as having little or no economic value, and which may include materials that can be reused, recycled or recovered.



It does not include rubbish temporarily stored awaiting collection or forestry wood residue where such is returned to forest skid areas.

**Waterbody** (as defined under Section 2 of the RMA)

Fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.

**Wind Monitoring Mast**

Means masts, for the purpose of wind resource measurement. This includes guy wires, radio telemetry equipment (for transmitting meteorological data) and various meteorological instruments to be erected at varying heights, including:

- (a) Anemometers to measure the average wind speed, wind gust speeds, turbulence intensity and wind shear;
- (b) Wind vanes to measure wind direction; and
- (c) Other meteorological instruments to measure temperature, air pressure, humidity and rainfall.

**Yard**

Means 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.

