

Section 4:

DEFINITIONS

Notes:

- (1) *Terms marked with an * are defined by the Resource Management Act 1991 (RMA).*
- (2) *The RMA definition at the date of public notification of this Plan is set out for information only. Users should refer to the latest version of the RMA.*
- (3) *Where the RMA definition refers to a definition in other legislation, that definition is provided in italics within [square brackets].*
- (4) *All other terms have been developed specifically for the purpose of this Plan.*

Act

Means the Resource Management Act 1991 and Regulations, and includes any amendments thereto.

Access Right

Means the area of land over which the land controlling authority has granted access.

Access Strip (Vehicle)

Means in relation to a rear site that strip of land extending from the street frontage to that site, of minimum specified width and for the permanent and legal use of that site for ingress and egress only.

* Access Strip (Esplanade)

Means a strip of land created by the registration of an easement in accordance with section 237B for the purpose of allowing public access to or along any river, or lake, or the coast, or to any esplanade reserve, esplanade strip, other reserve, or land owned by the local authority or by the Crown (but excluding all land held for a public work except land held, administered, or managed under the Conservation Act 1987 and the Acts named in Schedule 1 to that Act).

Accessory Building or Activity

Means a building or part of a building or an activity which is incidental to any other building or activity on the same site.

Accessory Use

Means any accompanying use of land which is incidental to that of the principal building, or activity on the same site.

Administrative Activities

Means the activity of administration associated with business, Central and Local Government, Community organisations and private groups.

Airstrip

Means an area or place set aside for the take off or landing of light aircraft for commercial or recreational activities other than for private domestic use by the owners and occupiers of the holding on which the airstrip is sited and approved for such purposes in terms of the current Civil Aviation Regulations.

Such an airstrip shall not be used for any other aircraft purposes.

* Allotment/Lot

Means –

- (a) any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not—
 - (i) the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or
 - (ii) a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or
- (b) any parcel of land or building or part of a building that is shown or identified separately—
 - (i) on a survey plan; or
 - (ii) on a licence within the meaning of Part 7A of the Land Transfer Act 1952; or
- (c) any unit on a unit plan; or
- (d) any parcel of land not subject to the Land Transfer Act 1952.

All Weather Standard

Means a pavement which is trafficable under all weather conditions, and includes metalled and sealed surfaces.

* Amenity / Amenity Values

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

Ancillary Retailing

A shop ancillary to an activity (by rule or consent) selling items manufactured, repaired, produced, processed or grown on the same site.

Animal Feedlot

Means a standing area covered or uncovered for the purpose of intensively feeding animals. It does not include the concentrated but temporary wintering of stock normally present on the holding.

* Best Practicable Option

Means in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to—

- (a) the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and
- (b) the financial implications, and the effects on the environment, of that option when compared with other options; and

- (c) the current state of technical knowledge and the likelihood that the option can be successfully applied.

* Biological Diversity

Means the variability among living organisms, and the ecological complexes of which they are a part, including diversity within species, between species, and of ecosystems.

Boarding, Breeding and Training of Animals

Means any land or *building* where board and lodging, breeding and training is provided or intended to be provided for more than five animals, or where shelter is provided for stray or unwanted animals. This does not include dog kennels, calf rearing sheds, stables and similar shelter for private farming uses.

Building(s)

Has the same definition as "Building" in the Building Act 1991 (refer below) and includes *Structures*. It includes eaves, chimneys, aerials, satellite or telecommunication dishes and masts. Notwithstanding the foregoing, for the purpose of this District Plan a building shall exclude any building or *structure* less than 6m² in area on the horizontal plane and less than 2m in *height*.

[Building: what it means and includes

- (1) *In this Act, unless the context otherwise requires, **building**—*
- (a) *means a temporary or permanent movable or immovable structure (including a structure intended for occupation by people, animals, machinery, or chattels); and*
 - (b) *includes—*
 - (i) *a mechanical, electrical, or other system; and*
 - (ii) *a fence as defined in section 2 of the Fencing of Swimming Pools Act 1987; and*
 - (iii) *a vehicle or motor vehicle (including a vehicle or motor vehicle as defined in section 2(1) of the Land Transport Act 1998) that is immovable and is occupied by people on a permanent or long-term basis; and*
 - (iv) *a mast pole or a telecommunication aerial that is on, or forms part of, a building and that is more than 7 m in height above the point of its attachment or base support (except a dish aerial that is less than 2 m wide); and*
 - (c) *includes any 2 or more buildings that, on completion of building work, are intended to be managed as one building with a common use and a common set of ownership arrangements; and*
 - (d) *includes the non-moving parts of a cable car attached to or servicing a building; and*
 - (e) *after 30 March 2008, includes the moving parts of a cable car attached to or servicing a building.*

- (2) Subsection (1)(b)(i) only applies if—
 - (a) the mechanical, electrical, or other system is attached to the structure referred to in subsection (1)(a); and
 - (b) the system—
 - (i) is required by the building code; or
 - (ii) if installed, is required to comply with the building code.
- (3) Subsection (1)(c) only applies in relation to—
 - (a) subpart 2 of Part 2; and
 - (b) a building consent; and
 - (c) a code compliance certificate; and
 - (d) a compliance schedule.
- (4) This section is subject to section 9.

Building: what it does not include

In this Act, **building** does not include—

- (a) a NUO {Network Utility Operation} system, or part of a NUO system, that—
 - (i) is external to the building; and
 - (ii) is connected to, or is intended to be connected to, the building to provide for the successful functioning of the NUO system in accordance with the system's intended design and purpose; and
 - (iii) is not a mast pole or a telecommunication aerial that is on, or forms part of, a building; or
 - (ab) a pylon, free-standing communication tower, power pole, or telephone pole that is a NUO system or part of a NUO system; or
- (b) cranes (including any cranes as defined in regulations made under the Health and Safety in Employment Act 1992); or
- (c) any of the following, whether or not incorporated within another structure:
 - (i) ski tows;
 - (ii) other similar stand-alone machinery systems; or
- (d) any description of vessel, boat, ferry, or craft used in navigation—
 - (i) whether or not it has a means of propulsion; and
 - (ii) regardless of what that means of propulsion is; or
- (e) aircraft (including any machine that can derive support in the atmosphere from the reactions of the air otherwise than by the reactions of the air against the surface of the earth); or
- (f) any offshore installation (as defined in section 222 of the Maritime Transport Act 1994) to be used for petroleum mining; or

- (g) *containers as defined in section 2(1) of the Hazardous Substances and New Organisms Act 1996; or*
- (h) *magazines as defined in section 222 of the Hazardous Substances and New Organisms Act 1996; or*
 - (i) *scaffolding used in the course of the construction process; or*
 - (ii) *falsework.]*

Business Activity

Means the activity of conducting business, and also includes *Service Industrial Activities, Education/Training Activities and Facilities, Health Care Services, and Visitor Accommodation.*

Certificate of Title

Means Certificate of Title in terms of the Land Transfer Act 1952, excluding:

- (a) A composite Certificate of Title for tenancy-in-common and leasehold estate;
- (b) A Certificate of Title for tenancy-in-common interest, which is less than the whole of the estate in the land described in the Certificate of Title.
- (c) A Certificate of Title for a stratum estate in terms of the Unit Titles Act 1972.

Child Care Facility

A facility for the care and/or education of children, and shall include, but is not limited to, a crèche, day care centre, kindergarten, kohanga reo, play centre and private school. There shall be no provision for overnight accommodation.

Note: Where child care facilities are permitted or controlled activities, there is a limit to the number of children. This limit is given in the list of permitted or controlled activities for the zone.

Children's Playgrounds

Means play areas for children and may contain play equipment such as swings, slides and other agility equipment suited to children

Cleanfill

Means fill consisting of any of the following material:

- Uncontaminated soil and/or sand
- Uncontaminated clay
- Uncontaminated gravel and or/rock
- Uncontaminated brick and rubble
- General demolition material that is not contaminated by substances subject to biological, chemical and/or physical breakdown.

Material excluded from cleanfill, include the following:

- Asphalt, asphaltic concrete and tarseal
- Sawdust or bark
- Combustible matter
- Organic matter including timber, trees and/or garden trimmings
- Sludges
- Contaminated soil
- Domestic, industrial and commercial waste
- Hazardous waste
- Medical or clinical waste.

Clubrooms

Means premises used by a club for social activities and can be in association with a recreation activity (see *Community Facility/Activity*).

*** Coastal Marine Area**

Means the foreshore, seabed, and coastal water, and the air space above the water –

- (a) Of which the seaward boundary is the outer limits of the territorial sea:
- (b) Of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of-
 - (i) One kilometre upstream from the mouth of the river; or
 - (ii) The point upstream that is calculated by multiplying the width of the river mouth by 5

Collector Road

Means roads and streets shown on Planning **Map No. (tba)** and described as such in Section 8.4.8, in which the movement of traffic is the dominant function of the road or street. Collector Roads have a function which is a combination of moving traffic and providing property frontage to a road.

Commercial Service Activity

Means the provision of goods, services and traveller's accommodation principally for commercial gain, including camping grounds, caravan/trailer home parks, a depot for the maintenance, repair and storage of vehicles, machinery, equipment and materials and the storage and use of hazardous substances but does not include stalls or produce markets.

Community Facility/Activity

Means land or buildings which are used in whole or in part for the assembly of persons for such purposes as deliberation, or social entertainment or similar purposes and includes such buildings used for clubrooms, arts, tourism and cultural community purposes, cinemas, theatres, conference rooms, churches, marae, and meeting rooms, but does not include a chartered club or building designed principally for indoor recreation.

Community Housing

Means a building(s) in which board, lodging or live in health (mental, social and physical) support is provided. This includes a nursing home for the elderly, boarding houses, emergency housing, refuge centres, hospices and halfway houses.

Comprehensive Residential Development

Means a residential development, including shared accommodation, apartment buildings and individual dwellings, and includes open space, shared internal access, and ancillary facilities for the exclusive use of the residents such as medical and nursing care, recreation and leisure, communal dining or other communal facilities. Comprehensive Residential Developments include housing for the elderly, retirement villages, half way houses, housing for the physically and mentally challenged but does not include camping grounds or motor camps.

* **Conditions** in relation to plans and resource consents, includes terms, standards, restrictions, and prohibitions.

* **Controlled Activity (Activities)** (refer s77B(2) RMA)

If an activity is described in this Act, regulations, or a plan or proposed plan as a controlled activity,—

- (a) a resource consent is required for the activity; and
- (aa) the consent authority must grant the resource consent, unless it has insufficient information to determine whether or not the activity is a controlled activity; and
- (b) the consent authority must specify in the plan or proposed plan matters over which it has reserved control; and
- (c) the consent authority's power to impose conditions on the resource consent is restricted to the matters that have been specified under paragraph (b); and
- (d) the activity must comply with the standards, terms, or conditions, if any, specified in the plan or proposed plan.

Council/Council's

Means Hauraki District Council or any committee, sub-committee or person to whom the Council's powers, duties and discretion under the provisions of the Act or this plan has been delegated pursuant to the provisions of the Act or the Local Government Act 1974.

Coverage

Means that portion of a site, holding, property or zone which is covered by all buildings.

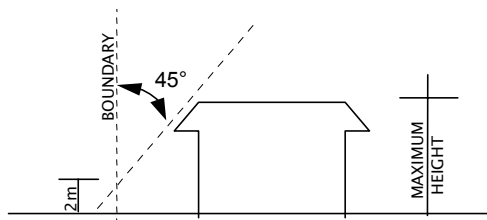
Dairy

Means the use of a building for the sale of primarily day to day convenience food requirements and associated household items. Excludes any retail activity involving food cooked, fried or baked on the premises.

Daylight Control

Means a height in relation to the holding, site or property boundary or zone boundary which is measured from ground level that is the shortest horizontal distance from the relevant part of the building for which the height is being determined.

For the purpose of the daylight control the holding, site or property boundary or zone boundary shall be the lot boundary, or the centreline of an adjoining internal access or drainage reserve and spouting and guttering is not considered part of the building unless it incorporates the barge board.



Decibels (dB)

Noise levels are measured in decibels. A doubling of the sound energy (eg two lawn mowers rather than one) increased the sound level by 3dB. But a 3dB increase in sound levels is only just noticeable, 5 dB is clearly noticeable and 10 dB is typically described as a doubling of loudness.

dBA

The “A-weighting” is applied to decibels to make the sound level measured on a sound level meter representative of the pitch of the human hearing.

* **Designation** (refer to s166 RMA) means a provision made in a district plan to give effect to a requirement made by a requiring authority under section 168 or s168A or clause 4 of Schedule 1.

Development

Means development or redevelopment (other than subdivision) by:

- (a) Constructing, erecting or altering any one or more buildings or other works for the purpose of providing household units; or
- (b) Constructing, erecting or altering any one or more building, fixed plant and machinery, or other works intended to be used solely or principally for administrative, commercial, rural or industrial purposes or any combination of those purposes.

Development Standard(s) (refer to Zone Development Standard(s))

Discretionary Activity (refer s77B(4) RMA)

If an activity is described in this Act, regulations, or a plan or proposed plan as a discretionary activity,—

- (a) a resource consent is required for the activity; and
- (b) the consent authority may grant the resource consent with or without conditions or decline the resource consent; and
- (c) the activity must comply with the standards, terms, or conditions, if any, specified in the plan or proposed plan.

District Arterial Road

Means roads and streets shown on Planning Map (tba) and described as such in Section 8.4.8, in which the movement of traffic is the dominant function of the road or street. District Arterials include the main direct link roads between the urban centres of the District, but this function does not preclude providing property frontage to a road in appropriate circumstances.

Drainage Works

Means the maintenance and development of drains. It is held to include drains, pipes, culverts, pumps, etc associated with land drainage and stormwater management, but does not include river control works such as stopbanks, floodgates and other control structures.

Drive Through Service Activities

Means any premises where goods and services are offered for sale to the motoring public primarily in a manner where the customer can remain in their vehicle

Dwelling/Dwellinghouse

Means a building or part thereof designed and used principally as a self-contained residence for persons who normally permanently reside or are employed on the holding, within which there is one, and only one kitchen.

Earthworks

Means excavation and/or placement of *cleanfill* to change the contour or level of a site or part of a site.

The following shall not be included within the meaning of earthworks:

- (a) Earthworks that have been specifically approved as part of a subdivision or land use consent
- (b) Excavations for service connections, effluent disposal systems, swimming pools
- (c) Land preparation activities associated with farming and forestry (see definitions of Farming and Forestry).
- (d) Formation and maintenance of carparking areas, walkways and cycleways
- (e) Turf preparation and maintenance for recreation use.
- (f) Road, driveway and access construction with a gradient $\leq 1:8$.
- (g) Exploration and Prospecting (see definitions for these activities)

Note: A regional consent may be required for earthworks including the exclusions listed in this definition.

Education/Training Activities and Facilities

Means land and/or buildings and associated amenities used for the purposes of education, learning and training. It includes childcare facility, schools, tertiary institutions, kokiri centres, outdoor education centres and sport training establishments and facilities delivering educational services to special groups such as unemployed, youth, elderly, physically impaired or other special needs.

Effluent Disposal Area

Means a continuous area of land, which in its entirety is suitable for normal domestic drainage purposes. It can include all yards and area to be used for residential activities, but excludes any area located within any identified hazard areas.

Electricity Substation

Means those parts of works or electrical installations, being a building, structure, casing or enclosure, incorporating fittings that are used for the purpose of the control of the distribution of electricity.

Emergency Services and Training Facilities

Means those facilities or authorities which are responsible for the safety and physical welfare of people or property in the community and includes fire stations, ambulance stations, police stations, surf life saving and coastguard facilities which includes storage and surveillance buildings or structures (excluding clubrooms). This may include ancillary accommodation in relation to these activities within or attached to the principle building.

Entertainment Facilities

Means an activity, development or facility provided for by a charge to the public, or by private reservation for indoor and outdoor recreation and entertainment and includes taverns and bars, theatres, cinemas, clubs, amusement galleries, gymnasias and massage parlours.

* **Environment** includes:

- (a) Ecosystems and their constituent parts, including people and communities; and
- (b) All natural and physical resources; and
- (c) Amenity values; and
- (d) The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters.

* **Excessive Noise** (refer to s326 (1) & (2) RMA)

Means any noise that is under human control and of such a nature as to unreasonably interfere with the peace, comfort, and convenience of any person (other than a person in or at the place from which the noise is being emitted), but does not include any noise emitted by any—

- (a) aircraft being operated during, or immediately before or after, flight; or
- (b) vehicle being driven on a road (within the meaning of section 2(1) of the Land Transport Act 1998); or
- (c) train, other than when being tested (when stationary), maintained, loaded, or unloaded.

Without limiting the above, *excessive noise*—

- (a) includes noise that exceeds a standard for noise prescribed by a national environmental standard; and

- (b) may include noise emitted by—
- (i) a musical instrument; or
 - (ii) an electrical appliance; or
 - (iii) a machine, however powered; or
 - (iv) a person or group of persons; or
 - (v) an explosion or vibration.

* Exploration

Has the same meaning as in Section 2 of the Crown Minerals Act 1991.

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

Extractive Industry

Means prospecting, exploration and mining.

Factory Farming

Means any farming activity where the principal production processes are carried out within the confines of a building or outdoors where groundcover is not maintained and includes such activities as poultry farming, intensive pig farming, fish farming or production, animal or bird breeding and mushroom production, and crop propagation and growing (within buildings only).

This definition does not include the keeping or breeding of animals or any of the above activities where carried out on a domestic scale as an accessory use where it is clearly incidental to the use of the property as a whole (see also Intensive Pig Farming).

Factory Shop

Means a retail shop on the same site and ancillary to a permitted industrial use selling only items manufactured, processed, repaired or serviced on the site, or items reasonably associated with the principal use such as parts and accessories.

Farming

Means any type of farming being a land based activity having as its primary purpose the commercial production of any livestock (where the groundcover is maintained) or vegetative matter outdoors relying on the productive capacity of the soil, and includes:

- activities associated with land preparation (eg hump/hollow, tracks, pits);
- land drainage;
- the use of buildings for purposes accessory to farming; and
- bee keeping;

but does not include land re-contouring, factory farming or forestry.

(See also definitions of Factory Farming, Intensive Pig Farming, and Outdoor (Extensive) Pig Farming)

Farm Stay

See definition of Home/Farm Stay.

Firearm Sports

Means recreational activities which involve the discharge of firearms, such as hunting, pistol and rifle shooting.

Fittings

Means everything used or designed or intended for use in or in connection with the conversion, conveyance or use of electricity.

Forestry

Means the planting and growing of trees and is an integrated land use including land preparation, roading, tree planting, maintenance (ie thinning, pruning, noxious weed and animal control) and harvesting of trees for commercial purposes, soil conservation, regulation of water runoff and aesthetic or scientific purposes and includes the use of buildings for purposes accessory to this land use but not the establishment and/or use of permanent sawmills and other methods of timber processing. It includes woodlots, shelter belts and the like.

Formed Road

Means a road with a carriageway constructed to an all weather standard with a minimum carriageway width of 3 metres.

Frontage

Means that portion of land which secures legal access to a Certificate of Title from an existing road or road to be vested or otherwise legalised and includes any right of way.

Greenfield Development/Lot/Subdivision

Means new development or subdivision in the Residential Zone where the net lot area is greater than 5,000m² and/or includes any land within areas defined as being subject to Structure Plans on the Planning Maps.

gfa = Gross Floor Area

Means the sum of the gross floor area of all floors of all buildings on a site measured from the exterior faces of the exterior walls or from the centrelines of walls separating two buildings.

In particular, gross floor area shall:

- (a) Include:
 - (i) Elevator shafts, stairwells and lobbies at each floor.
 - (ii) Mezzanine floors and balconies.

- (b) Exclude:
- (i) Any provided carparking, loading and servicing areas and access thereto.
 - (ii) Building service rooms containing equipment such as lift machinery, tanks, airconditioning and heating plants.

Ground Level

Means:

- (a) Where land has been subdivided under the Resource Management Act 1991 or Local Government Act 1974, the finished surface of the ground following all approved works associated with the most recently completed subdivision of the land but excluding changes to the surface of the ground as a result of earthworks associated with building activity where such building activity is permitted or has been approved by resource consent.
- (b) In all other cases, the surface of the ground prior to any earthworks on the site.

For the purposes of this definition:

- Completed subdivision means a subdivision (excluding boundary adjustments, cross lease, company lease or unit title subdivision) in respect of which a certificate pursuant to section 224(c) of the Resource Management Act 1991 or a completion certificate under the Local Government Act 1974 has been issued.
- Ground level interpretations are to be based on credible evidence including existing topographical information, site specific topography, adjoining topography and known history

Habitable Room

Means any room in a dwelling/household unit, visitor accommodation, housing for the elderly facility used for activities normally associated with domestic living apart from those used solely for the purpose of an entrance, passageway, toilet, bathroom, laundry, garage, storeroom or other space of a specialised nature occupied neither frequently nor for extended periods.

Hauraki Ecological Corridor

The vegetative link that provides for flora and fauna to pass between the Coromandel and Kaimai-Mamaku Forest Parks in the vicinity of the Karangahake Gorge.

Hazard

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

Hazardous Facility (Facilities)

Means all activities involving hazardous substances and sites (including vehicles for their transport) at which these substances are used, stored, handled or disposed of.

It does not include:

- the incidental use and storage of hazardous and environmentally damaging substances in minimal domestic scale quantities.

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

[Hazardous substance means, unless expressly provided otherwise by regulations, any substance—

- (a) *With one or more of the following intrinsic properties:*
 - (i) *Explosiveness:*
 - (ii) *Flammability:*
 - (iii) *A capacity to oxidise:*
 - (iv) *Corrosiveness:*
 - (v) *Toxicity (including chronic toxicity):*
 - (vi) *Ecotoxicity, with or without bioaccumulation; or*
- (b) *Which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in paragraph (a) of this definition]*

Health Care Services

Means services relating to physical and mental health and welfare performed by duly qualified practitioners or by persons in their employ and includes surgical procedures and patient day care performed by medical, dental and veterinary specialists

Heavy Vehicle

Means a motor vehicle and trailers, the gross laden weight of which exceeds 3,400kg.

Height

Means in relation to a building the vertical distance between ground level (as defined) at any point and the highest part of the building immediately above that point. For the purpose of measuring height the property boundary or zone boundary shall be the lot boundary, or the centreline of an adjoining internal access or drainage reserve.

Projections such as flagpoles, chimneys, flues, gantries, service rooms containing equipment such as light machinery, tanks, air conditioning and heating plants are excluded from this definition where measuring not more than 1m² in area and projecting not more than 2.0 metres above the maximum permitted height (see also Section 7.3 Network Utilities).

The height restrictions do not apply to aerials that comply with the following dimensions and standards:

- maximum cross-section is 100mm
- must be un-guyed at all times
- must not exceed a height of 20 metres above ground level or 5 metres above the height of the roofline if erected on a building
- may contain one microwave dish or similar attachment, not exceeding 2 metres in diameter
- no more than 2 aerials are permitted per site

Helipad

Means an area or place used for the take-off and landing of helicopters other than for private domestic use of the owners and occupiers of the holding on which the helipad is sited, and is approved for such purposes in terms of the current civil aviation regulations.

Helicopter Landing Areas

Means any area of land to be used or intended to be used as a location from which to base helicopter operations including helicopter take-off and landing, refuelling, maintenance, servicing, helicopter parking, hangaring, administration, pilot training, passenger and freight handling facilities.

High Voltage

Means electricity transmission lines carrying a voltage exceeding 110 kV or with a capacity exceeding 100 MVA.

Holding

Means all land owned and/or leased by the same owner which is either contiguous or divided only by a road, railway, drain, water-race, river or stream.

Home Occupation

Means the use of a site for an occupation, business, trade or profession that is secondary and incidental to the use of that site for a residential activity, including commercial care of dependents provided the number of children or persons cared for at any one time does not exceed five.

Home/Farm Stay

Means where a resident household offers for a daily tariff accommodation and meals within their own dwelling to visitors, provided that not more than six people exclusive of the members of the household are accommodated.

Housing for the Elderly

Means two or more dwellings or household units either attached or detached for the aged who may or may not be physically impaired. They may be built from public, charitable or private funding. It includes kaumatua housing in the Marae Development zone and associated facilities (ie. dining room, games room, gymnasium etc) ancillary and incidental to the principal residential activity).

Indicative Road

Means a road as shown on the Structure Plans in Section 8 Appendices 8.6.3 to 8.6.8, that provides for connectivity through areas that are either currently being developed or will be developed in the future.

Indigenous Vegetation

Means an area of bush, trees and other vegetation comprising wholly or predominantly species indigenous to New Zealand and includes native forest.

Industrial Activity

Means any land, building or part of a building used for the processing, assembly, servicing, testing, repair, packaging, storage or manufacture of a product or produce, including the maintenance, repair and storage of vehicles, machinery, equipment and materials, and the storage and use of hazardous substances associated with the activity, but does not include mineral extraction.

Infill Development/Lot/Subdivision

Means the further development/subdivision of land in the Residential Zone (not including areas defined as being subject to Structure Plans on the Planning Maps) and minimum net lot area is less than 5,000m².

Intensive Pig Farming

Means the keeping of pigs mainly within buildings, or outdoors without groundcover being maintained (ie factory farming).

Intensive Outdoor Farming

Means the production of animals or mushroom farming which is not dependant on the fertility of the soils on which it is located and/or where the stocking intensity is beyond the productive capacity of the land over which it is carried out and/or precludes the maintenance of pasture or ground cover. Intensive pig farming shall be considered to be intensive outdoor farming when pigs are stocked at an intensity greater than 1 pig per 1/10th of a hectare. The keeping of no more than 4 pigs on a site and/or 25 head of poultry shall be deemed to be of a domestic scale. This definition does not include the keeping of animals on a domestic scale as an accessory activity.

Internal Access

A combined access arrangement (eg. accessway, right of way, shared driveway) serving two or more dwellings/household units or allotments

kV

Means kilo volt or thousand volts.

Landfill

Means the controlled disposal of refuse by sanitary landfill operation, including the rehabilitation of the area so filled.

Landscaping

Means the planting and treatment of a site, or part of a site for the purpose of protecting the character and/or enhancing the amenities of the site and adjacent areas. It includes the planting of trees, shrubs and grass, earthworks, ground formation and related drainage and the establishment of elements such as walls, fences, screens and amenity features.

Landscape Buffer Strip

Means a permeable strip with planting consisting of shrubs which can grow to a mature height of at least 2 metres, planted at a maximum of 1.5 metres apart, and including at least 1 tree for every 10 metres of boundary length.

Landscape Planting Strip

Means a permeable strip with planting consisting of a combination of groundcovers, shrubs, and trees, and must provide vegetative coverage of the specified area within one year from the time of planting. The planting strip shall include at least one tree able to grow taller than 2m for every 10m of frontage. Such trees may be grouped so as not to obscure the site, building or access.

Lines

Means as defined in Section 5 of the Telecommunications Act 2001.

[line—

- (a) *means a wire or a conductor of any other kind (including a fibre optic cable) used or intended to be used for the transmission or reception of signs, signals, impulses, writing, images, sounds, instruction, information, or intelligence of any nature by means of any electromagnetic system; and*
- (b) *includes—*
 - (i) *any pole, insulator, casing, fixture, tunnel, or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any of those wires or conductors; and*
 - (ii) *any part of a line]*

Lot

Has the same meaning as Allotment/Lot.

L_{eq}

Means a level that can be described as the energy averaged sound level or constant level that would be equivalent to all of the sound energy experienced during the measurement period.

Limited Access Road

Means Limited Access Road as defined in Section 346 of the Local Government Act 1974.

[Limited access road means any road declared to be a limited access road under section 346A of this Act or the corresponding provisions of any former enactment]

L_{max}

Is the maximum sound level during the period of measurement.

Loading Space

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

LUC (Land Use Classification)

Means Land Use Capability Class as defined in the New Zealand Land Resource Inventory Worksheets published by the National Water and Soil Conservation organisation.

Management Activities

Includes tree husbandry; removal/control of exotic, noxious or nuisance species; construction, reconstruction, maintenance and use of pedestrian and cycle tracks, huts and shelters, toilets, picnic areas and campsites; radio installations (for management and safety purposes); search and rescue operations; wild animal control operations; erection of interpretative signs.

Manoeuvring/Turning Area

Means that part of a site used by vehicles to move from the vehicle crossing to any parking or loading space and includes all driveways and aisles and may be part of an access strip. Parking spaces and loading spaces may be served in whole or in part by a common manoeuvring area.

Maori Land

Means land owned by Maori people and under the jurisdiction of the Maori Land Court under the Te Ture Whenua Maori Act 1993/Maori Land Act 1993.

Marae

Means a defined parcel of land set apart for the common use of a Maori Community and includes a complex of buildings such as meeting house, dining hall, ablution block, urupa and other community, recreational and educational facilities, dwellings generally associated with a Marae.

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.

Minor Works

Means in relation to items in Category A and B of the Heritage Inventory (refer to Section 6.1):

- Cleaning or washing with materials or techniques not detrimental to the heritage fabric.
- General maintenance and/or minor repair means the repair of materials by patching, piecing-in, splicing and consolidating existing materials and including minor replacement of minor components such as individual bricks, cut-stone, timber sections, tiles and slates where these have been damaged beyond reasonable repair or are missing. The replacement should be of the original or similar material, colour, texture, form and design as the original it replaces and the number of components replaced should be substantially less than the existing.

- Repairing and revarnishing of surfaces. The application of other finishes provided that the materials used are similar to the existing or earlier finishes.
- Activities that have an insignificant effect on the heritage fabric of the item, for example:
 - Hanging planter pots
 - The installation and refurbishment of services where the work does not affect significant fittings or features.

Mineral

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

*** Mining**

Has the same meaning as in Section 2 of the Crown Minerals Act 1991.

[Mining means to take, win, or extract, by whatever means, a mineral existing in its natural state in land, or a chemical substance from that mineral, for the purpose of obtaining the mineral or chemical substance; but does not include prospecting or exploration; and to mine has a corresponding meaning]

Mining Operations

Means operations in connection with mining (for any mineral) carried out at or near the site where the mining is carried out, and shall include the following:

- the transport, treatment, processing and separation of any mineral; and
- the construction, maintenance and operation of any works, structures and other land improvements, and of any machinery and equipment connected with such operations; and
- the removal of overburden by mechanical or other means and the stacking, deposit, storage and treatment of any substance considered to contain any mineral; and
- the deposit or discharge of any mineral, material, debris, tailings, refuse or wastewater produced from or consequent on any such operation; and
- the doing of all lawful acts incidental or conducive to any such operations.

Motor Sports

Means sporting activity involving a motor driven vehicle and can include cars, motorbikes and karts, but does not include modelled or scaled down versions of vehicles operated through remote control

Motorised Recreation (in relation to Surface of Water Activities)

Means motorised vehicles (including boats, jet skis) used for recreational purposes which sit in, on or above the surface of water and includes fishing, sight seeing, boat building and repair.

MVA

Means mega volt amperes or million volt amperes.

Natural Ground Level (in Relation to any Allotment/Lot)

Means the finished ground level when all the engineering and development works associated with the subdivision creating the allotment have been completed to Council's satisfaction. It does not include works after the Section 224 Certificate has been issued by Council.

Net Floor Area

Means the sum of the floor area (within the external walls of the building designed for the exclusive use of the residential occupant(s))

Net Lot Area

Means the area of that part of a lot (within one zone), excluding any part which is also part of an Internal Access or an Access Leg, and excluding any area within 15 metres of an open drain and any Natural Areas of Ecological Significance listed and described in Section 6.2.

Net Site Area

Means the area of a site that contains the development and/or activity and any outdoor living court, service court, vehicle parking and manoeuvring space required by the District Plan and which is for the exclusive use of the development and/or activity, but shall exclude any communal open space and communal parking and any *internal accessway*,

Network Utility

Means a network utility operation undertaken by a network utility operator. The terms "network utility operation" and "network utility operator" shall have the same meaning as specified in s166 RMA. In addition, for the purposes of this Plan a network utility operation shall also include lighthouses, navigation and survey aids and beacons, and meteorological activities.

* **Network utility operator** means a person who—

- (a) undertakes or proposes to undertake the distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel, or geothermal energy; or
- (b) operates or proposes to operate a network for the purpose of—
 - (i) telecommunication as defined in section 5 of the Telecommunications Act 2001; or
 - (ii) radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989; or
- (c) is an electricity operator or electricity distributor as defined in section 2 of the Electricity Act 1992 for the purpose of line function services as defined in that section; or
- (d) undertakes or proposes to undertake the distribution of water for supply (including irrigation); or
- (e) undertakes or proposes to undertake a drainage or sewerage system; or
- (f) constructs, operates, or proposes to construct or operate, a road or railway line; or
- (g) is an airport authority as defined by the Airport Authorities Act 1966 for the purposes of operating an airport as defined by that Act; or
- (h) is a provider of any approach control service within the meaning of the Civil Aviation Act 1990; or

- (i) undertakes or proposes to undertake a project or work prescribed as a network utility operation for the purposes of this definition by regulations made under this Act,—
and the words network utility operation have a corresponding meaning.

*** Non-Complying Activity** (refer to s77B(5) RMA)

If an activity is described in this Act, regulations, or a plan or proposed plan as a non-complying activity,—

- (a) a resource consent is required for the activity; and
(b) the consent authority may grant the resource consent with or without conditions or decline the resource consent.

Notional Boundary

Means a line 20 metres from and parallel to the facade of the dwelling or building used for accommodation, or the legal boundary, where this is closer to the dwelling or building.

Offices

Means premises used for an administrative or professional professions and includes but is not limited to the following: financial, insurance, law, surveying, engineering, architecture, real estate, and healthcare services.

Official Sign

Means signs on roads which have been approved by the road controlling authority and are not traffic signs (ie, they relate to off road activities, such as tourist and information signage).

Outdoor (Extensive) Pig Farming

Means where all stock is in paddocks with groundcover maintained.

Outdoor Living Area

Means an on site outdoor area for the exclusive use of each residential activity, and community house free of any outdoor service area, driveways, manoeuvring areas, parking spaces, accessory buildings and any deck or eave overhang of more than 600mm width. The outdoor living area may include decks and terraces regardless of height and shall:

- be located to the north, east or west of the household unit, community house, and directly accessible from it;
- not be located exclusively between the household unit, community house, and any road boundary;
- have a slope no greater than 10⁰; and
- where terraced, each terrace shall be level and with a minimum dimension of 3 metres and a maximum difference in level between terraces of 1.5 metres.

Outdoor Service Area

Means an area of outdoor open space provided for the exclusive use of the residential activity, community house, visitor accommodation for such service facilities as clotheslines, storage of refuse containers and the like. Each outdoor service court shall:

- be accessible from the service area(s) within the household unit, community house, visitor accommodation
- be free of driveways, vehicle manoeuvring areas and parking spaces
- be screened from the site areas of adjoining household units

Overland Flow Path

Means a secondary flow path that conveys flood water, in excess of the capacity of the disposal system.

Parking Lot/Parking Building

Means parking areas established specifically to be used for carparking and which are not provided to fulfil the parking requirements of any activity in the District Plan.

Parking Space

Means a space on a site suitable and available for the parking of a car.

Passive Recreation Activities

Means any recreation activity whose principal aim is the enjoyment of leisure of a primarily non competitive casual nature that does not involve the use of vehicles (excluding bicycles) and motorised equipment and also excludes any organised sport. It includes amenity and conservation plantings, habitat restoration and enhancement, *children's playgrounds*, seating and tables, barbeque facilities, pedestrian walkways, cycleways, jogging tracks, the erection and use of information boards, directional signage, fencing, public artwork/sculptures, public toilets and other buildings and structures necessary for the maintenance and operational needs of the recreation area and associated carparking.

*** Permitted Activity (refer to s77B(1) RMA)**

If an activity is described in this Act, regulations, or a plan or proposed plan as a permitted activity, a resource consent is not required for the activity if it complies with the standards, terms, or conditions, if any, specified in the plan or proposed plan.

Permanent All Weather Surface (refer to "All Weather Standard")

Ponding Area

Means an area subject to flooding from events that are greater than the disposal system is designed to deal with.

Produce Market

Means any land, *building* or part of any *building* that is used for the sale of fruit, vegetables or other natural products, and/or the products of home occupations produced or grown predominantly on, and in the vicinity of the holding, on which the produce market is sited. In addition not more than 20% of the total produce and/or products, by value, offered for sale may be procured for resale from other wholesale/retail outlets. In the context of this definition 'vicinity' means surrounding or nearby properties which can conveniently supply goods for sale.

Produce Stall

Means any land, *building* or part of any *building* that is used for the sale of fruit, vegetables or other natural products, and/or the product of *home occupations*, produced or grown on the holding on which the produce stall is sited, and in the case where the purchaser harvests the produce the produce stall means any land or *building* or part of a *building* in which such produce is weighed, packaged or sold.

*** Prohibited Activity** (refer s77B (7) RMA)

If an activity is described in this Act, regulations, or a plan as a prohibited activity, no application may be made for that activity and a resource consent must not be granted for it.

Property

Means all land held in the same valuation reference.

Proposed Service Lane

Means land identified and designated on the Planning Maps by Council to come into public ownership for the purpose of vehicular and pedestrian access.

*** Prospecting**

Has the same meaning as Section 2 of the Crown Minerals Act 1991.

[Prospecting means any activity undertaken for the purpose of identifying land likely to contain exploitable mineral deposits or occurrences; and includes—

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

and to prospect has a corresponding meaning]

*** Public Work(s)**

Has the same meaning as in the Public Works Act 1981, and includes any existing or proposed public reserve within the meaning of the Reserves Act 1977 and any national park purposes under the National Parks Act 1980.

[Public work and work mean—

- (a) Every Government work or local work that the Crown or any local authority is authorised to construct, undertake, establish, manage, operate, or maintain, and every use of land for any Government work or local work which the Crown or any local*

authority is authorised to construct, undertake, establish, manage, operate, or maintain by or under this or any other Act; and include anything required directly or indirectly for any such Government work or local work or use:

- (b) *Every Government work or local work constructed, undertaken, established, managed, operated, or maintained by any Education Authority within the meaning of the Education Act 1964 and every use of land for any Government work or local work which such Education Authority constructs, undertakes, establishes, manages, operates, or maintains, and include anything required directly or indirectly for any such Government work or local work or use:*
- (c) *Any Government work or local work that is, or is required, for any university within the meaning of the Universities Act 1961]*

Regional Arterial Road

Means roads and streets shown on Planning **Map No (tba)** and described as such in Section 8.4.8, in which the movement of traffic is the dominant function of the road or street. Regional Arterials include State Highway No 26 and parts of State Highway No 25 where although the traffic carrying function is dominant, the volumes of traffic are less than the Strategic Highways, which allows for the secondary function of providing property frontage to the road.

Regulatory Sign

Means traffic signs on roads in accordance with the Traffic Regulations 1976, relating to on road traffic control and road condition.

Relocatable

Means the building (including foundations) is able to be practicably moved to an alternative site outside the erosion hazard area as defined in Rule 8.2.3.3 within 10 working days (as defined in the RMA) from the start of such relocation activity, by way of removal truck, a roller and/or crane and that access can be gained to the site to move the building to the satisfaction of the Council.

Note:

The abandonment of the building does not meet the definition of 'relocatable'. Total demolition and removal of debris and foundations would meet this definition.

Residential Area

Means an area of land to be used for a dwelling and associated residential purposes which in its entirety is not liable to flooding, erosion, landslip or instability and excludes all necessary yards.

Note: The Council may require from the applicant an engineering report on the stability of the land, to be prepared by a Registered Engineer experienced and practising in soil mechanics and the stability of soils to confirm compliance with this definition.

Residential Purposes or Activities

Means the construction of a dwelling and any use of the dwelling, land or other accessory buildings, for purposes ancillary or incidental to the occupation of the dwelling exclusively by one household for living accommodation purposes.

Residential Property/Site

Means any occupied dwelling or any form of tourist accommodation lawfully established which is located on a separate Certificate of Title from that on which the noise level of an activity is being measured and assessed.

*** Restricted Discretionary Activity** (refer to s77B (3) RMA)

If an activity is described in this Act, regulations, or a plan or proposed plan as a restricted discretionary activity,—

- (a) a resource consent is required for the activity; and
- (b) the consent authority must specify in the plan or proposed plan matters to which it has restricted its discretion; and
- (c) the consent authority's powers to decline a resource consent and to impose conditions are restricted to matters that have been specified under paragraph (b); and
- (d) the activity must comply with the standards, terms, or conditions, if any, specified in the plan or proposed plan.

Retail Activity

Means land or buildings used for the display and/or sale of goods by retail or hire to members of the public but does not include “Warehouse” which is separately defined.

Riparian Margin

Means a strip of land adjacent to any water body which is or can be managed to preserve the natural character, natural ecosystems and processes of the water body and the margins of the water body.

Riparian Vegetation

Means vegetation on a riparian margin that functions to manage the adverse effects of the subdivision, use or development of adjacent land use activities. The vegetation can be indigenous or exotic.

River Control Works

Means works carried out by either the Hauraki District Council or Waikato Regional Council (Environment Waikato) with respect to maintenance of the flood protection schemes for the following rivers:

- Waitakaruru;
- Piako; and
- Waihou

RMA

Means the Resource Management Act 1991 and Regulations, and includes any amendments thereto.

Road(s)

Shall be defined as including all land comprising legal but unformed roads and all land comprising formed and existing roads under the control of the road controlling authority and is inclusive of the definitions contained in the Local Government Act 1974 and the Transit New Zealand Act 1989.

*** Rule**

Means a district rule or a regional rule.

Rural Area

Means land within a Rural, Coastal, Marae Development, Conservation (Indigenous Forest or Wetland), or Karangahake Gorge zone

Secondary Road

Means all roads not shown in Section 7.8 as either Strategic Highway, Regional Arterial, District Arterial or Collector Road, in which the access function to adjoining properties is the dominant function, not the movement of traffic.

(see also Strategic Highway)

Sensitive Zone

Means a Residential, Low Density Residential, Township, Marae Development or Reserve (Passive) zone

Service Industrial Activity

Means activities involving light manufacturing or repair or servicing of goods of a light nature and includes repair and servicing of household appliances, electronic equipment, vehicles and machinery (excluding panel beating and spray painting) and craft and clothes manufacture

Service Station

Means an activity comprising the sale of motor vehicle fuels, including petrol, LPG, CNG and diesel and may also include any one or more of the following:

- the sale of kerosene, alcohol based fuels, lubrication oils, tyres, batteries, vehicle spare parts and other accessory items normally associated with motoring and convenience items including food and refreshments;
- car wash facilities.

In addition in the Industrial and Township Zones, this activity may include:

- mechanical repair and servicing of motor vehicles (includes motor cycles, caravans, boat motors, trailers and domestic gardening equipment)
- warrant of fitness testing.

Shelter Belt

Means a line of vegetation in one or more rows established to provide shelter from wind that exceeds the height and daylight controls for the zone it is located in.

Sign

Means any name, figure, character, outline, display, notice, placard, delineation, poster, handbill, advertising device or appliance, or any other thing of a similar nature used to attract attention. It shall include all parts, portions, units and materials composing the same, together with the frame, background, structure or anchorage thereof, and shall also include any of the foregoing things when displayed on a stationary vehicle.

Site

Means a physical area of land with defined legal boundaries comprising one or more allotments, or part of an allotment related to a particular development application, proposal or use. A site comprising more than one allotment shall be held in such a way that separate allotments or part of an allotment cannot be disposed of separately.

Site Coverage

Means that portion of a net site area which is covered by buildings, whether principal or accessory, excluding eaves less than 600mm wide and uncovered decks and terraces.

Sports Grounds

Means an open designated area where people gather to watch and participate in a particular sporting event (excluding motorised sport or firearm sport) and includes golf courses, tennis and netball courts, fields for rugby, hockey, soccer etc.

Strategic Highway

Means roads and streets shown on Planning **Map No. (tba)** and described as such in Section 8.4.8, in which the movement of traffic is the dominant function of the road or street. Strategic Highways include State Highways 2, 25 and 27, where the dominant function is the movement of both large volumes of traffic and heavy traffic.

* **Structure** (refer also to the definition of Building)

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

* **Subdivision** (refer to s218 RMA)

Means—

- (a) the division of an allotment—
 - (i) by an application to a District Land Registrar for the issue of a separate certificate of title for any part of the allotment; or
 - (ii) by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or
 - (iii) by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or
 - (iv) by the grant of a company lease or cross lease in respect of any part of the allotment; or

- (v) by the deposit of a unit plan, or an application to a District Land Registrar for the issue of a separate certificate of title for any part of a unit on a unit plan; or
- (b) an application to a District Land Registrar for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by section 226,—
- and the term subdivide land has a corresponding meaning.

Surface Mining

Means taking, winning or extraction of naturally occurring minerals from under or on the land surface utilising open pit, open cast or other recognised surface mining techniques, methods and equipment. It does not include minor surface activities (eg. removal of boulders from the surface of land) which are provided separately under the “Earthworks” provisions. It excludes “Mining Operations” (refer to separate definition).

Temporary Military Training

Means activities undertaken to meet the purposes of the Defence Act 1990 provided:

- the activity does not require the construction of permanent structures;
- the activity does not require (permanent or mechanical) excavation unless provided for elsewhere in the Plan;
- flying activities are in compliance with civil aviation regulations or in agreement with the local controlling authority.

Temporary Uses and Buildings

Means:

- (a) Temporary offices, storage sheds, storage yards, builders' workshops and other similar buildings and uses, which are required as incidental to a building or construction project. These are permitted only for the duration of that project, and not for a period exceeding 12 months unless the written consent of the Council to a longer period is obtained. Where the temporary use or building relates to the construction of a building, no such temporary use or building shall be commenced or erected, unless a building consent for the erection of the permanent building on the site has been issued.
- (b) Temporary uses and buildings for such purposes as carnivals, bazaars, public meetings and the like. These are permitted for a period not exceeding one week in any one year.

Tourist Facility Sign

Means a sign giving directions to a geographic feature, commercial enterprise or scenic route which caters for tourists and is located adjacent to the road, or on a side road off it, and includes signs for tourist features (eg scenic lookouts, waterfalls), tourist establishments (eg museums, wineries, craft centres) and major tourist attractions (eg national parks) and tourist drives or routes (scenic drive, wine trail).

Trading Floor Space

Means that area of the premises to which the public have access for the purpose of shopping, together with any area taken up for the purpose of display of goods and any counter and/or behind counter areas used by or occupied exclusively by staff members whilst actively engaged in serving the public.

Underground Mining

Means taking, winning or extraction of naturally occurring minerals from under the land surface utilising shafts, adits, tunnelling and other recognised underground mining techniques, methods and equipment, and includes surface disturbance associated with underground mining and backfilling of the void with waste rock. It excludes “Mining Operations” (refer to separate definition).

Urban Area

Means land within a Residential, Low Density Residential, Township, Town Centre, Industrial and Reserve (Active) zone

Visitor Accommodation

Means building(s) used for day to day accommodation by visitors where tariffs are charged and includes hotels, motels, guest houses, bed and breakfast accommodation, backpackers accommodation. It excludes camping grounds and motor camps.

Note: Where the operator(s) of the visitor accommodation lives on site any maximum occupancy standard specified in the zone rules for the visitor accommodation shall not include the operator(s) and their required residential accommodation (ie. a separate dwelling may be provided for the operator(s) in addition to the visitor accommodation facility where permitted by the rules of the Plan.

Warehouse

Means any building, or land, where materials, articles or goods are stored pending sale or removal. Any warehouse shall be deemed to include only such offices, showrooms, residential and caretaker's accommodation for persons whose employment is such that they are required to live on the site, and wholesale shops as are necessary for, incidental to and part of the principal use of the site as a warehouse.

Whanau Marae

Means a family (hapu) marae which is limited to the wharenuī (meeting house), marae ātea (the forecourt of the wharenuī), wharekai (dining hall and kitchen) and wharepaku (ablution blocks inclusive of toilets, showers and changing rooms).

Windfarm

Means land, buildings or structures used to generate electricity from the wind.

Yard

Means a part of a site measured from the boundary of the site which is required by the Plan to be unobstructed by buildings from the ground upwards except that:

- a verandah or canopy attached to a non-residential building may project over any front yard;
- an open fire escape may project over any yard;
- a fence, boundary wall or retaining wall not exceeding 2.0m in height (but in each case not being a building) may be erected on any yard;
- an uncovered deck of less than 1.0 metre in height may project over any yard;

- where a building line restriction is imposed over the site, the yard shall be measured back from the building line; and
- eaves no more than 600mm wide may encroach may project into any yard.

Front Yard	Means a yard between the road (whether formed or unformed) and a line parallel thereto, extending across the full width of the site.
Rear Yard	Means a yard in any site other than a corner site, bounded by the rear boundary of the site and a line extending across the full width of the site except that a rear yard in respect of any rear lot means a yard between the full length of all boundaries of the site and a line parallel thereto.
Side Yard	Means a yard except for any portion of the site comprised in a front or rear yard that lies between the full length of a side boundary and a line parallel thereto on a corner site every boundary not being a road frontage shall be deemed to be a side boundary.
Other Yard	Means any yard other than a Front Yard.

Youth Play Areas

Means play areas and associated equipment and structures for non organised recreational activities suited to youth and may include skate boarding, BMX and agility courses

Zone(s)

Means a portion of the District shown on the District Planning Maps by distinctive notation, for the purpose of indicating the policies and controls in the Plan for the erection or use of buildings or the use of land.

Zone Coverage

Means that portion of a zone, which is covered by buildings, whether principal or accessory, excluding eaves and uncovered decks and terraces.

Zone Development Standard(s)

Means limits for external effects of activities as specified in this District Plan.