

# SECTION 1 : INTRODUCTION AND DEFINITIONS

## 1.1 PURPOSE OF THE DISTRICT PLAN

The South Taranaki District Plan (the District Plan) contains policies and rules about how the people of the South Taranaki can use and develop land and property within our district. It is a legal document that is purposely drafted to reflect the South Taranaki community and their environment. It seeks to manage natural and physical resources that are important in the district and to ensure that environmental qualities and values are safeguarded for future generations to enjoy.

The District Plan is prepared by the South Taranaki District Council in response to its obligations under the Resource Management Act 1991 (referred to in this document as “the RMA” or “the Act”). The RMA is the legislation that manages use, development and protection of land and other natural and physical resources in New Zealand. In line with this legislation, the District Plan contains a framework of Objectives, Policies and Methods of Implementation (for example rules) to manage the use and development of land and other physical or natural resources of the South Taranaki District. Given the important and wide-reaching role that the District Plan has in decision making, it is required to be reviewed every 10 years.

## 1.2 STATUTORY REQUIREMENTS OF THE PLAN

### 1.2.1 RESOURCE MANAGEMENT ACT

The Resource Management Act 1991 defines natural and physical resources to include 'land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures'.

The purpose, function and contents of the District Plan are directed towards achieving the purpose of the RMA (defined by Part 2), which is 'to promote the sustainable management of natural and physical resources' (under Section 5 of the RMA).

Section 6 of the RMA also places a duty on the Council to recognise and provide for a range of matters of National Importance, and Section 7 identifies other matters which the Council must have regard to in exercising its functions and powers under the RMA. Section 8 of the RMA requires the Council to take into account the principles of the Treaty of Waitangi.

Section 31 of the RMA sets out the functions that territorial authorities have in terms of how the RMA is put into effect. The Plan has been prepared in accordance with the process defined in Section 32 of the Act.

### 1.2.2 RELATIONSHIP WITH OTHER PLANS AND POLICIES

The RMA requires integrated management of the environment and as such, the District Plan is prepared within a hierarchy of policy statements and plans that, together with the RMA, form the statutory context for plan making. The intention of the RMA is that these plans and documents should work together to achieve integrated management of natural and physical resources. The hierarchy these of documents and the Council's obligations to them are discussed below:

## National Level

**National Policy Statements:** These statements are the instruments issued under Section 52(2) of the RMA and state objectives and policies for matters of national significance.

**National Environmental Standards and Regulations:** These are regulations issued under Sections 43 of the RMA and set technical standards relating to the use, development and protection of natural and physical resources.

The RMA requires that District Plans must give effect to National Policy Statements and must not be inconsistent with Environmental Standards. Of particular importance to South Taranaki are the national directives on coastal management, operation of the National (electricity) Grid and renewable energy which have been incorporated into the District Plan.

## Regional Level

**Regional Policy Statements:** These documents provide an overview of resource management issues facing the region and outline policies and methods to address integrated management of the natural and physical resources across the region.

**Regional Plans:** These provide further policy direction and set standards on matters that are a direct responsibility of the Regional Council.

Taranaki Regional Council has produced the following Policy and Plans:

- The Regional Policy Statement for Taranaki
- The Regional Air Quality Plan
- The Regional Coastal Plan
- The Regional Soil Plan
- The Regional Fresh Water Plan

Matters of regional significance identified in the above documents include: resource use and development in Taranaki; soil loss and health; waste management; waste discharges; hazardous substances; water quality of rivers, streams, lakes and wetlands; air pollution; coastal access and protection; biodiversity; landscape and heritage values; natural hazards; minerals and energy; and transportation.

The South Taranaki District Plan must be consistent with the intent of these regional documents and as a result has specific regard to the issues identified of regional significance.

## Local Level

The District Plan also has a relationship with other strategies and plans prepared by the Council and other organisations. Section 74 of the RMA requires that they too are taken into account in the District Plan. These include:

**Long Term (LTP) and Annual Plans:** These Plans are prepared under the Local Government Act 2002 and establish community outcomes in terms of social, cultural, economic and environmental matters, and outline the Council's responses to those in terms of budget priorities and programmes. In particular, LTPs focus on socio-economic development and infrastructure planning, whereas Annual Plans identify the nature, scope and financing of activities which the Council will undertake in the next year.

**Iwi Management Plans:** These provide guidance to the Council when administering activities located within areas of iwi or hapū influence. They often reflect iwi or hapū aspirations or highlight important locational resources. At the time of preparing the District Plan, the following Iwi Management Plans had been prepared:

- Ngāti Ruanui Environmental Management Plan
- Ngā Rauru Kīitahi Puutaiao Management Plan

**Statutory acknowledgements relating to treaty settlements:** A treaty settlement is an agreement between the Crown and a Maori claimant group to settle all of that claimant group's historical claims against the Crown. Claimant groups are usually iwi or large hapū that have a longstanding historical and cultural association with a particular area. Historical claims usually relate to actions or omissions by the Crown in relation to the claimant group during the 19th and early 20th centuries, but they may include such actions or omissions up to 21 September 1992 (the date of the “Sealord” Fisheries Settlement). Claims based on Crown actions or omissions after this date are known as contemporary claims and dealt with through separate processes. The following Statutory Acknowledgements are relevant to South Taranaki:

- Ngāti Ruanui
- Ngā Rauru
- Ngāruahine
- Taranaki

**Heritage New Zealand:** The New Zealand Heritage List – Rārangī Kōrero, which is prepared under the Heritage New Zealand Pouhere Taonga Act 2014, lists places that are of historical or cultural significance or value. The items listed in the District Plan are derived from the New Zealand Heritage List plus additional items resulting from local research and evaluation.

**Plans for Public Reserves:** Within South Taranaki there are a number of Reserves administered under the Reserves Act 1977. Under this Act, the Department of Conservation and South Taranaki District Council prepare Reserve Management Plans which manage use, maintenance and access of the public land.

**Conservation Management Strategy and Conservation Management Plans:** These documents are prepared under the Conservation Act 1987 and cover all natural and historic resources managed by the Department of Conservation.

The purpose of these Management Plans is to manage land use activities on Public Conservation Land (PCL).

The Crown, being Department of Conservation and its agents (including contractors and volunteers) are exempted from complying with the land use rules of the District Plan when undertaking conservation activities by: Section 4(3) of the RMA. This is subject to those conservation activities being consistent with the Tongariro Whanganui Taranaki Conservation Management Strategy (or any: conservation management plan, or management plan under the Conservation Act 1987).

The exemption does not apply to activities that create significant adverse effects outside Public Conservation Land, to subdivision, or to the requirements of the Taranaki Regional Council.

Activities undertaken by a third party that require a concession from the Department Conservation to operate a commercial activity on Public Conservation Land are still required to comply with the rules of the Plan.

**Cross boundary matters and other territorial authority plans:** South Taranaki District Council shares its boundaries with New Plymouth District Council, Stratford District Council and Whanganui District Council.

There are some environmental issues that cross local authority boundaries and need to be managed in a coordinated and consistent manner between local authorities. The District Plan has been formulated to achieve consistency with provisions of other district plans where possible. This is particularly relevant for land uses like farming that extend across into adjoining districts. Ways in which the Council will resolve issues that cross local authority boundaries include: information sharing between Councils; notification of relevant resource consents and plan changes; coordination of submissions on regional plans and policy statements or national legislative changes; and shared resources and transfer of functions where appropriate.

Further discussion on resource consent information requirements and information sharing between local authorities is discussed below.

### **1.2.3 Council Waiata**

#### **Mai Taranaki, maunga ki te moana**

From Taranaki, mountain to the sea

#### **Tu mai nga moemoea o te rohe**

Stand up for the dreams and visions of our district

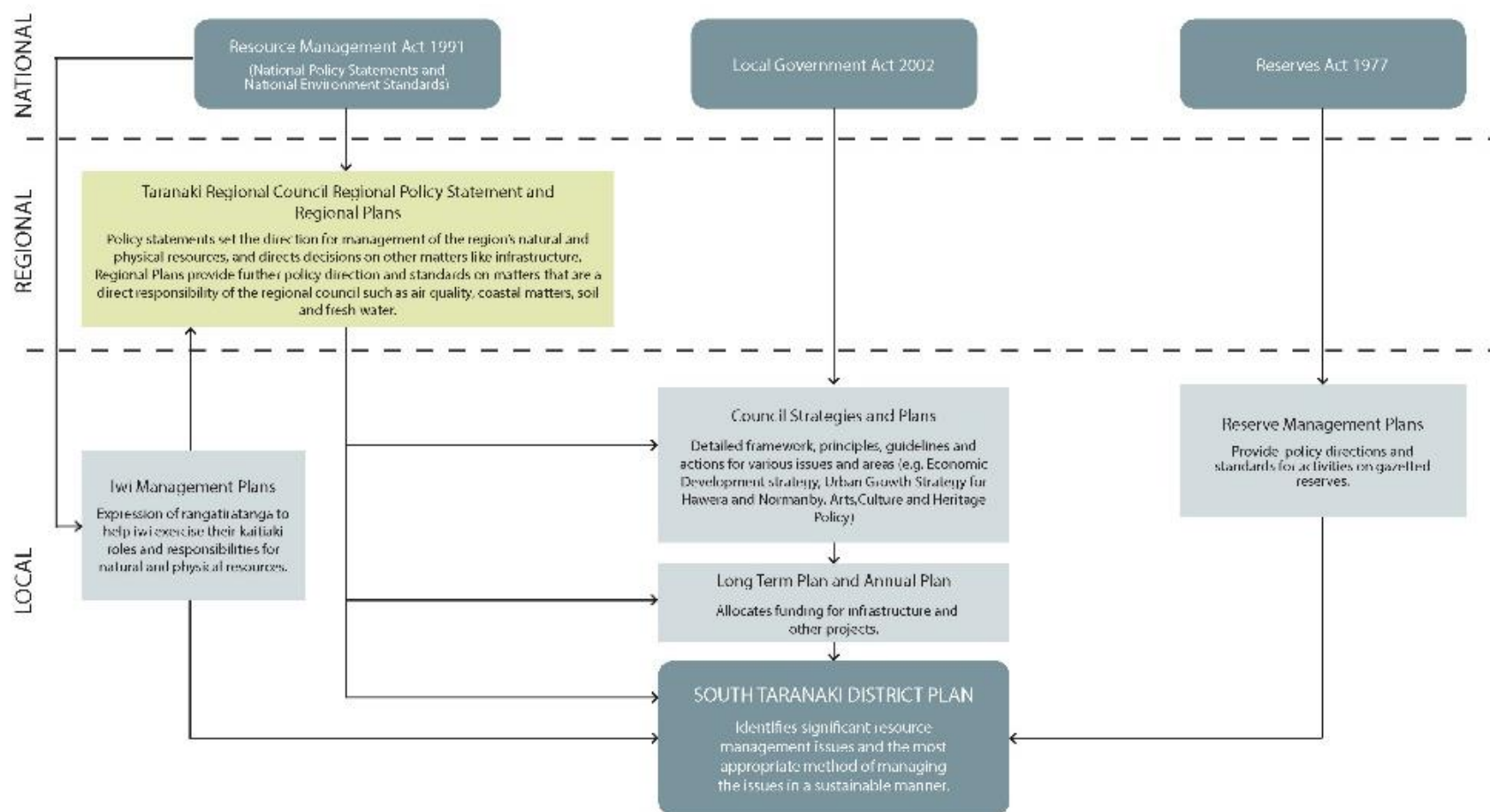
#### **Tu mai tatou i a tatou**

Stand up together

#### **Tu mai Taranaki ki te tonga**

Stand up South Taranaki

Linkages with Other Plans



## 1.3 STRUCTURE OF DISTRICT PLAN

The framework for the District Plan is built upon identifying Issues facing the district which then flow into Objectives and Policies and Methods of Implementation (e.g. Rules). This is shown below:

Issues highlight an existing or potential problem in the district that needs to be addressed, or a particular resource that needs to be protected or enhanced.



Objectives set the overarching goal of what is to be achieved through resolving the issue.



Policies set the course of action to achieve or implement an Objective.



Methods of Implementation are the tools used to meet the intent of the Policies. They can include regulatory measures such as rules, and non-regulatory methods such as monitoring, advocacy and education.

The above framework is used throughout the District Plan, which comprises the following interrelated parts:

- **Section 1 – Introduction and Definitions:** The introduction explains how the District Plan works and provides definitions that assist the interpretation of the District Plan.
- **Section 2 – Significant Resource Issues of the District and Objectives and Policies:** This part identifies high-level district-wide issues that are an existing problem or may be a potential problem in the future. Issues relevant to South Taranaki are centred around land, water, tangata whenua, natural character and landscape, environmental quality, infrastructure, natural hazards, heritage, and hazardous substances.
- **Sections 3-8 – Zone based Rules:** These sections recognise the spatial differences of land use in the district, for example rural land used for farming purposes and residential land used for housing. In order to identify the difference, the District Plan adopts a zone based approach where each area is identified on the planning maps and link to tailor-made rules which manage land use and development in that particular zone. By identifying and mapping these zones spatially the District Plan is acknowledging that the impact of certain types of development has different consequences in different areas and therefore different approaches in their management is required.
- **Sections 9-19 – District Wide Activities, Overlays and Special Notations Rules:** These are specified activities or special values that can occur across the district, irrespective of zones. These overlays also include matters of national importance under the RMA, with specific provisions provided.
- **Section 20: Information Requirements and Assessment Matters:** This section sets out the information requirements for resource consent applications and provides assessment matters for which are used for assessing resource consent applications.
- **Schedules:** These comprise inventories that list special resources and technical information such as heritage items, significant natural areas, marae and designations.

- **Appendices:** These contain technical information such as Flight Path Protection Diagrams and information on Iwi’s association with specified areas in their Statutory Acknowledgements.
- **Planning Maps (Volume 2):** The planning maps illustrate where particular rules apply. They identify the zoning for the area and any designations, scheduled sites, heritage items, natural or landscape areas, coastal protection area or other areas where particular rules apply.

## 1.4 CATEGORIES OF ACTIVITIES

In the District Plan an “activity” is the term that relates to use, development and subdivision of land and includes construction of new buildings or structures and use of existing buildings or structures. The District Plan also groups activities together according to common characteristics. For example, the Plan uses the term “residential activities” to group together a range of activities that are associated with residential living.

The District Plan classifies activities into six categories which determine whether a resource consent is required or not. A resource consent is the authorisation granted by the Council to carry out certain activity. The type of resource 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.

The classification of activities and type of resource consent are:

1. **Permitted Activities** are allowed by the District Plan without the need for resource consent. These activities must still comply with relevant performance standards for a permitted activity. Plan users should note that other Council consents (not assessed by the District Plan) may be required. Examples include building consent, liquor licences and encroachment licences.
2. **Controlled Activities** require a resource consent, but consent must be granted. They also need to comply with any performance standards specified in the rule. They will be assessed and conditions imposed only according to the matters listed in the District Plan.
3. **Restricted Discretionary Activities** require resource consent which the Council may grant or decline. They need to comply with any performance standards in the rule. In assessing and imposing conditions if consent is granted, the Council will only consider matters listed in the District Plan. The Council will also use its discretion as to whether or not the resource consent application will be notified.
4. **Discretionary Activities** require resource consent, which the Council may grant or decline. They must meet the policy intent of the zone and also comply with the performance standards in the rule. Activities classified as discretionary are recognised as being capable of generating a wide range of effects and therefore the assessment of effects is not narrowed or limited in any way. The Council will also use its discretion as to whether or not the resource consent will be notified.
5. **Non-Complying Activities** require resource consent, which the Council may grant or refuse. Activities classified as non-complying are recognised as being capable of generating a wide range of effects and therefore the assessment of effects is not narrowed or limited in any way. It must be demonstrated that potential adverse effects on the environment are no more than minor or that the activity will not be contrary to the objectives and policies of the District Plan. The Council will also use its discretion as to whether or not the resource consent will be notified.

6. **Prohibited Activities** are activities which are expressly not allowed in the district. No application may be made for such activities and no resource consent can be granted.

#### 1.4.1 NOTIFICATION

In determining how a resource consent application should proceed (i.e. publicly notified, limited notified, or non-notified), the Council first needs to assess whether the activity will have, or is likely to have, effects on the environment that are more than minor (Section 95D of the RMA).

If the adverse effects of the activity will be, or are likely to be, more than minor then the application will need to be publicly notified. However the effects on persons who own or occupy adjacent sites are disregarded in respect to public notification decisions (Section 95D(a) of the RMA).

If the adverse effects of the activity will be, or are likely to be, minor or more than minor, but the adverse effects only fall on a clearly identifiable set of land-owners or occupiers, normally those adjacent to the proposed activity, then the Council must decide that those persons are adversely affected by the activity. The Council will then need to assess whether or not the affected parties have given their written approval to the activity.

If all affected persons or groups have given their written approvals, the application can be dealt with on a non-notified basis. If some affected persons or groups have not given their written approval, the Council must limited notify the application by serving notice on all affected persons and groups who have not provided their written approval. Those who have given their written approval to the activity are not considered affected persons and need not be notified.

If the adverse effects of the activity are less than minor, the application can be processed on a non-notified basis.

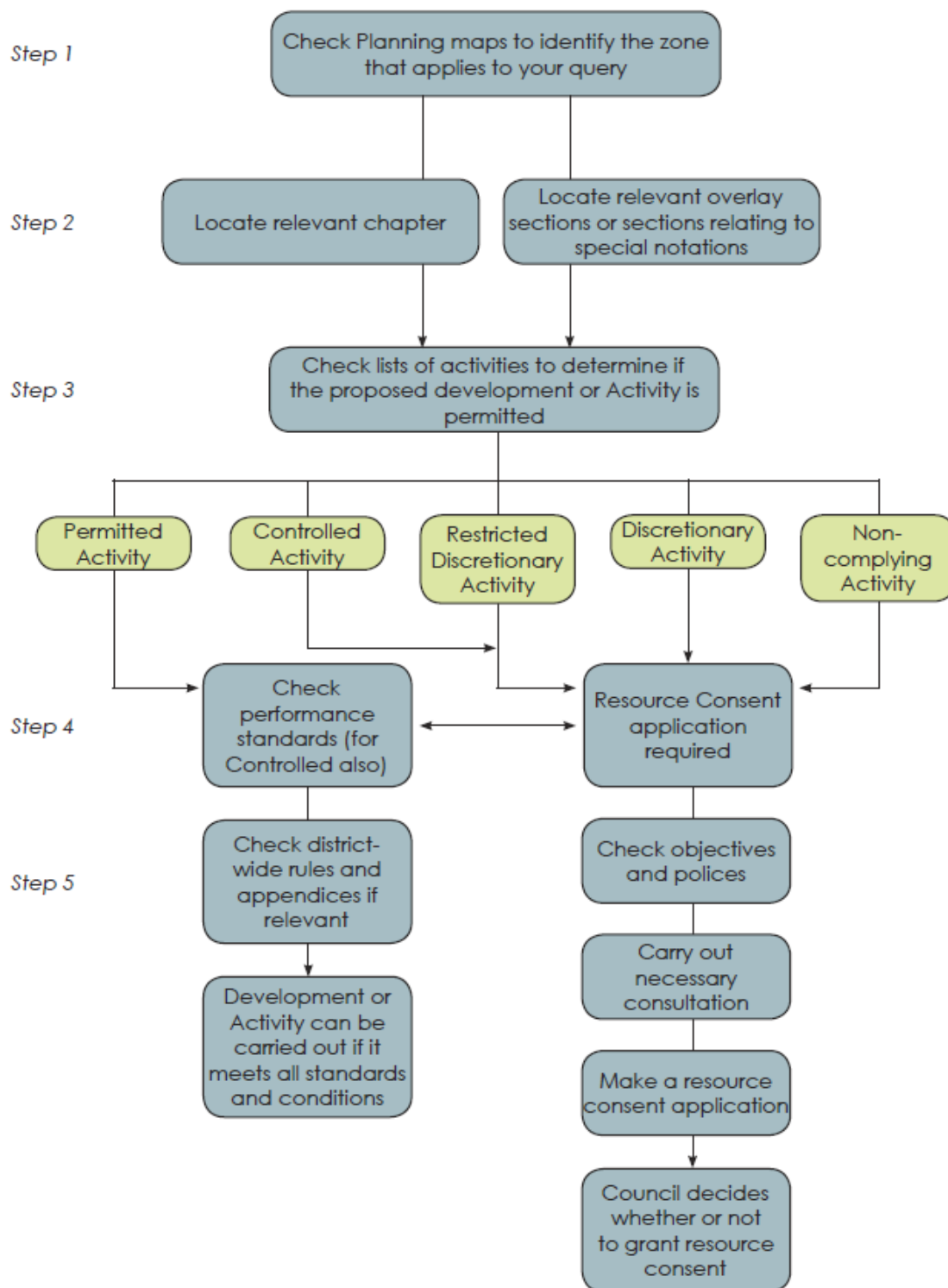
In addition, the District Plan contains notification statements for specific rules. These statements provide direction or guidance on the notification process to be followed for these specific rules.

#### 1.4.2 EXISTING USES

Section 10 of the RMA allows the continuation of existing activities that do not comply with the District Plan, as long as these activities were lawfully established before the rule became operative or the proposed plan was notified. To continue operating under existing use rights, the effects of the activity are to be the same or similar in character, intensity, and scale. Section 139A of the RMA enables a certificate of compliance or existing use to be requested from the Council. A certificate of existing use requires sufficient information and description of the existing activity to be provided to enable the Council to assess and make a judgement. When the character, intensity, and scale of the activity have altered, a resource consent must be obtained for the activity unless it is considered to be a Permitted Activity.



## 1.5 HOW TO USE THE DISTRICT PLAN



### **Step 1**

Start with the planning maps (Volume 2) and find your property or enquiry site on the relevant map. You need to identify which zone applies by checking the map index. You also need to identify whether there are any special notations that apply to your site, for example a heritage item or the Coastal Protection Area.

It is important to make a note of the zone and any special notations that apply to the property. Depending on the type of activity being proposed, you may need to comply with rules covered in multiple sections of the plan.

### **Step 2**

Locate the relevant zone section in Sections 3-8 of the plan. For example, if your site is located in the Residential Zone on the planning maps, you then need to refer to the Residential section (Section 4) for the relevant rules that apply.

If a special notation also applies to the site (e.g. Coastal Protection Area or Flood Hazard Area), you need to refer to the rules that apply to the area. In this case you may need to look at both the zone provisions and the relevant district wide provisions.

### **Step 3**

Within the zone section these are lists of land use activities that are identified as being permitted activities (i.e. no resource consent required provided all performance standards are met). If your proposed activity is in the permitted activity list, you then need to check that it meets the performance standards.

### **Step 4**

The zone section then contains a series of performance standards. For an activity that was identified in Step 3 as being a permitted activity, you need to ensure that also meets the performance standards for it to stay a permitted activity. If this is the case, no resource consent is needed. If this is not the case, a resource consent will be necessary.

You may need to refer to the definitions part of this section to help clarify the meaning of particular terms. It pays to also check in the Appendices section of the plan. These may be relevant depending on the particular enquiry.

### **Step 5**

If your activity is not listed as permitted activity or fails to meet the performance standard, then a resource consent is necessary. In order to determine whether your proposed activity requires a Controlled, Restricted Discretionary, Discretionary or Non-Complying Activity resource consent, you need to check the rules and performance standards.

If it is determined that a resource consent is necessary, you will then need to make a resource consent application to the Council. The objectives and policies set out in the relevant sections will provide the policy framework that the resource application will be assessed against. In broad terms, the more an application can demonstrate that the objectives and policies of the plan overall are being met, the more likely it is that the consent will be granted.

Section 20 provides information relating to making a consent application and provides assessment criteria for certain activities, which you can use as guidance when preparing a resource consent application.

## 1.6 CROSS REFERENCING TABLE

To assist plan users to understand the relationship between provisions for each topic within the District Plan (objectives, policies, rules, assessment criteria, and other potentially relevant sections), the following table has been prepared. The Cross Referencing Table demonstrates the linkages between the policy framework and rules, and guides plan users to the different parts of the District Plan for preparing and assessing resource consent applications and notices of requirement. The Table is for guidance only. For full understanding and interpretation of the District Plan, the main body of this document should be referred to.

Topic	Section 2		Sections 3 - 19		Section 20	Other Potentially Relevant Sections
	Objectives	Policy	Rules	Standards	Assessment Criteria	
Where to find in Plan						Depending on the location and circumstances of a proposal, the following Sections of the Plan may also be relevant.
Rural Zone	2.1.3, 2.1.4	2.1.5	9.1.2(a)	9.2.1	20.2	Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, and Section 9: Subdivision and Development Section 2.8 and Section 10: Parking and Transportation Section 11: Noise Section 2.9 and Section 12: Hazardous Substances Section 2.10 and Section 13: Energy Section 2.11 and Section 14: Network Utilities Section 2.12 and Section 15: Heritage Protection Section 16: Financial Contributions Section 2.7 Tangata Whenua, Section 2.13 Notable Trees, Section 2.15 Coastal Environment, Section 2.16 Natural Features and Landscapes, Section 2.17 Indigenous Biodiversity, Section 2.18 Waterbodies and Section 17: Natural Environment Section 2.19 Natural Hazards Section 2.20 Temporary Activities, Section 2.21 Relocated Buildings and Section 18: District Wide Section 2.22 and Section 19: Signs
		2.1.6	9.1.4(a)		20.5.4 & 20.5.5	
		2.1.7	9.1.4(a)		20.5.4 & 20.5.5	
		2.1.8	3.1.1(a) 3.1.3(b)	3.2.4, 3.2.5, 3.2.6, 11.2.2, 19.2.5	20.5.1	
		2.1.9	3.1.3, 3.1.4, 3.1.5	3.2	20.5.1, 20.5.4 & 20.5.5	
		2.1.10	3.1.1(a)	3.2	20.1	
		2.1.11	3.1.1(b)-(bb)	3.2	20.5.2	
		2.1.12	3.1.3(c), (g), 3.1.4(b)-(n) & 3.1.5(a) – (f), 9.1.4(a)	3.2, 9.2	20.1 & 20.2, 20.5, 20.5.27	
		2.1.13	3.1.3, 3.1.4, 3.1.5	3.2.2	20.5.1	
		2.1.14	3.1.3, 3.1.4, 3.1.5	3.2.2	20.5.1	
		2.1.15	3.1.1(a), 3.1.3, 3.1.5	3.2.2	20.5.1, 20.5.27	
		2.1.16	3.1.1(n)	3.2.11	20.1	
		2.1.17	3.1.4	3.2.11	20.1	

Topic	Section 2	Sections 3 - 19	Section 20	Other Potentially Relevant Sections		
		2.1.18	3.1.3(c) & 3.1.4 (b)	20.1		
		2.1.19	9.1.2, 9.1.4	9.2.1	20.1 & 20.2	
		2.1.20		9.2.2	20.1 & 20.2	
		2.1.21	3.1.3(b)		20.1	
<b>Residential Zone</b>	2.2.3, 2.2.4, 2.2.5	2.2.6 – 2.2.11	4.1.1(a) - (b), (e) 4.1.3(b) – (c) 9.1.2(a)	4.2.1, 4.2.2, 4.2.3, 4.2.4, 4.3.1, 4.3.2, 9.2.1	20.1, 20.2, 20.5.4	Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, and Section 9: Subdivision and Development Section 2.8 and Section 10: Parking and Transportation Section 11: Noise Section 2.9 and Section 12: Hazardous Substances Section 2.10 and Section 13: Energy Section 2.11 and Section 14: Network Utilities Section 2.12 and Section 15: Heritage Protection Section 16: Financial Contributions Section 2.7 Tangata Whenua, Section 2.13 Notable Trees, and Section 17: Natural Environment Section 2.20 Temporary Activities, Section 2.21 Relocated Buildings and Section 18: District Wide Section 2.22 and Section 19: Signs
		2.2.12 – 2.2.15	4.1.1(a), 4.1.3(a)	4.2.1, 4.2.2, 4.2.3, 4.2.5, 4.2.6, 4.2.7, 4.2.8, 4.3.1, 4.3.2	20.5.1, 20.5.3, 20.5.4, 20.5.6, 20.5.7	
		2.2.16	4.1.3 (a) – (d), 4.1.4 (a) – (k), 4.1.5 (a) – (d)		20.1, 20.2	
		2.2.17	4.1.1(a)	4.2.2	20.1	
		2.2.18 – 2.2.20	4.1.1(c) – (l), 4.1.3(d) – (e), 4.1.4(a) – (k), 4.1.5 (a) – (d)	4.2.5, 4.2.6, 4.2.7, 4.2.8, 11.2.3, 19.2.5	20.1, 20.5.2, 20.5.8, 20.5.26	
		2.2.21 – 2.2.24	4.1.1(g) 9.1.2, 9.1.4	4.2.2 9.2.2	20.1 20.2	
		2.2.25 – 2.2.26	4.1.5(d), 4.1.6(a) – (b)		20.1	

Topic	Section 2	Sections 3 - 19	Section 20	Other Potentially Relevant Sections		
Township Zone	2.3.2	2.3.3 – 2.3.4	5.1.1(a) – (q) 9.1.2(a), 9.1.4(a)	5.2.1 – 5.2.10, 9.2.1	20.1, 20.2	Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, and Section 9: Subdivision and Development Section 2.8 and Section 10: Parking and Transportation Section 11: Noise Section 2.9 and Section 12: Hazardous Substances Section 2.10 and Section 13: Energy Section 2.11 and Section 14: Network Utilities Section 2.12 and Section 15: Heritage Protection Section 16: Financial Contributions Section 2.13 Tangata Whenua, Section 2.13 Notable Trees, and Section 17: Natural Environment Section 2.19 Natural Hazards Section 2.20 Temporary Activities, Section 2.21 Relocated Buildings and Section 18: District Wide Section 2.22 and Section 19: Signs
		2.3.5 – 2.3.8	5.1.3(a) – (e) 5.1.4(a) – (n) 5.1.5(a) – (c) 9.1.2(a) 9.1.4(a)	9.2.1	20.1, 20.2	
Commercial Zone	2.4.4, 2.4.5, 2.4.6	2.4.7 – 2.4.9	6.1.1(a) – (d), 9.1.2(a), 9.1.4(a)	6.2, 9.2.1	20.1, 20.2	Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, and Section 9: Subdivision and Development Section 2.8 and Section 10: Parking and Transportation Section 11: Noise Section 2.9 and Section 12: Hazardous Substances Section 2.10 and Section 13: Energy Section 2.11 and Section 14: Network Utilities Section 2.12 and Section 15: Heritage Protection Section 16: Financial Contributions Section 2.7 Tangata Whenua, Section 2.13 Notable Trees, and Section 17: Natural Environment
		2.4.10 – 2.4.11	6.1.4(a) – (c), 6.1.5(a) – (c)		20.1, 20.2	
		2.4.12	6.1.1 (a) – (d)	6.2.1, 6.2.3, 6.2.5, 6.2.6, 11.2.4, 19.2.4	20.5.1	
		2.4.13 – 2.4.14	6.1.1 (a) – (d)	6.2.1, 6.2.2, 6.2.3, 6.2.4, 6.2.10	20.5.1	
		2.4.15	6.1.1 (a) – (d)	6.2.3	20.5.1	
		2.4.16 – 2.4.17	6.1.3(a)		20.1	
		2.4.18 – 2.4.22	6.1.1(a), 6.1.2(a), 6.1.5(a)	6.2.4	20.1	

Topic	Section 2	Sections 3 - 19	Section 20	Other Potentially Relevant Sections		
		2.4.23	6.1.1(a) – (d)	20.1	Section 2.20 Temporary Activities, Section 2.21 Relocated Buildings and Section 18: District Wide Section 2.22 and Section 19: Signs	
		2.4.24		6.2.7		20.1
		2.4.25	6.1.1(b)	6.2.7		20.1
		2.4.26 – 2.4.28	6.1.1(a) & (c), 6.1.3(a) – (b)			20.1
<b>Industrial Zone</b>	2.5.3, 2.5.4	2.5.5	7.1.1(a) – (k), 9.1.2(a), 9.1.4(a)	7.2, 9.2.1, 11.2.4, 19.2.4	20.1, 20.2	Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, and Section 9: Subdivision and Development Section 2.8 and Section 10: Parking and Transportation Section 11: Noise Section 2.9 and Section 12: Hazardous Substances Section 2.10 and Section 13: Energy Section 2.11 and Section 14: Network Utilities Section 2.12 and Section 15: Heritage Protection Section 16: Financial Contributions Section 2.7 Tangata Whenua, Section 2.13 Notable Trees, and Section 17: Natural Environment Section 2.20 Temporary Activities, Section 2.21 Relocated Buildings and Section 18: District Wide Section 2.22 and Section 19: Signs
		2.5.6	7.1.1(l)	7.2.8	20.1	
		2.5.7	7.1.3(a)	7.2.2, 7.2.4, 7.2.5, 7.2.6, 11.2.4, 19.2.4	20.5.1	
		2.5.8 – 2.5.9	7.1.4(a) – (k), 7.1.5(a) – (c), 9.1.4(a)	7.3.1, 7.3.2	20.1, 20.2	
		2.5.10	7.1.1	7.2.1, 7.2.2	20.5.1	
<b>Rural Industrial Zone</b>	2.6.3, 2.6.4	2.6.5	8.1.1(a) – (j),	8.2, 8.3, 9.2.1, 11.2.4, 19.2.4	20.1, 20.2	Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, and Section 9: Subdivision and Development Section 2.8 and Section 10: Parking and Transportation Section 11: Noise Section 2.9 and Section 12: Hazardous Substances Section 2.10 and Section 13: Energy Section 2.11 and Section 14: Network Utilities Section 2.12 and Section 15: Heritage Protection
		2.6.6	9.1.2(a)			
		2.6.7		8.2, 8.3	20.1	
		2.6.8	8.1.4	8.2, 8.3	20.1	
		2.6.9	8.1.4(a) – (c), 8.1.5(a)		20.1	
		2.6.10	3.1.1(a), 9.1.2(a), 9.1.4	11.2.6 9.2	20.1, 20.2, 20.5.1	

Topic	Section 2	Sections 3 - 19	Section 20	Other Potentially Relevant Sections	
				<p>Section 16: Financial Contributions</p> <p>Section 2.7 Tangata Whenua, Section 2.18 Waterbodies and Section 17: Natural Environment</p> <p>Section 2.20 Temporary Activities, Section 2.21 Relocated Buildings and Section 18: District Wide</p> <p>Section 2.22 and Section 19: Signs</p>	
Tangata Whenua	2.7.6 – 2.7.10	2.7.11 – 2.7.12	<p>15.1.1(b)</p> <p>15.1.4(b)</p> <p>9.1.3(a)</p>	<p>Schedule 1B: Historic Sites and Sites of Significance to Maori</p> <p>20.5.16</p>	<p>Section 2.1 – 2.6: All Zones</p> <p>Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, Section 9: Subdivision and Development</p>
		2.7.13 - 2.7.19	<p>3.1.1(e) &amp; (f)</p> <p>4.1.1(d) &amp; (e), (l)</p> <p>5.1.1(d) and (e)</p> <p>6.1.1(a)(xiii) and (xiv)</p> <p>3.1.1(q)</p>	<p>3.2.1.1(v) &amp; 3.2.2.3</p> <p>Schedule 7: Marae</p> <p>20.1</p> <p>20.5.5</p>	
Transportation	2.8.5, 2.8.6, 2.8.7, 2.8.8	2.8.9	<p>10.1.1(c)</p> <p>10.1.3(a)</p> <p>10.1.4(a)</p>	<p>10.2.1 – 10.2.3</p> <p>10.3.1 – 10.3.5</p> <p>All Planning Maps</p> <p>20.1, 20.2, 20.5.9</p>	<p>Section 3 – 8: All Zones</p> <p>Section 9: Subdivision and Development</p> <p>Section 11: Noise</p> <p>Section 12: Hazardous Substances</p> <p>Section 13: Energy</p> <p>Section 16: Financial Contributions</p>
		2.8.10 – 2.8.12	<p>10.1.1(a)</p> <p>10.1.3(a)</p> <p>10.1.4(a)</p>	<p>10.2.1 – 10.2.3</p> <p>10.3.1 – 10.3.5</p> <p>10.7.1</p> <p>All Planning Maps</p> <p>20.1, 20.2, 20.5.9</p>	
		2.8.13	<p>10.1.1(a)</p> <p>10.1.3(a)</p> <p>10.1.4(a)</p>	<p>10.2.1 – 10.2.3</p> <p>10.5.1 – 10.5.5</p> <p>10.7.1</p> <p>All Planning Maps</p> <p>20.1, 20.2, 20.5.9</p>	
		2.8.14	10.1.1(a)	10.6.1	

Topic	Section 2	Sections 3 - 19	Section 20	Other Potentially Relevant Sections		
			10.1.3(a) 10.1.4(a)	10.7.1 All Planning Maps		
		2.8.15	10.1.1(a) 10.1.3(a) 10.1.4(a)	6.2.7(1) All Planning Maps	20.1, 20.2, 20.5.9	
		2.8.16	10.1.1(a) 10.1.3(a) 10.1.4(a)	10.2.1, 10.5.1 All Planning Maps	20.1, 20.2, 20.5.9	
		2.8.17	10.1.1(b) 10.1.3(a) 10.1.4(a)	10.4.1 All Planning Maps	20.1, 20.2, 20.5.9	
		2.8.18	3.1.1, 3.1.3(a)	11.2.2.3 All Planning Maps	20.1, 20.2, 20.5.9	
	2.8.8	2.8.19 – 2.8.21	3.1.1, 3.1.3(a) 3.1.3(l), 3.1.5(b) 4.1.1, 4.1.3(a) 6.1.1, 6.1.3(a) 7.1.1, 7.1.3(a)	3.2.11 4.2.9 6.2.8 7.2.7 11.2.8, 11.2.9 Planning Maps (Special Map 1)	20.1, 20.2, 20.5.9	
<b>Hazardous Substances and Contaminated Land</b>	2.9.4	2.9.8	12.1.4, 12.1.5, 12.1.6		20.5.10	Sections 2.1 – 2.6, and Sections 3-8: All Zone Rules Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, Section 9: Subdivision and Development Rules Section 2.8: Transportation and Section 10: Parking and Transportation Rules Section 2.10 Energy, and Section 13: Energy Rules Section 2.11 and Section 14: Network Utilities Rules
		2.9.9, 2.9.10, 2.9.11 2.9.12 - 2.9.14	12.1.1 – 12.1.6, 9.2.1	12.2, 8.2, 3.2.2(a)	20.5.28	



Topic	Section 2		Sections 3 - 19		Section 20	Other Potentially Relevant Sections
						Section 2.20: Temporary Activities, Section 18: District Wide Rules
	2.9.5	2.9.27 – 2.9.29				Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES).
	2.9.6	2.9.15 – 2.9.24	12.1.1 – 12.1.6		2.5.11	Sections 2.1 – 2.6, and Sections 3-8: All Zone Rules
	2.9.7	2.9.25 – 2.9.26	12.1.1 – 12.1.6, 9.2.1	8.2, 3.2.2(a)	20.5.28	Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, Section 9: Subdivision and Development Rules Section 2.8: Transportation and Section 10: Parking and Transportation Rules Section 2.10 Energy, and Section 13: Energy Rules Section 2.11 and Section 14: Network Utilities Rules Section 2.20: Temporary Activities, Section 18: District Wide Rules
<b>Energy</b>	2.10.5, 2.10.6, 2.10.7 2.10.8	2.10.9	13.1.1	13.2.2		Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, and Section 9: Subdivision and Development Section 2.8 and Section 10: Parking and Transportation Section 11: Noise Section 2.9 and Section 12: Hazardous Substances Section 2.10 and Section 13: Energy Section 2.11 and Section 14: Network Utilities Section 2.12 and Section 15: Heritage Protection Section 16: Financial Contributions Section 2.7 Tangata Whenua, Section 2.13 Notable Trees, Section 2.15 Coastal Environment, Section 2.16 Natural Features and Landscapes, Section 2.17 Indigenous
		2.10.10	13.1.1	13.2.2	20.5.11	
		2.10.11	13.1.5		20.5.11	
		2.10.12	9.2.1		20.2, 20.5.11 & 20.2.12	
		2.10.13			20.5.11	
		2.10.14			20.5.11	
		2.10.15	13.1.4		20.5.12	
		2.10.16	13.1.3, 13.1.4		20.5.12 & 20.2.13	
		2.10.18	13.1.1	13.2.1	20.5.12	
		2.10.19	13.1.1 – 13.1.5	13.2.3	20.5.12 & 20.2.13	

Topic	Section 2	Sections 3 - 19	Section 20	Other Potentially Relevant Sections		
		2.10.20	13.1.1(a)(iv)	13.2.3	Biodiversity, Section 2.18 Waterbodies and Section 17: Natural Environment Section 2.19 Natural Hazards Section 2.20 Temporary Activities, Section 2.21 Relocated Buildings and Section 18: District Wide Section 2.22 and Section 19: Signs	
		2.10.21	13.1.1 – 13.1.5			
		2.10.22	13.1.4, 13.1.5	20.5.12(s)		
		2.10.23	13.1.4, 13.1.5	20.5.12 (t)		
Network Utilities	2.11.2	2.11.4-2.11.9	14.1.1(a)-(h) 14.1.3(a)-(d) 14.1.4(a), (b)	14.2.1-14.2.11	20.5.14	Section 9: Subdivision and Development Section 2.7 Tangata Whenua Section 2.15 Coastal Environment Section 2.16 Natural Features and Landscapes Section 2.17 Indigenous Biodiversity Section 2.19 Natural Hazards Section 9: Subdivision and Development Schedule 5: Significant Waterbodies Schedule 8B: Areas of Outstanding Natural Character Schedule 2: Significant Natural Areas
	2.11.3	2.11.10-2.11.13	3.1.3(k)-(l)  3.1.5(c) 9.1.3(f) 9.1.5(c)	3.2.14-3.2.15	20.2 20.5.15 20.5.27	
Historic Heritage	2.12.2-2.12.3	2.12.5-2.12.14	15.1.1 (a) 15.1.2 (a) 15.1.3 (a) 15.1.4 (a) 15.1.6 (a) 9.1.3 (a)	Scheduled 1A Buildings and Objects 6.2.10.2 7.3.1.2	20.5.16	Section 2.1 – 2.6, and Section 3-8: All Zone Rules Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, Section 9: Subdivision and Development Rules Section 2.8: Transportation and Section 10: Parking and Transportation Rules Section 2.10 Energy, and Section 13: Energy Rules Section 2.11 and Section 14: Network Utilities Rules Section 2.7: Tangata Whenua, Section 2.13: Notable Trees and Section 15 Heritage Protection Rules. Section 2.15: Coastal Environment, 2.16: Natural Features and Landscapes, Section 2.17: Indigenous Biodiversity,
		2.12.15	15.1.4 (c) 9.1.3 (a)		20.5.16	
		2.12.16 2.12.17	15.1.1(b) 15.1.4(b)	Scheduled 1B Historic Sites and Sites of Significance to Tangata Whenua	20.5.17	

Topic	Section 2	Sections 3 - 19	Section 20	Other Potentially Relevant Sections		
		2.12.18 – 2.12.20	Any resource consent	All planning maps	Section 2.18 Waterbodies, and Section Natural Environment Rules. Section 2.20: Temporary Activities, Section 18: District Wide Rules	
<b>Notable Trees</b>	2.13.2	2.13.3 – 2.13.8	15.1.1(c) 15.1.4(d)	Schedule 4: Notable Trees	20.5.18	Section 2.1 – 2.6: All Zones Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, Section 9: Subdivision and Development
<b>Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions</b>	2.14.5, 2.14.6	2.14.7 – 2.14.8	Planning Maps All Section 4 All Section 6 All Section 7	Planning Maps All Section 4 All Section 6 All Section 7	20.1, 20.2	Section 2.2 and Section 4: Residential Zone Section 2.4 and Section 6: Commercial Zone Section 2.5 and Section 7: Industrial Zone Section 2.7 and Section 10: Parking and Transportation
		2.14.9		9.2.4	20.1, 20.2	Section 2.10 and Section 14: Network Utilities
		2.14.10	9.1.4(a)	9.2.1, 9.2.2	20.1, 20.2, 20.5.4	Section 16: Financial Contributions
		2.14.11 – 2.14.12	9.1.2(a), 9.1.4(a)	9.2.2, 9.2.3, 9.2.5, 9.2.6	20.1, 20.2, 20.5.19	Section 2.7 Tangata Whenua, Section 2.13 Notable Trees, Section 2.15 Coastal Environment, Section 2.16 Natural Features and Landscapes, Section 2.17 Indigenous Biodiversity, Section 2.18 Waterbodies and Section 17: Natural Environment
<b>Coastal Environment</b>	2.15.3, 2.15.4, 2.15.5, 2.15.6, 2.15.7	2.15.8 – 2.15.12	17.1.1(a)-(c) 17.1.3(a) 17.1.4(a) 17.1.5(a) 9.1.4(b) 9.1.5(a)	All Planning Maps	20.5.21	Section 2.17 Indigenous Biodiversity Section 2.18 Waterbodies Section 2.10 and Section 13: Energy Section 2.16 Natural Features and Landscapes Section 2.19 Natural Hazards Section 9: Subdivision and Development
		2.15.13 - 2.15.17	9.1.4	9.2.6	20.2, 2.5.21	Schedule 8B: Areas of Outstanding Natural Character
		2.15.18	17.1.1(a)(xi)			
		2.15.19	17.1.4(a)(vi)			20.5.21

Topic	Section 2	Sections 3 - 19	Section 20	Other Potentially Relevant Sections	
		2.15.20	17.1.4(a)(vii)	20.5.21	
Natural Features and Landscapes	2.16.3 2.16.4	2.16.5-2.16.11	17.1.1(b), (c) 17.1.3(b), (c) – (d) 17.1.4(b), (g), (h) 17.1.5(b) 9.1.5(b)	All planning maps  20.5.22	Section 2.7 Tangata Whenua Section 2.15 Coastal Environment Section 2.17 Indigenous Biodiversity Section 2.19 Natural Hazards Section 9: Subdivision and Development Schedule 8A: Outstanding Natural Features and Landscapes
		2.16.12 2.16.13	17.1.3(e)	17.2 Natural Environment Appendix 1  20.5.22	
		2.16.15	17.1.4(a)(vi)	  20.5.22	
Indigenous Biodiversity	2.17.3 2.17.4	2.17.5 – 2.17.11	17.1.1 (a)(viii), (d) 17.1.3(b)(i) 17.1.4(a)(i), (d)-(f) 9.1.3(b)	All Planning Maps 17.3: Natural Environment Appendix 2  20.5.20	Schedule 2: Significant Natural Areas Section 2.18 Waterbodies Section 9: Subdivision and Development Schedule 8B: Areas of Outstanding Natural Character
		2.17.12 – 2.17.13	17.1.1(e) & (f) 17.1.4(g)	All Planning Maps 20.5.20	
Waterbodies	2.18.4 2.18.5 2.18.6 2.18.7	2.18.8		Schedule 5: Significant Waterbodies	Section 2.7 Tangata Whenua Section 2.15 Coastal Environment Section 2.16 Natural Features and Landscapes Section 2.17 Indigenous Biodiversity Section 2.19 Natural Hazards Section 9: Subdivision and Development Schedule 5: Significant Waterbodies Schedule 8B: Areas of Outstanding Natural Character Schedule 2: Significant Natural Areas
		2.18.9 - 2.18.13	9.1.3(c) 3.1.1 3.1.3	3.2.2	
		2.18.14- 2.18.18, 2.18.23	9.1.2	9.2.6	
		2.18.19 -2.18.20	3.1.1 (t) 3.1.3(f)	3.2.13	

Topic	Section 2		Sections 3 - 19		Section 20	Other Potentially Relevant Sections
Natural Hazards	2.19.2	2.19.4-2.19.11	17.1.1(a)		20.2(d)	Section 2.15 Coastal Environment
	2.19.3		17.1.3(a), 17.1.4(a) – (e), 17.1.5(a) 9.1.4(b)		20.1	
		2.19.12-2.19.17	3.1.1	All Planning Maps	20.2	
		2.19.18	3.1.3(h)	3.2.8	20.1	
		2.19.19	5.1.1 9.1.3(e)	5.2.9		
Temporary activities	2.20.2	2.20.3	18.1.1(b)-(d) 18.1.3(b)	18.2.2 – 18.2.4 <u>5</u>	20.5.23 20.5.24	Section 12: Natural Environment Rules Section 15: Heritage Protection
Relocated buildings	2.21.2	2.21.3	18.1.1(a)	18.2.1 18.1.3(a) 18.3, 18.4	20.5.25	Sections 3-8: Zone Rules
Signs	2.22.2	2.22.3 2.22.4	19.1.1(a), (b) 19.1.3(a), (b) 19.1.4(a)-(c)	9.2.1-19.2.5 19.3.1(a), (b)	20.5.-26	Section 12: Natural Environment Rules Section 15: Heritage Protection
Noise	2.1.3, 2.1.4, 2.3.2	2.1.7, 2.3.4	11.1.1 3.1.1, 3.1.3 5.1.1, 5.1.3	11.2.2.1, 11.2.2, 11.2.7.1	20.1	Section 2.1 – 2.6, and Section 3-8: All Zone Rules Section 2.14 Integrated Land Use and Infrastructure Planning, Urban Growth and Financial Contributions, Section 9: Subdivision and Development Rules Section 2.8: Transportation and Section 10: Parking and Transportation Rules Section 2.10 Energy, and Section 13: Energy Rules Section 2.11 and Section 14: Network Utilities Rules Section 2.20: Temporary Activities, Section 18: District Wide Rules
	2.2.5, 2.4.4, 2.5.3,	2.2.18 - 2.2.21 2.4.7 – 2.4.10 2.5.5, 2.5.7 – 2.5.9	4.1.1, 4.1.3 6.1.1, 6.1.3 7.1.1, 7.1.3	11.2.3.1, 11.2.7.1 11.2.4.1 11.2.5.1		
	2.6.3	2.6.6 – 2.6.10	8.1.1, 8.1.3	8.2.1, 8.3 – 8.12, 11.2.6.1		
	2.7.8	2.7.20	11.1.1	11.2.8.1		
	2.20.2	2.20.3	11.1.1 18.1.1(d)	11.2.10	20.1	

## 1.7 MONITORING

The Council is required under the RMA 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 the Council's duties and responsibilities under the RMA.

In order to carry out these obligations, the Council will:

- Monitor the key issues facing the District in a timely manner;
- Produce reports to document trends and issues;
- Use existing data where possible in order to be cost effective; and
- Continue to review and examine the effectiveness of the District Plan (or parts of it) to ensure all objectives, policies and rules will effectively achieve the desired environmental outcomes.

In order to achieve this, the Council will rely as much as possible on:

- Its own monitoring programme and its Annual Plan requirements;
- Data gathered for other purposes, but which have relevance for monitoring;

Monitoring programmes carried out by Taranaki Regional Council, and other agencies.

## 1.8 DESIGNATIONS

A designation is a provision in the District Plan which authorises the use of land for a particular work. The provisions for designations are set out in Part 8 of the RMA.

Under the RMA, a Minister of the Crown or local authority with financial responsibility for a public work, or a network utility operator approved under Section 167 of the RMA may designate land for public works. A public work or project could include a school, police station, state highway, local road, park, transmission lines, substation or other infrastructure.

A designation can:

- Enable the use of land for a public work or infrastructure;
- Restrict the use of land, water, subsoil, or airspace where this is necessary for the safe or efficient functioning or operation of a public work or infrastructure; and
- Require written approval of the requiring authority responsible for the designation before a third party can undertake an activity within the designation.

The following section provides an overview of the Notice of Requirement process, the effect of a designation, and Designations included in Schedule 3 of the District Plan.

### 1.8.1 NOTICES OF REQUIREMENT

A Notice of Requirement (NoR) is a proposal or application for a designation, which typically relates to enabling a public work or project or restricting activities for the safe or efficient function or operation of a public work or project. A Requiring Authority can serve a Notice of Requirement on the Council at any time to include a designation in the Plan. Such 'Notices of Requirement' are required to include certain

information as set out in section 168 or section 168A of the RMA, and to follow the procedures also set out in the RMA, including Schedule 1.

The procedures which need to be followed to include a Designation in the plan are comprehensive and ensure that a Requiring Authority undertakes a full assessment of the environmental effects of the activity prior to notifying a Notice of Requirement. All notices of requirement should convey in clear language the uses and activities to which 'designated' land may be put.

All Notices of Requirements for designations received by the Council will be assessed in accordance with the provisions of the RMA. Likewise, any request by a requiring authority to alter a designation in the plan will be assessed in accordance with the relevant provisions of the RMA.

### **1.8.2 EFFECT OF DESIGNATION**

Section 176 of the Resource Management Act 1991 sets out the effect of a designation when a designation is included in a District Plan:

All work undertaken on a designated site shall be undertaken in accordance with the Notice of Requirement creating that designation, and any conditions attaching to the Requirement at the time the designation was confirmed. The District Plan rules do not apply to a public work, project or work undertaken by a requiring authority under the designation. However, if the designated land is used for a purpose other than the designated purpose (i.e. outside the 'scope' of the 'designation purpose' identified in Schedule 3), then the provisions of the District Plan or proposed District Plan would apply.

A designation does not exclude the requiring authority from other restrictions or duties under Part 3 of the Resource Management Act 1991, (i.e. national environmental standards and Regional Council rules) and the general duties under sections 16 and 17 (i.e. avoiding unreasonable noise and avoiding, remedying and mitigating adverse effects).

Other people may not, without the prior written consent of the requiring authority, do anything in relation to the designated land that would impede the public work, project or work.

### **1.8.3 SCHEDULE 3**

All requirements for designations received by South Taranaki District Council, and existing designations rolled over from the previous District Plan are identified in Schedule 3 of the District Plan and shown on the planning maps. All existing legal roads, including state highways, are designated, shown on planning maps and included in Schedule 3. Any conditions of the designations are also included in Schedule 3.

## **1.9 PLAN INTERPRETATION AND DEFINITIONS**

This Section defines the meaning of terms used in the District Plan. Words defined in the RMA have the same meaning in this Plan, unless otherwise stated. In the case of any inconsistency, the statutory definition prevails.

## **1.10 GENERAL RULES OF INTERPRETATION**

- Any term which is not defined in this section, the Resource Management Act 1991 or relevant technical standard takes its common meaning from the Oxford Dictionary.
- Singular includes plural and vice versa.

- Cross references are for the assistance of the reader and are not necessarily exhaustive.
- References to New Zealand or overseas standards include amendments.
- Definitions of Maori terms are necessarily a brief approximation of meaning and have to be expanded and understood in the context of the specific usage and local language differences.
- Terms that are in capital letters indicate that the term is also defined in this section of the District Plan.

## 1.11 DEFINITIONS

**ACCESS:** means that area of land over which a site or allotment obtains legal vehicular and/or pedestrian access to a legal road. This land includes an ACCESS LEG, a private road/right of way/accessway, common land as defined on a cross-lease or company-lease; or common property as defined in Section 2 of the Unit Titles Act 2010.

**ACCESS LEG:** in relation to a rear allotment or rear site, means the strip of land, which is included in the ownership of that allotment or site, and which provides the legal, physical access from the frontage legal road to the net area of the allotment or site.

**ACCESS WAY:** means any passage way, laid out or constructed by the authority of the Council or the Minister of Works and Development or, on or after the 1st day of April 1988, the Minister of Lands for the purposes of providing the public with a convenient route for pedestrians from any road, service lane, or reserve to another, or to any public place or to any railway station, or from one public place to another public place, or from one part of any road, service lane, or reserve to another part of that same road, service lane, or reserve (Section 315 of the Local Government Act 1974).

**ACCESSORY BUILDING:** means any BUILDING that is secondary and 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.

**AERIAL,** in relation to AMATEUR RADIO CONFIGURATION, means all supporting STRUCTURES for AMATEUR RADIO CONFIGURATION, including ANTENNA and MASTs.

**AGGREGATE/SOIL EXTRACTION:** means the permanent removal of any soil, rock or aggregate from any point of any site, including metal quarries and coal mines, including gravel crushing and processing of aggregate/soil, but does not include the removal of spoil for construction purposes or removal of soil, rock or aggregate for FORESTRY HARVESTING, PROSPECTING, PETROLEUM EXPLORATION, or PETROLEUM PRODUCTION.

**AIRPORT APPROACH CONTROL SURFACE:** means that land identified as “Airport Approach Control Surface” on Special Map 1 of the planning maps.

**AIRPORT PROTECTION AREA:** means that land identified as “Airport Protection Area” on Special Map 1 of the planning maps.

**ALLOTMENT:** has the same meaning as Lot, as defined in section 218 of the Resource Management Act 1991.

**AMENITY VALUES:** has the same meaning as defined in the Resource Management Act 1991.



**AMATEUR RADIO CONFIGURATION:** means the AERIALS, ANTENNAS and associated MASTS and supporting STRUCTURES which are owned and used by licensed Amateur Radio Operators.

**ANTENNA:** in relation to NETWORK UTILITIES, means a device that:

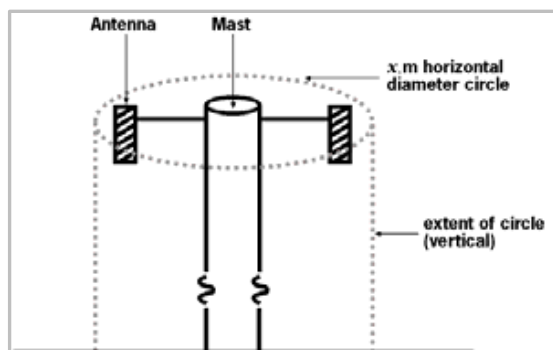
- (a) Receives or transmits radio-communication or telecommunication signals.
- (b) Is operated by a network operator.
- (c) Includes the mount, if there is one, for the device.
- (d) Includes the shroud, if there is one, for the device.
- (e) Includes all associated hardware for the functioning of the antenna.

The diameter or area of an antenna means:

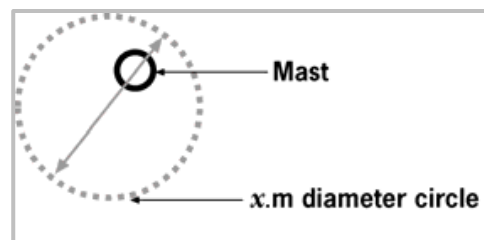
- In relation to any panel antenna or other type of antenna that has a length and a width, the area measured by calculating the largest surface area.
- In relation to any other antenna, the diameter measured by taking the cross-section of the widest part of the antenna.

The requirement that antenna and aerials attached to a mast are to be located within a x.m horizontal diameter circle of the centre of the mast, this means that all antennas, aerials and mountings must be located within the horizontal diameter circle stipulated.

For illustration purposes only:



*Horizontal Diameter Circle (side Elevation centred on mast)*



*Horizontal Diameter Circle (Plan view – not centred on mast)*

**ANTENNA,** in relation to **AMATEUR RADIO CONFIGURATION,** means a device, rods or wires that transmit or receive radio signals, and includes a mounting boom, if there is one.

**ALTERATION:** (only applicable to heritage provisions) means any change to the physical fabric of a historic heritage building or object that varies its size, style or composition. This includes the partial destruction of a historic heritage building or **STRUCTURE** required to realise any such change, and includes the removal and replacement of external walls, windows, roofs, verandas, parapets and balustrades. Alteration does not include **MAINTENANCE, REDECORATION, REPAIR** or restoration.

**ARCHAEOLOGICAL SITE:** has the same meaning as in the Heritage New Zealand Pouhere Taonga Act 2014.

**BIODIVERSITY OFFSET:** means measurable conservation outcomes resulting from actions designed to compensate for significant residual adverse biodiversity impacts arising from project development after

appropriate avoidance, minimisation, remediation and mitigation measures have been taken. The goal of biodiversity offsets is to achieve no net loss and preferably a net gain of biodiversity on the ground.

**BOUNDARY ADJUSTMENT:** means the subdivision of land comprised in two or more contiguous sites (notwithstanding any separation by any road, railway line or waterbody) where the location of the legal boundaries are adjusted and there is no increase in the number of Record of Title.

**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) Support STRUCTURES for electricity lines, telecommunication or radiocommunication activities.
- (c) Any retaining wall retaining earth less than 1.2m in HEIGHT, or any wall or fence, other than a retaining wall, not exceeding 2m.
- (d) Any tank or pool including any structural support thereof, not exceeding 2000 litres capacity and not more than 2.0m in HEIGHT above NATURAL GROUND LEVEL.
- (e) Any deck, terrace platform or road surface less than 1m above NATURAL 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.
- (i) Any STRUCTURE less than 5m<sup>2</sup> in GROSS FLOOR AREA and 2m in HEIGHT.

**BUILDING PLATFORM** means land that is suitable and practical for accommodating a DWELLING UNIT or other intended BUILDING having regard to soil conditions, gradient, access, NATURAL HAZARDS, INDIGENOUS VEGETATION and habitat, amenity, health and safety, all in terms of the Building Act 2004 and the Council's Code of Practice for Subdivision and Development.

**BUILDING RECESSION PLANE:** means the three dimensional plane(s) used to manage the height and location of buildings and structures in relation to the NATURAL GROUND LEVEL of boundaries of the site on which they are located.

**BUILDING SAFETY ALTERATIONS:** (only applicable to heritage provisions) means any work that improves the safety of a heritage building, including fire and disability access.

**CAMPING GROUNDS/MOTOR CAMPS:** means land used for the accommodation of motor homes, caravans and tents, including providing cabins, ablution and amenity facilities, used for the temporary or semi-permanent accommodation of paying guests.

**CHILDCARE FACILITY:** means a facility for the care and/or education of children with five (5) or more children under the age of seven (7), including but not limited to crèche, day care centre, kindergarten, Kohanga Reo, playgroups and day nurseries; such facilities shall not provide for overnight stays, and does not include HOME BASED CHILDCARE SERVICES and EDUCATION FACILITIES.

**COASTAL PROTECTION AREA:** is the extent of the district's coastal environment and means land within the district seaward of the line as the inland boundary of the Coastal Protection Area on the District Plan Maps.

**COMMERCIAL ACTIVITY:** includes trade, commerce and professions such as post offices, shoe repairs, tourist agencies, hairdressers, dry cleaners and other similar uses with functions and characteristics that are similar to retail activities but does not include a HOME OCCUPATION, INDUSTRIAL ACTIVITY, RETAIL ACTIVITY, OFFICE, COMMERCIAL GARAGE/VEHICLE SALES YARD, TRADE AND SERVICE ACTIVITY or VEHICLE SERVICE STATION.

**COMMERCIAL ACTIVITY:** (only applicable to activities on the surface of waterbodies) includes business activities for commercial gain, including but not limited to the following: jet boating, fishing charters, and rafting.

**COMMERCIAL GARAGE/VEHICLE SALES YARD** means land or any premises where motor vehicles are sold, leased, hired, repaired, maintained, cleaned, re-fuelled, panel beaten, overhauled, painted, or housed; and includes the retail sale of motor vehicle accessories ancillary to that activity.

**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, but does not include PRIVATE FUNCTION CENTRES/FACILITIES.

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

- (a) Position of all SITE boundaries.
- (b) Location and extent of building envelopes, height limits (if necessary) general activity groupings, existing and proposed developments.
- (c) Location of car parking (when provided), site access, manoeuvring vehicle loading areas, solid waste storage and treatment areas, liquid treatment and disposal areas.
- (d) Location and extent of all existing and proposed landscaping, screening and buffering.

**CONTIGUOUS INDIGENOUS VEGETATION** means areas of indigenous vegetation having boundaries that make contact and effectively form a continuous area of indigenous vegetation that is not already bisected by roads, infrastructure, buildings, fences or drains.

**CONTROLLED ACTIVITY:** has the same meaning as defined in the Resource Management Act 1991.

**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. The deferred status can be removed by way of a Council or private plan change, or by Council passing a resolution confirming that the 75% allotment thresholds has been exceeded. For areas identified as having Deferred Zoning, the Rural Zone provisions apply until such time as the Deferred zoning status is uplifted.

For example, the Deferred Residential Zone on the western side of Hāwera is subject to Rural Zone rules and performance standards.

**DEFINED PEDESTRIAN FRONTAGE:** means the boundaries identified as “Defined Pedestrian Frontage” on the planning maps in the town centres of Hāwera, Eltham and Ōpunakē.

**DESIGNATION:** has the same meaning as defined in the Resource Management Act 1991.

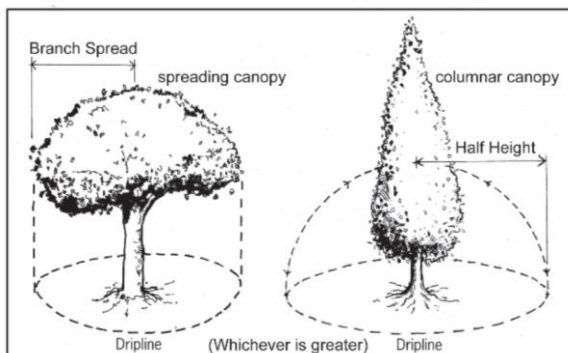
**DIRECTIONAL SIGN:** means any SIGN erected on the road reserve by or on behalf of the road controlling authority (New Zealand Transport Agency or South Taranaki District Council). These include all traffic

control SIGNS such as stop SIGNS, safety and hazard 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 road.

DISCRETIONARY ACTIVITY: has the same meaning as defined in the Resource Management Act 1991.

DRIPLINE (relevant to notable trees), means the area (whichever is greater) of:

- (a) The line formed when a vertical line from the outermost extent of the spread of a tree's branches or canopy meets to ground; or
- (b) The line formed at a radius of half the height of the tree measured from the base of the trunk (see below diagram).



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

EARTHQUAKE STRENGTHENING: (only applicable to heritage provisions) means any work that improves the structural performance of a HERITAGE BUILDING/OBJECT, particularly with respect to withstanding the effects of an earthquake.

EARTHWORKS: means the disturbance of land by contouring, moving, removing, placing or replacing soils or earth, or by excavation, cutting or filling operations. Excludes the cultivation of land, and holes for posts, piles, poles, trees or other plants.

EDUCATION FACILITIES: means land and/or buildings used to provide regular instruction or training and includes schools, tertiary education institutions, works skills training centres, outdoor education centres and sports training establishments. This does not include CHILD CARE FACILITIES.

EFFECT: has the same meaning as defined in the Resource Management Act 1991.

EMERGENCY FACILITIES: any service which provides critical services and includes fire, ambulance and police stations, and civil defence.

ENVIRONMENT: has the same meaning as defined in the Resource Management Act 1991.

ENTERTAINMENT ACTIVITY means any land or buildings used for the purpose of entertainment, or social or cultural enjoyment; and includes any licensed hotel/club, casino, cinema, theatre, electronic games facility and premises controlled by the Prostitution Reform Act 2003.

ESPLANADE RESERVE: has the same meaning as defined in the Resource Management Act 1991.

ESPLANADE STRIP: has the same meaning as defined in the Resource Management Act 1991.

**EXPLORATORY WIND GENERATION ACTIVITIES:** mast, pole or any other support STRUCTURE to which anemometers and other meteorological devices or sensors are attached for the purpose of wind resource measurement and monitoring.

**FARMING:** means rural land use activities where the primary purpose is to produce livestock, vegetative matter and/or agricultural produce that relies on the productive capacity of land, and includes agriculture, pastoral farming, dairying and horticulture. For the avoidance of doubt, this includes:

- (a) Ancillary activities including the storage of products and initial processing of horticultural and agricultural products produced on site.
- (b) The storage and disposal of solid and liquid animal waste.
- (c) Greenhouses/glass houses with a permeable floor and where the soil profile is maintained.
- (d) Woodlots up to 5 hectares in area.

**FORESTRY HARVESTING:** means the harvesting of trees for commercial forestry, including indigenous trees specifically planted for commercial forestry purposes, 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 harvesting of INDIGENOUS VEGETATION.

**FORESTRY MAINTENANCE** means the maintenance of trees for commercial forestry, including indigenous trees specifically planted for commercial forestry purposes, and includes but not limited to the activities of pruning, thinning, weed control and fertiliser application.

**FORESTRY PLANTING** (including plantation forestry): means the planting or replanting of trees for commercial forestry, including indigenous trees specifically planted for commercial forestry purposes, for timber or other wood products or wood derivatives.

**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 separating two (2) abutting BUILDINGS, or, in the absence of walls, from the exterior edge of the floor, but excluding vehicle MANOEUVRING and PARKING SPACES, uncovered stairways and external terraces, balconies or porches.

**HAZARDOUS SUBSTANCE:** means, unless expressly provided otherwise by regulations in force under the Hazardous Substances and New Organisms Act 1996, any substance:

- (a) With one or more of the following intrinsic properties: explosiveness, flammability, a capacity to oxidise, corrosiveness, toxicity (including chronic toxicity), 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.

**HEALTH CARE SERVICES:** any activity which provides services relating to physical and mental health and welfare and includes hospitals, acupuncturists, chiropodists, chiropractors, dentists, dieticians, homeopathy practitioners, medical practitioners, medical radiographers, medical social workers and counsellors, naturopathy practitioners, nurses, occupational therapists, opticians, optometrists, osteopaths, paediatricians, pharmacists, physiotherapists, podiatrists, psychotherapists, and psychologists.

**HEAVY VEHICLE:** means a motor vehicle that has a gross vehicle mass (GVM) exceeding 3500 kilograms.

**HEIGHT:** unless stated elsewhere in this Plan, means the vertical distance between the highest point of a BUILDING or STRUCTURE and the NATURAL GROUND LEVEL directly below that highest point, excluding lightning rods, GPS antenna, stacks, chimneys, vents and lift shafts with an area of less than 2m<sup>2</sup>.

**HERITAGE SETTING:** (only applicable to heritage provisions) means the area between the listed heritage building or object on Schedule 1A of this Plan and the legal boundary of the SITE, except where the description of the item contained in Schedule 1A specifically deems otherwise.

**HISTORIC HERITAGE:** has the same meaning as defined in the Resource Management Act 1991.

**HOLIDAY HOMES:** means the residential use of DWELLING UNITS rented out to fee paying guests for short stays.

**HOME BASED CHILDCARE SERVICE** means the provision of education and/or care for up to (and including) four (4) children under the age of seven (7), in addition to any child who resides at the property in which the activity occurs.

**HOME BASED VISITOR ACCOMMODATION** means temporary accommodation such as Bed and Breakfasts, lodges and boarding accommodation for up to (and including) four (4) persons in addition to any person who resides at the property in which the activity occurs.

**HOME OCCUPATION:** means a business, occupation, craft or profession, excluding HOME BASED CHILDCARE SERVICE; the primary purpose of which is to derive income and which:

- (a) Is incidental and secondary to the residential use of the property;
- (b) Is undertaken or operated by a member of the household residing on the property on or in which the home occupation occurs plus one (1) other person (full time equivalent) who reside off the property and employed in the activity; and
- (c) Involves no delivery or collection of goods, materials, or wastes or visits for the home occupation outside the hours of 8.00 am to 6.00 pm; and
- (d) Involves no exterior storage, display, or other indication of the home occupation (other than an advertising sign permitted by this Plan).

**HOUSING FOR THE ELDERLY:** means a BUILDING and/or SITE used as a home under the Health and Disability Services (Safety) Act 2001 or any Act. It includes old people's homes, rest homes, pensioner housing developments, retirement villages and associated ancillary facilities such as medical, recreational and other communal facilities which offer an exclusive service to residents occupying the HOUSING FOR THE ELDERLY.

**INCIDENTAL EQUIPMENT:** means equipment for facilitating utility transmission or distribution, including any fixture used or intended to be used for the transmission or distribution of electricity, telecommunications or any other utility forming part of, or used or intended to be used for the MAINTENANCE or functioning of telecommunications or electricity transmission, or distribution or transmission by pipeline of natural or manufactured gas, petroleum or geothermal energy. This includes, but is not limited to:

- (a) Household connections.
- (b) Amplifiers and power boxes for telecommunication and radiocommunication activities.
- (c) Compressor stations for gas distribution pipes.

**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 herb fields, but does not include:

- (a) Indigenous understory beneath plantation forestry; or
- (b) Indigenous species used in domestic landscaping and gardens

**INDUSTRIAL ACTIVITY:** means the primary use of land or premises for the purpose of manufacturing, fabricating, processing, conversion, repair, packaging, recycling, storage, collection, or distribution of goods; and includes the ancillary wholesale or retail sale of goods manufactured on the SITE. For the purpose of this definition, the following activities are excluded:

- (a) PETROLEUM EXPLORATION
- (b) PETROLEUM PRODUCTION
- (c) SMALL SCALE RENEWABLE ELECTRICITY GENERATION ACTIVITIES
- (d) LARGE SCALE RENEWABLE ELECTRICITY GENERATION ACTIVITIES.

**INTENSIVE FARMING:** means any pastoral, horticultural, aquacultural or similar agricultural activity which predominantly involves the housing or raising of animals, plants or other living organism within BUILDINGS or tightly confined enclosures where the stocking density precludes the maintenance of pasture or ground cover. It includes fish farms, pig, fish, rabbit, snail, poultry and mushroom farming, and animal feedlots, but does not include:

- (a) Horticulture undertaken in greenhouses,
- (b) Shearing sheds; and dairy milking sheds;
- (c) Keeping, rearing or breeding of poultry of 20 or fewer birds; and
- (d) The keeping, breeding or rearing of five (5) or fewer pigs that have been weaned, or more than two (2) sows (with progeny until weaned).

**INTERNAL ALTERATION:** (only applicable to heritage provisions) means any change to the physical fabric of the interior of a listed heritage building or object on Schedule 1A of this Plan. This includes the removal or replacement of internal walls, ceilings, floors and doors, internal plumbing and rewiring, and replacement of minor fittings and fixtures.

**IWI AUTHORITY:** has the same meaning as defined in the Resource Management Act 1991.

**KAITIAKITANGA:** has the same meaning as defined in the Resource Management Act 1991.

**LANDFARMING:** means the deposition of petroleum drilling wastes onto land and their subsequent spreading and incorporation into the soil, for the purpose of attenuation of hydrocarbon and/or other contaminants and includes any stripping and relaying of topsoil.

**LARGE SCALE RENEWABLE ELECTRICITY GENERATION ACTIVITIES:** means electricity generation activities utilising renewable energy sources with a capacity of 20kW or greater for the purpose of exporting electricity directly into the distribution network or National Grid. Includes all ancillary components and activities such as substations, climate/environmental monitoring equipment, earthworks, roading, maintenance buildings, temporary concrete batching plants, internal transmission and fibre networks, vegetation clearance, and site rehabilitation works.



**LINE:** means a wire or wires or a conductor of any kind (including fibre optic or other cable) used or intended to be used for telecommunication, or the conveyance of electricity and includes any pole, support STRUCTURE, pole mounted transformer, overhead substation, insulator, casing, minor fixture, tunnel or other equipment or material used or intended to be used for supporting, enclosing, surrounding or protecting any such wire or conductor, and also includes any part of a line. It includes transmission lines as defined in the Resource Management (National Environmental Standards for Electricity Transmission Activity) Regulations 2009. It does not include lines as part of an AMATEUR RADIO CONFIGURATION.

**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.

**MAINTENANCE:** In relation to a NETWORK UTILITY, means any replacement, repair or renewal work or activity necessary to continue the operation and/or functioning of an existing NETWORK UTILITY. It includes the replacement of an existing line, BUILDING, STRUCTURE or other facility with another of the same or similar height, size and scale, within the same or similar position and for the same or similar purpose. It also includes the addition of extra lines to existing or replacement poles or other support STRUCTURES.

**MAINTENANCE:** (only applicable to the historic sites or sites of significance to tangata whenua in Schedule 1B) means mowing grass and lawns, general gardening, tree trimming, but does not include new EARTHWORKS, landscaping or fencing. For existing BUILDINGS, STRUCTURES and SIGNS within a scheduled historic site, it means the continuous care, repair and/or reinstatement of the BUILDING, STRUCTURE or SIGN.

**MANA WHENUA:** has the same meaning as defined in the Resource Management Act 1991.

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

**MARAE:** means the land and buildings for the use of a Māori community family, hapū or tribe, and includes wharenui (meeting house), wharekai (dining rooms), wharepaku (ablution blocks inclusive of toilets, showers and changing rooms), wharekarakia (church), and other marae-based facilities, such as papakainga development, community activities, kohanga, childcare activities, and health care facilities.

**MAST:** means any mast, pole, tower or similar STRUCTURE designed to carry antennas, or other apparatus to facilitate TELECOMMUNICATION AND RADIOCOMMUNICATION, or AMATEUR RADIO CONFIGURATION.

**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, anemometers and wind vanes.

**MINOR DWELLING UNIT:** means a smaller DWELLING UNIT, up to 60m<sup>2</sup> in gross floor area, for use as a complete independent living facility and may share services, access and parking with the main DWELLING UNIT on the same SITE.

**NATIONAL GRID:** has the same meaning as in the National Policy Statement on Electricity Transmission (2008) and is identified as the “National Grid Line” on the Planning maps.

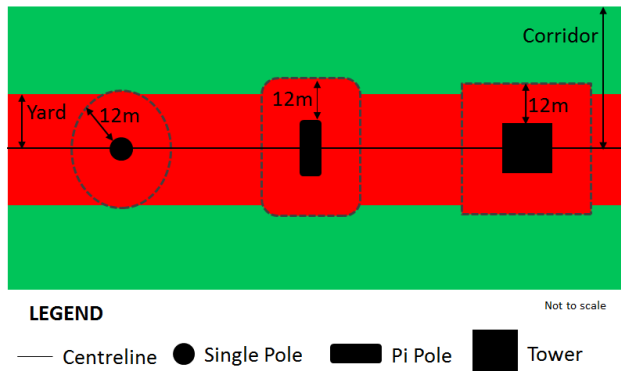
**NATIONAL GRID SUBDIVISION CORRIDOR:** means the area measured either side of the centreline of the aboveground National Grid line as follows:

- (a) 16m for the 110kV lines on pi poles.



- (b) 32m for the 110kV lines on towers.
- (c) 37m for the 220kV transmission lines.

**NATIONAL GRID YARD:** (shown in red in diagram below) means the area located 12 metres in any direction from the outer edge of a National Grid support STRUCTURE; and the area located 12 metres either side of the centreline of any overhead National Grid line on pi poles or towers.



Note: The NATIONAL GRID YARD does not apply to underground cables or any transmission lines (or sections of line) that are designated.

**NATURAL GROUND LEVEL:** means the level of the ground based on the natural contours of the land and shall not include EARTHWORKS which have resulted or will result from work undertaken as part of the construction of any BUILDING or development of the SITE.

**NETWORK UTILITY:** means any activity, BUILDING or STRUCTURE, including INCIDENTAL EQUIPMENT, relating to:

- (a) Distribution or transmission by pipeline of natural or manufactured gas, petroleum or geothermal energy.
- (b) Telecommunication or radio-communication.
- (c) Transformation, transmission or distribution of electricity.
- (d) The holding, transmission and distribution of water for supply.
- (e) Stormwater drainage or sewerage reticulation systems.
- (f) Beacons and natural hazard emergency warning devices.
- (g) Meteorological services.
- (h) A project work described as a “network utility operation” by regulations made under the Resource Management Act 1991.
- (i) Roads and STRUCTUREs associated with the operation of roads such as signs, traffic signals or streetlights.
- (j) Railways and STRUCTUREs associated with the operation of railways such as signs and traffic signals.

**NETWORK UTILITY BUILDING:** means STRUCTUREs containing NETWORK UTILITIES needing to be kept out of the weather, such as pump houses, weather stations and meteorological enclosures, but does not include cabinets or electricity substations.

**NET SITE AREA:** means the total area of a site for the exclusive use of a single DWELLING UNIT including but not limited to, any area provided for PARKING SPACE or MANOUVRING SPACE and BUILDINGS, but does not include land held in common ownership, communal open space, communal PARKING SPACES or ACCESS, or ACCESS LEGS to a rear site.

**NO NET LOSS:** means in relation to effects on indigenous biodiversity, no overall reduction in biodiversity, as measured by type, amount and condition.

**NOISE SENSITIVE ACTIVITY:** means RESIDENTIAL ACTIVITIES, VISITOR ACCOMMODATION, RESIDENTIAL CARE FACILITIES, MARAE, PAKAINGA DEVELOPMENT, HOUSING FOR THE ELDERLY, hospitals, HEALTHCARE FACILITIES, CHILDCARE FACILITIES, and EDUCATION FACILITIES.

**NON COMPLYING ACTIVITY:** has the same meaning as defined in the Resource Management Act 1991.

**NOTIONAL BOUNDARY:** means a line 20 metres from any part of a DWELLING UNIT, or the legal boundary of any site where this is closer to DWELLING UNIT.

**OFFICE:** means commercial, professional, or administrative office; and includes any bank and premises offering financial services.

**OPEN SPACE:** means any Council or Crown owned land which is used and developed for formal or informal recreation activities that do not take place in BUILDINGS.

**PAPAKAINGA DEVELOPMENT:** means the integrated development of multiple DWELLING UNITS, Marae, and other community building and recreation facilities on Maori freehold land, Maori customary land and Crown land reserved for Maori (as defined in Te Ture Whenua Maori Act 1993/Maori Land Act 1993).

**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 exclusive of vehicle ACCESS, aisles and MANOEUVRING SPACE.

**PEAK PARTICLE VELOCITY (ppV) TESTING:** means a test, or tests to ascertain the potential for vibration from a known seismic source output and the setting of appropriate offset distances for seismic surveys.

**PETROLEUM ACTIVITY RISK AREA (for petroleum exploration and petroleum production provisions):** means:

- the area defined as the  $1 \times 10^{-6}$  individual fatality risk contour contained in one or more allotments, sections or parcels in relation to which the operator of a petroleum exploration and petroleum production activity (currently established or proposed to be established) either owns or has an enforceable interest in (including lease, covenant, and legal contract); and
- precludes the establishment or operation of sensitive activities for the duration of the operation of the petroleum exploration and petroleum production activity within this area.

**PETROLEUM ACTIVITY RISK CONTOUR (for petroleum exploration and petroleum production provisions):** means the  $1 \times 10^{-6}$  individual fatality risk contour shown on the Planning Maps.

**PETROLEUM EXPLORATION:** 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 PRODUCTION:** any activity undertaken for the purpose of extracting and processing petroleum substances into a usable product.

**PROSPECTING:** any activity, and the use of associated equipment, undertaken for the purpose of identifying locations likely to contain useable mineral energy resources, and includes:

- (a) Geological, geochemical, and geophysical surveys (i.e. seismic surveys);
- (b) The taking of samples by hand or handheld methods; and
- (c) Aerial surveys.

**PRINCIPAL BUILDING:** means the main BUILDING associated with the primary use of a SITE, but does not include ACCESSORY BUILDINGS.

**PRIVATE FUNCTION CENTRE/FACILITY:** means any privately owned SITE, BUILDING, grounds or place leased to and/or used by members of the community for private events, concerts, meetings, functions, receptions, ceremonies, multi-use events or similar activities. This does not include COMMUNITY ACTIVITIES or TEMPORARY ACTIVITIES.

**PROHIBITED ACTIVITY:** has the same meaning as defined in the Resource Management Act 1991.

**REAL ESTATE SIGN:** means a SIGN (including banners and flags) advertising real estate (land, and buildings on land).

**REDECORATION:** (only applicable to the heritage provisions) means the renewal, restoration, or new applications of: surface finishes, coatings, painting, decorative elements, minor fittings and fixtures, and floor coverings, excluding paint on previously unpainted surfaces. Includes the application of finishes and coatings to repaired fabric and preparation of surfaces for redecoration (e.g. washing but excludes sandblasting).

**REGIONALLY SIGNIFICANT WETLAND:** means a wetland that is a habitat type identified and described in Schedule 6 of the District Plan as having significant indigenous biodiversity values.

**RELOCATED BUILDING** means any secondhand BUILDING which is transported in whole or in parts and relocated from its original location to a new location, including relocation within the same site. This includes relocation of ACCESSORY BUILDINGS and shipping containers where the latter are converted for habitable purposes.

**REPAIR:** (only applicable to the heritage provisions) means to improve the long-term condition of a BUILDING by using identical or closely similar materials to make good any damaged or decayed fabric. Repairs include re-pointing deteriorated brickwork, putting right damaged timberwork and replacing corroded or deteriorated roofing material.

**RESIDENTIAL ACTIVITY:** means any activity normally undertaken by people living in a DWELLING UNIT or ACCESSORY BUILDINGS such as sleep outs and includes activities ancillary to the primary residential use such as hobbies. This does not include HOME OCCUPATIONS, RESIDENTIAL CARE FACILITIES or HOUSING FOR THE ELDERLY.

**RESIDENTIAL CARE FACILITY:** means the use of a residential dwelling and site where up to five unrelated people live together and receive care on a 24 hour basis to assist with independent living.

**RETAIL ACTIVITY:** means any activity which involves the exchange of goods to the public through sale, rental, lease or other form of agreement and includes restaurants (including fast food outlets), but does not include a COMMERCIAL ACTIVITY, VEHICLE SERVICE STATION, COMMERCIAL GARAGE/VEHICLE

SALES YARD, TRADE AND SERVICE ACTIVITY, or the wholesale or retail sale of goods on the same site that they were manufactured, which is included as an INDUSTRIAL ACTIVITY.

RURAL SERVICE ACTIVITY: means service activities that are related to FARMING, FORESTRY HARVESTING and INTENSIVE FARMING including but not limited to seed cleaning, rural contractors, small-scale rural engineering or repair services, rural transport and machinery hire, stock transportation and grain drying, but does not include an INDUSTRIAL ACTIVITY.

SEISMIC SURVEY: means any survey undertaken for the purpose of petroleum exploration or production that uses explosives as the seismic energy source.

SENSITIVE ACTIVITY: means any of the following activities: RESIDENTIAL ACTIVITIES, VISITOR ACCOMMODATION, COMMUNITY ACTIVITIES (including Marae), OPEN SPACE, CAMPING GROUNDS/MOTOR CAMPS, EDUCATION FACILITIES, PAPAKAINGA DEVELOPMENT, HOUSING FOR THE ELDERLY, RESIDENTIAL CARE FACILITIES, CHILDCARE FACILITIES, cafés, restaurants, and hospitals. For activities in the NATIONAL GRID YARD, OPEN SPACE is excluded from the definition of SENSITIVE ACTIVITY.

SIGN: means any object or device including banners and flags 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 signs not visible from the road reserve or other public place.

SIGNIFICANT HAZARDOUS FACILITY: means any facility which involves one or more of the following activities.

- (a) Manufacturing and associated storage of hazardous substances (including manufacture of agrichemicals, fertilisers, acids/alkalis or paints).
- (b) Petroleum exploration and petroleum production
- (c) The storage/use of more than 100,000L of petrol.
- (d) The storage/use of more than 50,000L of diesel.

For (c) and (d), excludes the underground storage of petrol at retail service stations undertaken in accordance with HSNOCOP 44 Below Ground Stationary Container Systems for Petroleum – Design and Installation and HSNOCOP 45 Below Ground Stationary Containers Systems for Petroleum – Operation.

- (e) The storage/use of more than 6 tonnes of LPG.
- (f) Galvanising plants.
- (g) Electroplating and metal treatment.
- (h) Tanneries.
- (i) Timber treatment.
- (j) Freezing works and rendering plants.
- (k) Wastewater treatment plants.
- (l) Metal smelting and refining (including battery refining or re-cycling).

- (m) Milk processing plants (except where milk processing plant is specifically designed to contain and store milk so that any reasonably potential spillage of milk is contained within the site of the plant until it can be disposed of to an approved wastewater system).
- (n) Fibreglass manufacturing
- (o) Polymer foam manufacturing
- (p) Asphalt/bitumen manufacture or storage
- (q) Landfills
- (r) Refrigerated food processing sites/warehouses.

For the purpose of this definition, facility means the immediate part of a site where the listed activity takes place, rather than the entire site with which the activity is associated. Parts of a site that do not contain an activity listed above are not subject to this definition.

**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.

**SMALL SCALE RENEWABLE ELECTRICITY GENERATION:** renewable electricity generation at a capacity of no greater than 20 kW for the purpose of using or generating electricity on a particular SITE, or supplying an immediate community, or connecting into the distribution network, and includes generation using solar, wind, hydro and biomass energy resources.

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

**TANGATA WHENUA:** has the same meaning as defined in the Resource Management Act 1991.

**TELECOMMUNICATION AND RADIOCOMMUNICATION ACTIVITIES:** in relation to telecommunications, has the same meaning as telecommunication as that term is defined by Section 5 of the Telecommunications Act 2001 and in relation to radiocommunications has the same meaning as defined by Section 2(1) of the Radiocommunications Act 1989.

**TEMPORARY ACTIVITY:** means any short term activity and any buildings and structures associated with that activity and includes, but is not limited to:

- (a) Any event such as a gala, a sports event, a festival, a market or an outdoor music event; or;
- (b) Any short term filming activities.

It does not include TEMPORARY MILITARY TRAINING ACTIVITIES.

**TEMPORARY MILITARY TRAINING ACTIVITY:** means a temporary military activity undertaken for defence purposes. Defence purposes are those defined in Section 5 of the Defence Act 1990.

**TIKANGA MAORI:** has the same meaning as defined in the Resource Management Act 1991.

**TRADE AND SERVICE ACTIVITY** means business engaged in sales to businesses, and the general public, but wholly consists of sales in one (1) or more of the following categories:

- (a) Automotive and marine supplies.
- (b) Buildings supplies.
- (c) Garden and landscaping supplies.

- (d) Farming and agricultural supplies.
- (e) Hire services (excluding hire of books, DVD and video).
- (f) Office furniture, equipment and systems supplies.

TRIMMING and MAINTENANCE (relevant to notable trees), means the trimming and maintenance necessary to maintain the health of the tree, or the removal of branches interfering with or anticipated to interfere with buildings, structures, overhead wires or utility networks, or likely to compromise the effective operation of those overhead wires or utility networks and only where work is carried out by a Council approved arborist which has advised the Council in advance of the work to be carried out.

UNACCEPTABLE RISK (for significant hazardous facilities provisions): means exposure of sensitive activities (including residential dwelling) to an individual fatality risk level exceeding  $1 \times 10^{-6}$  per year.

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 road.

*Advice Note: AADT is to be calculated in accordance with best practice industry standards, (e.g. Austroads Guide to Traffic Management Part 3: Traffic Studies and Analysis, Second Edition April 2013). Where a broad counting program has been established and seasonal patterns identified, the AADT at a particular location may be estimated by multiplying a sample count (e.g. two seven days duration) by the seasonal adjustment factor derived from a Pattern Station representative of the required location:*

*i.e.  $(AADT)_j = ADT_{ij} \times (Seasonal\ factor)_i, k$*

*where  $(AADT)_j$  is the required location  $j$ .*

*$(ADT)_{ij}$  is the sample count in the season (month, week etc)  $i$  at the location  $j$*

*$(Seasonal\ Factor)_{i,k}$  is the adjustment factor for season (month, week etc.)  $i$  at pattern station,  $k$ , representative of the required location  $j$*

*The Council will generally have AADT volumes on record which are based on a seven day count, however if data is not available or is considered to be out of date, the Council may request that the applicant obtain sample traffic count data to calculate the AADT.*

UPGRADING: As applied to electricity or telecommunications LINES means an increase in the carrying capacity of, or efficiency or security of, the LINE utilising the existing support STRUCTURES or STRUCTURES of a similar scale, size and character, and includes:

- (a) The addition of circuits and conductors;
- (b) The reconductoring of the line with higher capacity conductors;
- (c) The retagging of conductors;
- (d) The addition of longer and more efficient insulators;
- (e) The addition of earthwires, which may contain telecommunication lines, earthpeaks and lightning rods;
- (f) The bonding of conductors;
- (g) The addition of electrical or telecommunication fittings, excluding antenna;

- (h) The replacement of support structures in the same location or within the existing alignment of the electricity line;
- (i) The replacement of existing cross arms, including with cross arms of an alternative design;
- (j) An increase in support structure HEIGHT to achieve compliance with the clearance distances specified in NZECP34:2001;
- (k) An increase in support structure HEIGHT by not more than 15% of the base HEIGHT of the support structure, and where the base HEIGHT is defined as the HEIGHT of the structure at date of public notification of the Plan.

Upgrading 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.

OR

As applied to other NETWORK UTILITIES, means the replacement, repair or renewal of existing NETWORK UTILITIES but does not extend to any increase in height or size, or change in location whereby such work would not comply with a permitted activity standard.

USE: has the same meaning as defined in the Resource Management Act 1991.

VEHICLE CROSSING: means the section of any access from the front of the legal boundary to the formed road, and includes any culvert, bridge or kerbing.

VEHICLE SERVICE STATION means any land or premises used principally for the retail sale of motor vehicle fuels and for the re-fuelling and servicing of vehicles; incorporating activities which are incidental to the principal re-fuelling activity including the retail sale of motor vehicle accessories, oils, spare parts, and the retail sale of convenience goods; and ancillary services including mechanical repairs, warrant of fitness testing, tyre servicing, the mechanical washing of vehicles, and the hire of vehicles.

VISITOR ACCOMMODATION: any building or buildings offering temporary accommodation and includes (but is not limited to) hotels, motels, backpacker's accommodation, hostels and youth hostels. It does not include CAMPING GROUNDS/MOTOR CAMPS, HOLIDAY HOMES or HOME BASED VISITOR ACCOMMODATION.

WAHI TAPU has the same meaning as defined in the Heritage New Zealand Pouhere Taonga Act 2014.

WASTE DISPOSAL FACILITY: means any facility accepting, storing, processing and disposing of solid and/or hazardous waste onto or into land where the waste is not generated on-site.

WASTEWATER TREATMENT FACILITY: means any land and/or buildings used for the purpose of storage and/or treatment and/or disposal of wastewater. It does not include any on-site wastewater disposal system.

WATERBODY: has the same meaning as defined in the Resource Management Act 1991.

WETLAND: has the same meaning as defined in the Resource Management Act 1991.