
SECTION 1: INTRODUCTION

1.01 ORGANISATION OF THE PLAN

- 1.01.1 The District Plan contains 16 separate sections and the Planning Maps which identify where every property in the district is located. From these maps it is possible for anyone to find out what activities may take place on a piece of land and under what conditions.
- 1.01.2 The primary environmental management technique used in this plan is zoning. Performance standards apply to each of the zones and, where appropriate, in the Sections relating to Subdivision, Parking and Transportation, Noise, Hazardous Substances and Natural Hazards.
- 1.01.3 Specific controls related to Designations, Utilities & Services, Reserves, Heritage Protection and Financial Contributions are contained in separate sections of the Plan.
- 1.01.4 To simplify administration and public understanding of the Plan, there are now only five zones in the district (compared to the previous 59). These zones are the Rural zone, Residential zone, Commercial and two Industrial zones (in Sections 3 to 7 of the Plan).
- 1.01.5 There are no detailed lists of the activities permitted in each zone, only a list of general categories of activities that are controlled by performance standards. This approach is in line with the Resource Management Act 1991, which focuses on controlling the effects of activities, rather than the activities themselves.
- 1.01.6 Performance standards are included in the Plan. These are standards which are required to be met for an activity to be able to establish as Permitted. These are used to control the effects of activities on the different environments in the district to ensure that our living, working and natural environments are not adversely affected by our activities. Performance standards control things such as the height of buildings, size of yards, amount of parking etc.
- 1.01.7 Section 2 of the Plan contains a description of the district and identifies the main objectives and policies which describe how Council intends to deal with the issues. Within this section are the methods of implementation, the reasons for adopting the objectives and policies and the environmental results which are expected from the implementation of the policies and rules. Specific objectives and policies are also included for each of the zones. An explanation of the policies is included in each zone so it is clear what it is hoped to achieve from the implementation of the plan.

1.02 STATUTORY REQUIREMENTS OF THE PLAN

1.02.1 PURPOSE OF THE PLAN

- 1.02.1(a) The District Plan provides a way for Council and the residents of South Taranaki to manage the effects of activities in their district. The Plan is written under the provisions of the Resource Management Act 1991, in accordance with the Council's functions in Section 31 and duties in Section 32, to meet the purpose of that Act.
- 1.02.1(b) The purpose of the Resource Management Act is *"to promote the sustainable management of natural and physical resources"* [s.5(1)].
- 1.02.1(c) Under the Act *"sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while-*
- (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
 - (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment"* [s.5(2)].
- 1.02.1(d) In achieving the purpose of the Act, *"all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:*
- (a) *The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;*
 - (b) *The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;*
 - (c) *The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
 - (d) *The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;*
 - (e) *The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga;*

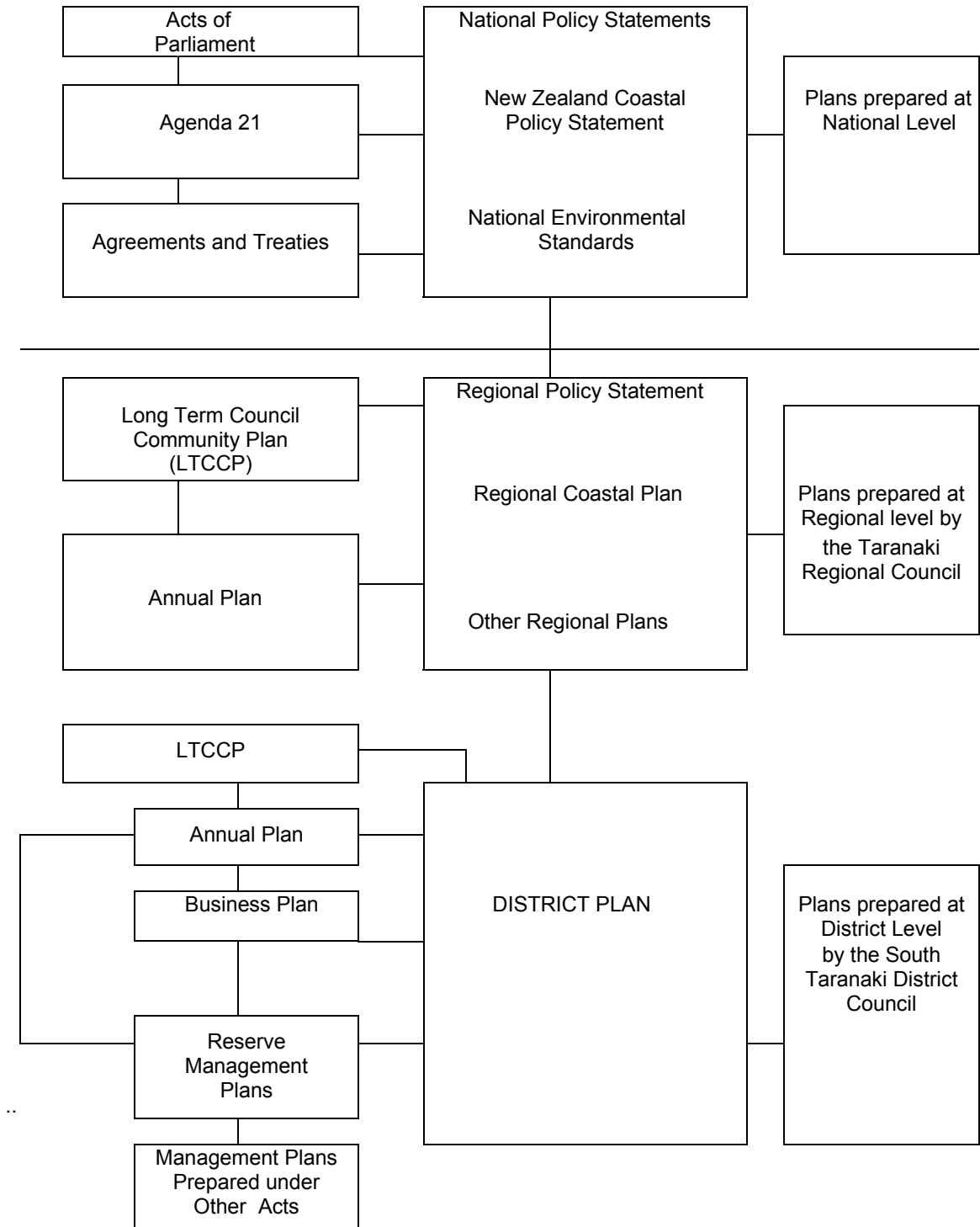
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- (f) *The protection of historic heritage from inappropriate subdivision, use and development;*
- (g) *The protection of recognised customary activities” [s.6].*
- 1.02.1(e) In achieving the purpose of the Act, *“all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to-*
- (a) *Kaitiakitanga;*
- (aa) *The ethic of stewardship;*
- (b) *The efficient use and development of natural and physical resources;*
- (ba) *The efficiency of the end use of energy;*
- (c) *The maintenance and enhancement of amenity values;*
- (d) *Intrinsic values of ecosystems;*
- (e) *Repealed;*
- (f) *Maintenance and enhancement of the quality of the environment;*
- (g) *Any finite characteristics of natural and physical resources;*
- (h) *The protection of the habitat of trout and salmon;*
- (i) *The effects of climate change;*
- (j) *The benefits to be derived from the use and development of renewable energy” [s.7].*
- 1.02.1(f) In achieving the purpose of the 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)” [s.8].*
- 1.02.2 **LINKAGES WITH OTHER PLANS**
- 1.02.2(a) There are a number of plans required or encouraged under various Acts which can affect activities, and it can often be difficult to understand how they fit together and what they each do.
- 1.02.2(b) Under the Resource Management Act there are District Plans, Regional Plans, Regional Policy Statements and National Policy Statements (including a National Coastal Policy Statement). There are also Long Term Council Community Plans (LTCCP) and Annual Plans of Local and Regional Councils that can affect activities.

1. LTCCPs cover ten years. They may plan for any matter of public interest. District and Regional Plans have a medium time frame (five to ten years), and may only include matters involving the management of natural and physical resources. Annual Plans are plans for a year, and cover virtually any matter of public interest.
2. Policy Statements are similar to Plans except that they provide overall direction and vision for other plans and/or organisations to carry out, and do not contain rules to prohibit, regulate or allow activities.
3. District Plans are used to control the effects of land use in a district, generally via zoning and performance standards for each type of activity.
4. The following diagram describes visually the linkages between Long Term Plans, District and Regional Plans, Policy Statements and Annual Plans. The District Plan for the South Taranaki district is not to be inconsistent with the Regional Policy Statement for Taranaki, or the Regional Coastal Plan and other regional plans, all of which are prepared by the Taranaki Regional Council. It is also not to be inconsistent with any national policy statement or national environmental standard.

Linkages with Other Plans

Other Legislation

Resource Management Act



1.03 CATEGORIES OF ACTIVITIES

Although most New Zealanders do not realise it, **everything they do on their land is controlled by law**, and has been since the first Planning Act was introduced in 1953.

Under the Town and Country Planning Act 1977, many activities did not require any formal consent because the local Council had previously determined that, provided the activity was undertaken within the limits of certain standards, Council did not need to get involved.

Sometimes, however, people chose to use their land in ways that were not anticipated by Council, or in ways Council thought might jeopardise other people or the surrounding environment. In these circumstances, Council reviewed the proposal (sometimes at a public hearing) before deciding whether it should go ahead.

Under the Resource Management Act 1991, land use activities which do not contravene agreed standards as set out by District Plans do not need to get any formal consent from the Council. These are Permitted Activities.

Also, similar to the previous Act, applicants whose activities do not comply with these standards must seek Council's consent. The type of consent required is generally dependent upon the degree of change anticipated and the effects that the proposed change is likely to have on the surrounding environment.

There are essentially four types of resource consents:

1. Controlled Activities
2. Limited Discretionary Activities
3. Discretionary Activities
4. Non-Complying Activities

1.03.1 ACTIVITIES PERMITTED AS OF RIGHT

1.03.1(a) **No consent is required for an activity permitted as of right.** However, there are usually explicit performance standards and rules which must be complied with.

1.03.1(b) The primary set of performance standards for permitted activities in this document are set out in each Zone. However there are also specific categories of activities, performance standards and rules relating to:

Subdivision (Section 8)
Parking & Transportation (Section 9)
Noise (Section 10)
Hazardous Substances (Section 11)
Natural Hazards (Section 12)
Designations (Section 13)
Utilities (Section 14)

Heritage Protection (Section 15)
Financial Contributions (Section 16).

NOTE: See also the definition of "PERMITTED ACTIVITY" in Section 1.07.2 of the Plan.

1.03.2 **CONTROLLED ACTIVITIES**

1.03.2(a) **Controlled activities are activities over which Council can exert some control by imposing conditions on the consent for certain aspects which are listed in the Plan.**

1.03.2(b) Provided the activity meets any performance standards, it is not within Council's powers to decline a resource consent application for a controlled activity. If the performance standards are not met, an activity will be considered as a Discretionary Activity.

1.03.2(c) Certain controlled activities are listed within each zone. The aspects of the activity which are controlled and performance standards are set out for controlled activities in each Zone.

1.03.2(d) Conditions will be placed on a resource consent with reference to the objectives and policies of the Plan.

NOTE: See also the definition of CONTROLLED ACTIVITY in Section 1.07.2 of the Plan.

1.03.3 **LIMITED DISCRETIONARY ACTIVITIES**

1.03.3(a) A Limited Discretionary Activity is the same as a Discretionary Activity in that Council has a discretion (based on the matters in Section 104 of the Resource Management Act) as to whether to grant or decline consent. Council specifically limits the aspects of an activity over which it can exercise its discretion. It may only take into account the listed matters when deciding whether or not to grant consent and what conditions to impose on the consent. Consent is determined by Council based on these matters and the matters in Sections 104 and 104C of the Act.

1.03.4 **DISCRETIONARY ACTIVITIES**

1.03.4(a) Discretionary Activities are activities where consent is determined by Council based on Sections 104 and 104B of the Resource Management Act.

1.03.4(b) **It is within Council's powers either to approve an application** (with or without any condition it thinks necessary to avoid, remedy, or mitigate the adverse effects of the proposal on the environment), **or to decline the application.**

NOTE: See also the definition of DISCRETIONARY ACTIVITY in Section 1.07.2 of the Plan.

1.03.5 **NON-COMPLYING ACTIVITIES**

- 1.03.5(a) Non-complying activities are activities which are not provided for in the Plan as Permitted, Controlled, Limited Discretionary or Discretionary Activities or activities that cannot meet the performance standards of Permitted, Controlled, Limited Discretionary or Discretionary Activities. Certain non-complying activities are listed in the zone rules.
- 1.03.5(b) Council may consider giving its consent to a Non-Complying Activity only if it is satisfied that -
- (a) *The adverse effects on the environment will be minor; or*
 - (b) *The application is for an activity that will not be contrary to the objectives and policies of ... the plan [s.104D]*
- 1.03.5(c) If the application satisfies s.104D of the Act, it is within Council's powers, having consideration to the matters in Section 104, either to approve a Non-complying Activity (with or without any condition it thinks necessary to avoid, remedy, or mitigate the adverse effects of the proposal on the environment), or to decline it.
- 1.03.5(d) The Council may impose conditions on the consent in accordance with s.108 Resource Management Act 1991.

NOTE: See also the definition of "NON-COMPLYING ACTIVITY" in Section 1.07.2 of the Plan.

1.03.6 **PROHIBITED ACTIVITIES**

- 1.03.6(a) A Prohibited Activity is an activity which is expressly **not allowed to take place under any circumstances**, and would require a change to the Plan itself for such an activity to be considered for establishment.

1.03.7 **EXISTING USES**

- 1.03.7(a) Existing uses which were lawfully established before the Resource Management Act 1991 as enacted may continue as long as the effects of the use remain the same or similar in character, intensity, and scale. Where the character, intensity, and scale of the activity are altered, a resource consent must be obtained for the activity unless it is considered to be a Permitted Activity.

1.04 INFORMATION REQUIRED WITH RESOURCE CONSENT APPLICATIONS

The Council must advise in the Plan the information required to be submitted with an application for a resource consent.

The information should be appropriate to assess the effects of the proposal in a professional and unbiased manner. Further information may be required pursuant to Section 92 of the Resource Management Act 1991 where this provides the Council with a better understanding of the nature of the activity in respect of which the application is made, the effect it will have on the environment, or the ways in which any adverse effects may be mitigated. Compliance with the information requirements will speed up the consideration of applications and ensure the appropriate conditions are attached where these are necessary.

Forms and guidelines to assist in preparing an application can be obtained from the Council.

The following information will normally be required in consideration of a resource consent:

NOTE: This information summarises the provisions of Section 88 and the Fourth Schedule of the Act.

1.04.1 **SUBDIVISION CONSENTS**

NOTE: See Section 8: Subdivision, for all requirements for a SUBDIVISION ACTIVITY.

(a) A scaled plan of the subdivision proposal showing all boundaries, the size of lots, the balance area if any, the location and areas of reserves to be created, the location and areas of land to be set aside as road, the location and areas of land below mean high water springs (MHWS) of the sea or any part of the bed of any lake or river to be vested in the Crown, location and areas of any existing esplanade reserves, esplanade strips or access strips, rivers, streams, lakes, significant landscape features, areas of natural vegetation, existing buildings excluding uncovered patios and porches, the location of the proposed access, proposed easements to be created, heritage (Maori and European) sites, heritage areas and objects.

A north point shall be shown, preferably orientated up the page but not rotated greater than 90⁰ east or west to make the best use of the page. The scale of the drawing for A4 sheets shall be shown in written form only. For sheets greater than A4 a drawn scale shall also be shown.

The scales to be used are: 1:100, 1:120, 1:125, 1:150, 1:200, 1:300, 1:400, 1:500, 1:600, 1:750, 1:800 or multiples or divisions by 10 of these scales.

(b) A description of the lots to be created including legal description of the underlying land, soil type, slope, areas of flood potential or erosion, adjoining land uses and activities and where these are in close proximity to boundaries (1m), the location of buildings and structures on adjoining properties.

- (c) An assessment of effects appropriate to the subdivision. This should address the effects of the subdivision and any proposed methods to avoid, remedy or mitigate any adverse effects. Where appropriate, provisions for amalgamation of land and the setting aside of areas for protection.
- (d) Where access and frontage is proposed to a State Highway or where the activity will significantly increase the number of turning vehicles at an intersection with a state highway, the comments of Transit New Zealand are required.
- (e) Advice of the availability of services to the lots such as power, telephone and gas after consultation with those utility operators.
- (f) Advice of any consultation which has been undertaken by the applicant with Maori where wāhi tapu sites are located on the property.
- (g) Where a proposed subdivision is a Non-Complying Activity (ie subdivision in the Coastal Protection Area that results in any lot of less than 2000m² in area), a full Assessment of Environmental Effects is required.
- (h) A professional archaeological assessment/survey, and consultation with the Historic Places Trust is required when a proposed subdivision affects an archaeological site identified in the Maps Section of this Plan.

1.04.2 **LAND USE CONSENTS**

- (a) A scaled plan showing a north point and the address of the proposed development, and showing the location of all site boundaries and all existing and proposed buildings, fences, parking areas, accessways and vegetation on the site. The plan should also include and label:
 - 1. Any adjacent activities, particularly residential dwelling units;
 - 2. An indication of nearby community uses, including community buildings, housing, schools, reserves, public transport services and the public roading network;
 - 3. Utilities and services on or adjacent to the site, including the supply of water, electricity, gas, communication services, and the disposal of stormwater and of solid and liquid wastes, including hazardous wastes;
 - 4. Any designations, heritage items, or other features of public interest on or in the immediate vicinity of the site.

The requirements as to scales on plans and northpoints shall be as for clause 1.04.1(a).

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- (b) An assessment of effects should accompany the plan in sufficient detail to adequately describe the effects of the proposed activity. Every assessment should include:
1. A written description of the proposal;
 2. An assessment of the actual or potential effect of the activity on the environment (see Definition Section 1.07.2);
 3. The estimated timing and duration of the proposed activity;
 4. A description of the measures taken to avoid, remedy or mitigate the actual or potential effects and, where the activity includes risk from the use of hazardous substances, any contingency plans, safety programmes or management plans (see Section 1.04.3 following);
 5. A list of those persons potentially affected by the proposal as advised by the Council;
 6. Where the adverse effects of the proposal are likely to be significant:
 - (i) A description of how any effects of the proposed activity will be monitored;
 - (ii) A description of alternative locations that were considered for the proposed activity, and why they were rejected;
 7. A description of the natural environment including (where relevant) plants and wildlife, historic, scenic, archaeological or scientific sites or buildings, local air quality, water quality (both surface and underground), noise, odour, dust, landslip, erosion, flooding and earthquakes. In certain circumstances an archaeological survey may be required;
 8. A description of the social, cultural and spiritual environment of local residents where relevant, especially that of the Maori in respect of their traditions and relationship with ancestral lands;
 9. The comments of Transit New Zealand where the proposed activity takes access and frontage from a State highway, or where the activity will significantly increase the number of turning vehicles at an intersection with a State highway;
 10. A list of any rights or permits required for any proposed activity (if any) from Council and other consent authorities.

- (c) Council will also expect that, in the preparation of such an assessment of effects where very large impacts are anticipated, such as for a stand-alone industrial development, the applicant will undertake an extensive programme of information gathering and dissemination in the public arena to assure the Council that the true feelings of the local community are understood and that, as far as possible, any concerns raised can be dealt with adequately.
- (d) Where the Council feels that it lacks expertise within its own resources, to effect a full evaluation of any resource consent application, it may require any environmental impact assessment to be subject to an independent audit. The cost of the audit shall be at the cost of the applicant. The nature, scope and extent of any audit required shall be mutually agreed upon by Council and the applicant prior to commencement of the audit.

1.04.3 **ADDITIONAL REQUIREMENTS FOR MANAGEMENT PLANS
(for specific activities involving mineral extraction, hazardous substances and power generation)**

- (a) Every application for a resource consent involving mineral extraction, hazardous substances use, storage, transport, processing or manufacturing, or power generation, shall be accompanied by a Management Plan which includes the following:
 - 1. A detailed site plan, to scale, showing site boundaries, existing ground contour, vegetation, water courses, natural habitats (flora and fauna), existing and proposed buildings (including dwelling units), heritage items or other protected items, processing/manufacturing facilities, storage areas, collection ponds, access roads within the site and within 100 metres of the site. In certain circumstances an archaeological survey may be required;
 - 2. A description of the resource (quantity, volume, location, method, and rate) to be extracted, transported, generated, stored, used, processed or manufactured, and details of any activity involving the extraction, handling and/or ongoing management of the resource on the site;
 - 3. The days and hours of operation, the type and volume of daily vehicle (including heavy vehicle) movements to and from the activity site, a description of the haulage route or routes to be used between the proposed activity and any product or equipment destination over the life of the activity;
 - 4. A detailed programme, including site plan to scale, landscaping and planting proposals and the timing for these, for the restoration of the site following completion of the activity;

5. Details of conformance with applicable Policy Statements of other relevant organisations, Industrial Guidelines, New Zealand Standards and Council bylaws;
6. Site protection and contingency plans.

1.04.4 **ASSESSMENT CRITERIA**

All resource consent applications will be measured against the objectives and policies of the Plan. Applications for Limited Discretionary, Discretionary and Non-complying Activities will be generally measured against the following assessment criteria:

1. The size, shape, stability, drainage and topography of the site relative to the nature and intensity of the proposed activity (including building design, vehicle access and parking).
2. The location and access to the site relative to the existing or proposed local street pattern and adjacent land use.
3. The nature, size and location of buildings and activities proposed for the site, and the effect of such development or activity on neighbouring properties and the potential development of such properties.
4. The effects of traffic, noise, fumes, smoke, wind turbulence, dust, smell, vibration, glare, stormwater run-off and waste generation.
5. The need to protect significant areas of indigenous vegetation, coastal ecosystems and habitats, historic places, historic areas, wāhi tapu and wāhi tapu areas.
6. Whether consent would encourage better development of the site or land, for reasons which would allow:
 - (i) Safer, easier, more efficient, more accessible or more attractive site or building design;
 - (ii) Better consideration of the site's natural environment including topography, soils, views, sunlight, flora or hazardous features;
 - (iii) Better consideration of existing subdivision or land use including roading and services.
 - (iv) Better consideration of a heritage place to be retained or where substantial parts are retained.
7. Whether it is reasonable or practicable to enforce the provisions in respect of the particular site, where:
 - (i) Strict compliance would result in the disturbance of physical elements of existing site development to such an extent as to be deemed unreasonable;

- (ii) Strict compliance would preclude the practical establishment of an important component of an otherwise permitted site development;
 - (iii) In the specific location, the adverse impact of non-compliance beyond the boundaries of the site would not be significant, particularly in relation to other sites in the immediate locality.
8. Whether variation from the performance standards would detract from the amenity values of the neighbourhood.
9. For activities in the Coastal Area:
- (i) The need to avoid adverse impacts on outstanding natural features and coastal landscapes
 - (ii) Measures to avoid, remedy or mitigate any adverse effects on natural or cultural values.

NOTE: Notwithstanding the above, all relevant objectives and policies will be examined in accordance with Section 104 of the Act.

1.05 CROSS BOUNDARY AND OTHER MATTERS

STATEMENT OF INTENT

The Council will maintain liaison with adjacent territorial authorities, the Taranaki Regional Council, Department of Conservation and as necessary with Network Utility Operators. Active discussion on resource management issues and information sharing between authorities will be encouraged.

Where any application requires the consent of two or more consent authorities and those authorities have decided to hear the applications, a joint hearing will be held, unless the consent authorities agree that the applications are sufficiently unrelated that a joint hearing is not necessary and the applicant agrees that a joint hearing need not be held. The Council will encourage practices which enable resource consent applications to be considered in a similar manner regardless of the locality.

The Council will liaise with Taranaki Regional Council (and Department of Conservation, where relevant) where:

- (a) The proposed activity involves the discharge of contaminants to air, water or land;
- (b) The proposed activity involves the taking, use and damming or diversion of water;
- (c) The proposed activity involves the reclamation or drainage of the bed of a river or lake;

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- (d) The proposed activity involves discharging water to any place other than a public sewerage system or stormwater system or private septic or sewerage treatment system;
 - (e) The proposed activity involves land identified as:
 - (i) Land Use Capability Class 6, 7 or 8 on the New Zealand Land Resource Inventory worksheets seaward of State Highway 3 (between Nukumarū and Hawera) and State Highway 45 (between Hawera and the Stony River); and
 - (ii) Land Use Capability Class 7 or 8 on the New Zealand Land Resource Inventory worksheets inland of State Highway 3 (between Nukumarū and Hawera) and State Highway 45 (between Hawera and the Stony River);
 - (f) The proposed activity involves any construction in, or within 20 metres of, a water body;
 - (g) The proposed activity involves disturbing the coastal environment below Mean High Water Spring (MHWS);
 - (h) The proposed activity involves activities on, in, under or over the bed of rivers and lakes;
 - (i) The proposed activity involves hazardous materials.

The Council will liaise with adjacent District Councils (Department of Conservation and Network Utility Operators where relevant) where:

- (a) The proposed activity is situated on or adjacent to the Stony (Haungatahua) River;
- (b) The proposed activity gains access from either Pakaraka or Rangitatau West Road;
- (c) The proposed activity involves unusual heavy vehicle traffic which is likely to travel outside the district;
- (d) The proposed activity involves exotic forestry, quarrying and mining, or land drainage in or immediately adjacent to the Egmont National Park; or involves goat farming within 1km of the Egmont National Park.
- (e) The proposed activity adjacent to a District boundary is of such magnitude in terms of possible effects as to warrant an integrated inter-District approach.

Note: Deer farming within 7 kms of the Egmont National Park is not permitted in terms of a Gazette Notice issued under Section 12A(2) of the Wild Animal Control Act 1977.

1.06 MONITORING

Council is required under the Resource Management Act to monitor the effectiveness of its policy statements and plans, the exercise of resource consents, the exercise of any transferred and delegated powers and the state of the environment in relation to Council's duties and responsibilities under the Resource Management Act.

STATEMENT OF INTENT

1. The Council will:
 - (i) Monitor the key issues facing the District in a timely manner;
 - (ii) Produce regular reports to document trends and issues;
 - (iii) Use existing data where possible in order to be cost effective; and
 - (iv) Review the District Plan (or parts of it) to ensure all objectives, polices and rules will effectively achieve the desired environmental outcomes.
2. In order to achieve this, the Council will rely as much as possible on:
 - (i) Its own monitoring programme and its Annual Plan requirements;
 - (ii) Data gathered for other purposes but which has relevance for monitoring;
 - (iii) Monitoring programmes carried out by Taranaki Regional Council, Department of Conservation and other agencies.
3. Monitoring will be undertaken every three years, unless otherwise specified.
4. Monitoring methods will be used as set out in the tables below.

Effects	Indicators	Measuring Systems / Techniques	District Plan Sections Affected
Pressure on roading and utilities	<ul style="list-style-type: none"> • Level and types of financial contributions at subdivision and land development stages • Number of services connections • Maintenance needs • Breakdowns/failures • Service delivery complaints • Capacity problems 	<ul style="list-style-type: none"> • Review of contributions levels • Collection/analysis of services connection statistics • Resource consent application data • Complaints/service requests register • System operator reports • Road maintenance reports 	<ul style="list-style-type: none"> • Rural • Residential • Commercial • Industrial • Maori Land • Subdivision • Utilities & Services • Financial Contributions

Effects	Indicators	Measuring Systems / Techniques	District Plan Sections Affected
Traffic conflict	<ul style="list-style-type: none"> • Subdivisions and activities adjoining primary and collector streets • Increased traffic • Accidents • Road maintenance needs • Complaints/service requests 	<ul style="list-style-type: none"> • Review of District Plan parking and signage requirements • Subdivision and resource consent statistics • Traffic counts • Liaison with Transit New Zealand • GIS mapping of pressure points (when available) • Complaints/service requests register 	<ul style="list-style-type: none"> • Rural • Residential • Commercial • Industrial • Parking & Transportation • Signs

Effects	Indicators	Measuring Systems / Techniques	District Plan Sections Affected
Pressure on urban land supply	<ul style="list-style-type: none"> • Proportion of identified available land used • Land sales volumes and valuation trends • Population trends • Building statistics on permits: types, floor area, values and carparking • Submissions 	<ul style="list-style-type: none"> • GIS maps and resource consent data • Valuation NZ reports (every 2 years) • Census data (5 yearly) • Land use surveys (every 2 years) • Vacant land surveys • Report from building services 	<ul style="list-style-type: none"> • Rural • Residential • Commercial • Industrial

Effects	Indicators	Measuring Systems / Techniques	District Plan Sections Affected
Density of residential development	<ul style="list-style-type: none"> • Subdivision consent data • Number and distribution of dwelling units • Lot sizes and types 	<ul style="list-style-type: none"> • Proportion of identified available land use • Subdivision and land use consent statistics 	<ul style="list-style-type: none"> • Rural • Residential • Subdivision

Effects	Indicators	Measuring Systems / Techniques	District Plan Sections Affected
Impacts on natural hazards	<ul style="list-style-type: none"> • Erosion • Inundation • Slippage • Subsidence • Damage to individuals and property 	<ul style="list-style-type: none"> • Inspections and recording of data and damage during or after events (as necessary) 	<ul style="list-style-type: none"> • Natural hazards

Effects	Indicators	Measuring Systems / Techniques	District Plan Sections Affected
Fragmentation of rural land	<ul style="list-style-type: none"> • Subdivision consent data • Number and distribution of dwelling units • Lot sizes and types 	<ul style="list-style-type: none"> • Subdivision consent statistics • Analysis of planning services information 	<ul style="list-style-type: none"> • Rural • Residential • Subdivision

Effects	Indicators	Measuring Systems / Techniques	District Plan Sections Affected
Loss or degradation of landscape character	<ul style="list-style-type: none"> • Building permit statistics • Land use in each zone • Vegetation • Demand for non-rural based land uses • Condition of landscaping/screening 	<ul style="list-style-type: none"> • Reporting of large activities • Regular enforcement visits of smaller industrial/commercial activities (regular) • Building statistics • Resource consent data on types of activity in each zone and coastal protection 	<ul style="list-style-type: none"> • Rural • Residential • Industrial • Commercial • Maori Land • Subdivision • Coastal Protection

Effects	Indicators	Measuring Systems / Techniques	District Plan Sections Affected
<p>Loss or degradation of features of value to the community (ecological, heritage, landscape, amenity and architectural)</p>	<ul style="list-style-type: none"> • Subdivision data • Building permit statistics • Evidence of loss/degradation • Reserves created/maintained (including esplanade reserves) • Advice from DOC, TRC, Historic Places Trust and other agencies • NZ Historic Places Trust • Complaints 	<ul style="list-style-type: none"> • Bonds, financial and reserve contribution data • Parks and recreation reports • Historic items register • Archaeological sites register • Landscape survey/analysis • Subdivision consent statistics • Building permit statistics • Complaints/service request register • Referral of activities on land identified as Class 6, 7 or 8 seaward of SH3 and SH45, and class 7 or 8 inland of those roads, to TRC (ongoing) 	<ul style="list-style-type: none"> • Rural • Residential • Industrial • Commercial • Maori Land • Subdivision • Signs • Reserves & Public Recreation • Heritage Protection • Coastal Protection

Effects	Indicators	Measuring Systems / Techniques	District Plan Sections Affected
Activity conflicts / incompatibilities: noise, odour, hazardous substances	<ul style="list-style-type: none"> • Staff register on District Plan problems • Complaints/service request register • Media reports • Notification from TRC, Ministry of Health and other agencies 	<ul style="list-style-type: none"> • Monitoring for noise/odour consent issues • Complaints register • Media reports register • Correspondence • Management plans • Enforcement 	<ul style="list-style-type: none"> • Rural • Residential • Industrial • Commercial • Maori Land • Subdivision • Parking & Transportation • Noise • Signs • Designations • Utilities and Services • Coastal Protection • Hazardous Substances • Cross-boundary Responsibilities

Effects	Indicators	Measuring Systems / Techniques	District Plan Sections Affected
Effectiveness of District Plan	<ul style="list-style-type: none"> • Requests for further information on consent applications • Register on District Plan problems • Challenges to District Plan • Consent refusals • Maori involvement • Proportion of non-notified consents • Use of enforcement provisions 	<ul style="list-style-type: none"> • Review of objectives and policies (every 2 years) • Analysis of information requested for consents • Analysis of reasons for consent refusals • Number of service centre enquiries • Council records • Number of consent applications including Maori consultation • Applications for Plan change • Statutory Plan review (every 10 years) 	<ul style="list-style-type: none"> • All

Effects	Indicators	Measuring Systems / Techniques	District Plan Sections Affected
Cross-boundary responsibilities	<ul style="list-style-type: none"> • Communication with Taranaki Regional Council • Communication with Department of Conservation • Communication with other District Councils 	<ul style="list-style-type: none"> • Referral of Activities on land identified as Class 6, 7 or 8 seaward of SH3 & SH45 and Class 7 or 8 inland of those highways to TRC (ongoing) • Protected areas - TRC • Heritage items - TRC • Known hazard potential - TRC • Management plans - TRC (as necessary) • Resource consent statistics - TRC • Coastal issues - DOC • Natural hazards, roading and public utilities - District Councils 	<ul style="list-style-type: none"> • All

1.07 PLAN INTERPRETATION AND DEFINITIONS

1.07.1 In interpreting the maps contained in the PLAN, the location of zoning lines, Designations, heritage protection areas and other features shall be as shown on the planning maps found in this document. The maps used in the PLAN are held on computer at the COUNCIL and, as they may be plotted at virtually any scale, it is generally possible to find the precise location of every line shown. However, where doubt persists, unless clearly indicated otherwise, all lines shall follow PROPERTY lines or the centre lines of streets and rivers.

1.07.2 Plurals of the definitions set out below shall have a similar meaning. Words in capitals indicate that the word is also defined in this section of the plan.

ACCESSORY BUILDING: means any BUILDING that is incidental to an activity undertaken on a SITE, and includes a garage or carport, home workshop, garden shed, sleepout and private swimming pool.

The **ACT:** means the Resource Management Act 1991, and its amendments.

AIRPORT PROTECTION AREA: means that land within the DISTRICT identified on the planning maps of the PLAN as "Airport Protection Area".

ALLOTMENT: has the same meaning as Lot, as defined in section 218 of the Resource Management Act.

AMENITY VALUES: means (under the ACT) *"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 any telecommunication apparatus used for transmission or reception including the antenna mounting, but not any dish in excess of 1 metre in diameter, supporting mast or similar structure.

ARCHAEOLOGICAL SITE: means (from the Historic Places Act 1993) any place in New Zealand that —

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

BUILDING: means (in addition to its ordinary and usual meaning) any structure or part of a structure constructed or erected whether temporary or permanent, movable or immovable, but for the purposes of the PLAN does not include:

- (a) Any scaffolding or other temporary construction erected for maintenance work;
- (b) Any mast, pole, radio or television aerial, or telecommunications antenna that does not exceed 6 metres in height above the point of its attachment or base support;
- (c) Any retaining wall retaining earth less than 1.2 metres in HEIGHT, or any wall or fence, other than a retaining wall, not exceeding 2 metres;
- (d) Any tank or pool including any structural support thereof, not exceeding 2000 litres capacity and not more than 1.8 metres in HEIGHT above GROUND LEVEL;
- (e) Any deck, terrace platform or road surface less than 1 metre above GROUND LEVEL;
- (f) Any tent, marquee or air structure erected for less than one month;
- (g) Any vehicle and any chattel whether fixed or movable unless such vehicle or chattel is used as a place or as part of a place of residence, business or storage;
- (h) Stock loading or unloading facilities.

COASTAL PROTECTION AREA: means that land within the DISTRICT on the sea side of a line identified on the DISTRICT planning maps as the "Coastal Protection Line".

COMMERCIAL ACTIVITY: includes trade, commerce and professions but does not include a HOME OCCUPATION, INDUSTRIAL ACTIVITY, RETAIL ACTIVITY, FARMING, INTENSIVE FARMING or EXTRACTIVE INDUSTRY.

COMMUNITY ACTIVITY: means any BUILDING, grounds or place owned or used by sectors of the community for recreational, sporting, cultural, religious or similar community purposes, including churches, marae, parks, clubs and recreational facilities, but not including schools. COMMUNITY ACTIVITY also means the activity taking place inside or on the above BUILDINGS or grounds.

CONCEPT PLAN: means a plan of a Rural Industrial Zone site showing the following:

- * Position of all site boundaries.
- * Location and extent of building envelopes, height limits if above requirements of 7.02.1.1, general activity groupings, existing and proposed developments.
- * Location of car parking, site access, manoeuvring vehicle loading areas, solid waste storage and treatment areas, liquid treatment and disposal areas.

- * Location and extent of all existing and proposed landscaping, screening and buffering.

CONTROLLED ACTIVITY: means (under the ACT) *"an activity which*

- (a) *Is provided for, as a CONTROLLED ACTIVITY, by a rule in a plan or proposed plan; and*
- (b) *Complies with standards and terms specified in a plan or proposed plan for such activities; and*
- (c) *Is assessed according to matters the consent authority has reserved control over in the plan or proposed plan; and*
- (d) *Is allowed only if a resource consent is obtained in respect of that activity".*

COUNCIL: means the South Taranaki District Council or any committee, subcommittee or person to whom the Council's powers, duties and discretion under the PLAN have lawfully been delegated under the provisions of any Act.

CURTILAGE: means the area of land attached to a house or building and forming one enclosure with it.

DEFERRED ZONING: means zoning that is identified but is not available immediately. Availability of deferred zones occurs once at least 75% of allotments in the existing zones have been subdivided and approval has been granted under section 224 of the Resource Management Act 1991. Deferred zones are subject to the underlying zoning provisions. For example, the Deferred Residential Zone on the western side of Hawera is subject to Rural Zone rules and performance standards.

DEFINED PEDESTRIAN AREA: means that area of land with boundaries identified on the maps of the PLAN in the town centres of Hawera, Eltham, Kaponga, Opunake, Manaia, Patea and Waverley.

DESIGNATION: means (under the ACT) *"a provision made in a district plan to give effect to a requirement made by a requiring authority under s.168 or s.168A or cl.4 of the First Schedule".*

DEVELOPMENT: for the purpose of determining financial contributions, means development or redevelopment of a site and includes the construction, erection, establishment or alteration of any building, fixed plant and/or machinery, or any other works with a capital expenditure over \$500,000. Development also includes:

- * Any fencing, drainage, earthworks, filling or reclamation of land, or the making of any retaining walls or other works relating to that fencing, drainage, earthworks, filling or reclamation; and
- * The grading or levelling of land or the removal of rocks, stone, sand or soil from land; and
- * The removal or destruction of vegetation; and

- * The arresting or elimination of erosion or flooding; and
- * The provision for or installation of any mode of transport.

DISCRETIONARY ACTIVITY: means (under the ACT) *"an activity- (a) Which is provided for, as a DISCRETIONARY ACTIVITY, by a RULE in a plan or proposed plan; and (b) Which is allowed only if a resource consent is obtained in respect of that activity; and (c) Which may have standards and terms specified in a plan or proposed plan; and (d) In respect of which the consent authority may restrict the exercise of its discretion to those matters specified in a plan or proposed plan for that activity"*.

DISTRICT: means the area administered by the South Taranaki DISTRICT COUNCIL.

DISTRICT PLAN: means the DISTRICT PLAN of the South Taranaki DISTRICT COUNCIL.

DWELLING UNIT: means one or more interconnected rooms in all or part of a BUILDING which are designed, arranged, used or intended to be used as a complete, independent living facility for a household.

EFFECT: includes (under the ACT):

- (a) *Any positive or adverse effect; and*
- (b) *Any temporary or permanent effect; and*
- (c) *Any past, present, or future effect; and*
- (d) *Any cumulative effect which arises over time or in combination with other effects - regardless of the scale, intensity, duration, or frequency of the effect, and also includes -*
- (e) *Any potential effect of high probability; and*
- (f) *Any potential effect of low probability which has a high potential impact"*.

ENVIRONMENT: includes (under the ACT) *"(a) Ecosystems and their constituent parts, including people and communities; and (b) All natural and physical resources; and (c) AMENITY VALUES; and (d) The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters"*.

ESPLANADE RESERVE: means a reserve within the meaning of the Reserves Act 1977:

- (a) Which is either:
 - (i) A local purpose reserve within the meaning of section 23 of that Act, if vested in the territorial authority under section 239; or

-
- (ii) A reserve vested in the Crown of a regional council under section 237D: and
- (b) Which is vested in the territorial authority, regional council or the Crown for a purpose or purposes set out in section 229 of the Resource Management Act.

ESPLANADE STRIP: means a strip of land created by the registration of an instrument in accordance with section 232 for a purpose or purposes set out in section 229 of the Resource Management Act.

ESSENTIAL SERVICES: means any activity which regularly supplies the public with a commodity or service of public consequence, that is not either a UTILITY or a COMMUNITY ACTIVITY. It includes schools, day-care facilities, hospitals, roads, fire, ambulance, police, and other emergency services.

EXPLORATION: means any activity undertaken for the purpose of identifying mineral deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of one or more minerals; and includes any drilling, dredging, or excavations (whether surface or sub-surface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence; and "to explore" has a corresponding meaning.

EXTRACTIVE INDUSTRY: means any activity which involves the permanent removal of naturally occurring mineral resources other than water from a SITE, and includes metal quarries and coal mines, but does not include petroleum prospecting, exploration, production testing or petroleum production stations and wells, or the extraction of metal and aggregate for use on the same PROPERTY from which it was obtained, or the excavation and removal of spoil for construction purposes.

FARMING: means any pastoral, horticultural, aquacultural or similar agricultural activity undertaken primarily outside BUILDINGS and tightly confined enclosures. It includes woodlots up to 5 hectares in area.

FINANCIAL CONTRIBUTION: means (under the Act) *"a contribution of -*

- (a) *Money; or*
- (b) *Land, including an esplanade reserve or esplanade strip (other than in relation to a subdivision consent), but excluding Maori land within the meaning of the Maori Land Act 1993 unless that Act provides otherwise; or*
- (c) *Works including (but without limitations) the protection, planting, or replacing of any tree or other vegetation or the protection, restoration, or enhancement of any natural or physical resource; or*
- (d) *Services; or*

any combination thereof, made for purposes specified in the plan (including the purpose of ensuring positive EFFECTS on the ENVIRONMENT to offset any adverse EFFECT) and which does not exceed in value the maximum amount specified in, or determined in accordance with, the plan.”

FLIGHT PATH PROTECTION PLANE: means those surfaces composed of various horizontal, sloping and curved surfaces (refer to Diagrams 1-3 in Appendix I) which together identify the lowest level of unobstructed air space necessary to maintain the safe and efficient operation of the Hawera Airport.

FORESTRY: means the planting, replanting, management and/or harvesting of trees, excluding indigenous trees for timber or other wood products or wood derivatives, but does not include the processing of trees for such products, such as sawmilling, chipping, dressing or preserving. It does not include woodlots under 5 hectares in area.

GROSS FLOOR AREA: means the sum of the area of all floors of all BUILDINGS on a SITE, measured from the exterior faces of the exterior walls or from the centre line of common boundary walls, but excluding vehicle MANOEUVRING and PARKING SPACES within BUILDINGS, uncovered stairways and external terraces, balconies or porches.

GROUND LEVEL: in relation to any BUILDING, means the finished level of the ground.

HAWERA AIRPORT ACTIVITIES: means those activities carried out on land in the ownership of the airport and within the flight paths of the airport as depicted on the planning maps and Appendix 1 of this plan, and associated with flying and aviation activities.

HAZARDOUS SUBSTANCE: means any substance

- (a) With one or more of the following intrinsic properties:
 - (i) Explosiveness
 - (ii) Flammability
 - (iii) A capacity to oxidise
 - (iv) Corrosiveness
 - (v) Toxicity (including chronic toxicity)
 - (vi) Ecotoxicity, with or without bioaccumulation, or
- (b) 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 in (a) of this definition.

HEAVY VEHICLE: means any vehicle with a gross weight of more than 3.5 tonnes.

HEIGHT: in relation to any BUILDING, means the vertical distance between the highest point of a BUILDING and the GROUND LEVEL directly below that highest point, excluding chimneys, vents and lift shafts with an area of less than 2 square metres and the exemptions listed under the definition of BUILDING in this plan.

HERITAGE ITEM: means any one or more BUILDINGS, objects, flora, fauna, landscape, or areas of cultural, spiritual, traditional, historic, archaeological, architectural, scientific, scenic, representational or other interest, or of visual appeal, special character or AMENITY VALUES to the DISTRICT and identified in the Register(s) of Heritage Items contained in the Schedule to Section 15 of this PLAN. Unless expressly excluded on the Register, a HERITAGE ITEM includes the entire SITE on which it is located. In the context of HERITAGE ITEMS the following definitions also apply:

ADAPTATION: means modifying a place to suit it to a compatible use, involving the least possible loss of cultural heritage value.

CONSERVATION: means the processes of caring for a place so as to safeguard its cultural heritage value.

CULTURAL HERITAGE VALUE: means possessing historical, archaeological, architectural, technological, aesthetic, scientific, spiritual, social, traditional or other special cultural significance, associated with human activity.

MAINTENANCE: means the protective care of a place.

MATERIAL: means physical matter which is the product of human activity or has been modified by human activity.

MINOR WORK: means the minor repair of the buildings where minor repair means the repair of materials by patching, piecing-in, splicing and consolidating existing materials and including minor replacement of minor 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 should be of the original or similar material, colour, texture, form and design as the original it replaces.

PLACE: means any land, including land covered by water, and the airspace forming the spatial context to such land, including any landscape, traditional site or sacred place, and anything fixed to the land including any archaeological site, garden, building or structure, and any body of water, whether fresh or seawater, that forms part of the historical and cultural heritage of New Zealand.

PRESERVATION: means maintaining a place with as little change as possible.

REASSEMBLY (anastylosis): means putting existing but dismembered parts back together.

RECONSTRUCTION: means to build again in the original form using old or new material.

REINSTATEMENT: means putting components of earlier material back in position.

REPAIR: means making good decayed or damaged material.

STABILISATION: means returning a place as nearly as possible to a known earlier state by reassembly, reinstatement and/or the removal of extraneous additions.

HISTORIC AREA: means (from the Historic Places Act 1993) an area of land that —

- (a) contains an inter-related group of historic places; and
- (b) forms part of the historical and cultural heritage of New Zealand; and
- (c) lies within the territorial limits of New Zealand.

HISTORIC PLACE:

- (a) Means (from the Historic Places Act 1993) —
 - (i) Any land (including an archaeological site); or
 - (ii) Any buildings or structure (including part of a building or structure); or
 - (iii) Any combination of land and a building or structure — that forms part of the historical and cultural heritage of New Zealand and lies within the territorial limits of New Zealand; and
- (b) Includes anything that is in or fixed to such land.

HOME OCCUPATION: means a business, occupation, craft or profession undertaken within a DWELLING UNIT which:

- (a) Employs only those living in the DWELLING UNIT; and
- (b) Does not involve the storage of materials or finished product outside a fully enclosed structure; and
- (c) Does not involve a RETAIL ACTIVITY on the SITE.

INDIGENOUS VEGETATION: means any species or naturally occurring variants of plants found naturally in New Zealand, including indigenous forest, regenerating areas of shrubland, and vegetation in wetlands, cliffs and other herbfields, but does not include indigenous understorey beneath plantation forestry, or indigenous species used in domestic landscaping and gardens.

INDUSTRIAL ACTIVITY: means any activity which involves every part of a process from the receipt of raw material to the dispatch or use in another process or disposal of any product or waste material, and any intervening storage, use, processing or conversion of the raw material, partly processed matter, or product.

INTENSIVE FARMING: means any pastoral, horticultural, aquacultural or similar agricultural activity undertaken primarily within BUILDINGS or tightly confined enclosures. It includes commercial glass houses, fish farms, pig, fitch, rabbit, snail, poultry and mushroom farming, animal feedlots and other similarly INTENSIVE FARMING activities.

KEY TOURIST ATTRACTION: means any SITE, BUILDING, feature, HERITAGE ITEM or activity which attracts national or international tourists to Taranaki. It may include historic, cultural, recreational, amusement, scenic or INDUSTRIAL tourist attractions, and includes RETAIL, eating or accommodation facilities which has a significant national or international reputation.

KAITIAKITANGA: means (under the ACT) *"the exercise of guardianship; and, in relation to a resource, includes the ethic of stewardship based on the nature of the resource itself"*.

LOADING BAY: means that part of a SITE or BUILDING used for loading and unloading of vehicles exclusive of VEHICLE ACCESS, aisles and MANOEUVRING SPACE, and situated on the SITE it is intended to serve.

MAIN LIVING AREA: means the lounge area of a DWELLING UNIT and, for the purpose of providing access to PRIVATE OUTDOOR OPEN SPACE, may include any other part of a DWELLING UNIT not separated from the lounge by a door or hallway, such as found in "open plan" houses which combine lounge, dining and kitchen area in one space.

MANAGEMENT PLAN: means a plan prepared in accordance with Section 1.05.3 of the PLAN.

MANA WHENUA: means (under the ACT) *"customary authority exercised by an iwi or hapu in an identified area"*.

MANOEUVRING SPACE: means the area of land excluding required PARKING SPACE within a SITE required to enable a vehicle both to enter and to exit a SITE via the VEHICLE ACCESS in a forward motion.

MAST: means any mast, pole, tower or similar structure designed to carry antennas to facilitate telecommunication.

METEOROLOGICAL ACTIVITIES: means the establishment and operation of facilities and installations or equipment to measure, collect and distribute meteorological information. This includes telecommunication, radio and satellite links.

MOTOR VEHICLE PREMISES: means any land on which cars, caravans, trailers, boats, motorcycles and vehicles other than push bikes, or parts of the aforementioned, are offered for sale or lease or are stored awaiting sale, hire or lease.

NON-COMPLYING ACTIVITY: means (under the ACT) *"an activity (not being a PROHIBITED ACTIVITY) which - (a) Contravenes a rule in a plan or proposed plan; and (b) Is allowed only if a resource consent is obtained in respect of that activity"*.

NOTIONAL BOUNDARY: shall have the same meaning as defined in NZS6801:1991 Measurement of Sound.

NUISANCE: in relation to effects, includes those effects which have the potential to be noxious, objectionable or offensive.

PARKING SPACE: means an area provided on SITE for the parking of vehicles either within or outside a BUILDING, with a surface area of usable shape having a width of at least 2.4 metres and an area of at least 12 square metres exclusive of VEHICLE ACCESS, aisles and MANOEUVRING SPACE.

PERMITTED ACTIVITY: means (under the ACT) *"An activity that is allowed by a plan without a resource consent if it complies in all respects with any conditions (including any conditions in relation to any matter described in s.108 or s.220) specified in the plan; and "Permitted as of Right" has a corresponding meaning.*

PERSON: includes (under the ACT) *"the Crown, a corporation sole, and also a body of persons, whether corporate or unincorporate"*.

PETROLEUM: means

- (a) Any naturally occurring hydrocarbon (other than coal) whether in a gaseous, liquid or solid state; or
- (b) Any naturally occurring mixture of hydrocarbons (other than coal) whether in a gaseous, liquid, or solid state; or
- (c) Any naturally occurring mixture of one or more hydrocarbons (other than coal) whether in a gaseous, liquid, or solid state, and one or more of the following, namely hydrogen sulphide, nitrogen, helium, LPG's, or carbon dioxide –

and includes any petroleum as so defined which has been mined or otherwise recovered from its natural condition, or which has been so mined or otherwise recovered but which has been returned to a natural reservoir for storage purposes in the same or an adjacent area.

PETROLEUM EXPLORATION: means any activity undertaken for the purpose of identifying petroleum deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of one or more petroleum substances; and includes any drilling, dredging, excavations (whether surface or sub-surface), hydrocarbon testing, initial production and associated site development activities that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence; and “to explore” has a corresponding meaning.

PETROLEUM PROSPECTING: means any activity undertaken for the purpose of identifying land likely to contain exploitable mineral deposits or occurrences; and includes –

- (a) Geological, geochemical, and geophysical surveys; and
- (b) The taking of samples by hand or hand held methods; and
- (c) Aerial surveys; and
- (d) Seismic survey by vibroseis operations using vibrating machines or shot holing which uses explosives and an array of geophones to record seismic information and sampling of the surface of the geology;

and “to prospect” has a corresponding meaning.

PLAN: means the DISTRICT PLAN of the South Taranaki DISTRICT COUNCIL.

POSTAL SERVICES: means services including post shops, private mail boxes, mail receipt and sorting.

PRIVATE OUTDOOR OPEN SPACE: means any YARD not required under the PLAN for use by vehicles or landscaping, with a minimum area of 4.5 square metres, or any balcony more than 2.5 metres above GROUND LEVEL with a minimum area of 2.5 square metres, designed for the exclusive use of the occupants of a single DWELLING UNIT.

PROHIBITED ACTIVITY: means (under the ACT) *“an activity which a plan expressly prohibits and describes as an activity for which no resource consent shall be granted; and includes any activity prohibited by s.105(2)(b) of the Historic Places Act 1993”*.

PROPERTY: means a defined parcel of land, or a defined leasehold parcel of land or a defined Unit under the Unit Titles Act 1978, being one or more SITES, for which there is a separate reference on the DISTRICT rating role. A separate reference to a part share in land shall be deemed not to be a separate reference for the purposes of the PLAN.

PROSPECTING: means any activity undertaken for the purpose of identifying land likely to contain exploitable mineral deposits or occurrences; and includes –

- (a) Geological, geochemical, and geophysical surveys; and
- (b) The taking of samples by hand or hand held methods; and
- (c) Aerial surveys: -

And “to prospect” has a corresponding meaning.

RESIDENTIAL ACTIVITY: means any activity normally undertaken by people living in a DWELLING UNIT, except HOME OCCUPATIONS. It includes group care facilities where unrelated people live together on a 24 hour basis, such as retirement homes, foster care homes and homes for the disabled.

RETAIL ACTIVITY: means any activity which involves the exchange of goods to the public through sale, rental, lease or other form of agreement and, in addition to normal RETAIL ACTIVITIES, includes financial activities, travel and land agents, restaurants (including fast food outlets), but does not include vehicle sales and commercial service activities.

ROAD: has the same meaning as in section 315 of the Local Government Act

1974 and for the purposes of this plan the following meanings also apply –

STATE HIGHWAY: means roads which form part of a network of strategic importance and are a significant element in the national economy; and includes motorways and principal state highways.

ARTERIALS: means roads which are of strategic regional importance and a significant element in the regional economy; and includes state highways not included in the National Routes category, roads giving access to important tourist areas or significant areas of population, roads linking different transport modes, roads providing significant intra-urban and rural links, and all other roads of regional or inter-regional significance.

COLLECTOR ROUTES: means roads which are locally preferred between or within areas of population or activities, complementary arterials, and usually paved and are of road geometry aligned with operational safety standards required for the traffic volumes on each section; and includes roads primarily suited to urban situations, yet have a place in rural areas. In rural areas where land use activity is reasonably intensive, it is necessary to provide links between local roads and arterials.

LOCAL ROADS: means any road other than those categorised above and whose main purpose is to serve adjacent property.

SCREENING: means any fence, partition or dense arrangement of vegetation that conceals from an adjacent PROPERTY, road or public land, the view of a land USE between GROUND LEVEL and a HEIGHT of 2 metres.

SIGN: means any object or device or part thereof which is used to advertise, identify, display, direct or attract attention to an opinion, object, person, institution, organisation, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, emblems or trademarks, or motion, illumination or projected image and shall also include any of the foregoing things when displayed on a stationary vehicle BUT shall exclude all traffic signs as detailed in the fourth schedule of the "Traffic Regulations 1976".

DIRECTIONAL SIGN: means any SIGN erected by or on behalf of the road controlling authority. These include all traffic control SIGNS such as stop SIGNS, posted speed limit SIGNS and hazard warning SIGNS, and also include SIGNS like "Road Open" and all regulatory traffic and official signs approved by the relevant road controlling authority or provided for under any legislation and which are erected on a legal road.

ON SITE DIRECTIONAL SIGNS in COMMERCIAL or INDUSTRIAL ZONES: means a sign that tells people how to move about within the site.

SITE: means all that land contained in one or more allotment, section or parcel upon which an activity is currently established or is proposed to be established.

STRUCTURE: means any building, equipment, device or other facility made by people and which is fixed to the land.

TANGATA WHENUA: (under the ACT) *"in relation to a particular area, means the iwi, or hapu, that holds MANA WHENUA over that area"*.

TELECOMMUNICATION AND RADIOCOMMUNICATION FACILITIES: means lines as defined by Section 2(1A) of the Telecommunications Act 1987, and masts, antennas and associated equipment, buildings and structures designed to facilitate telecommunications and radiocommunications.

TEMPORARY MILITARY TRAINING ACTIVITY: means a temporary activity undertaken for defence purposes. Defence purposes are those in accordance with the Defence Act 1990. The Defence Act also enables public access to Defence Areas, which includes areas utilised for TEMPORARY MILITARY TRAINING ACTIVITIES, to be restricted.

TIKANGA MAORI: means (under the ACT) *"Maori customary values and practices"*.

TREATY OF WAITANGI (TE TIRITI O WAITANGI): has the same meaning as the word "Treaty" as defined in s.2 of the Treaty of Waitangi Act 1975.

UNUSUAL HEAVY VEHICLE TRAFFIC: means any new HEAVY VEHICLE traffic movements which significantly increase, (by more than 150%), the existing annual average daily number of HEAVY VEHICLE movements on any public road.

UPGRADING: in relation to any above ground lines means an increase in the carrying capacity of, or security of, the line by the addition of additional circuits, reconductoring with heavier conductors, longer insulators or the addition of earthwires utilising the existing support structures or structures of a similar scale, size and character, where structures are located in the same place.

USE: in relation to any land means (under the ACT) -

- (a) *Any use, erection, reconstruction, placement, alteration, extension, removal, or demolition of any structure or part of any structure in, on, under, or over the land; or*
- (b) *Any excavation, drilling, tunnelling, or other disturbance of the land; or*
- (c) *Any destruction of, damage to, or disturbance of, the habitats of plants or animals in, on, or under the land; or*
- (d) *Any deposit of any substance in, on, or under the land; or*
- (e) *Any entry on to, or passing across, the surface of water in any lake or river; or*
- (f) *Any other use of land - and "may use" has a corresponding meaning".*

UTILITY: shall have the same or similar meaning as a NETWORK UTILITY OPERATION as defined in Section 166 of the Resource Management Act 1991, and means any of the following:

- (a) Transformers, substations, ground or pole mounted switchgear and lines for conveying electricity and all land uses associated with or ancillary to generating facilities;
- (b) Connections to gas, water, drainage and sewer pipes;
- (c) Street lighting;
- (d) Water and irrigation races, drains, channels and pipes and necessary incidental equipment of network utility operators;
- (e) Lines as defined by s.2(1A) of the Telecommunications Act 1987;
- (f) Telecommunications and radio communication facilities;
- (g) Pipes for the distribution and transmission of natural or manufactured gas, petroleum, or geothermal energy, and necessary incidental equipment, including household connections and compressor stations;
- (h) Pipes for the conveyance or drainage of water or sewage, and necessary incidental equipment including household connections;
- (i) Lighthouses, survey monuments and beacons, navigational aids and beacons.

- (j) Meteorological activities.
- (k) Household Television Aerials and Antenna less than 6 metres in height from the point of attachment and dish aerials less than 0.75 metres on the short axis.
- (l) Roads and Railway lines.

VEHICLE ACCESS: means that area of land which is formed (or capable of being formed) for use by a motor vehicle to move from a public road on to a SITE. It extends from the edge of a formed public roadway to the furthest area on the SITE used or intended to be used to provide required parking or service access for an activity.

WĀHI TAPU: means (from the Historic Places Act 1993) a place sacred to Maori in the traditional, spiritual, religious, ritual or mythological sense.

WĀHI TAPU AREA: means (from the Historic Places Act 1993) an area of land that contains one or more wāhi tapu.

WASTE TREATMENT FACILITY: includes the collection, conveyance, storage, treatment and disposal of all solid and liquid waste materials, including all ancillary facilities associated with such activities.

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

WETLAND: includes permanently or intermittently wet areas, shallow water and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.

YARD: means a part of a SITE which is unoccupied and unobstructed by BUILDINGS from the ground upward (except as provided for in the PLAN), except that the eaves of any BUILDING and any roof, balcony, gutter or downpipe may project over any YARD by not more than 0.5 metres.