

## 4.0 DEFINITIONS

### The 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.

### 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.

### Acute Toxicity

Means the adverse effects caused by a toxic agent occurring within a short time following exposure to that agent.

### 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

Has the same meaning as in Section 2 of the Act.

### 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.

### Bioaccumulation

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

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

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

### Building

Has the same definition as "Building" in the Building Act 1991. It includes eaves, chimneys, aerials, satellite or telecommunication dishes and masts.

### Business Activity

Means the activity of conducting business, retailing and servicing, and also includes hotels, motels and other forms of tourist accommodation.

### Certificate of Title

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

1. A composite Certificate of Title for tenancy-in-common and leasehold estate;
2. 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.
3. 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 creche, 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 activities for the zone.

### Chronic Toxicity

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

### 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.

#### **COD**

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

#### **Collector Road**

See Strategic Highway.

#### **Commercial Service**

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, and cultural community premises, cinemas, theatres, conference rooms, church halls, marae, and meeting rooms, but does not include a chartered club or building designed specifically for indoor recreation.

#### **Community Housing**

Means a place of residence for persons with mental or other health problems or victims of rape, violence, and domestic or similar problems, and includes home care facilities.

#### **Controlled Activity**

Means an activity which the plan specifies as a controlled activity and which is allowed only if a resource consent is obtained in respect of that activity.

#### **Council**

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 (Site or Zone)**

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

#### **Development**

Means development or redevelopment (other than subdivision) by:

1. Constructing, erecting or altering any one or more buildings or other works for the purpose of providing additional household units; or
2. 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.

#### **Discretionary Activity**

Means an activity which the Plan specifies as being allowed only if a resource consent is obtained in respect of the activity from the Council, which must exercise its discretion to grant the consent in accordance with criteria specified in the Plan and the Act.

#### **District Arterial Road**

See Strategic Highway.

#### **Drainage Works**

Means the maintenance and development of drains in the rural part of the District, undertaken by the Hauraki District Council. 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

#### **Dwelling**

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 (see Section 8.4)**

Means earthmoving operations carried out by any means for development purposes and includes:

1. The removal of vegetation.
2. The disturbance of land surfaces by moving, removing, placing or replacing soil, or by excavation or cutting or filling operations.

3. Contouring.
4. Road, driveway and access construction.

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

Means the effective toxicant concentration resulting in a 50% response of a given parameter (eg reduced reproduction rate) in a given period.

#### **Ecotoxicity**

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

#### **Education/Training Activities and Facilities**

Means buildings and associated amenities used for the purposes of education, learning and training. It includes schools, tertiary institutions, kokiri centres and institutions delivering educational services to special groups such as unemployed, youth, elderly, disabled or other special needs.

#### **Effluent Disposal Area**

Means a continuous area of land, which in its entirety is suitable for normal domestic drainage purposes in accordance with NZS 4610. It can include all yards and area to be used for residential activities, but excludes any area located within any identified hazard areas.

Refer also to Performance Standard 9.3.7 - Domestic Effluent Disposal.

#### **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.

#### **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.

#### **Environment**

Means the same as in Section 2 of the Act.

#### **Environmentally Damaging Substance**

Means any substance which by effects other than toxicity, is able to damage an aquatic ecosystem (eg milk, oil).

#### **Environmentally Persistent Substance**

Means a substance resistant to natural breakdown in the environment.

#### **Exploration**

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

#### **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 without groundcover being maintained and includes such activities as poultry farming, intensive pig farming, fish farming or production, animal or bird breeding, mushroom production, and crop propagation and growing. 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 whether relying on the productive capacity of the soil or not, and includes activities associated with land preparation (eg hump/hollow, tracks, pits), the use of buildings for purposes accessory to farming, bee keeping, horse training and agistment, but not 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.

### 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:

1. Include:
  - ~~///~~ Elevator shafts, stairwells and lobbies at each floor.
  - ~~///~~ Mezzanine floors and balconies.
2. Exclude:
  - ~~///~~ Any provided carparking, loading and servicing areas and access thereto.
  - ~~///~~ Building service rooms containing equipment such as lift machinery, tanks, airconditioning and heating plants.

### 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 Activity

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

### Hazardous 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 activities as defined above.

### Hazardous Substances

Substances with one or more of the following intrinsic properties;

- ~~///~~ an explosive nature
- ~~///~~ an oxidising nature
- ~~///~~ a corrosive nature
- ~~///~~ flammability
- ~~///~~ acute and chronic toxicity
- ~~///~~ ecotoxicity with or without bioaccumulation.

Or

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

### 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 at any point and the highest part of the building above that point. Ground level shall be the natural ground level if existing or if not existing then the finished level of the ground as a result of subdivisional works approved by Council. Areas of cutting or filling which have resulted or will result from work undertaken as part of the construction of a building shall not be used in the measurement of height.

Excluded from this definition are radio and TV aerials, flagpoles, chimneys, gantries etc.

### 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.

### 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 an activity which complies with the following:

1. It is performed by a member of the household residing in the dwelling.
2. It is incidental to the use of the dwelling for residential purposes.
3. The occupation is carried on wholly within the dwelling or an accessory building erected or modified for the purpose. Except that this shall not apply to child-care facilities and the commercial care of dependant persons, provided that the number of children or persons cared for at any one time does not exceed five.
4. Not more than one person from outside the household is employed in the home occupation.
5. There is no exterior display, external storage of materials or other indication of the home occupation or variation from the residential character of the property.
6. The activity shall be operated so as not to attract pedestrian or vehicular traffic between the hours of 10.00pm and 7.00am the following day.

7. The activity may not use equipment which creates electrical interference with television and radio sets on neighbouring properties.
8. Only goods directly produced by the activity may be sold or offered for sale from the site on which the activity is conducted in accordance with the requirements for produce stalls.

#### **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 for the aged who may or may not be disabled. They may be built from public, charitable or private funding. It includes kaumatua housing in the Marae Development zone.

#### **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 the following:

⌘ Mineral extraction

#### **Intensive Pig Farming**

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

#### **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.

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

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

#### **Lines**

Means as defined in Section 2(1A) of the Telecommunications Act 1987.

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

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

#### **Lot**

Has the same meaning as in Section 2 of the Act.

(See Allotment/Lot).

#### **Limited Access Road**

Means Limited Access Road as defined in Section 346 of the Local Government Act 1974 and Section 88 of the Transit New Zealand Act 1989.

#### **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.

#### **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 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.

## 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 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 extraction, 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.

## 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.

## Multiple Dwellings

Means the provision of more than one dwelling on a separate Certificate of Title, to accommodate persons whom normally permanently reside on or are employed on the holding. This includes all forms of residential accommodation, including housing for the elderly.

## MVA

Means mega volt amperes or million volt amperes.

## Natural Ground Level (in Relation to any Allotment)

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 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.

## 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 the Resource Management Act 1991.

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.

## Non-Complying Activity

Means an activity which contravenes the Plan but is not listed as a prohibited activity.

## Non-Residential Activity

Means activities that are not covered in the definition of Dwelling or Residential Activities and comply with Rule 5.5.6.2 A. - Special Standards for Non-Residential Activities.

## 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.

## Parking Space

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

## Passive Recreation

Means any recreation that does not involve the use of vehicles (including bicycles) and motorised equipment and also excludes any organised sport.

## Performance Standard (see Section 9.0)

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

## Permitted Activity

Has the same meaning as in Section 2 of the Act.

## Plantable Land

Means land which is:

- ✍ Not steeper than 15°.
- ✍ Not prone to flooding or ponding (Reference should be made to the information held at the Council offices)
- ✍ Supplied with adequate irrigation water.

Note: A report prepared or verified by the Waikato Regional Council establishing the availability of water shall be submitted with any application where an existing irrigation or public water supply is not available. As a guideline a minimum of 25m<sup>3</sup>/ha/day during the summer shall be available. The Council may waive this requirement for those lots greater than 15 hectares in area.

⚡ Land which does not include any significant heritage or environmental features listed in Section 7.0.

(See Rule 10.1.5.4 (f).

#### **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.

#### **Productive Land**

Means land which is:

⚡ Not steeper than 30°.

⚡ Either under grass, planted with an established crop or forestry at the time of applications.

#### **Prohibited Activity**

Has the same meaning as in Section 2 of the Act.

#### **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 in Section 2 of the Crown Minerals Act 1991.

#### **Public Works**

"Public work" and "work" mean every work which the Crown or any local authority is authorised to construct, undertake, establish, operate, or maintain, and every use of land which the Crown or any local authority is authorised to establish and continue, by or under this or any Act; and includes any thing required directly or indirectly for any such work or use."

#### **Recognised Carcinogen**

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

#### **Recognised Mutagen**

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

#### **Recognised Teratogen**

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

#### **Regional Arterial Road**

See Strategic Highway.

#### **Regulatory Sign**

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

#### **Residential Area**

Means an area of land to be used for a dwelling and associated residential purposes which in its entirety is suitable for normal domestic drainage purposes in accordance with NZS 4610, and includes all necessary yards.

#### **Residential Institution**

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

#### **Residential Purposes or Activities**

Means the construction of a dwelling and any use of the dwelling, land or other buildings for purposes ancillary or incidental to a dwelling such as home occupations and home stay.

#### **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.

### **Risk**

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

### **Road**

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.

### **Rural Residential Activities**

Means activities that are predominantly residential, with rural activities being ancillary or accessory. Farming is restricted to "hobby farming." Grazing of animals is restricted to domestic use. Factory farming is not included.

### **Secondary Road**

Means all roads not shown in Section 8.9 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)

### **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 accessories normally associated with motoring;
- ~~☒~~ car wash facilities.

In addition in the Industrial (Light), Industrial (Heavy) 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.

### **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 an area of land of sufficient dimensions to accommodate an activity, while satisfying all requirements of the Plan relating to the activity.

### **Storage**

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

### **Strategic Highway, Regional Arterial, District Arterial and Collector Road**

Means roads and streets shown as such in Section 8.9, in which the movement of traffic is the dominant function of the road or street.

Strategic Highways include State Highway Nos 2, 25 and 27, where the dominant function is the movement of both large volumes of traffic and heavy traffic.

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.

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.

Collector Road have a function which is a combination of moving traffic and providing property frontage to a road.

### **Subdivision**

Has the same meaning as set out in Sections 2 and 218 of the Act.

### **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.

### **Temporary Military Training (Refer to Rule 2.4.1.1)**

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

- ~~☒~~ the written consent of the owner of the property has been obtained;
- ~~☒~~ 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;
- ~~☒~~ noise levels do not exceed those specified in Rule 9.4.1;
- ~~☒~~ flying activities are in compliance with civil aviation regulations or in agreement with the local controlling authority.
- ~~☒~~ relevant Performance Standards in Section 9.0 are complied with.

### **Temporary Uses and Buildings (refer to Rule 2.4.1.1)**

Means:

1. 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.

2. 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. Any addition to this time factor will be considered as a discretionary activity.
3. Temporary uses and buildings must comply with the relevant Performance Standards in Section 9.0. Where compliance is not met, the use or building becomes a discretionary activity.

#### **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.

#### **Use**

In relation to hazardous substances, means the manufacturing, processing or handling of a substance or mixture of substances for a particular activity without necessarily changing the physical state or chemical structure of the substance involved. This includes mixing, blending and packaging operations, but does not include the filling or drawing of substances from bulk storage tanks unless the processing is permanently connected to the bulk storage, and does not include loading out and dispensing of petroleum products.

#### **Warehouse**

Means any building, or land, where materials, articles or goods are stored pending sale. 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 whareniui (meeting house), marae atea (the forecourt of the whareniui), wharekai (dining hall and kitchen) and wharepaku (ablution blocks inclusive of toilets, showers and changing rooms).

#### **Yard (see Rule 9.2.2)**

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.

**Front Yard** Means a yard between the road 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.

#### **Zone**

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.