

PART 1 – INTRODUCTION AND GENERAL PROVISIONS / INTERPRETATION / Definitions**Definitions**

| Term | Definition |
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| ABRASIVE-BLASTING | means the cleaning, smoothing, roughening, cutting or removal of part of the surface of any article by the use, as an abrasive, of a jet of sand, metal, shot or grit or other material propelled by a blast of compressed air or steam or water or by a wheel |
| ACCESS LOT | means a lot owned in common in undivided shares by the owners of two or more adjacent lots for the principal purpose of providing road frontage and/or access to those lots, where their interests in the access lot are recorded in the Certificates of Title for those adjacent lots. |
| ACCESSORY BUILDING | means a detached building, the use of which is ancillary to the use of any building, buildings or activity that is or could be lawfully established on the same site, but does not include any minor residential unit. |
| ACCESSORY BUILDING | means a detached building, the use of which is ancillary to the use of any building, buildings or activity that is or could be lawfully established on the same site, but does not include any minor residential unit. |
| ACCESSWAY | means that part of an allotment that can be or has been formed or otherwise constructed for use by vehicles to provide the legal and/or physical access from the road to buildings or required parking, loading or standing spaces. |
| ACCESSIBLE PARKING SPACE | means a parking space designed and reserved for the exclusive use of people whose mobility is restricted and who have a mobility permit issued. It also means 'mobility park/parking' and 'disabled/disability park/parking' as referred to in various external standards and guidance documents. |
| ACTIVE STREET FRONTAGE | means street frontage on the ground floor of a building that enables direct visual or physical contact between the street and the interior of the building to ensure casual surveillance of the public domain. |
| <u>ADDITIONAL INFRASTRUCTURE</u> | <p><u>means:</u></p> <ul style="list-style-type: none"> a. <u>Public open space;</u> b. <u>Community infrastructure as defined in section 197 of the Local Government Act 2002;</u> c. <u>Land transport (as defined in the Land Transport Management Act 2003) that is not controlled by local authorities;</u> d. <u>Social infrastructure, such as schools and healthcare facilities;</u> e. <u>A network operator for the purpose of telecommunications (as defined in section 5 of the telecommunications Act 2001); or</u> f. <u>A network operated for the purpose of transmitting or distributing electricity or gas.</u> |
| <u>AFFORESTATION</u> | <ul style="list-style-type: none"> a. <u>means planting and growing commercial forestry trees on land where there is no commercial forestry and where commercial forestry harvesting has not occurred within the last 5 years; but</u> b. <u>does not include vegetation clearance from the land before planting.</u> |
| <u>AGRICULTURAL AVIATION ACTIVITIES</u> | means the intermittent operation of an aircraft from a rural airstrip or helicopter landing area for primary production activities and conservation activities for biosecurity or biodiversity purposes, including stock management and the application of fertiliser, agrichemicals, or vertebrate toxic agents. For clarity, "aircraft" includes fixed-wing aeroplanes, helicopters, and unmanned aerial vehicles. |
| AIRPORT ACTIVITY | <p>means the use of land and/or buildings where the principal activities relate to the function and operation of the Kaitaia, Kaikohe and Kerikeri Airports.</p> <p>These include, but are not limited to:</p> <ul style="list-style-type: none"> a. Aircraft operations, including landing, taxiing and take off, freight, luggage and passenger facilities; b. Airport navigational, control and safety equipment; c. Aviation, educational and training and recreational facilities and activities; d. Maintenance and servicing of aircraft; e. Fuel installations and fuel servicing facilities; f. Warehousing and storage; g. Catering and preparation of food; h. Access roads, car parking, walkways and cycleways; i. Emergency services; and j. Grazing. <p>They may include ancillary activities such as the sale of food and beverage which are ancillary to the principal activity.</p> |

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| AIRPORT PROTECTION SURFACE | Means a surface in the airspace above and adjacent to the Airport, as illustrated in APP4. Activities that protrude through these protection shafts are restricted to enable aircraft to maintain a satisfactory level of safety while manoeuvring at low altitude in the vicinity of the Airport. |
| AIRPORT RETAIL AND COMMERCIAL ACTIVITY | means the use of land and/or buildings at the Kerikeri and Kaitaia Airports for a range of activities that are ancillary to Airport Activities which require/benefit from an airport location. These activities involve providing goods and services to passengers, visitors, employees and businesses using the Airport and include: <ul style="list-style-type: none"> a. Airline services, including administrative offices; b. Ancillary retail and office activities; c. Ancillary meeting and function facilities; d. Rental vehicle services; e. Post or courier services; f. Air logistics, cargo and freight services; g. Warehousing, storage and distribution of goods; h. Cleaning services; and i. Fuel station. |
| ALLOTMENT | has the same meaning as in section 218 of the RMA (as set out in the box below) <ol style="list-style-type: none"> 2. In this Act, the term allotment means— <ol style="list-style-type: none"> a. any parcel of land under the Land Transfer Act 2017 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not— <ol style="list-style-type: none"> 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— <ol style="list-style-type: none"> i. on a survey plan; or ii. on a licence within the meaning of subpart 6 of Part 3 of the Land Transfer Act 2017; or c. any unit on a unit plan; or d. any parcel of land not subject to the Land Transfer Act 2017. 3. For the purposes of subsection (2), an allotment that is— <ol style="list-style-type: none"> a. subject to the Land Transfer Act 2017 and is comprised in 1 record of title or for which 1 record of title could be issued under that Act; or b. not subject to that Act and was acquired by its owner under 1 instrument of conveyance— <p>shall be deemed to be a continuous area of land notwithstanding that part of it is physically separated from any other part by a road or in any other manner whatsoever, unless the division of the allotment into such parts has been allowed by a subdivision consent granted under this Act or by a subdivisional approval under any former enactment relating to the subdivision of land.</p> <p>For the purposes of subsection (2), the balance of any land from which any allotment is being or has been subdivided is deemed to be an allotment.</p> |
| AMENITY VALUES | has the same meaning as in section 2 of the RMA (as set out below) 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 ACTIVITY | means an activity that supports and is subsidiary to a primary activity. |
| AQUIFER | means a permeable geological formation, group of formations, or part of a formation, beneath the ground, capable of receiving, storing, transmitting and yielding water. |
| ARTIFICIAL CROP PROTECTION STRUCTURES | means structures with cloth material used to protect crops and plants <u>and/or enhance growth (excluding greenhouses).</u> |
| <u>AT-RISK INDIGENOUS TAXXA</u> | <u>means species that are listed as at-risk in the New Zealand Threat Classification System.</u> |
| <u>AUDIBLE BIRD SCARING DEVICE</u> | means a gas gun, avian distress alarm, firearm or other such device used primarily for the purposes of scaring birds. |
| BED | has the same meaning as in section 2 of the RMA (as set out below) means— <ol style="list-style-type: none"> a. in relation to any river— |

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| | <ul style="list-style-type: none"> i. for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks; ii. in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and b. in relation to any lake, except a lake controlled by artificial means,— <ul style="list-style-type: none"> i. for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin; ii. in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and c. in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level; and d. in relation to the sea, the submarine areas covered by the internal waters and the territorial sea. |
| <p>BEST PRACTICABLE OPTION</p> | <p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>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—</p> <ul style="list-style-type: none"> 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. |
| <p>ENVIRONMENTAL BIODIVERSITY COMPENSATION</p> | <p>consists of measurable outcomes resulting from actions designed to provide new positive effects to counter residual adverse effects of subdivision, land use and development on indigenous biodiversity.</p> <p>Environmental biodiversity compensation proposals must address the following principles:</p> <ul style="list-style-type: none"> a. The measures compensate for residual adverse effects on biodiversity after adverse effects have been avoided, remedied, mitigated or offset, according to the mitigation hierarchy; b. The measures achieve biodiversity outcomes above and beyond results that would have occurred if the environmental biodiversity compensation had not taken place. The design and implementation should be based on sound science and avoid displacing activities harmful to biodiversity to other locations; c. There is no net loss and preferably a net gain of biodiversity values; d. Where the measures are unable to re-establish or protect the same type of ecosystem or habitat that is adversely affected (like for like), consider alternatives that demonstrate a better biodiversity outcome; e. Where the benefit will diminish with distance, this should be taken into account when assessing the measure; f. The measures last at least as long as the effects of the activity, but preferably in perpetuity, and incorporate monitoring and evaluation to allow for adaptive management where appropriate; g. The delay between the loss of ecological values through development and the gain or maturation of biodiversity values through the measures is minimised; and h. Compliance with measures is secured as far as possible. There are limits as to what can be compensated when affected biodiversity is irreplaceable or vulnerable. In such circumstances environmental biodiversity compensation may not be appropriate as a means of dealing with adverse effects. <p><u>means a conservation outcome that results from actions that are intended to compensate for any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, remediation, and biodiversity offsetting measures have been sequentially applied.</u></p> <p><u>Biodiversity compensation for adverse effects on indigenous biodiversity must apply the following principles:</u></p> <ol style="list-style-type: none"> 1. <u>Adherence to effects management hierarchy:</u> Biodiversity compensation is a commitment to redress more than minor residual adverse effects, and should be contemplated only after steps to avoid, minimise, remedy, and offset adverse effects are demonstrated to have been sequentially exhausted. 2. <u>When biodiversity compensation is not appropriate:</u> Biodiversity compensation is not appropriate where indigenous biodiversity values are not able to be compensated for. Examples of biodiversity compensation not being appropriate include where: a. the indigenous biodiversity affected is irreplaceable or vulnerable; b. effects on indigenous biodiversity are uncertain, unknown, or little understood, but potential |

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| | <p><u>effects are significantly adverse or irreversible; c. there are no technically feasible options by which to secure a proposed net gain within acceptable timeframes.</u></p> <ol style="list-style-type: none"> 3. <u>Scale of biodiversity compensation:</u> <u>The indigenous biodiversity values lost through the activity to which the biodiversity compensation applies are addressed by positive effects to indigenous biodiversity (including when indigenous species depend on introduced species for their persistence), that outweigh the adverse effects.</u> 4. <u>Additionality:</u> <u>Biodiversity compensation achieves gains in indigenous biodiversity above and beyond gains that would have occurred in the absence of the compensation, such as gains that are additional to any minimisation and remediation or offsetting undertaken in relation to the adverse effects of the activity.</u> 5. <u>Leakage:</u> <u>Biodiversity compensation design and implementation avoids displacing harm to other indigenous biodiversity in the same or any other location.</u> 6. <u>Long-term outcomes:</u> <u>Biodiversity compensation is managed to secure outcomes of the activity that last as least as long as the impacts, and preferably in perpetuity. Consideration must be given to long-term issues around funding, location, management, and monitoring.</u> 7. <u>Landscape context:</u> <u>Biodiversity compensation is undertaken where this will result in the best ecological outcome, preferably close to the impact site or within the same ecological district. The action considers the landscape context of both the impact site and the compensation site, taking into account interactions between species, habitats and ecosystems, spatial connections, and ecosystem function.</u> 8. <u>Time lags:</u> <u>The delay between loss of, or effects on, indigenous biodiversity values at the impact site and the gain or maturity of indigenous biodiversity at the compensation site is minimised so that the calculated gains are achieved within the consent period or, as appropriate, a longer period (but not more than 35 years).</u> 9. <u>Trading up:</u> <u>When trading up forms part of biodiversity compensation, the proposal demonstrates that the indigenous biodiversity gains are demonstrably greater or higher than those lost. The proposal also shows the values lost are not to Threatened or At Risk (declining) species or to species considered vulnerable or irreplaceable.</u> 10. <u>Financial contributions:</u> <u>A financial contribution is only considered if:</u> <ol style="list-style-type: none"> a. <u>there is no effective option available for delivering biodiversity gains on the ground; and</u> b. <u>it directly funds an intended biodiversity gain or benefit that complies with the rest of these principles.</u> 11. <u>Science and mātauranga Māori:</u> <u>The design and implementation of biodiversity compensation is a documented process informed by science, and mātauranga Māori.</u> 12. <u>Tangata whenua and stakeholder participation:</u> <u>Opportunity for the effective and early participation of tangata whenua and stakeholders is demonstrated when planning for biodiversity compensation, including its evaluation, selection, design, implementation, and monitoring.</u> 13. <u>Transparency:</u> <u>The design and implementation of biodiversity compensation, and communication of its results to the public, is undertaken in a transparent and timely manner.</u> |
| <p>BIODIVERSITY OFFSETS</p> | <p>are measurable outcomes resulting from actions designed to provide new positive effects to counter residual adverse effects of subdivision, land use and development on indigenous biodiversity.</p> <p>Biodiversity offsetting proposals must address the following principles:</p> <ol style="list-style-type: none"> a. Offsetting measures compensate for residual adverse effects on biodiversity identified after adverse effects have been avoided, remedied or mitigated according to mitigation hierarchy; b. Offsetting measures achieve biodiversity outcomes above and beyond results that would have occurred if the offset had not taken place. The design and implementation of an offset should be based on sound science and avoid displacing activities harmful to biodiversity to other locations; c. That there is no net loss and preferably a net gain of biodiversity values; d. Offsetting measures re-establish or protect the same type of ecosystem or habitat that is adversely affected (like for like), unless an alternative ecosystem or habitat provides a significantly better biodiversity outcome; e. The offsetting measures should apply as close as possible to the site incurring the effect with benefit diminishing with distance; |

- f. ~~The offsetting measures last at least as long as the effects of the activity, but preferably in perpetuity and incorporate monitoring and evaluation to allow for adaptive management where appropriate;~~
- g. ~~The delay between the loss of ecological values through development and the gain or maturation of biodiversity values through offsetting measures is minimised;~~
- h. ~~Compliance with offsetting measures is secured, as far as possible; and~~
- i. ~~There are limits to what can be offset when affected biodiversity is irreplaceable or vulnerable. In such circumstances, offsetting cannot be considered as a means of dealing with adverse effects.~~

~~*Note: This definition should be read in conjunction with the definition for 'Environmental biodiversity compensation'.*~~

means a measurable conservation outcome that results from actions that are intended to:

- a. Redress any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimization, and remediation measures have been sequentially applied; and
- b. Achieve a net gain in type, amount, and condition of indigenous biodiversity compared to that lost.

Biodiversity offsetting for adverse effects on indigenous biodiversity must apply the following principles:

1. **Adherence to effects management hierarchy:** A biodiversity offset is a commitment to redress more than minor residual adverse effects and should be contemplated only after steps to avoid, minimise, and remedy adverse effects and demonstrated to have been sequentially exhausted.
2. **When biodiversity offsetting is not appropriate:** Biodiversity offsets are not appropriate in situations where indigenous biodiversity values cannot be offset to achieve a net gain. Examples of an offset not being appropriate include where:
 - a. Residual adverse effects cannot be offset because of the irreplaceability or vulnerability of the indigenous biodiversity affected;
 - b. Effects on indigenous biodiversity are uncertain, unknown, or little understood, but potential effects are significantly adverse or irreversible;
 - c. There are no technically feasible options by which to secure gains within an acceptable timeframe.
3. **Net gain:** This principle reflects a standard of acceptability for demonstrating, and then achieving, a net gain in indigenous biodiversity values. Net gain is demonstrated by a like-for-like quantitative loss/gain calculation of the following, and is achieved when the indigenous biodiversity values at the offset site are equivalent to or exceed those being lost at the impact site:
 - a. Types of indigenous biodiversity, including when indigenous species depend on introduced species for their persistence; and
 - b. Amount; and
 - c. Condition (structure and quality).
4. **Additionality:** A biodiversity offset achieves gains in indigenous biodiversity above and beyond gains that would have occurred in the absence of the offset, such as gains that are additional to any minimization and remediation undertaken in relation to the adverse effects of the activity.
5. **Leakage:** Biodiversity offset design and implementation avoids displacing harm to other indigenous biodiversity in the same or another location.
6. **Long-term outcomes:** A biodiversity offset is managed to secure outcomes of the activity that last at least as long as the impacts, and preferably in perpetuity. Consideration must be given to long-term issues around funding, location, management and monitoring.
7. **Landscape context:** Biodiversity offsetting is undertaken where this will result in the best ecological outcome preferably close to the impact site or within the same ecological district. The action considers the landscape context of both the impact site and the offset site, taking into account interactions between species, habitats and ecosystems, spatial connections and ecosystem functions
8. **Time lags:** The delay between loss of, or effects on, indigenous biodiversity values at the impact site and the gain or maturity of indigenous biodiversity at the offset site is minimized so that the calculated gains are achieved within the consent period or, as appropriate, a longer period (but not more than 35 years).
9. **Science and mātauranga Māori:** The design and implementation of a biodiversity offset is a documented process informed by science and mātauranga Māori.
10. **Tangata whenua and stakeholder participation:** Opportunity for the effective and early participation of tangata whenua and stakeholders is demonstrated when planning biodiversity offsets, including their evaluation, selection, design, implementation and monitoring.
11. **Transparency:** The design and implementation of a biodiversity offset, and communication of its results to the public, is undertaken in a transparent and timely manner.

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| BLASTING | means the detonation of a single explosive charge within a formatted blast-hole or a series of connected explosive charges within an array of blast-holes. |
| BORE | means any hole drilled or constructed in the ground that is used to: <ul style="list-style-type: none"> a. investigate or monitor conditions below the ground surface; or b. abstract gaseous or liquid substances from the ground; or c. discharge gaseous or liquid substances into the ground; but it excludes test pits, trenches, soak holes and soakage pits. |
| BOUNDARY | means <ul style="list-style-type: none"> a. in relation to fee simple titles, the site boundary; or b. in relation to cross-lease titles, the boundary of any restrictive covenant area within which any building, accessory buildings and land is exclusively restricted to the users of those buildings and land. |
| BOUNDARY ADJUSTMENT | means a subdivision that alters the existing boundaries between adjoining allotments, without altering the number of allotments. |
| BUILDING | means a temporary or permanent movable or immovable physical construction that is: <ul style="list-style-type: none"> a. partially or fully roofed; and b. fixed or located on or in land; but excludes any motorised vehicle or other mode of transport that could be moved under its own power. |
| BUILDING COVERAGE | means the percentage of the net site area covered by the building footprint. |
| BUILDING FOOTPRINT | means, in relation to building coverage, the total area of buildings at ground floor level together with the area of any section of any of those buildings that extends out beyond the ground floor level limits of the building and overhangs the ground. |
| <u>CAMPING GROUND</u> | <u>Means any area of land used, or designed or intended to be used, for rent, hire, donation, or otherwise for reward, for the purpose of placing or erecting on the land temporary living places for occupation, by 2 or more families or parties (whether consisting of 1 or more persons) living independently of each other, whether or not such families or parties enjoy the use in common of entrances, water supplies, cookhouses, sanitary fixtures, or other premises and equipment; and includes any area of land used as a camping ground immediately before the commencement of these regulations.</u> |
| CHILD CARE SERVICE | means a facility for the care and/or education of children under the age of seven during the day <u>from 7am-7pm</u> , and includes but is not limited to: <ul style="list-style-type: none"> a. creches; b. early childhood centres; c. day care centres; d. kindergartens; e. Kōhanga Reo; f. playgroups; and g. day nurseries. |
| CLEANFILL AREA | means an area used exclusively for the disposal of cleanfill material. |
| CLEANFILL MATERIAL | means virgin excavated natural materials including clay, gravel, sand, soil and rock that are free of: <ul style="list-style-type: none"> a. combustible, putrescible, degradable or leachable components; b. hazardous substances and materials; c. products and materials derived from hazardous waste treatment, stabilisation or disposal practices; d. medical and veterinary wastes, asbestos, and radioactive substances; e. contaminated soil and other contaminated materials; and f. liquid wastes. |
| COASTAL ENVIRONMENT | means the area identified on the planning maps as being located within the seaward extent of the coastal environment line. |
| COASTAL HAZARD AREA | means areas of coastal erosion hazard and coastal flooding hazard mapped by the Northland Regional Council and included in the District Plan maps as follows: <ul style="list-style-type: none"> a. Coastal Flood Hazard Zone 1 (CFHZ1) — extent of the 50-year ARI static water level at 2130080 including 0.6 m sea level rise (RCP8.5M)); b. Coastal Flood Hazard Zone 2 (CFHZ2) — extent of the 100-year ARI static water level at 2130080 including 1.2 m sea level rise (RCP8.5M); c. Coastal Flood Hazard Zone 3 (CFHZ3) — extent of the 100-year ARI static water level at 2130080 including 1.5 m sea level rise (RCP8.5H+); d. Coastal Erosion Hazard Zone 1 (CEHZ1) — an area potentially susceptible to coastal erosion (66% probability) by 2080 with 0.33 m sea level rise from 2019 — (RCP 8.5M); |

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| | <p>e. Coastal Erosion Hazard Zone 2 (CEHZ2) — an area potentially susceptible to coastal erosion (5% probability) by 2130 with 0.85 m sea level rise from 2019 — (RCP 8.5M); or</p> <p>f. Coastal Erosion Hazard Zone 3 (CEHZ2) — an area potentially susceptible to coastal erosion (5% probability) by 2130 with 1.17 m sea level rise from 2019 — (RCP 8.5H+).</p> |
| COASTAL WATER | <p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>means seawater within the outer limits of the territorial sea and includes—</p> <ol style="list-style-type: none"> seawater with a substantial fresh water component; and seawater in estuaries, fiords, inlets, harbours, or embayments. |
| COMMERCIAL ACTIVITY | means any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices). |
| COMMERCIAL COMPOSTING | means large-scale composting facility which is designed to handle a very high volume of organic waste. |
| COMMERCIAL FORESTRY | <u>means exotic continuous-cover forestry or plantation forestry.</u> |
| COMMERCIAL SERVICE | <p>means a business providing personal, property, financial, household, private or business services to the general public as a commercial activity. It includes:</p> <ol style="list-style-type: none"> bank; commercial indoor fitness centres/gymnasiums/play areas; professional and financial services; commercial sexual services; dry cleaner; funeral director premises; hair dresser; real estate agent; show home; travel agent; and veterinary clinic. |
| COMMUNITY CORRECTIONS ACTIVITY | means the use of land and buildings for non-custodial services for safety, welfare and community purposes, including probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, administration, and a meeting point for community works groups. |
| COMMUNITY FACILITY | means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility. |
| COMMUNITY SCALE RENEWABLE ELECTRICITY GENERATION ACTIVITIES | means renewable electricity generation <u>primarily supplying an immediate community that is supplied to local electricity users, with provision for excess electricity to be supplied to or the distribution network, and where the installed capacity does not exceed 10MW.</u> |
| COMMUNITY SIGN | <p><u>means a sign displaying information relating to the location of:</u></p> <ol style="list-style-type: none"> <u>public facilities</u> <u>place-names; or</u> <u>destinations of historical, cultural, spiritual, sporting, or scenic significance.</u> |
| CONSERVATION ACTIVITY | <p>means the use of land for activities undertaken for the purposes of maintaining, protecting and/or enhancing the natural, historic and/or ecological values of a natural or historic resource. It may include activities which assist to enhance the public's appreciation and recreational enjoyment of the resource and includes:</p> <ol style="list-style-type: none"> planting; pest and weed control; plant and tree nurseries; and track construction. |
| CONTAMINANT | <p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>includes any substance (including gases, odorous compounds, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat—</p> <ol style="list-style-type: none"> when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged. |
| CONTAMINATED LAND | <p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>means land that has a hazardous substance in or on it that—</p> |

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| | <p>a. has significant adverse effects on the environment; or</p> <p>b. is reasonably likely to have significant adverse effects on the environment.</p> |
| COUNCIL | means the Far North District Council. |
| CRAFT | means any boat or floating structure used to travel across the surface of rivers and lakes. |
| <u>CRITICAL ELECTRICITY LINES</u> | <p><u>Means lines that are critical to the quality, reliability and security of electricity supply throughout the district or region, including lines that:</u></p> <p>a. <u>supply essential public services such as the hospital, civil defense facilities or Lifeline sites; or</u></p> <p>b. <u>supply large (1MW or more) industrial or commercial electricity consumers; or</u></p> <p>c. <u>supply 1000 or more consumers; or</u></p> <p>d. <u>are difficult to replace with an alternative electricity supply if they are compromised</u></p> |
| <u>CRITICAL ELECTRICITY LINE OVERLAY</u> | <u>Means overhead 33kV and 110kV electricity lines within the district identified on the planning maps. Setbacks from the Critical Electricity Line Overlay are to be measured from a point directly below the centerline of the line.</u> |
| <u>CROP SUPPORT STRUCTURE</u> | <u>Means an open structure on which plants are grown.</u> |
| CROSSING | means in relation to vehicle access, the formed and properly constructed vehicle access from the carriage way of any road up to and including that portion of the road boundary of the site across which vehicle access is permitted by this Plan and includes any culvert, bridge or kerbing. |
| CULTIVATION | means the alteration or disturbance of land (or any matter constituting the land including soil, clay, sand and rock) for the purpose of sowing, growing or harvesting of pasture or crops. |
| CUSTOMARY ACTIVITY | means the use of land or buildings for Māori cultural activities <u>within Te Ao Māori</u> which includes <u>but is not limited to</u> marae activities, making or creating customary goods, rongoā, raranga, whakairo, waka ama and other activities that recognise and provide for the special relationship between tangata whenua and places of customary importance. |
| <u>CUSTODIAL CORRECTIONS FACILITIES</u> | <u>means a facility where people are detained in the justice system. It includes a prison, detention centre, youth detention centre and secure unity.</u> |
| <u>CUSTOMER CONNECTION</u> | <u>Means any infrastructure provided by a network utility operator that is required to connect customers including cabling, transformers and switch gear, poles lines and pillars.</u> |
| DEVELOPMENT INFRASTRUCTURE | <p>means the same as development infrastructure defined in the National Policy Statement on Urban Development 2020.</p> <p>Development infrastructure means the following, to the extent they are controlled by a local authority or council controlled organisation (as defined in section 6 of the Local Government Act 2002):</p> <p>a. network infrastructure for water supply, wastewater, or stormwater; or</p> <p>b. land transport (as defined in section 5 of the Land Transport Management Act 2003)</p> |
| <u>DIGITAL SIGN</u> | <u>means any sign that displays changeable electronic messages or images via LED, neon, or electronic projection.</u> |
| DISCHARGE | <p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>includes emit, deposit, and allow to escape.</p> |
| <u>DOUBLE-SIDED SIGN</u> | <u>Means a sign having two sign faces of equal area and proportions which are located exactly opposite each other on the sign structure.</u> |
| DRAIN | means any artificial watercourse designed, constructed, or used for the drainage of surface or subsurface water, but excludes artificial watercourses used for the conveyance of water for electricity generation, irrigation, or water supply purposes. |
| DRINKING WATER | means water intended to be used for human consumption; and includes water intended to be used for food preparation, utensil washing, and oral or other personal hygiene. |
| <u>DRIVE THROUGH FACILITIES</u> | <u>Means any part of any fast food, beverage or restaurant activity where the product is sold directly to the customer while in their vehicle.</u> |
| <u>DRY ABRASIVE BLASTING</u> | <u>means abrasive blasting using materials to which no water has been added.</u> |
| DUST | means all non-combusted solid particulate matter that is suspended in the air, or has settled after being airborne. Dust may be derived from materials including rock, sand, cement, fertiliser, coal, soil, paint, animal products and wood. |

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| <u>EARTHWORKS</u> | means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, cultivation, and disturbance of land for the installation of fence posts. |
| <u>ECO-EDUCATION</u> | <u>Means organised learning activities, facilities and programmes focused on the natural environment, ecological principles, and conservation.</u> |
| <u>ECO-TOURISM</u> | <u>Means nature-based tourism, active and passive recreation, visitor accommodation and ancillary activities, either for profit or not for profit, that are directed towards natural environments and are intended to support conservation efforts.</u> |
| EDUCATIONAL FACILITY | means land or buildings used for teaching or training by child care services, schools, and tertiary education services, including any ancillary activities. |
| EFFECT | has the same meaning as in section 3 of the RMA (as set out below) includes— a. any positive or adverse effect; and b. any temporary or permanent effect; and c. any past, present, or future effect; and d. any cumulative effect which arises over time or in combination with other effects— regardless of the scale, intensity, duration, or frequency of the effect, and also includes— e. any potential effect of high probability; and f. any potential effect of low probability which has a high potential impact. |
| <u>EFFECT MANAGEMENT HIERARCHY</u> | <u>means an approach to managing the adverse effects of an activity on indigenous biodiversity that requires that:</u> a. <u>adverse effects are avoided where practicable; then</u> b. <u>where adverse effects cannot be avoided, they are minimized where practicable; then</u> c. <u>where adverse effects cannot be minimized, they are remedied where practicable; then</u> d. <u>where more than minor residual adverse effects cannot be avoided, minimized, or remedied, biodiversity offsetting is provided where possible; then</u> e. <u>where biodiversity offsetting of more than minor residual adverse effects is not possible, biodiversity compensation is provided then</u> f. <u>if biodiversity compensation is not appropriate, the activity itself is avoided.</u> |
| <u>EMERGENCY HELICOPTER OPERATION</u> | Includes <ul style="list-style-type: none">• <u>helicopters that are in operation for emergency purposes such as medical emergencies, search and rescue, firefighting;</u>• <u>other helicopter operations such as landings, departures, hover, overflights, taxiing, lifting, ground operations, training, or relocations; and</u>• <u>any other activity necessary for emergency purposes and training for emergency purpose.</u> |
| EMERGENCY SERVICE | means ambulances, Civil Defence, Coastguard New Zealand, Fire and Emergency New Zealand, New Zealand Police, Land Search and Rescue, and Surf Life Saving New Zealand. |
| EMERGENCY SERVICE FACILITY | means fire stations, ambulance stations, police stations and associated ancillary facilities. |
| <u>EMERGENCY SERVICE TRAINING ACTIVITY</u> | <u>Means the training activities, operational support and other non-emergency activities undertaken by the New Zealand Police, Fire and Emergency New Zealand, and other emergency services.</u> |
| <u>EMERGENCY TREE WORKS</u> | <u>Means the pruning or maintenance or removal of any tree or vegetation immediately necessary to avoid any actual and imminent threat to the safety of persons or of damage to property, or to maintain or restore power or telecommunications infrastructure.</u> |
| ENVIRONMENT | has the same meaning as in section 2 of the RMA (as set out below) 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) or which are affected by those matters. |
| ESPLANADE RESERVE | has the same meaning as in section 2 of the RMA (as set out below) means a reserve within the meaning of the Reserves Act 1977— a. which is either— |

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| | <ul style="list-style-type: none"> i. a local purpose reserve within the meaning of section 23 of that Act, if vested in the territorial authority under section 239; or ii. a reserve vested in the Crown or a regional council under section 237D; and <p>b. which is vested in the territorial authority, regional council, or the Crown for a purpose or purposes set out in section 229.</p> |
| ESPLANADE STRIP | <p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>means a strip of land created by the registration of an instrument in accordance with section 232 for a purpose or purposes set out in section 229.</p> |
| <u>EXOTIC CONTINUOUS-COVER FOREST</u> | <p>As a sub-set of Commercial Forestry, means:</p> <ul style="list-style-type: none"> a. <u>a forest that is deliberately established for commercial purposes, being at least 1 ha of continuous forest cover of exotic forest species that has been planted and</u> <ul style="list-style-type: none"> i. <u>will not be harvested or replanted; or</u> ii. <u>is intended to be used for low-intensity harvesting or replanted; and</u> b. <u>includes all associated forestry infrastructure; but</u> c. <u>does not include:</u> <ul style="list-style-type: none"> i. <u>a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30m; or</u> ii. <u>forest species in urban areas; or</u> iii. <u>nurseries and seed orchards; or</u> iv. <u>trees grown for fruit or nuts; or</u> v. <u>long-term ecological restoration planting of indigenous forest species; or</u> vi. <u>willows and poplars space planted for soil conservation purposes.</u> |
| EXPLORATION | <p>means any activity undertaken for the purpose of identifying mineral deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of 1 or more minerals; and includes any drilling, dredging, or excavations (whether surface or subsurface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence; and to explore has a corresponding meaning.</p> |
| FARM QUARRY | <p>means the extraction of aggregates which are:</p> <ul style="list-style-type: none"> a. taken for use ancillary to farming and horticulture, including for farm and forestry tracks, access ways and hardstand areas; b. only used within the same production unit, where the extraction was undertaken; and c. not sold, exported or removed from the production unit of origin. |
| FARMING | <p>means the use of land for the purpose of agricultural, pastoral, horticultural or apiculture activities, including accessory buildings, but excludes mining, quarrying, plantation commercial forestry activities, intensive indoor primary production, <u>intensive outdoor primary production</u> and processing activities.</p> <p>Note: this definition is a subset of primary production.</p> |
| FERTILISER | <p>means a substance or biological compound or mix of substances or biological compounds in solid or liquid form, that is described as, or held out to be suitable for, sustaining or increasing the growth, productivity or quality of soils, plants or, indirectly, animals through the application to plants or soil of any of the following:</p> <ul style="list-style-type: none"> a. nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, and sodium as major nutrients; or b. manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, and selenium as minor nutrients; or c. fertiliser additives to facilitate the uptake and use of nutrients; or d. non-nutrient attributes of the materials used in fertiliser. <p>It does not include livestock effluent, human effluent, substances containing pathogens, or substances that are plant growth regulators that modify the physiological functions of plants.</p> |
| <u>FORESTRY ACTIVITIES</u> | <p><u>Means all types of commercial and non-commercial forestry, including:</u></p> <ul style="list-style-type: none"> a. <u>Commercial forestry (as defined under the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017)</u> b. <u>Permanent indigenous forestry; and</u> c. <u>The harvesting of timber approved under the Forest Act 1949</u> |
| <u>FREE STANDING SIGN</u> | <p><u>means any sign which stands upright wholly on its own with its own support structure without having to be attached to any building, post or other structure.</u></p> |
| FRESHWATER | <p>has the same meaning as fresh water in section 2 of the RMA (as set out below)</p> <p>means all water except coastal water and geothermal water.</p> |
| FROST FANS OR HORTICULTURAL WIND MACHINES | <p>means a machine used to move air around a horticultural or rural site for the purpose of drying fruit or mitigating the effects of frost.</p> |

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| FRONTAGE | means that part of any site immediately adjoining any road. |
| FUNCTIONAL NEED | means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment. |
| GARDEN CENTRE | Shop for the sale of plants, trees or shrubs, includes the sale of: <ul style="list-style-type: none"> a. landscaping supplies; b. bark and compost; and c. statuary and ornamental garden features provided that their sale is accessory to the sale of plants, trees or shrubs. |
| GENERAL AVIATION ACTIVITY | means the range of activities both commercial and non-commercial that are compatible to Airport activities and passenger services, and ancillary to the activities within the Airside or Landside Facilities and Operation Areas. These include, but are not limited to: <ul style="list-style-type: none"> a. Flying clubs; b. Flight training; c. Agricultural aviation; d. Light aircraft manufacturing; and e. Aircraft maintenance. |
| GENETICALLY MODIFIED ORGANISM | means unless expressly provided otherwise by regulations, any organism in which any of the genes or other genetic material: <ul style="list-style-type: none"> a. have been modified by in vitro techniques; or b. are inherited or otherwise derived, through any number of replications, from any genes or other genetic material which has been modified by in vitro techniques. For the absence of doubt, this does not apply to genetically modified (GM) products that are not viable (and are thus no longer GMOs), or products that are dominantly non-GM but contain non-viable GM ingredients (such as processed foods). |
| GENETICALLY MODIFIED ORGANISM FIELD TRIALS (TESTS) | means in relation to a genetically modified organism, the carrying on of outdoor trials, on the effects of the organism under conditions similar to those of the environment into which the organism is likely to be released, but from which the organism, or any heritable material arising from it, could be retrieved or destroyed at the end of the trials. |
| GENETICALLY MODIFIED ORGANISM RELEASE | means to allow the organism to move within New Zealand free of any restrictions other than those imposed in accordance with the Biosecurity Act 1993 or the Conservation Act 1987. A release may be without conditions under s34 of the Hazardous Substances and New Organisms Act 1996, (HSNO) or subject to conditions under s38A of the HSNO Act. |
| GENETICALLY MODIFIED VETERINARY VACCINE | means a veterinary vaccine that is a genetically modified organism as defined in this Plan. |
| GREEN INFRASTRUCTURE | means a natural or semi-natural area, feature or process, including engineered systems that mimic natural processes, which are planned or managed to: <ul style="list-style-type: none"> a. provide for aspects of ecosystem health or resilience, such as maintaining or improving the quality of water, air or soil, and habitats to promote biodiversity; and b. provide services to people and communities, such as stormwater or flood management or climate change adaptation. |
| GREENHOUSE | <u>Means a structure enclosed by glass or other transparent material and used for the cultivation or protection of plants in controlled environment but excludes artificial crop protection structures.</u> |
| GREYWATER | means liquid waste from domestic sources including sinks, basins, baths, showers and similar fixtures, but does not include sewage, or industrial and trade waste. |
| GROSS BUSINESS AREA | means - <ul style="list-style-type: none"> a. the gross floor area of any building measured from the outside faces of the exterior walls; and b. the area of any part of the site used solely or principally for the storage, sale, display or servicing of goods or the provision of services on the site but not including permanently designated vehicle parking, manoeuvring, loading and landscaped areas. The gross business area will exclude the area of network infrastructure including pipes, lines and installations, roads, water supply, wastewater, and stormwater collection and management systems, but will include the area of buildings occupied by network service providers, including offices, workshops, warehouses and any outside areas used for carrying out their normal business. |
| GROSS FLOOR AREA | means the sum of the total area of all floors of a building or buildings (including any void area in each of those floors, such as service shafts, liftwells or stairwells), measured: <ul style="list-style-type: none"> a. where there are exterior walls, from the exterior faces of those exterior walls; or |

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| | <ul style="list-style-type: none"> b. where there are walls separating two buildings, from the centre lines of the walls separating the two buildings; or c. where a wall or walls are lacking (for example, a mezzanine floor) and the edge of the floor is discernible, from the edge of the floor. |
| GROUND LEVEL | <p>means:</p> <ul style="list-style-type: none"> a. the actual finished surface level of the ground after the most recent subdivision that created at least one additional allotment was completed (when the record of title is created); b. if the ground level cannot be identified under paragraph (a), the existing surface level of the ground; c. if, in any case under paragraph (a) or (b), a retaining wall or retaining structure is located on the boundary, the level on the exterior surface of the retaining wall or retaining structure where it intersects the boundary. |
| GROUNDWATER | means water occupying openings, cavities, or spaces in soils or rocks beneath the surface of the ground. |
| GYMNASIUM | means a building or room/s used for organised or instructed indoor exercise, including aerobics or weight/circuit training, and ancillary facilities such as health care services, spa/sauna, a small apparel sales area and cafeteria for patrons. |
| HABITABLE ROOM | means any room used for the purposes of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room. |
| HAZARDOUS SUBSTANCE | <p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>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. The Hazardous Substances and New Organisms Act 1996 defines hazardous substances as meaning, unless expressly provided otherwise by regulations or an EPA notice, any substance—</p> <ul style="list-style-type: none"> a. with 1 or more of the following intrinsic properties: <ul style="list-style-type: none"> i. explosiveness; ii. flammability; iii. a capacity to oxidise; iv. corrosiveness; v. toxicity (including chronic toxicity); or 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 1 or more of the properties specified in paragraph (a). |
| HEALTHCARE ACTIVITY | <p>means the use of land and/or buildings for providing physical or mental health or welfare services, including:</p> <ul style="list-style-type: none"> a. medical practitioners; b. hauora services c. dentists and dental technicians; d. opticians; e. physiotherapists; f. medical social workers and counsellors; g. midwives; h. paramedical practitioners; i. alternative therapists; j. providers of health and wellbeing services; k. diagnostic laboratories; and l. accessory offices; <p>but excluding hospitals.</p> |
| HEIGHT | means the vertical distance between a specified reference point and the highest part of any feature, structure or building above that point. |
| HEIGHT IN RELATION TO BOUNDARY | <p>means the height of a structure, building or feature, relative to its distance from either the boundary of:</p> <ul style="list-style-type: none"> a. a site; or b. another specified reference point. |
| <u>HELICOPTER LANDING AREA</u> | <u>means any location where helicopters land or depart. A helicopter landing area includes permanently established helicopter bases.</u> |

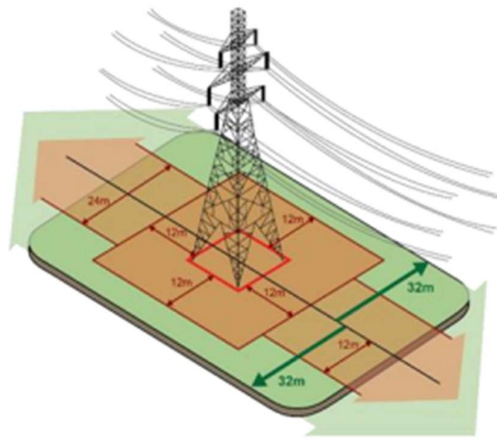
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| HERITAGE AREA | means the areas identified as an “Heritage area overlay” on the planning maps. These areas represent geographical locations where historic heritage is clustered and significant. |
| HIGH RISK COASTAL HAZARD AREAS | means areas of coastal erosion hazard and coastal flooding hazard mapped by the Northland Regional Council and included in the District Plan maps as Coastal Flood Hazard Zone 1 (CFHZ1) and Coastal Erosion Hazard Zone 1 (CEHZ1). |
| HIGHLY PRODUCTIVE LAND | <p>means land that is, or has the potential to be, highly productive for farming activities. It includes versatile soils and Land Use Capability Class 4 land and other Land Use Capability classes Land Use Capability, or has the potential to be, highly productive having regard to:</p> <p>a. Soil type;</p> <p>b. Physical characteristics;</p> <p>c. Climate conditions; and</p> <p>d. Water availability.</p> <p><u>Means:</u></p> <p>a. <u>If there are no highly productive land maps included in the operative Northland Regional Policy Statement, land that is treated as highly productive land under clause 3.5(7) of the National Policy Statement for Highly Productive Land; or</u></p> <p>b. <u>If highly productive land maps have been included in the operative Northland Regional Policy Statement, land shown as highly productive land on those maps, or any consistent maps in this plan, excluding land that has ceased to be highly productive land under clause 3.5(6) of the National Policy Statement for Highly Productive Land.</u></p> |
| HISTORIC HERITAGE | <p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>a. means those natural and physical resources that contribute to an understanding and appreciation of New Zealand’s history and cultures, deriving from any of the following qualities:</p> <ol style="list-style-type: none"> i. archaeological; ii. architectural; iii. cultural; iv. historic; v. scientific; vi. technological; and <p>b. includes—</p> <ol style="list-style-type: none"> i. historic sites, structures, places, and areas; and ii. archaeological sites; and iii. sites of significance to Māori, including wāhi tapu; and iv. surroundings associated with the natural and physical resources. |
| HOME BUSINESS | <p>means a commercial activity that is:</p> <ol style="list-style-type: none"> a. undertaken or operated by at least one resident of the site; and b. incidental to the use of the site for a residential activity. |
| HORTICULTURE PROCESSING FACILITY | <p>means facilities that are:</p> <ol style="list-style-type: none"> a. zoned Horticulture Processing zone; b. used for the processing, storing (including ventilation and/or refrigeration cool stores), and distribution of fruit and vegetable produce; and c. can include ancillary office, administration activities, outdoor storage, parking and loading. |
| <u>HOSPITAL</u> | <u>means any regionally significant infrastructure that provides for the medical, surgical or psychiatric care, treatment and rehabilitation of persons.</u> |
| <u>HOSPITAL RELATED ACTIVITIES</u> | <p><u>means activities that are ancillary to a hospital, including, but not limited to:</u></p> <ol style="list-style-type: none"> a. <u>Offices and administration facilities;</u> b. <u>Pharmacies, food and beverage activities, bookstores, gift stores and florists;</u> c. <u>Commercial services;</u> d. <u>Ambulance facilities and first aid training facilities;</u> e. <u>Conference facilities;</u> f. <u>Helicopter facilities;</u> g. <u>Hospices;</u> h. <u>Hospital maintenance, operational and service facilities, including kitchens, storage facilities, waste processing and laundries;</u> i. <u>Medical research and testing;</u> j. <u>Mortuaries;</u> k. <u>Private specialist and general medical facilities</u> l. <u>Recreational facilities;</u> m. <u>Supported residential care activity;</u> n. <u>Training activities; and</u> |

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| | <p>o. <u>Visitor accommodation where this is ancillary to the hospital activity for the purposes of non-permanent accommodation for hospital staff, contractors, patients or family.</u></p> |
| IMPERMEABLE SURFACE | <p>means in relation to any site means any building or surface on or over the land which creates a barrier to water penetration in to the ground. This definition includes but is not restricted to:</p> <ul style="list-style-type: none"> a. decks (including desks <u>less</u> than 1m in height above the ground) excluding open slatted decks where there are gaps between the boards; b. pools, but does not include pools designed to operate as a detention pond; c. any surfaced area used for parking, manoeuvring, access or loading of motor vehicles, including areas covered with aggregate; d. areas that are paved with concrete, asphalt, open jointed slabs, bricks, gobi or materials with similar properties to those listed; and e. roof coverage area on plan. <p>But excludes:</p> <ul style="list-style-type: none"> i. water storage tanks occupying up to a maximum cumulative area of 20m²; and ii. paths and paving less than 1 metre wide, provided they are separated from other impermeable surfaces by a minimum of 1 metre. iii. <u>Permeable surfacing that does not create a barrier to water entering the ground.</u> <p>For the purpose of calculating impermeable surfaces account shall not be taken of any additional areas that are overlapped by another form of impermeable surfaces. In the case of jointly owned access lots that contain impermeable surfaces within their boundaries, the total area of these impermeable surfaces are to be divided equally and considered as parts of the various sites served by the access lot for the purpose of determining compliance with the relevant stormwater management rules.</p> |
| INDUSTRIAL ACTIVITY | <p>means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity.</p> |
| INDUSTRIAL WASTE AND TRADE WASTE | <p>means liquid waste, with or without matter in suspension, from the receipt, manufacture or processing of materials as part of a commercial, industrial or trade process, but excludes sewage and greywater.</p> |
| INFRASTRUCTURE | <p>means the same as Section 2 of the RMA (as set out below):</p> <ul style="list-style-type: none"> a. pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy; b. a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001; c. a network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989; d. facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person— <ul style="list-style-type: none"> i. uses them in connection with the generation of electricity for the person’s use; and ii. does not use them to generate any electricity for supply to any other person; e. a water supply distribution system, including a system for irrigation; f. a drainage or sewerage system; g. structures for transport on land by cycleways, rail, roads, walkways, or any other means; h. facilities for the loading or unloading of cargo or passengers transported on land by any means; i. an airport as defined in Section 2 of the Airport Authorities Act 1966; j. a navigation installation as defined in section 2 of the Civil Aviation Act 1990; k. facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988; and l. anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166. |
| <u>INTERNAL BOUNDARY</u> | <p><u>Means any boundary of the net area of a site, other than a road boundary.</u></p> |
| INTENSIVE INDOOR PRIMARY PRODUCTION | <p>means primary production activities that principally occur within buildings and involve growing fungi or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry.</p> |
| <u>INTENSIVE OUTDOOR PRIMARY PRODUCTION</u> | <p><u>Means primary production activities involving the keeping or rearing of livestock, or commercial aquaculture, where the regular feed source for the production of goods in substantially provided other than from the site concerned. The activity may be undertaken entirely outdoors or in a combination of indoors and outdoors, including within an outdoor enclosure. It includes free-range poultry or game bird farming and aquaculture. It excludes the following:</u></p> |

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| | <ul style="list-style-type: none"> a. <u>woolsheds;</u> b. <u>dairy sheds;</u> c. <u>calf pens or wintering accommodation for stock;</u> d. <u>pig production for domestic use which involves no more than 25 weaned pigs or six sows; and</u> e. <u>extensive pig farming where vegetation cover is maintained.</u> |
| LA90 | has the same meaning as the 'Background sound level' in New Zealand Standard 6801:2008 Acoustics — Measurement of Environmental Sound. |
| LAEQ | has the same meaning as 'time-average A-weighted sound pressure level' in New Zealand Standard 6801:2008 Acoustics — Measurement of Environmental Sound. |
| LAF(MAX) | has the same meaning as the 'maximum A-frequency weighted, F-time weighted sound pressure level' in New Zealand Standard 6801:2008 Acoustics — Measurement Of Environmental Sound. |
| LAKE | has the same meaning as in section 2 of the RMA (as set out below) means a body of fresh water which is entirely or nearly surrounded by land. |
| LAND | has the same meaning as in section 2 of the RMA (as set out below) <ul style="list-style-type: none"> a. includes land covered by water and the airspace above land; and b. in a national environmental standard dealing with a regional council function under section 30 or a regional rule, does not include the bed of a lake or river; and c. in a national environmental standard dealing with a territorial authority function under section 31 or a district rule, includes the surface of water in a lake or river. |
| LAND DISTURBANCE | means the alteration or disturbance of land (or any matter constituting the land including soil, clay, sand and rock) that does not permanently alter the profile, contour or height of the land. |
| LAND SUSCEPTIBLE TO INSTABILITY | <p>means any of the following:</p> <ul style="list-style-type: none"> a. Land which is specifically known and documented to have been subject to instability, on the basis of past geotechnical reports or council records; b. Land which is underlain by 'Low Hazard' geological units as listed below, and is sloping steeper than 1V:3H (18°); c. Land which is underlain by 'Medium Hazard' geological units as listed below, and is sloping steeper than 1V:5H (11°); d. Land which is underlain by 'High Hazard' geological units as listed below; e. Land which is overlain by boulders and is any distance downslope of slopes steeper than 1V:1H (45°); f. Land which is within 15m of a slope greater than 1V:3H (18°); g. Land which has been subject to, or is within 20m of land that has been subject to past modification including un-documented (non-engineered) cuts and fill slopes exceeding 1.5m in vertical height; and h. Land which is horizontally within 2 times the cliff height from the crest of cliffs and/or within 1.5 times the cliff height from the base of cliffs, where a cliff is taken as a slope exceeding 1V:1H (45°). <p>The 'Low Hazard' geological units are:</p> <ul style="list-style-type: none"> a. Waipapa Group; b. Caples Terrane; c. Te Kuiti Group (Kamo Coal Measures, Ruatangata Sandstone, Mangapapa Mudstone, Whangarei Limestone); d. Houhora Complex; e. Tangihua Complex; f. Waipoua Basalt; and g. Kerikeri Volcanic Group (Rhyolite Domes, Basalt, Scoria). <p>The 'Medium Hazard' geological units are:</p> <ul style="list-style-type: none"> a. Matatau Complex of Northland Allochthon (Taipa Mudstone, Mahurangi Limestone); b. Otua Group (Waititi Formation, Omapere Conglomerate, Waiwhatawhata Conglomerate); c. Parengarenga Group (Paratoetoe Formation, Tom Bowling Formation, Kaurahoupo Conglomerate); d. Awhitu Group (dune sands, high terraces, alluvium); e. Tauranga Group Pleistocene and Holocene river lake and estuarine deposits; and f. Kariotahi Group (dune sands, river lake and estuarine deposits). <p>The 'High Hazard' geological units are:</p> <ul style="list-style-type: none"> a. Mangakahia Complex (Punakitere Sandstone, Whangai Formation, Hukerenui Mudstone, Melange of Northland Allochthon); b. Mangonui Formation; and c. Tauranga Group Pleistocene and Holocene hill slope deposits. |

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| | <p>These are listed generally according to their GNS Science 'Key Name' as displayed on the NZ Geology Web Map or the unit names shown on the GNS Science QMAP series 1:250,000 geology maps.</p> <p>Any units not listed above should be considered against the hazard designation of units in the same geological group if available, or should be considered as land which may be susceptible to instability (i.e. meeting the criteria) where no matching geological unit can be determined.</p> <p>The land to be assessed under the criteria should be taken as the area to be developed under a consent application, rather than the subject property as a whole. In the case of a subdivision this would be a nominated building site within a vacant proposed lot.</p> <p>When determining slope angles against the criteria, maximum angles through the assessed area and immediately above and below the area should be considered. The scope of assessment should be widened as necessary to satisfy the criteria (e.g. for Criteria 4, assessment must extent all the way upslope of the assessed land).</p> |
| LANDFILL | means an area used for, or previously used for, the disposal of solid waste. It excludes cleanfill areas. |
| LANDSCAPING | means the planned planting of trees, shrubs and plants, screening, alteration of landform and erection of structures (excluding buildings and signs) with the purpose of enhancing visual appearance and giving a natural balance to built form. Landscaping may include grassed areas, earth mounding and fencing, and "landscaped" has a corresponding meaning. In so far as landscaping is for amenity purposes it does not include car parking or driveways. |
| LARGE FORMAT RETAIL | means any individual retail tenancy with a gross floor area greater than 450m ² . |
| LARGE SCALE RENEWABLE ELECTRICITY GENERATION ACTIVITIES | <p>means renewable electricity generation activities that have more generation output than community scale renewable electricity generation.</p> <p>Means renewable energy generation activity for the purpose of exporting electricity directly into the distribution or transmission network. It does not include:</p> <ol style="list-style-type: none"> Small Scale Renewable Energy Generation Activities; or Community Scale Renewable Energy Generation Activities |
| LDN | has the same meaning as the 'Day night level, or day-night average sound level' in New Zealand Standard 6801:2008 Acoustics — Measurement of Environmental Sound. |
| LEISURE ACTIVITIES | means the use of land and/or buildings for informal leisure activities on an ad-hoc or irregular basis, which enhance the community's social and physical wellbeing. It includes public toilets, shelter, picnic tables, rubbish and recycling bins, and other buildings or structures ancillary to leisure activities |
| LIGHT SPILL | means artificial illumination from both direct and indirect sources which is emitted beyond the boundaries of the site from within which it originated. |
| LIMITED ACCESS ROAD | means road declared under the Government Roding Powers Act 1989 or created under the Public Works Act as a means of controlling access between roads and properties. Each parcel of land adjoining a State Highway, which is a limited access road that does not have a reasonable legal alternative access to some other road, is entitled to at least one crossing place where vehicles are permitted to enter or leave the road. LARs are not a road for the purposes of subdivision unless the Minister of Transport agrees in a particular instance upon a recommendation from Transit New Zealand that it can be used as such a notice is issued under s93 of the Government Roding Powers Act 1989. LARs in the district also include most of the State Highway network all Strategic Roads and urban portions of Arterial Roads (those parts within speed restriction signs). |
| LOADING SPACE | means the area set aside on-site for the loading/unloading of service vehicles. |
| LOT | means the same as allotment (as defined in s2 of the RMA including any amendments). |
| LPEAK | has the same meaning as 'Peak sound pressure level' in New Zealand Standard 6801:2008 Acoustics — Measurement of Environmental Sound. |
| MAINTENANCE | in relation to a heritage item, means activities required or undertaken to conserve as nearly, and as long, as possible the condition of the item while compensating for normal wear and tear. |
| MANAGED FILL | means a type of landfill, where managed fill material (such as contaminated soil and other contaminated materials or inert manufactured materials such as concrete and brick) is accepted for deposit. It does not include cleanfill areas. |
| MANOEUVRING SPACE | 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. |

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| | Parking areas and loading areas may be served in whole or in part by a common manoeuvring area. |
| MĀORI LAND | means land defined in section 4 Interpretation of Te Ture Whenua Māori Act 1993 / Māori land Act 1993, as Māori customary land and Māori freehold land. |
| MINERAL EXTRACTION ACTIVITY | means the excavation and mining of minerals, including aggregates, from the ground and includes the removal of overlying earth and soil, stacking, crushing, storing, depositing, treatment, the placement of overburden, the removal of unwanted material and the rehabilitation of the site, the works, machinery and plant used to undertake the activities above and includes quarrying activities and activities ancillary to mineral extraction activities. |
| MINING | means (as defined in s2 of Crown Minerals Act 1991 including any amendments). |
| MINOR RESIDENTIAL UNIT | means a self-contained residential unit that is ancillary to the principal residential unit, and is held in common ownership with the principal residential unit on the same site. |
| MONITORING MAST | means masts, and supporting sensors for the purpose of wind resource measurement. This includes guy wires and various meteorological instruments to be erected at varying heights, including: <ul style="list-style-type: none"> a. anemometers to measure the average wind speed, wind gusts speeds, turbulence intensity and wind shear; b. wind vanes to measure wind direction; and c. other meteorological instruments to measure temperature, air pressure, humidity and rainfall. A Building Consent may be required. |
| MOTORSPORT ACTIVITY | means competitive sporting events and activities which primarily involve the use of motorised vehicles, whether for racing or nonracing competition. It includes any ancillary activities. |
| MULTI-UNIT DEVELOPMENT | means a group of two or more residential units contained within one contiguous building. |
| NATIONAL GRID | means the assets used or owned by Transpower New Zealand Ltd. |
| NATIONAL GRID SUBDIVISION CORRIDOR | <div style="text-align: center;"> </div> <p>means the area measured 32 metres either side of the centreline of an above ground electricity transmission line that is part of the National Grid.</p> <p>Means, as depicted in Diagram 1, the area measured either side of the centre line of any above ground National Grid transmission line as follows:</p> <ol style="list-style-type: none"> a. <u>32m of a 110kV transmission line on towers (including tubular steel monopoles where these replace steel lattice towers);</u> b. <u>The measurement of setback distance from National Grid transmission lines shall be undertaken from the centre line of the National Grid transmission line and the outer visible edge of any support structure; and</u> c. <u>The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.</u> <p><u>Note: the National Grid Subdivision Corridor does not apply to underground cables or any transmission lines (or section of line) that are designated.</u></p> <p>Diagram 1: National Grid Yard and National Grid Subdivision Corridor</p> |

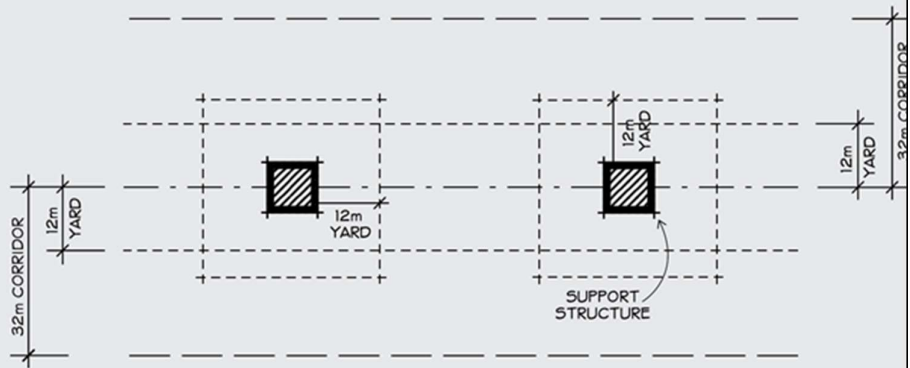


Steel Lattice Tower - 110kV Transmission Line

NATIONAL GRID YARD

means the area located 12 metres in any direction from the outer edge of a National Grid support structure and the area located 12 metres either side of the centreline of an overhead National Grid line.

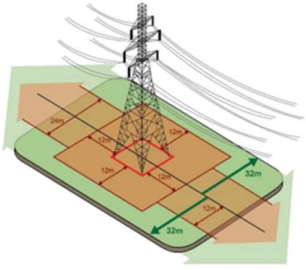
Note: the measurement of setback distances from National Grid electricity lines shall be taken from the centre line of the National Grid line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.



means:

1. the area located 12m in any direction from the outer visible edge of a National Grid support structure; and
2. the area located 12 metres either side of the centreline of any overhead National Grid transmission line of towers (including tubular steel monopoles where these replace steel lattice towers).

Diagram 1 National Grid Yard and National Grid Subdivision Corridor.

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| |  <p>Steel Lattice Tower - 110kV Transmission Line</p> |
| NATURAL AND PHYSICAL RESOURCES | <p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>Includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.</p> |
| NATURAL HAZARD | <p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.</p> <p>Note: <u>The mapping of hazard areas in the District Plan maps is based on the most-up-to date Northland Regional Council mapping when the District Plan was notified. A person may provide a more detailed site-specific assessment prepared by a suitably qualified and experienced engineer to confirm the extent, depth and flow characteristics of the river flood hazard and may also refer to any more recent mapping undertaken by the Northland Regional Council.</u></p> |
| NET FLOOR AREA | <p>means the sum of any gross floor area; and</p> <ol style="list-style-type: none"> a. includes: <ol style="list-style-type: none"> i. both freehold and leased areas; and ii. any stock storage or preparation areas; but b. excludes: <ol style="list-style-type: none"> i. void areas such as liftwells and stair wells, including landing areas; ii. shared corridors and mall common spaces; iii. entrances, lobbies and plant areas within a building; iv. open or roofed outdoor areas, and external balconies, decks, porches and terraces; v. off street loading areas; vi. building service rooms; vii. parking areas and basement areas used for parking, manoeuvring and access; and viii. non-habitable floor spaces in rooftop structures. |
| NET GAIN | <p>means that the measurable positive effects of actions exceed the point of no net loss.</p> |
| NET SITE AREA | <p>means the total area of the site, but excludes:</p> <ol style="list-style-type: none"> a. any part of the site that provides legal access to another site; b. any part of a rear site that provides legal access to that site; or c. any part of the site subject to a designation that may be taken or acquired under the Public Works Act 1981. |
| NETWORK UTILITY | <p>means project, work, system or structure that is a network utility operation undertaken by a network utility operator.</p> |
| NETWORK UTILITY OPERATOR | <p>has the same meaning as in s166 of the RMA (as set out below)</p> <p>means a person who—</p> <ol style="list-style-type: none"> 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 <ol style="list-style-type: none"> 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 |

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| | <ul style="list-style-type: none"> 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. |
| NO NET LOSS | means that the measurable positive effects of actions match any loss of extent or values over space and time, taking into account the type, values function and location of the indigenous biodiversity offset. |
| NOISE | has the same meaning as in section 2 of the RMA (as set out below); and includes vibration. |
| NOISE GENERATING ACTIVITIES | means high levels of noise generated from activities that are nationally significant or regionally significant infrastructure. |
| NOISE RATING LEVEL | means a derived noise level used for comparison with a noise limit. |
| NOISE SENSITIVE ACTIVITY | means buildings or land that may be affected by noise and require a higher standard of amenity. These include: <ul style="list-style-type: none"> a. residential or living activities; b. educational facilities; c. health facilities, including hospitals; d. community facilities; and e. visitor accommodation. |
| <u>NON-CUSTODIAL REHABILITATION ACTIVITY</u> | <u>Means the use of land and buildings for non-custodial rehabilitative and reintegration activities and programs undertaken by, or on behalf of, Ara Poutama Aotearoa the Department of Corrections.</u> |
| NOTIONAL BOUNDARY | means a line 20 metres from any side of a residential unit or other building used for a noise sensitive activity, or the legal boundary where this is closer to such a building. |
| OFFENSIVE TRADE | means activities listed as offensive trades in Schedule 3 of the Health Act 1956 (as set out below): <ul style="list-style-type: none"> a. Blood or offal treating; b. Bone boiling or crushing; c. Collection and storage of used bottles for sale; d. Dag crushing; e. Fellmongering; f. Fish cleaning; g. Fish curing; h. Flax pulping; i. Flock manufacturing, or teasing of textile materials for any purpose; j. Gut scraping and treating; k. Nightsoil collection and disposal; l. Refuse collection and disposal; m. Septic tank desludging and disposal of sludge; n. Slaughtering of animals for any purpose other than human consumption; o. Storage, drying, or preserving of bones, hides, hoofs, or skins; p. Tallow melting; q. Tanning; r. Wood pulping; and s. Wool scouring. |
| OFFICE | means any of the following: <ul style="list-style-type: none"> a. Administrative offices where the administration of an organisation, whether trading or non-trading, is conducted; b. Commercial offices such as bank, insurance agents, typing services, duplicating service and estate agents, being places where trade (other than that involving the immediate exchange of money for goods or the display or production of goods) is transacted; and c. Professional offices such as the offices of accountants, solicitors, architects, surveyors, engineers, where a professional service is available and carried out. |

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| OFFICIAL SIGN | means all signs required or provided for under any statute or regulation, or are otherwise related to aspects of public safety. |
| OPERATIONAL NEED | means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints. |
| OUTDOOR LIVING SPACE | means an area of open space for the use of the occupants of the residential unit or units to which the space is allocated. |
| OVERLAND FLOW PATH | means the route along which stormwater flows over land in a rain event, and excludes permanent watercourses or intermittent rivers or streams. |
| PAPAKĀINGA | means an activity undertaken to support traditional Māori cultural living for tangata whenua residing in the Far North District on: <ul style="list-style-type: none"> a. Māori land; b. Treaty Settlement Land; c. Land which is the subject of proceedings before the Māori land court to convert the land to Māori land; or d. General land owned by Māori where it can be demonstrated that there is an ancestral link identified. Papakāinga may include (but is not limited to) residential, social, Māori cultural, economic commercial, conservation and recreation activities, marae, wāhi tapu and urupā. |
| PARK FURNITURE | <u>Park furniture including bollards, gates, stiles, seating, memorials, picnic tables, barbeques and rubbish bins.</u> |
| PARK MANAGEMENT ACTIVITY | means the day to day management, operations and maintenance of parks and reserves. It includes: <ul style="list-style-type: none"> a. Repair, maintenance and development of facilities, structures and buildings; b. Planting, removal, trimming and maintenance of turf, trees (except Notable Trees) and other non-indigenous vegetation and associated earthworks; c. Animal and pest control operations; and d. Repair, maintenance and development of walkways, cycleways, or vehicle tracks and associated earthworks. |
| PEAK PARTICLE VELOCITY | means, to the extent used for the assessment of the risk of structural damage to a fixed structure, the instantaneous maximum velocity reached by a vibrating surface as it oscillates about its normal position. |
| PESTS | means an organism specified as a pest in the current Northland Pest Management Plan. |
| PLANTATION FORESTRY | means the same as the definition of plantation forestry in section 3 of the National Environmental Standard for Plantation Forestry: As a sub-set of Commercial Forestry, means a forest deliberately established for commercial purposes, being— <ul style="list-style-type: none"> a. at least 1 ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted; and b. includes all associated forestry infrastructure; but c. does not include— <ul style="list-style-type: none"> i. a shelterbelt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 m; or ii. forest species in urban areas; or iii. nurseries and seed orchards; or iv. trees grown for fruit or nuts; or v. long-term ecological restoration planting of forest species; or vi. willows and poplars space planted for soil conservation purposes |
| PLANTATION FORESTRY ACTIVITY | means the same as the definition of plantation forestry activity in section 3 of the National Environmental Standard for Plantation Forestry: means any activity regulated under subparts 1 to 9 of Part 2 of these regulations that is conducted in plantation forestry. |
| PLAYGROUND EQUIPMENT | means equipment designed for recreation and play, including, but not limited to, swings, slides, seesaws and merry go rounds. |
| PRIMARY PRODUCTION | means: <ul style="list-style-type: none"> a. any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and b. includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a); c. includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but d. excludes further processing of those commodities into a different product. |

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| PROSPECTING | means any activity undertaken for the purpose of identifying land likely to contain mineral deposits or occurrences; and includes the following activities: geological, geochemical, and geophysical surveying, aerial surveying, taking samples by hand- or hand-held methods. |
| QUARRY | means a location or area used for the permanent removal and extraction of aggregates (clay, silt, rock or sand). It includes the area of aggregate resource and surrounding land associated with the operation of a quarry and which is used for quarrying activities. |
| QUARRYING ACTIVITIES | means the extraction, processing (including crushing, screening, washing, and blending), transport, storage, sale and recycling of aggregates (clay, silt, rock, sand), the deposition of overburden material, rehabilitation, landscaping and cleanfilling of the quarry, and the use of land and accessory buildings for offices, workshops and car parking areas associated with the operation of the quarry. |
| RAFT | has the same meaning as in section 2 of the RMA (as set out below) means any moored floating platform which is not self-propelled; and includes platforms that provide buoyancy support for the surfaces on which fish or marine vegetation are cultivated or for any cage or other device used to contain or restrain fish or marine vegetation; but does not include booms situated on lakes subject to artificial control which have been installed to ensure the safe operation of electricity generating facilities. |
| REAL ESTATE AND DEVELOPMENT SIGN | means a sign that is erected to: <ul style="list-style-type: none"> a. advertise the sale or rental of a property; or b. provide health and safety and other relevant information related to any construction or demolition works on a site. |
| RECEIVING SITE | means, for the purposes of measuring noise and light overspill, any site exposed to and receiving noise or light overspill generated from within any other site, where the site from which the noise or light overspill originated is not in the same ownership as the site receiving the noise or light overspill. |
| RECESSION PLANE | means a plane inclined at a certain degree angle from a site boundary towards the interior of a site through which no part of a building, unless otherwise specified, may protrude subject to the relevant 'Height to boundary' rule. |
| RECLAMATION | means the manmade formation of permanent dry land by the positioning of material into or onto any part of a waterbody, bed of a lake or river or the coastal marine area, and: <ul style="list-style-type: none"> a. includes the construction of any causeway; but b. excludes the construction of natural hazard protection structures such as seawalls, breakwaters or groynes except where the purpose of those structures is to form dry land. |
| REFLECTIVITY | Means in reference to light, the ratio of the amount of light reflected from a surface to the amount of light falling on that surface. The approximate reflectance value (RV) of a colour indicates the amount of light that a colour will reflect. Flat black has a reflectance value of 0% and absorbs most light. In contrast white has a reflectance value of 100% and reflects 100% of the light that falls on it. All colours fit between these two extremes. Colours have measured RVs and this information is available from most paint companies. |
| REGIONALLY SIGNIFICANT INFRASTRUCTURE | means Regionally significant infrastructure identified in Appendix 3 of the RPS: <ol style="list-style-type: none"> 1. Energy, water, communication <ul style="list-style-type: none"> a. Main pipelines for the distribution or transmission of natural or manufactured gas or petroleum and key delivery points and storage facilities; b. Key facilities required for communication (including telecommunication, broadband, wireless networks and radio); c. The 'national grid' as defined by the Electricity Industry Act 2010 including facilities for the transmission of electricity from the 'national grid' (such as substations, grid injection points etc.) to the 'network'; d. Network electricity lines and associated infrastructure that constitute the sub-transmission network; e. Electricity distribution assets which supply essential public services (such as hospitals or lifelines facilities), large (1MW or more) industrial or commercial consumers, 1000 or more consumers or are difficult to replace with an alternative supply if they are compromised"; f. Electricity generation facilities (including Ngāwhā geothermal power station and Wairua hydroelectric power station) which supply electricity to either the national grid or the local electricity distribution network; g. Regional and district council water storage, trunk lines and treatment plants; h. Regional and district council wastewater trunk lines and treatment plants and key elements of the stormwater network including treatment devices; and i. Marsden Point oil refinery and truck loading facility. |

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| | <p>2. Transport</p> <ol style="list-style-type: none"> a. State highways; b. Roads as well as walking and cycling facilities that are of strategic significance as identified in the Regional Land Transport Strategy; c. Whāngārei, Kaitiāia and Bay of Islands airports; d. Installations and equipment for air navigation; e. Northport, including the adjoining land used for the movement and storage of cargo; and f. Railway lines and associated railway facilities. <p>3. Significant social and community facilities:</p> <ol style="list-style-type: none"> a. Flood management / protection schemes managed by regional and / or district councils; b. Public hospitals; c. The Northland Events Centre and Kensington Stadium; d. Northland Region Corrections Facility; e. Northland Polytechnic — (NorthTech) main campuses and Auckland University Faculty of Education — Whāngārei; and f. Puwera Regional Landfill Facility. |
| RELOCATED BUILDING | means a used building more than 2 years old that has been removed from a site, from within or from outside the District, and transported to another site. The definition includes used buildings that have been divided into sections for the purpose of transport and reassembly on the new site. The definition also includes alterations or additions to such buildings that occur concurrently with their initial establishment on the new site. |
| REMNANT FOREST | means any indigenous natural area which has never been clear-felled. |
| RENEWABLE ELECTRICITY GENERATION | means generation of electricity from solar, wind, hydro-electricity, geothermal, biomass, tidal, wave and ocean current energy sources. |
| RENEWABLE ELECTRICITY GENERATION ACTIVITIES | means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity. |
| REPAIR | in relation to a heritage item, means the repairs of materials by patching, piercing 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 components. |
| REPAIR CENTRE | means the use of land and/or buildings to provide retail activities and commercial services required on a day to day basis. |
| RESIDENTIAL ACTIVITY | means the use of land and building(s) for people's living accommodation. |
| RESIDENTIAL UNIT | means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities. |
| RESIDUAL ADVERSE EFFECT | means an adverse environmental effect which remains after mitigation measures are implemented. |
| RESIDUAL RISKS | means in relation to hazardous substances, any risk of an adverse effect that remains after other industry controls and legislation and regional planning instruments, have been complied with. |
| RETIREMENT VILLAGE | means a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may also include any of the following for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities. |
| RIVER | has the same meaning as in section 2 of the RMA (as set out below) |
| | means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal). |
| RIVER FLOOD HAZARD AREA | means areas of river flooding mapped by the Northland Regional Council and included in the District Plan maps as follows: |

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| | <p>a. 1 in 10 Year River Flood Hazard Area — the area potentially susceptible to river flooding in a 10% Annual Exceedance Probability (AER) / 10Yr Average Return Interval (ARI) storm event; and</p> <p>b. 1 in 100 Year River Flood Hazard Area — the area potentially susceptible to river flooding in a 1% AEP / 100Yr ARI storm event plus climate change.</p> |
| ROAD | <p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>has the same meaning as in section 315 of the Local Government Act 1974; and includes a motorway as defined in section 2(1) of the Government Roding Powers Act 1989</p> <p>Section 315 of the Local Government Act 1em974 road definition</p> <p>road means the whole of any land which is within a district, and which-</p> <ol style="list-style-type: none"> immediately before the commencement of this Part was a road or street or public highway; or immediately before the inclusion of any area in the district was a public highway within that area; or is laid out by the council as a road or street after the commencement of this Part; or is vested in the council for the purpose of a road as shown on a deposited survey plan; or is vested in the council as a road or street pursuant to any other enactment;— and includes except where elsewhere provided in this Part, any access way or service lane which before the commencement of this Part was under the control of any council or is laid out or constructed by or vested in any council as an access way or service lane or is declared by the Minister of Works and Development as an access way or service lane after the commencement of this Part or is declared by the Minister of Lands as an access way or service lane on or after 1 April 1988: every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or within the limits thereof; <p>but, except as provided in the Public Works Act 1981 or in any regulations under that Act, does not include a motorway within the meaning of that Act or the Government Roding Powers Act 1989</p> <p>Section 2(1) of the Government Roding Powers Act 1989 motorway definition</p> <p>motorway -</p> <ol style="list-style-type: none"> means a motorway declared as such by the Governor-General in Council under section 138 of the Public Works Act 1981 or under section 71 of this Act; and includes all bridges, drains, culverts, or other structures or works forming part of any motorway so declared; but does not include any Local Road, access way, or service lane (or the supports of any such road, way, or lane) that crosses over or under a motorway on a different level |
| ROAD BOUNDARY | means a boundary of any site contiguous to the boundary or proposed final boundary of any legal road or private road (as defined by s315 of the Local Government Act). |
| ROAD CORRIDOR | means the road reserve area from the private property boundary on one side of the road to the property boundary on the other. |
| ROOTZONE AREA | <p><u>Means the circular area surrounding a notable tree, measured from the center of the trunk, with a radius calculated by multiplying the trunk diameter by 12, measured 1.5m above ground level.</u></p> <p>is determined by using the Australian Standards (AS 4700 2009) Protection of trees on development sites, which uses the trunk diameter at breast high (DBH) to identify a tree rootzone area. The formula used is $RZA = DBH \times 12$ for a single stem tree, and for multiple stem trees</p> $DBH = \sqrt{(DBH_1)^2 + (DBH_2)^2 + (DBH_3)^2}$ |
| RURAL AIRSTRIP | <u>Means any defined area of land intended or designed to be used, whether wholly or partly, for the landing, departure, movement, or servicing of aircraft in the rural area.</u> |
| RURAL INDUSTRY | means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production. |
| RURAL PRODUCE | means fruit, vegetables, flowers or other similar farm products primarily grown and/or processed on a property in a rural zone. |
| RURAL PRODUCE MANUFACTURING | means the use of land and/or buildings for the manufacturing of products from rural produce grown on the same site. |

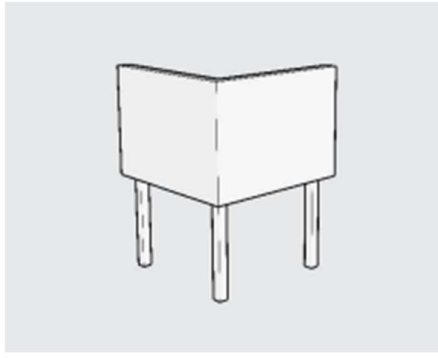
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| RURAL PRODUCE RETAIL | means the sale of rural produce grown or produced on-site , including products manufactured from that produce. |
| RURAL TOURISM ACTIVITY | means the use of land or buildings for <u>tourism activities that enable</u> people to visit and experience tourism activities within the rural environment. It does not include: <ul style="list-style-type: none"> a. Rural production retail; b. Rural production manufacturing; c. Visitor accommodation; or d. Home business. |
| SCHEDULED HERITAGE RESOURCE | means the historic buildings, sites, objects and places identified on the planning maps as a 'heritage item' and listed in Schedule 2 — Schedule of historic sites, buildings and objects. |
| SCHEDULED SITE AND AREA OF SIGNIFICANCE TO MĀORI | means a site and area of significance to Māori, identified on the planning maps and listed in Schedule 3: Schedule of sites and areas of Significance to Māori. |
| <u>SEASONAL WORKER ACCOMMODATION</u> | <u>means the use of land and buildings for the sole purpose of accommodating the short-term labour requirement of a farming activity, rural industry or post-harvest facility.</u> |
| SENSITIVE ACTIVITY | 1. means: <ul style="list-style-type: none"> a. Residential activities; b. Education facilities and preschools; c. Guest and visitor accommodation; d. Health care facilities which include accommodation for overnight care; e. Hospital; f. Marae; or g. Place of assembly. except that: <ul style="list-style-type: none"> i. subclause f. above is not applicable in relation to electronic transmission; and ii. subclause g. above is not applicable in relation to noise or electronic transmission. 2. In relation to electricity transmission, has the same meaning as non in the National Policy Statement on Electricity Transmission (2008): includes schools, residential buildings and hospitals or its replacement. |
| SENSITIVE ENVIRONMENT | <u>For the purpose of the Hazardous Substances and Mineral Extraction chapters, means:</u> <ul style="list-style-type: none"> a. The coastal environment; b. An outstanding natural feature or landscape; c. Scheduled site and area of significance to Māori; d. Significant natural areas; e. River flood hazard areas; f. Coastal hazard areas; g. Scheduled heritage resource; and h. The area within a 100m setback from the edge of a surface water body. |
| SENSITIVE MATERIAL | Means: <ul style="list-style-type: none"> a. Human remains and kōiwi; b. An archaeological site; c. Māori cultural artefact/taonga tuturu; and d. A protected New Zealand object as defined in the Protected Objects Act 1975 (including any fossil or sub-fossil). |
| SETBACK | means the horizontal distance between any activity or development and any relevant boundary, or waterbody or significant natural area or feature. <ul style="list-style-type: none"> a. Where any building or part of a building is required to be set back from any site boundary no part of that building shall be closer to the site boundary than the minimum distance specified, except that the eaves of any building and any roof, gutter or downpipe may project over any setback by not more than 600 mm, provided that where any building line restriction has been imposed or any road widening is required by this Plan or otherwise in accordance with the Local Government Act 1974, and its amendments, the setback shall be determined from the proposed final site boundary; b. Where an activity or development is required to be set back from a water body (other than the coastal marine area), the setback shall be measured from the bank of a river or margin of a lake or wetland; and c. Where an activity or development is required to be set back from any heritage or resource feature identified in the Plan, the setback shall be measured from the boundary of the heritage or resource feature as shown in the District Plan Maps. |
| SEWAGE | means human excrement and urine. |

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| SHADOW FLICKER | means alternating changes in light intensity caused when the sun passes behind the wind turbine and casts a shadow on the ground or stationary objects. As the rotor blades rotate, shadows pass over the same point causing an effect called shadow flicker. |
| SHELTERBELTS | means any trees planted primarily to provide shelter for stock, crops or buildings from the prevailing wind(s) <u>or to mitigate potential spray drift from agricultural applications.</u> |
| SIGN | means any device, character, graphic or electronic display, whether temporary or permanent, which: <ul style="list-style-type: none"> a. is for the purposes of: <ul style="list-style-type: none"> i. identification of or provision of information about any activity, property or structure or an aspect of public safety; ii. providing directions; or iii. promoting goods, services or events; and b. is projected onto, or fixed or attached to, any structure or natural object; and c. includes the frame, supporting device and any ancillary equipment whose function is to support the message or notice. |
| SIGNIFICANT HAZARDOUS FACILITY | means the use of land and/or buildings (or any part of) for one or more of the following activities: <ul style="list-style-type: none"> a. Any Major Hazard Facility designated under the Health and Safety at work (Major Hazard Facilities) Regulations 2016, including the Ngawha Geothermal Plant; b. Manufacturing, including the associated storage, of hazardous substances (including agrichemicals, fertilisers, acids/alkalis or paints); c. Petroleum exploration and petroleum production facility; d. The storage/use of more than 100,000L of petrol or diesel; e. The storage/use of more than 6 tonnes of LPG; f. Galvanising plants; g. Electroplating and metal treatment; h. Tanneries; i. Timber treatment; j. Freezing works and rendering plants; k. Wastewater treatment plants; l. Metal smelting and refining (including battery refining or recycling); m. Milk processing plants; and n. Polymer foam manufacturing. <p>The storage of petrol and diesel in (c) <u>and (d)</u> above does not include the underground storage at service stations and commercial refuelling facilities undertaken in accordance with HSNOCOP 44 Below Ground Stationary Container Systems for Petroleum - Design and Installation and HSNOCOP 45 Below Ground Stationary Containers Systems for Petroleum - Operation (or more recent <u>relevant WorkSafe guidance HSNQ code or practice for underground fuel storage</u>).</p> |
| SIGNIFICANT NATURAL AREA SIGNIFICANT INDIGENOUS VEGETATION OR SIGNIFICANT HABITAT OF INDIGENOUS FAUNA | means an area: <ul style="list-style-type: none"> a. identified in Schedule 4 of the District Plan as an area of significant indigenous vegetation or significant habitat of indigenous fauna; or b. assessed by a suitably qualified and experienced ecologist as meeting one of the criteria for ecological significance in Appendix 5 of the Regional Policy Statement for Northland 2016 or within any more recently gazetted National Policy Statement on indigenous biodiversity. <p><u>means an area identified as significant indigenous vegetation or significant habitat of indigenous fauna in accordance with Appendix 5 of the Regional Policy Statement for Northland 2016.</u></p> |
| SITE | means: <ul style="list-style-type: none"> a. an area of land comprised in a single record of title under the Land Transfer Act 2017; or b. an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or c. the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title under the Land Transfer Act 2017 could be issued without further consent of the Council; or d. despite paragraphs (a) to (c), in the case of land subdivided under the Unit Titles Act 1972 or the Unit Titles Act 2010 or a cross lease system is the whole of the land subject to the unit development or cross lease. |
| SITE AND AREA OF SIGNIFICANCE TO MĀORI | means a site or place that tangata whenua has, or at any time has had an interest in; and the site holds cultural or spiritual significance to Māori, including wāhi tapu. |
| SMALL SCALE MANUFACTURING | Places where articles, goods or produce are made and prepared for sale or rent and the light manufacturing activity is contained entirely within a building, does not require the use, |

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| | storage or handling of hazardous substances requiring separate resource consent and does not require any air discharge consent. |
| SMALL SCALE RENEWABLE ELECTRICITY GENERATION | means renewable electricity generation where at least 50% of the energy generated is supplied to the site it is located, and includes domestic and micro-scale renewable electricity generation. |
| SPECIAL AUDIBLE CHARACTERISTIC | has the same meaning as 'special audible characteristic' in section 6.3 of New Zealand Standard 6802:2008 Acoustics — Environmental Noise. |
| SPORT AND ACTIVE RECREATION ACTIVITY | means the use of land, water bodies and/or buildings for <u>organised sport the purpose of the active or passive enjoyment of organised sports (excluding motorsport), recreation activities, tournaments and sports education e.g. parks, playgrounds, sportsgrounds, swimming pools, and multi-sport facilities.</u> It includes ancillary activities to sport and recreation activities, or leisure, whether competitive or non-competitive, and whether a charge is made for admission or not. |
| SPORT AND RECREATION FACILITY | means any facility and associated structures used for organised sport, recreation activities, tournaments and sports education. It includes: a. parks; b. playgrounds; and c. sportsgrounds; but It excludes major sports facilities. |
| STERILISATION | when new activities (for example residential development) constrain the ability to access and, therefore, exploit a resource to its full potential (for example, the use of land for mining). |
| STOCK HOLDING AREA | means milking platforms, feedpads, wintering pads, and farm raceways used for stock holding purposes during milking; but excludes sheep and cattle yards constructed on pasture or bare soil. |
| STORAGE FACILITIES | Business that provides facilities to the public for storing possessions. |
| STORMWATER | means run-off that has been intercepted, channelled, diverted, intensified or accelerated by human modification of a land surface, or run-off from the surface of any structure, as a result of precipitation and includes any contaminants contained within. |
| STRUCTURAL MITIGATION ASSET | means structures that have been built to mitigate the effects of natural hazards and include flood management schemes (for example: stopbanks, spillways and flood gates) and hard protection structures (for example: seawalls, groynes or other erosion protection). |
| STRUCTURAL ROOTZONE | is determined by the is determined by using the Australian Standards (AS 4790-2009) Protection of trees on development sites, which is an area around the tree trunk where large anchorage roots are likely to existing known as the structural root zone (SRZ). The formula used is $SRZ = (D \times 50)^{0.42} \times .064$ - the diameter is taken at ground level. |
| STRUCTURE | has the same meaning as in section 2 of the RMA (as set out below) means any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft. |
| SUBDIVISION | has the same meaning as "subdivision of land" in section 218 of the RMA (as set out below) means— a. the division of an allotment— i. by an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of the allotment; or ii. by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or iii. by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or iv. by the grant of a company lease or cross lease in respect of any part of the allotment; or v. by the deposit of a unit plan, or an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; or b. an application to the Registrar-General of Land for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by section 226. |
| SUBSTATION | means those parts of works or electrical installations, being a building, structure, or enclosure exceeding 10m ² in area and having equipment rated at over 22 kV, and |

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| | incorporating fittings that are used for the purposes of the control of the transformation, transmission, or distribution of electricity. |
| <u>SUPERMARKET</u> | <u>Means a self-service retail activity selling mainly food, beverages and small household goods.</u> |
| SUPPORT STRUCTURE | means any pole, mast or building designed or used for bearing the weight of or keeping a safe distance above the ground any aerial, sign, scaffolding, or reticulation network owned or operated by a network utility operator, and includes any support structures necessary for the transformation, transmission or distribution of electricity, including bridges, power poles, lines, conductors and transformers. |
| SUPPORTED RESIDENTIAL CARE ACTIVITY | means land and buildings in which residential accommodation, supervision, assistance, care and/or support are provided by another person or agency for residents. |
| SURFACE WATER BODY | means any water body the surface of which is above ground, and includes wetlands <u>but excludes artificial watercourses including drains.</u> |
| SUSTAINABLE MANAGEMENT | has the same meaning as in section 5 of the RMA (as set out below) means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while— <ul style="list-style-type: none"> a. sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and b. safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and c. avoiding, remedying, or mitigating any adverse effects of activities on the environment. |
| <u>TELECOMMUNICATIONS KIOSK</u> | means any structure intended for public use to facilitate telecommunication and includes boxes or booths for telephone, video or internet services. |
| TEMPORARY ACTIVITIES | means an activity that is temporary and limited in duration. It may include carnivals; concerts; fairs; festivals and events; markets and exhibitions; public meetings; parades; special events; sporting events; filming activities; temporary military training activities; temporary motorsport activities; and emergency response training by ambulances, Civil Defence, Coast Guard New Zealand, Fire and Emergency New Zealand, New Zealand Police, Land Search and Rescue, or Surf Life Saving New Zealand. It also includes buildings or structures accessory to temporary activities, temporary car parking areas, and the ancillary activities associated with the temporary activities. |
| TEMPORARY MILITARY TRAINING ACTIVITY | means a temporary activity undertaken for the training of any component of the New Zealand Defence Force (including with allied forces) for any defence purpose. Defence purposes are those purposes for which a defence force may be raised and maintained under section 5 of the Defence Act 1990 which are: <ul style="list-style-type: none"> a. the defence of New Zealand, and of any area for the defence of which New Zealand is responsible under any Act; b. the protection of the interests of New Zealand, whether in New Zealand or elsewhere; c. the contribution of forces under collective security treaties, agreements, or arrangements; d. the contribution of forces to, or for any of the purposes of, the United Nations, or in association with other organisations or States and in accordance with the principles of the Charter of the United Nations; e. the provision of assistance to the civil power either in New Zealand or elsewhere in time of emergency; and f. the provision of any public service. |
| TERRITORIAL AUTHORITY | has the same meaning as in section 5 of the Local Government Act 2002 (as set out below) means a city council or a district council named in Part 2 of Schedule 2. |
| THIRD-PARTY SIGN | means the use of land, buildings or structures for the advertising of goods and services that are not sold or provided on the site on which the sign is located. |
| <u>THREATENED INDIGENOUS TAXXA</u> | <u>means species that are listed as threatened in the New Zealand Threat Classification System.</u> |
| THREE WATERS INFRASTRUCTURE | means any current or planned (within a Long Term Plan or 30 Year Infrastructure Strategy) Council owned reticulated network controlling: <ul style="list-style-type: none"> a. Wastewater; b. Potable water; and c. Stormwater |
| TRADE SUPPLIER | means a business that involves the sale of wholesale goods to businesses, as well as limited retail sales to the general public, <u>and sell supplies</u> which fall into the following categories: |

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| | <ul style="list-style-type: none"> a. automotive and/or marine suppliers; b. building suppliers; c. catering equipment suppliers; d. farming and agricultural suppliers; e. garden and patio landscape suppliers; f. hire services (except hire or loan of books, videos, DVDs and other similar home entertainment items); g. industrial clothing and safety equipment suppliers; and h. office furniture, equipment and systems suppliers; and i. <u>Home improvement supplies</u> |
| TRANSPORT INFRASTRUCTURE | <p>means any infrastructure, land, building, equipment or device that support the movement of people and goods by land including:</p> <ul style="list-style-type: none"> a. cycle facilities including cycleways, cycle parking, cycle hire stations and cycle maintenance stands; b. pedestrian facilities and accessways including footpaths, footways and footbridges; c. railway tracks, bridges, tunnels, signalling, access tracks and facilities; d. roads including carriageways, pavements, bridges, tunnels, retaining walls, underpasses, overpasses, verge and berms; e. lighting, signals, signs, and control structures and devices associated with intelligent transport systems including vehicle detection systems (electronic vehicle identification, and infra-red vehicle occupancy counters, incident detection, emergency telephones, cables and ducting); f. safety devices including hand rails, bollards, cameras, road markings, rumble strips, barriers, fences, speed tables and speed cushions and traffic separators; g. other traffic control devices including traffic islands, level crossings, pedestrian crossings, roundabouts and intersection controls, traffic and cycle monitoring devices; h. parking control devices; i. site access including vehicle crossings; j. street and railway furniture, artworks, passenger shelters and ticketing and tolling facilities; k. ancillary equipment and structures associated with <u>public</u> transport systems including seats, shelters, real time information systems and ticketing facilities, bicycle storage and cabinets; l. noise attenuation walls or fences; and m. stormwater management facilities, ventilation structures, drainage devices and erosion control devices. |
| TREATY SETTLEMENT LAND | <p>means property which is either:</p> <ul style="list-style-type: none"> a. vested with claimant groups by the Crown as a result of treaty settlement legislation and final deeds of settlement; or b. acquired by a claimant group from the Crown pursuant to a Right of First Refusal process, provided that the properties were specifically identified by reference to site or title in treaty settlement legislation. <p>Includes:</p> <ul style="list-style-type: none"> a. cultural redress properties; b. commercial redress properties including properties returned via deferred selection, properties transferred to other iwi, hapū or whanau entities associated or affiliated with the claimant group; and c. properties transferred to a company in which the claimant group holds a controlling interest. <p>Excludes:</p> <ul style="list-style-type: none"> a. unspecified properties within geographic areas over which claimant groups have been awarded Right of First Refusal in treaty settlement legislation; b. properties covered by Statutory Acknowledgement or Deed of Recognition but not owned by claimant group; c. properties in which the claimant group, or an iwi, hapū or whanau entity associated or affiliated with the claimant group, no longer retains a legal interest; d. properties leased by the claimant group to an unrelated entity for a term for a term which, including renewals, is or could be more than 35 years; and e. properties transferred to a company in which the claimant group has a minority interest. |
| UPGRADING | <p><u>means, in relation to infrastructure, an increase in the capacity, efficiency, safety, security or resilience of existing infrastructure.</u></p> |
| URBAN | <p>means an area of land zoned either:</p> <ul style="list-style-type: none"> a. General Residential; b. Kororāreka Russell Township; c. Mixed Use; or d. Light Industrial |

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| | <p>that currently has adequacy and capacity of available development infrastructure or is signalled to receive at a minimum reticulated wastewater infrastructure, in the Long Term Plan or the 30 Year Infrastructure Strategy.</p> <p><i>NOTE: Land zoned Heavy Industrial in some parts of the district may not have access to, or be programmed to receive, adequate development infrastructure so is not included within this definition.</i></p> |
| URBAN ENVIRONMENT ALLOTMENT | <p>means an allotment within the meaning of section 218 of the Resource Management Act 1991 and:</p> <ol style="list-style-type: none"> 1. that is no greater than 4 000 m²; 2. that is connected to a reticulated water supply system and a reticulated sewerage system; 3. on which there is a building used for industrial or commercial purposes or as a dwellinghouse; and 4. that is not reserve (within the meaning of section 2(1) of the Reserves Act 1977) or subject to a conservation management plan or conservation management strategy prepared in accordance with the Conservation Act 1987 or the Reserves Act 1977. |
| VERSATILE SOILS | means soils that are Land Use Capability Classes 1c1, 2e1, 2w1, 2w2, 2s1, 3e1, 3e5, 3s1, 3s2, 3s4 |
| VETERINARY VACCINE | means a biological compound controlled by the Agricultural Compounds and Veterinary Medicines Act that is used to produce or artificially increase immunity to a particular disease and has been tested and approved as safe to use by a process similar to that conducted for approval and use of medical vaccines. |
| VIABLE GENETICALLY MODIFIED VETERINARY VACCINE | means a genetically modified veterinary vaccine that could survive or replicate in the environment or be transmitted from the inoculated recipient. |
| VISITOR ACCOMMODATION | means land and/or buildings used for accommodating visitors, subject to a tariff being paid, and includes any ancillary activities. |
| V-SHAPED SIGN | <p>means a sign placed on a horizontal plain in a V shape containing no more than three support posts and two signs.</p>  |
| VULNERABLE ACTIVITY | means residential activities, care facilities (including child care services day care centres), retirement villages, visitor accommodation, marae and medical facilities with overnight stay facilities. |
| WAITANGI COMMERCIAL ACTIVITIES | <p>Means commercial activities and associated parking that support tourism or recreational activities in the Waitangi Estate Special Purpose Zone, including:</p> <ol style="list-style-type: none"> a. <u>restaurants / bars / cafes;</u> b. <u>ancillary retail or tourism activities associated with the historic Waitangi Treaty Grounds;</u> c. <u>wine or beverage tasting rooms and ancillary retail;</u> d. <u>artisan galleries, artisan workshops, exhibitions and ancillary retail;</u> e. <u>gift / souvenir shops;</u> f. <u>rural produce retail grown or produced on the Waitangi Estate;</u> g. <u>market stalls;</u> h. <u>wellness spa activities;</u> i. <u>golf supply, golf rental or golf retail activities; and</u> j. <u>rural tourism activity; and</u> k. <u>functions and conferences.</u> |
| WAITANGI ESTATE | All land administered by the Waitangi National Trust contained within the Waitangi Estate Special Purpose zone. |

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| <u>WASTE MANAGEMENT FACILITY</u> | Means a facility where waste and recyclable materials are temporarily stored, handled and processed, prior to being transported to another facility for disposal or an alternative use. These include, but are not limited to, refuse and recycling transfer stations, and materials recovery facilities. |
| WASTEWATER | means any combination of two or more the following wastes: sewage, greywater or industrial and trade waste. |
| WATER | has the same meaning as in section 2 of the RMA (as set out below) a. means water in all its physical forms whether flowing or not and whether over or under the ground: b. includes fresh water, coastal water, and geothermal water: c. does not include water in any form while in any pipe, tank, or cistern. |
| WATERBODY | has the same meaning as in section 2 of the RMA (as set out below) means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area. |
| WET ABRASIVE BLASTING | means abrasive blasting using material to which water has been added. |
| WETLAND | has the same meaning as in section 2 of the RMA (as set out below) includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions. |
| WETLAND, LAKE AND RIVER MARGINS | In the Light Industrial and Heavy Industrial zones means the area of land within 20 metres of a: a. wetland <u>that is not an artificially constructed pond</u> ; b. lake <u>greater than 1ha, and is not</u> : i. <u>an artificial lake where the primary purpose is for managing stormwater</u> , ii. <u>a constructed farm water supply pond or dam, or</u> iii. <u>a farm or municipal wastewater treatment pond</u> ; or c. river greater than 3m average width In the General Residential, <u>Medium Density Residential</u> , Russell Township, Quail Ridge, Town Centre, <u>or Mixed Use or in the Waitangi Estate Special Purpose Whakanga (Tourism) sub-zones</u> means the area of land within 26 metres of a: a. wetland <u>that is not an artificially constructed pond</u> ; b. lake <u>greater than 1ha, and is not</u> : i. <u>an artificial lake where the primary purpose is for managing stormwater</u> , ii. <u>a constructed farm water supply pond or dam, or</u> iii. <u>a farm or municipal wastewater treatment pond</u> ; or c. river greater than 3m average width In all other zones means the area of land within 30 metres of a: a. wetland <u>that is not an artificially constructed pond</u> ; b. lake <u>greater than 1ha, and is not</u> : i. <u>an artificial lake where the primary purpose is for managing stormwater</u> , ii. <u>a constructed farm water supply pond or dam, or</u> iii. <u>a farm or municipal wastewater treatment pond</u> ; or c. river greater than 3m average width Where a river is smaller than 3m average width, the river margin is the area of land within means 10m of a river. Note: The width is measured in relation to the bed of the waterbody |