

## 9 Definitions

The following meanings are to be applied to the terms listed below, unless stated otherwise within the district plan text. If a term is not defined below, but is defined in Section 2 of the Resource Management Act 1991 (e.g. “environment”, “effect”, “amenity values”), then the term has the meaning stated in the Act. *Italicised* entries are explanations of Māori terms used in the plan rather than strict definitions.

**Accessory buildings** – means a detached building, the use of which is clearly incidental to the use of the dwelling or other principal building or land use on or permitted on that site.

**Accessway** – means any land, not being a road, which is intended to provide vehicular access over private land.

**Adequate** (in relation to water supply) – means sufficient in terms of flows and residual pressure for uses provided for in the district plan to be undertaken on the site.

**Aerial** - means an antenna or similar communication device formed by a rod, wire, panel or dish by which radio, television, telephone or electromagnetic signals are transmitted or received.

**Agricultural contractors’ depots** – means offices, storage buildings, plant and machinery used for the purposes of agricultural contracting, including ancillary activities and transport depots relating to the transportation of agricultural and horticultural produce, including livestock. Agricultural contractors’ depots include the repair, servicing and maintenance of rural-based vehicles or machinery.

**Ahi kaa roa** – *Literally keeping the fires burning on the land. Refers to the way in which the rights to occupy land and use resources are kept alive. This concept is linked with mana whenua, the idea of maintaining strong links to areas by occupation gives a sense of higher and senior priority over decision-making.*

**Aircraft landing areas, aerodromes and associated facilities** – means the operation of landing strips and associated facilities and structures on private land for helicopters or fixed wing aircraft, to undertake activities such as top-dressing fertiliser application, spraying and similar uses related to farming and forestry activities.

**Allotment (or lot)** – Has the same meaning as in Section 218 of the Act.

**Animal boarding facilities** – means land and buildings used for the boarding and/or breeding on a commercial basis of domestic pets, including dog boarding kennels and catteries. This excludes facilities for the breeding and/or training of greyhounds or other racing dog breeds.

**Average lot size** – means the total land area of the parent lot comprising a subdivision, divided by the number of all new lots created by that subdivision.

**Bed** (in relation to rivers and lakes) – Has the same meaning as in Section 2 of the Act.

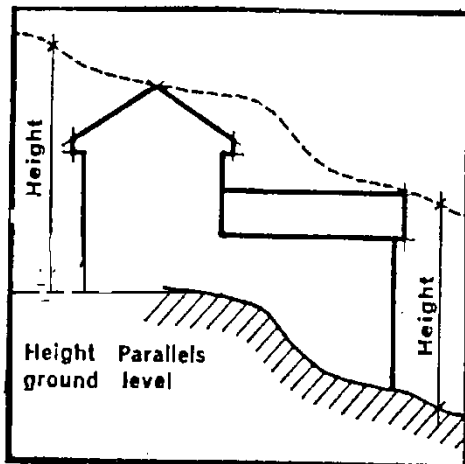
**Boundary** – means the legal boundary of the site. In the case of there being more than one detached dwelling on a property, it is defined by the notional boundary of a complying net site area. In relation to cross-lease titles, the boundary is defined by the restrictive covenant area, and in relation to unit titles, the boundary is the accessory unit associated with the principal unit.

**Boundary adjustment** – means a subdivision of adjoining allotments to adjust the position of boundaries, in a manner that produces the same number of allotments.

**Building** – means any structure, whether temporary or permanent, movable or immovable, which requires a building consent under the Building Act 2004.

**Building height** – means the height of any building as measured against the ground level under the structure being assessed. Building height shall be measured as the vertical distance between ground level at any given point and the highest part of the building or structure above that point, in accordance with the diagram below. The ground level for the purpose of this rule is the existing ground level prior to any works commencing, except where alterations to the existing ground level have been undertaken in accordance with an approved subdivision consent.

Excluded from the requirement to measure building height, are chimneys, flues and similar projections, television, and telecommunication aerials and dishes, rainwater tanks, domestic scale renewable energy devices, and in addition on commercial and industrial buildings, lift machinery, air-conditioning and heating plants; all attached to the building and projecting not more than 3m above the building height standard for the zone, and less than 4m<sup>2</sup> in area.



**Built Heritage Feature** – means a building, structure, object, site or place, and all associated elements that have been identified as having heritage value in Appendix B.

**Buildings housing animals** – means, but is not limited to, buildings used for accommodating livestock or farmed animals, either overnight or for a period during the day, and includes cow milking sheds, calf sheds, buildings used to house intensive farming activities, poultry farming buildings, feed pads, animal boarding facilities and stables. Buildings housing animals do not include dwellings accommodating household pets such as cats and dogs.

**Building platform** – means land that is suitable and practical for accommodating a dwelling or other intended building, having regard to soil conditions, gradient, access, natural hazards, indigenous vegetation and habitat, amenity, health and safety, all in terms of the Building Act 2004 and Council’s Code of Practice for Subdivision and Development.

**Building setback** – means the distance from the site boundary (or other feature as specified in the rule) which is required to be free, unoccupied or unobstructed by buildings from the ground upwards.

Excluded from the building setback requirement are eaves up to 600mm into the setback, rainwater tanks, solar hot water and small scale energy generating devices (including photo-voltaic panels and wind turbines); provided compliance is achieved with the maximum building height standard for the zone.

**Cafes and restaurants** – means premises where meals are sold, whether or not the premises are licensed under the Sale of Liquor Act 1989, and ancillary activities.

**Caretaker’s accommodation** – means a building or part of a building used for accommodation of a caretaker, security staff, or other staff required to be located on-site, that is ancillary to the primary industrial or commercial activity on the site.

**Carparks** – means car parking areas established specifically to be used for car parking, either in association with an activity on the same site, or for car parking as the primary activity on the site.

**Cemeteries, urupā and crematoria** – means land and building used for burial or cremating of deceased people.

**Cleanfill material** – means material consisting of natural components, such as clay, soil and rock and such other materials as concrete, brick or demolition products (excluding asphalt), which are free of combustible and organic materials, free of voids and which are not subject to biological or chemical breakdown and are not capable of leaching chemicals or toxins into the environment.

**Commercial services** – means commercial premises offering services with functions and characteristics that are similar to retail activities, and includes banks, real estate premises, insurance premises, hairdressers, cycle hire and repair, information centres and travel agents.

**Commercial and general aviation activities** – means aviation related activities and facilities, including the use of buildings for aircraft (fixed wing and non-fixed wing) assembly and maintenance, aviation related storage facilities and hangars, helipads, control towers and navigational systems, and emergency services.

**Commercial tourism and recreational activities** – means visitor and tourist related commercial activities and facilities, primarily but not exclusively focused on outdoor recreation involving active and passive recreation pursuits, and eco-tourism operations. Such activities could include providing commercial guiding, training and instruction for primarily outdoor recreational purposes, the transportation of clients to and from other locations, and can include ancillary retail activities, visitor centres, restaurants, cafes, and conference facilities.

**Community care housing** – means housing and ancillary activities managed by any public authority, religious institution or organisation for the rehabilitation or care of any group. It includes emergency housing, housing for battered women, housing for persons with disabilities, "half way houses", and therapeutic or convalescent homes for psychiatric or former psychiatric patients.

**Community event** – means a social, cultural, sporting or recreational event on land or the surface of water, involving relatively large groups of people engaged in recreational, leisure or similar pursuits either as participants or spectators, and includes sports meetings, carnivals, fairs, markets, craft or trade fairs, exhibitions, and displays, and associated temporary buildings and car parks.

**Community scale renewable energy development** – means the construction, operation, maintenance and upgrade of equipment for generating electricity from renewable resources (including associated structures), for the purpose of using electricity on a particular site or supplying an immediate community (within 10km of the site of generation), where installed generation capacity does not exceed 1.5 megawatts.

**Construction or re-construction of buildings** – means for the purposes of the Tirau Town Centre Zone provisions, any alterations to the exterior of a building where the alterations involve a wall facing towards the front boundary of the property, and the alterations are visible from the street.

Contaminated land means land that has a hazardous substance on or in it that -

- a) Has significant adverse effects on the environment or
- b) Is reasonably likely to have significant adverse effects on the environment

**Country halls** – a hall or similar public building and ancillary activities located on public land for the purpose of facilitating local community events or meetings.

**Craft workshops and studios** – means an activity involving the production and sale of arts and crafts produced on the site, which need not be ancillary to the residential activity of the site. The activity can be located either within a dwelling or accessory building, or the grounds of the residential property.

**Development** - means works to establish or operate a land use on a property, and can include construction activity and the disturbance of the land surface.

**Dish Antenna** – means any flat, concave, circular, parabolic or similar shaped communication apparatus used for transmission or reception, including the aerial mounting but not any supporting radio mast or similar structure. This definition includes any satellite dish.

**Designation** – means land subject to a requirement of a requiring authority for a public work or project, pursuant to Section 166 of the Act.

**Domestic scale renewable energy devices** – means renewable energy development providing energy supply capacity to no more than a single household or business premises. Generally involves using micro electricity technologies to generate electricity to meet on-site needs or to convert energy resources into local energy services (such as hot water or space heating).

**Drive Through Restaurant** - means any land and/or building with service where food and beverages are served and sold to the public in their vehicles, for consumption on or off the premises, and may include a café and/or playground area.

**Dwelling** – means a residential building designed for and occupied, in whole or in part, exclusively by one household, and ancillary activities excluding outdoor storage. Dwellings do not include the residential use of tents, buses or caravans/camper vans, whether in association with use of another building or not, except for a period not exceeding one month.

This definition includes the construction, alteration, removal or demolition of dwellings (except buildings listed in Appendix B), an existing dwelling moved within the same site, and new pre-fabricated dwellings that are constructed elsewhere and then moved onto the site.

**Earthworks** – means the disturbance of the land surface by moving, removing, placing or replacing soil or earth, by excavation, cutting or filling operations, but excludes foundation piling within a building platform.

**Edge** (in relation to measuring setbacks from a wetland) – means the furthest extent or boundary of the land that meets the definition of a wetland within this plan.

**Education and childcare facilities** – means land and buildings and ancillary activities, where the primary purpose is education, training or childcare. In respect of children this includes a creche, pre-school facilities, day or afterschool care, kindergarten, Kohanga Reo, Punanga Reo, and primary or secondary schools. In respect of adults, this includes learning and training institutions and facilities, and tertiary education institutions.

**Education and training facilities** – means premises where groups of people are given tuition and training on a formal basis and includes tertiary education institutions, specialised training facilities, and their ancillary administrative facilities.

**Electricity generation core site** – means a site enabling the operation of electricity generation, through the use of electricity generating infrastructure, network utilities, dams, spillways, power houses and associated generation equipment, switch yards, electricity transmission, distribution lines and associated wires and transformers.

**Electricity generating infrastructure** – means infrastructure used specifically for the generation of electricity including but not limited to:

- a) pipelines that distribute or transmit natural or manufactured gas, petroleum or geothermal energy
- b) facilities (including buildings and structures) 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.

**Electricity transmission and distribution lines** – means lines and support structures for conveying electricity and includes electricity sub-transmission lines.

**Emergency Service Facilities** -means those facilities of authorities which are responsible for the safety and welfare of the people and property in the community, and includes fire stations, ambulance stations and police stations.

**Entrance strip** – means a strip of land created for the purpose of providing legal access to a property that requires access to a public road.

**Esplanade reserve** –means a reserve within the meaning of the Reserves Act 1977 that is vested as a local purpose reserve under section 239 of the Resource Management Act 1991 for a purpose set out in section 229 of that Act.

**Esplanade strip** – means a strip of land created by the registration of an instrument in accordance with section 232 of the Resource Management Act 1991 for a purpose set out in section 229 of that Act.

**Farming** – means land-based activities the primary purpose of which is to produce livestock, vegetative matter and/or agricultural produce, and includes:

- Dairying, sheep and beef farming,
- Vineyards, bee-keeping, horticulture and floriculture (including glass houses and shade houses),
- Stud farming (for horses or livestock), horse training and riding schools,
- Wintering barns, stand-off pads and feed pads, and calf, lamb and kid (goats) rearing operations undertaken indoors as part of a farming activity and
- Accessory buildings and activities, except outdoor storage.
- The spreading of farm animal effluent, dry manure and fertiliser, and any quarrying activities undertaken for the purpose of forming or maintaining tracks or farm roads on the site.

For the purposes of this district plan, the term farming excludes intensive farming activities, and forestry.

**Financial contribution** – means a contribution paid to Council in the form of money or land as part of a subdivision consent pursuant to Section 108 of the Act.

**Forestry** - means the management of land for commercial wood production, inclusive of all phases of the production cycle including ground and or vegetation clearance for access and planting, planting (and re-planting), thinning, spraying, pruning and maintenance, construction and maintenance of forest roads and landings, felling and the extraction of timber from the site. Forestry includes any quarrying or gravel extraction activities on the

site associated with private access road formation, any traffic movements associated with the production cycle, and forestry-related scientific or research activities.

The term forestry also includes any planting and management of trees for water and soil conservation, carbon sequestration, shelter belts, and farm-forestry activities that are not necessarily commercial-scale wood production.

The term forestry also includes the spreading of agricultural effluent, or the spraying or spreading of liquid by-products or wastes as a fertiliser or for irrigation purposes, in accordance with regional consent (if required), and the sustainable management of indigenous forests in accordance with the Forests Amendment Act 1993.

For the purposes of this plan the term forestry excludes associated processing activities such as sawmills, pulp and paper production and other wood processing facilities, except for the operation of mobile sawmill facilities on a site for no longer than 3 months in any 12-month period.

**Front boundary** – means a boundary or boundaries (where a corner site) that borders a road.

**Front site** – means a site having one or more frontages to a street or road.

**Golf courses and associated clubhouses** – means land and buildings used for the playing of golf, including grounds maintenance sheds, practice facilities, and buildings accommodating members' facilities with any ancillary bar, restaurant and retail facilities.

**Gross floor area or GFA** – means the sum of the floor areas of a building measured to the outside of the exterior walls or structural frame of the building, but excludes any basement, elevator shafts, stairwells and lobbies at each floor, roof space or other floor area allocated to car parking, loading docks, and machinery or plant space such as lift machinery, tanks, air conditioning and heating plants.

**Ground level** – means the existing ground level prior to any works commencing, except where alterations to the existing ground level have been undertaken in accordance with an approved subdivision consent.

**Hapū - means** *collections of whānau groups living together in close location to one another and who extend from a common ancestor.*

**Hazardous substances** – means, unless expressly provided otherwise by regulations, any substance with one or more of the following intrinsic properties: Explosiveness; Flammability; A capacity to oxidise; Corrosiveness; Toxicity (including chronic toxicity); Ecotoxicity with or without bioaccumulation; or which in contact with air or water (other than air and water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified above. Also includes a substance defined in Section 2 of the Hazardous Substances and New Organisms Act 1996, and substances with high biological oxygen demand.

**Health care services** – means land and buildings used for the purposes of providing healthcare to the community, performed by duly qualified practitioners or by persons in their employ, and includes but is not limited to medical centres, medical practitioners, dentists, optometrists, acupuncturists, osteopaths, and persons involved in alternative forms of medicine, and includes diagnostic laboratories.

**Height in relation to boundary** – means a surface through which no part of a building (other than the exclusions below) may protrude. It is defined by drawing height control lines from all points on the boundaries of an allotment or site. Such lines are to commence at a specified vertical distance above the ground level at the boundary, point into the site at right angles to the boundary and rise at the angle specified in the rule.

Parts of buildings that may protrude through the height control lines are chimneys, flues and similar projections, television, and telecommunication aerials and dishes, rainwater tanks, domestic scale renewable energy devices, and in addition on commercial and industrial buildings, lift machinery, air-conditioning and heating plants; all attached to the building and projecting not more than 3m above the building height standard for the zone, and less than 4m<sup>2</sup> in area.

**Home occupation** – means a business, craft, or profession carried out within a dwelling or accessory buildings within the site, and which is incidental to the residential use of the site. To fall within the definition of a home occupation, the activity must comply with the following:

- a) the principal operator of the home occupation must be a permanent resident on site
- b) the residential activity must remain the primary activity on the property with the home occupation involving not more than one third of the total floor space of buildings on the site

- c) involve no more than up to four full-time equivalent staff
- d) does not generate more than a total of 20 vehicle movements per day (i.e. a total of 10 vehicles involved in the commercial activity visiting and leaving the site)
- e) shall not generate vehicle movements between the hours of 7.00pm and 7.00am
- f) does not involve any exterior display or indication of the home occupation activity (apart from signage in compliance with the relevant zone standards)
- g) does not cause any dust nuisance and/or objectionable odour as defined by a Council Enforcement Officer
- h) does not include motor vehicle repair garages; wrecking and/or storage or recycling of vehicles; storage or recycling of vehicle parts, redundant white ware, bicycle frames, tyres, household waste, clothing, general rubbish; panel beating, spray painting or fibre-glassing; or facilities for the boarding, breeding and/or training of animals on a commercial basis.
- i) does not include the slaughtering of animals, or the manufacturing or retail sale of food prepared in the kitchen of the dwelling

Advisory Note: the manufacturing or preparation of any food shall be in a commercial kitchen licensed by Council, or in premises with an approved Food Safety Programme.

**Hospitals and Homes for the Aged** – means institutions and facilities that provide supervised residential accommodation and care for elderly persons, at a scale beyond that of a domestic dwelling. It includes nursing homes, retirement villages, managed care facilities, and geriatric hospitals, with associated medical facilities and ancillary activities.

**Household** - means a person or group of people who reside together and interact on a daily basis to maintain a self-contained housekeeping unit. A household may include an extended family, or two or more families living together or groups of unrelated people who flat together.

**Household Unit Equivalents or HUEs** – means the measurement method used in Council’s Development and Financial Contributions Policy (April 2020), based on a normal home and the demands it typically places on Council’s infrastructure. The demand characteristics of each HUE, which represents an average household living in a single dwelling, are as follows:

**Table 1: HUE demand characteristics**

| <b><u>Service</u></b> | <b><u>Unit of measurement</u></b> | <b><u>Demand per HUE</u></b> |
|-----------------------|-----------------------------------|------------------------------|
| <u>Water</u>          | <u>Litres per day</u>             | <u>600 litres per day</u>    |
| <u>Wastewater</u>     | <u>Litres per day</u>             | <u>540 litres per day</u>    |
| <u>Reserves</u>       | <u>People</u>                     | <u>2.7 people</u>            |

Retirement units and accommodation units will be assessed as 0.5 HUEs for each service.  
For non-residential developments the number of HUEs for water and wastewater will be assessed based on gross floor area under Table 2 below, unless Council decides to make a special assessment for a development:

**Table 2: HUE per 100 m<sup>2</sup> GFA**

| <b><u>Service</u></b> | <b><u>HUE</u></b> |
|-----------------------|-------------------|
| <u>Water</u>          | <u>0.4</u>        |
| <u>Wastewater</u>     | <u>0.4</u>        |

**Housing for the Elderly** – means housing managed for the purpose of providing residential accommodation for elderly persons and ancillary activities, under the management of Council or a charitable institution.

**Hydro electric power operating easements** – means easements held by Mighty River Power Limited over water and land for the purposes of operating the Waikato hydro electric power system.

**Hydro electric power generating infrastructure** – means hydro dams, spillways, power houses and associated electricity generating infrastructure, switch yards and associated wires and transformers operated for the purpose of generating electricity.

**Indigenous biodiversity** - means the variability among living organisms, and ecosystem complexes of which they are a part, including diversity within species, between species, and of ecosystems that are native to New Zealand.

**Indigenous Vegetation** - means vegetation comprising cover of predominantly indigenous species (i.e. species occurring naturally in New Zealand, without the aid of humans) that occur naturally in a particular locality within South Waikato District, including vegetation that has regenerated naturally or that has established with human assistance following disturbance or as mitigation for another activity.

**Indigenous Vegetation Clearance** - means cutting, spraying, burning, crushing or otherwise killing or removing indigenous vegetation.

**Indoor sporting and recreation facilities provided for in a reserve management plan** – means facilities such as gymnasiums, recreation buildings, community centres, clubrooms, and ancillary activities managed for the purpose of providing community-based recreation and sports, located on land administered as reserves.

**Industrial activities** – means the use of land and buildings for processing, manufacturing, bulk storage, warehousing, service and repair activities, including timber processing and treatment, transport depots, dairy factories and other food processing facilities, cool stores and pack houses, engineering workshops, tanneries and abattoirs. Industrial activities include the activities listed in Appendix H, unless this plan states otherwise.

**Industry ancillary to farming or forestry** – means ‘down-stream’ processing and packaging facilities for farming, forestry, and other primary production activities, and any rural industry that is dependent primarily on the direct handling of raw produce, or that supplies services to farming, horticulture, intensive farming, or forestry. Includes premises used for the manufacture of dairy products, abattoirs, timber processing, stock yards and sale yards, cool stores and pack houses.

**Industry ancillary to or associated with mineral exploration, mining and quarrying** – means any activity (including any necessary buildings and structures) that has a functional relationship either with the mineral being explored, mined or quarried, or the mineral exploration, mining and quarrying activity itself, including but not limited to concrete batching plants, asphalt plants, and fill disposal sites.

**Intensive Farming Activities** – means the commercial raising and keeping of plants or animals contained in buildings or outdoor enclosures, that occurs independent of the soil fertility on the site, is dependent on a high input of food or fertiliser from beyond the site, and may (but not necessarily) involve artificially controlled growing conditions. Includes the use of feedlots for farmed animals, and vegetable, fruit and herb growing operations indoors in artificially controlled growing conditions.

Calf, lamb and kid (goats) rearing operations undertaken indoors as part of a farming activity, and the use of wintering barns, feed pads and stand-off pads where stock are not held on a permanent basis, are excluded from this definition.

**Integrated Development** – means the subdivision and development of allotments, roading and other public amenities, for which a resource consent is granted concurrently for subdivision and land use (for the siting and design of buildings on the allotments).

**Iwi** – means a large number of whānau groups or collections of hapū who have common ancestry.

**Lake** – means a body of fresh water that is entirely or nearly surrounded by land.

**Landscaping** – means the provision of trees, shrubs, and/or groundcover plantings, including other vegetative forms so arranged as to improve visual amenity.

**Levels of service** – means, for the purpose of Rules 8.3.4n, 8.3.4r and 8.4za, the specified level of quality and reliability as stated in South Waikato District Council’s asset management plans.

**Line** – means a wire or wires or a conductor of any other kind (including a fibre optic cable) used or intended to be used for telecommunication or electricity transmission; and includes any pole, insulator, casing, minor fixture, tunnel, or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any such wire or conductor; and also includes any part of a line.

**Loading space** – means the area of a site that is set aside for the exclusive use of transferring goods from a vehicle to an activity or vice versa, and has access to a road or service lane.

**Mana** - refers to the authority or importance bestowed on and/or inherited by a person or people to act, direct, give counsel or make decisions, among other things.

**Mana whenua** - refers to the priority given to people to make decisions about the use of resources over an area of land that they are responsible for.

**Manoeuvring Area** – means the part of a site used by vehicles to move from the vehicle crossing to any parking space or loading space, and includes all driveways and aisles and may be part of an access strip.

**Marae development and papakāinga** – means the development of buildings and facilities within marae such as whareniui (meeting house), wharekai (dining rooms), wharepaku (ablution blocks inclusive of toilets, showers and changing rooms), wharekarakia (church), and other marae-based facilities; and also includes papakāinga housing, community facilities, and medical centres, irrespective of whether they are located on a marae, on multiple-owned Maori land, or if on multiple-owned Maori land whether the facilities are developed by the Maori land-owners.

**Mast** – means any tower or similar structure, (excluding those associated with electricity lines) including those designed to carry antennas to facilitate radio-communication and/or telecommunication, and those supporting devices for renewable energy generation. It also includes any supporting guy wire and associated attachment.

**Mauri** - refers to the life principle instilled in objects by Atua. Mauri is also the life principle that gives being and form to all things in the universe.

**Mechanical cultivation** - means the use of machinery to loosen up the soil surface to prepare for planting of seeds for grassland and crop production.

**Minimum lot size** – means the minimum land area that a proposed allotment is able to have, as measured in terms of net site area.

**Minor Upgrading** (in relation to network utilities) – means modification of network utility structures and associated earthworks where the effects of that utility remain the same or similar in character, intensity and scale. Minor upgrading includes the replacement of a utility structure in the same location, and replacement of parts such as cables, conductors, earthwires, cross arms, earthpeaks and lightning rods. Minor upgrading shall not include an increase in the voltage of any electricity line unless the line will continue to be at or under 33kV and/or was originally constructed to operate at the higher voltage but has been operating at a reduced voltage.

**Minor works** (on a built heritage feature listed in Appendix B) – means work carried out in a manner and design and with similar materials and appearance to those originally used, including: i) Periodic redecoration of previously decorated or painted surfaces; ii) Routine maintenance of a site or building; and iii) Replacement of minor components such as bricks, tiles, timber sections and the like, where the replacement is of the same or similar materials and appearance as the original it replaces.)

**Mineral exploration, mining and quarrying** – means taking, winning or extracting naturally occurring minerals including but not limited to coal, rock, sand, and gravel from under or on the land surface. This also includes mineral exploration activities, and the processing of the material by such means as screening, crushing, or chemical separation on the site, including the stockpiling and filling of overburden sourced from the same site, and includes the erection, maintenance, and use of plant and machinery.

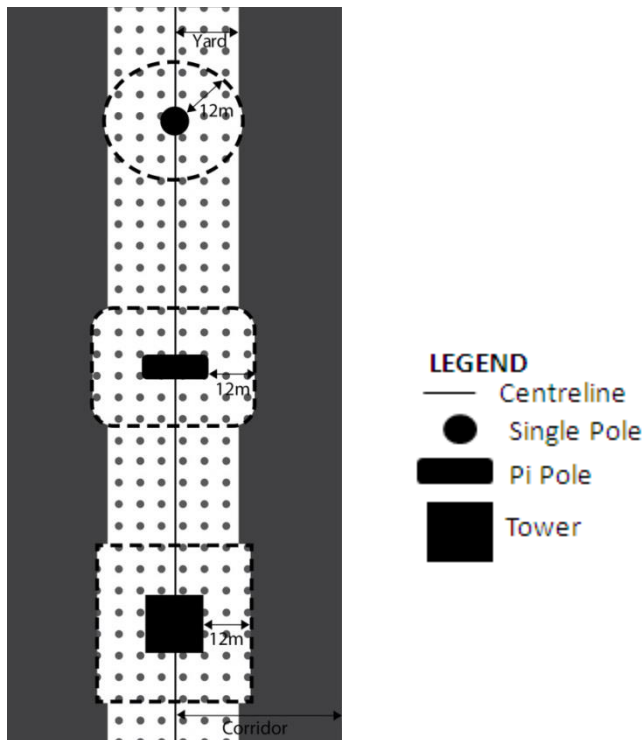
**Modifications (to a Built Heritage Feature)** – means any work (but not minor internal work) which involves the addition, alteration, removal and replacement of walls, windows or features which results in an external structural appearance different to its existing appearance, but does not include the demolition of the Built Heritage Feature.

**Modifications, alterations and additions** (in terms of an existing land use provided for as a permitted activity in a zone) – means work involving external or internal changes to the layout, appearance or floor area of buildings and/or associated facilities within the site, including the expansion of any buildings, in accordance with the performance standards for the zone.

**Motor caravan and camping sites** – means land used for the accommodation of motor homes, caravans and tents, including providing cabins, ablution and amenity facilities, used for the temporary or semi-permanent accommodation of paying guests.

**Motorised vessels** – means any activity involving a motor driven vessel and can include jetboats, water skiing, jet skis, hovercraft and the use of outboard motors, but does not include modelled or scaled down versions of boats operated through remote control.





**National Grid** – means all or part of the national grid of electricity transmission lines and cables (aerial and underground), stations and substations and other works used to connect grid injection points and grid exit points to convey electricity.

**National Grid Corridor** - (shown as shaded and dotted) - means the area measured either side of the centreline of an above ground National Grid transmission line, as follows:

- 14m from an 110kV line on single poles
- 16m from an 110kV line on pi poles
- 32m from an 110kV line on towers
- 37m from a 220kV transmission line.

Note: The National Grid Corridor and National Grid Yard do not apply to underground cables or any transmission lines (or sections of lines) that are designated.

The National Grid Yard (shown as dotted - means the area:

- Located 12m in any direction from the outer edge of a National Grid support structure (pole or tower) and
- Located 10m either side of the centreline of an above ground 110kV National Grid line (or section of line) on single poles, or
- Located 12m either side of the centreline of an above ground National Grid line on pi poles or towers.
- Note: The National Grid Corridor and National Grid Yard do not apply to the Brownhill Road to Whakamaru North A 400kV capable lines, (or any other line) which are designated, or to underground cables.

**Net site area** – means the area of the site, excluding any entrance strip or accessway with a width of 6m or less, or any right of way, private way or access lot.

**Network Utilities and Infrastructure** – means the provision of a service provided by a network utility operator as defined under Section 166 of the RMA, associated facilities and structures, and electricity generation infrastructure. Network Utilities and Infrastructure includes networks that supply, distribute or transmit water, energy, transportation, sewage disposal, telecommunications, radiocommunication, fibre networks and other electronic communications, broadcasting, street lighting, navigational aids or similar services.

**Noise control boundary** – means a boundary as shown on the Planning Maps where noise shall be measured for the purpose of assessing compliance with noise provisions. Noise control boundaries are shown for activities within the Electricity Generation Zone and Industrial Zone.

**Noise sensitive activities** - means residential accommodation, places of assembly, education and childcare facilities, hospitals and homes for the aged, offices, and visitor accommodation.

**Non-motorised vessels** – means any activity involving a vessel that does not meet the definition of motorised vessel, and includes any water-borne craft that is not powered by a motor.

**Notional boundary** – means a position for the purposes of measuring noise levels in rural locations, and is 20 metres from the side of any rural dwelling or the legal boundary where this is closer to the dwelling.

**Offices** – means premises and ancillary activities where people are engaged in a profession, business or administrative activity where there is limited customer interface, and includes financial, law or accountancy firms, data processing facilities and other administrative activities. Offices do not include medical, dental or veterinary rooms, or activities that fall within the definition of retail activities or commercial services.

**Official signs** – means all regulatory, traffic and official signs approved by a road controlling authority or under any legislation, including asset identification and warning signs related to aspects of public safety. Official signs also include signs erected on behalf of Fish and Game NZ at access points to fisheries or game bird hunting areas, which include information on access, regulations or aquatic pests.

**Outdoor Living Space** - means an outdoor area for the exclusive use of each dwelling that is readily accessible from the dwelling, and is free of buildings, driveways, vehicle manoeuvring areas, and parking spaces. An outdoor living space may include the area beneath eaves, and uncovered decks and terraces.

**Outdoor storage** – means the storage of miscellaneous items (a collection of items unrelated to the permitted or consented land use activity) within a property (not within buildings)

These items could include but are not limited to the storage of household waste, redundant white ware, bicycle frames, tyres, vehicle parts, oil drums and general rubbish where visible from a public place or neighbouring property and or cause an odour, safety or public health nuisance. This definition includes the storage of any more than one vehicle on a property for six months or more that is unwarranted and unregistered and the storage or use of shipping containers. The total area is not to exceed three metres in height, or cover an area in excess of 20m<sup>2</sup> within the property.

In the Rural zone the storage of miscellaneous items and storage or use of shipping containers as part of normal farming activities is excluded from this definition. Normal farming activities include the collection of tyres used for silage stacks, vehicle parts and/or farm machinery and the use of un-registered quad bikes and farm vehicles on farms, 44 gallon drums and similar that contain drench, other agrichemicals or animal supplements such as molasses.

The storage of miscellaneous items not part of normal farming activities in the Rural zone, shall not exceed three metres in height or cover an area in excess of 20m<sup>2</sup> within the property, and must not be visible from a public place or neighbouring dwelling and/or cause an odour, safety or public health nuisance.

**Outstanding Landscape Area** – means an area of land shown as being an outstanding landscape area on the district plan maps, and listed in Appendix C.

**Outstanding Landscape Feature** – means an area of land shown as being an outstanding landscape feature on the district plan maps, and listed in Appendix C.

**Parking space** – means an area formed, marked and set aside for the parking of vehicles to meet the parking requirements of this district plan.

**Perennial stream** - means a stream that flows all year round assuming an average annual rainfall and has a channel width of 30cm or wider.

**Places of assembly** – means any building and associated land used primarily for the assembly of people engaged in deliberation, worship, recreation or entertainment, and includes marae, indoor recreation facilities, theatre, cinemas, museums, halls, clubrooms, conference facilities, and churches.

**Plant pests** - means pest plants as defined and listed in the Waikato Regional Council Operative Regional Pest Management Strategy.

**Planting and screening** – means the provision of trees, shrubs, and/or groundcover plantings, including other vegetative forms so arranged as to improve visual amenity, and the construction or planting that provides a permanent and effective visual barrier, such as a permanent fence or barrier, but shall not include a post wire fence or temporary fence.

**Pole** – means any tower or similar structure for the transmission and distribution of electricity, including those designed to carry antennas to facilitate radio-communication and/or telecommunication, and includes any supporting guy wire and associated attachment.

**Potable** - means a water supply that is measured in accordance with the recognised bacteriological test under the New Zealand drinking water standards, with a count of 0-9 E.coli per 100mls accepted provided treatment is installed. A count of 10 and over will not be acceptable unless treatment facilities to achieve the acceptable level are installed prior to the issue of completion certificate.

**Poultry Farming** – means the commercial raising and keeping of poultry, contained either in buildings, outdoor enclosures, or a combination of both, and that occurs predominantly independent of the soil fertility on the site, is dependent on a high input of food from beyond the site, and may (but not necessarily) involve artificially controlled growing conditions. For the avoidance of doubt, poultry farming is not covered by the phrase 'intensive farming activity'.

**Property** - means the land comprised and described in one certificate of title.

**Protection Lots** – allotments created by association with the formal protection by covenanting or similar measures, of part or all of a significant natural area or significant archaeological site, as provided by the subdivision provisions of the district plan.

**Radiocommunication** - means any transmission or reception of signs, signals, writing, images, sounds or intelligence of any nature by electromagnetic waves of frequencies lower than 3000 gigahertz, propagated in space without artificial guide.

**Radiocommunication and/or telecommunication facility** – means structures related to telecommunication as defined in section 5 of the Telecommunications Act 2001, or radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989.

**Rear site** – means a site which is situated to the rear of another site and has legal access to a road via an entrance strip or accessway.

**Recreation and sporting activities on parks and reserves** – means any activity whose primary aim is the enjoyment or leisure of either a competitive or recreational nature, and includes sports fields, swimming pools, children's play areas, skate parks, amenity and conservation plantings, shelters, buildings necessary for the maintenance of the park, public toilets, and associated structures such as goal posts and light poles, but excludes motorised vehicle sports.

**Recreational hunting** – means non-commercial hunting where the hunter or hunters pursue their game primarily for recreation as a pastime, without gaining pecuniary reward or gain from the hunting, or from the sale of any wild animal or part thereof. For the avoidance of doubt, recreational hunting includes the use of any site/s by Gun Dog Clubs.

**Relocatable buildings** – means buildings that are moved onto a destination site from another site, but excludes an existing building moved within the same site, a building moved to a storage site and new pre-fabricated buildings that are constructed elsewhere and then moved onto the site.

**Renewable electricity generation** means generation of electricity from solar, wind, hydro-electricity, geothermal, biomass, tidal, wave or ocean current energy sources.

**Renewable electricity generation activities** means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes domestic and community-scale distributed renewable generation activities and:

- a) the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid,
- b) electricity storage technologies associated with renewable electricity, and
- c) ancillary buildings, hardstand areas, earthworks, access tracks, roads, storage of hazardous substances, monitoring equipment, removal of indigenous or exotic vegetation, and concrete batching plants.

**Residential accommodation** – means any building or part of a building used, or intended to be used for living accommodation.

**Restaurants, bars and cafes** – means premises and ancillary activities where meals are sold principally for consumption on the premises, whether or not the premises are licensed under the Sale of Liquor Act 1989; and premises used principally for the serving of liquor for consumption on the premises, and includes clubs and taverns. This definition does not include Drive-Through Restaurants.

**Retail activities** – means premises and ancillary activities where goods and services are sold or offered for sale, including large format premises such as supermarkets, takeaway food premises, garden centres, and hardware stores, but excluding premises for the sale of boats, caravans and motor vehicles, service stations and motor vehicle repair garages, offices, restaurants, bars and cafes, service industry and commercial services.

**Retail (excluding the sale of liquor as the primary retail activity)** – Retail activities as defined above, except where the majority of the floor space of the premises displays alcoholic beverages for sale.

**Reverse Sensitivity** - means the potential for the operation of an existing lawfully established activity to be compromised, constrained or curtailed by the more recent establishment of other activities which are sensitive to the adverse environmental effects being generated by the pre-existing activity.

**River** – means a continually or intermittently flowing body of fresh water and includes a stream and modified watercourse; but does not include any artificial watercourse such as an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal.

For the purposes of esplanade reserves and strips, a 'river' has a bed with an average width of 3 metres or more at annual fullest flow where the river flows through or adjoins an allotment.

Roads – shall be defined as including all land comprising legal but unformed roads and all land comprising formed and existing roads under the control of the road controlling authority and is inclusive of the definitions contained in the Local Government Act 1974 or the Government Roadway Powers Act 1989.

**Road Opening Notice** – means the procedure undertaken by a Network Utility Operator for works proposed within a road corridor, whereby the roading authority is notified and has the ability to impose conditions on the works, in accordance with relevant provisions of the Telecommunications Act 2001, Gas Act 1992, Electricity Act 1992, or any Code of Practice approved under the Utilities Access Act 2010.

**Rohe** - *is the geographical area closely linked to iwi or hapū. That iwi or hapū will exercise mana over that area, and so will have mana whenua*

**Rural-based activities** - means any activity which requires a rural location, including farming, forestry, intensive farming operations, mineral exploration, mining and quarrying, network utilities and infrastructure; and primary industry.

**Saleyards** – means land and buildings used for the purpose of the sale of livestock, including loading and unloading facilities, and facilities for the temporary storage of livestock before and after sales.

**Sensitive Activities** - means those activities that are particularly sensitive to the risks associated with National Grid transmission lines because of either the period of exposure to the risk, or the vulnerability of the population that is exposed to the risk. Such activities include residential, accommodation, education and childcare facilities (excluding adult educational facilities), housing for the elderly, papakāinga, hospitals and homes for the aged.

**Service industry** – means the establishment and operation of predominantly larger format vehicle-oriented commercial activities, retail sale or distribution activities, including light manufacturing, the repair or servicing of goods (such as household appliances and electronic equipment), vehicle-oriented retail activities including large format shops, drive-through services and outdoor retailing assembly and servicing activities, and activities such as printing works, vehicle repairs, panelbeaters, light engineering workshops, tradesmen's depots and the like. Service industry excludes any industrial activity (as defined above).

**Service Lane** – means any lane laid out or constructed for the purpose of providing the public with a side or rear access for vehicular traffic to any land.

**Service stations including motor vehicle repair** – means an activity comprising the sale of motor vehicle fuels (including petrol, CNG, LPG and diesel), lubricating oils for motor vehicles, tyres, batteries, spare parts and other accessories associated with motor vehicles, car wash facilities, general retail premises, drive through facilities, the hire of trailers, truck stops, and the mechanical repair and servicing of motor vehicles (including motor cycles, caravans, boat motors, trailers), panel beating, trimming or spray painting of motor vehicles and warrant of fitness testing.

**Services** – means infrastructural networks serving properties, and includes water supply, sewage disposal, stormwater drainage, telecommunications, electricity connections, fibre networks, and other similar network provision to properties.

**Showrooms and ancillary retailing [to an industrial activity]** – means a retail activity which is incidental to but associated with the principal industrial activity on the site, and includes a factory shop selling goods produced on the premises.

**Side and rear boundary** – means a boundary that runs the length of a side or rear of a property, and that is not a front boundary (i.e. has no frontage to a road). Where a property has two or more front boundaries (i.e. corner and through sites) the remaining boundaries are considered to be rear boundaries.

**Sign** – means any device attracting or intended to attract notice for the purpose of directing, identifying, informing or advertising a good or service, positioned on a site and visible from any public space, and includes those affixed to, or incorporated within the design of a building whether painted, written, printed, carved, inscribed, endorsed or projected onto any building, wall, pole, road, structure or erection of any kind whatsoever or onto any rock, stone, or tree or other object.

It includes any name, figure, character, outline display, notice, placard, delineation, poster, handbill, flag, wind blade, tethered balloon, pole sign, canopy sign, projection of light to create an advertising image, blimp, models and advertising devices, appliances or any other thing of a similar nature to attract attention (i.e. something of an advertising nature).

They include all parts, portions and materials composing the same, together with the frame, background, structure and support of anchorage and shall also include any of the above when displayed on parked vehicle/or trailers, and includes any structure that supports the sign.

The area of a sign means the dimension of the sign that is visible from one direction, and in the case of an irregular shaped sign, means the area of a rectangle that encloses the sign. The height of a sign means the vertical distance between the top of the sign and any support structure (but not a building the sign may be affixed to), and the ground level immediately below that part of the structure.

**Significant Amenity Landscape** – means an area of land shown as being a significant amenity landscape area on the planning maps, and listed in Appendix C.

**Significant Natural Area** - means an area of indigenous vegetation or habitat of indigenous fauna shown as being a significant natural area on the planning maps, and listed in Appendix E.

**Site** – means an area of land comprised in one Certificate of Title (or for the purposes of subdivision is proposed to be held in one Certificate of Title), or adjoining areas comprised in two or more Certificates of Title in the same ownership and used for the same activity.

**Site coverage** – means the portion of a site which is covered by roofed structures, including overhanging or cantilevered parts of buildings, but excluding eaves, uncovered decks and terraces, rainwater tanks, solar hot water, and small scale energy generating devices (including photo-voltaic panels and wind turbines). The net site area shall be used for the purpose of calculating site coverage.

**Stormwater** – means water that:

- (a) flows over impervious surfaces; or
- (b) flows over gradients that have been artificially created or modified in a manner that intensifies the quantity or velocity of water from the catchment.

**Street** - has the same meaning as "road" as defined by section 315 of the Local Government Act 1974.

**Street furniture** - means any structures and items lawfully located on or over the legal road reserve. It includes litter bins (not skip bins), bus shelters, public telephones, roadside rest areas and toilets, information boards and weigh stations, sculptures, banners with supporting poles, street trees and landscaping.

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

**Supermarket** - means a retail shop primarily selling a wide range of fresh produce and meat, plus frozen or packaged groceries, food and beverages, together with an ancillary range of non-food grocery items. Supermarket falls within the definition of 'retail activities'.

**Tangata Whenua** - *in relation to a particular area, means the iwi or hapū, that hold mana whenua over that area.*

**Telecommunication** – means the conveyance from one device to another of any sign, signal, impulse, writing, image, sound, instruction, information, or intelligence of any nature, whether for the information of any person using the device or not.

**Temporary activities** - means any short-term use of land and associated structures that do not involve any permanent structures being constructed. Typically, temporary activities relate to a construction project such as scaffolding or a site management office, a community or sports event such as a temporary grandstand or marquee, or a market place, stall or public gathering, all with a limited duration and not involving permanent structures.

Temporary activities include unloading goods from a shipping container on the site, provided that the container is removed within one month of arrival on site.

The term 'temporary activities' does not include temporary military exercises, temporary film making activities, use of emergency sirens, community events, temporary structures, or temporary signage, as these are defined and provided for separately.

**Temporary film making activities** – means the filming of locations or scenes for the purpose of creating a movie, television programme or similar, and includes the construction and use of film sets, structures and props.

**Temporary military exercises** – means a temporary **military** activity undertaken for defence purposes. The term 'defence purposes' is as defined in the Defence Act 1990.

**Temporary signage** – means non-permanent signage established for the purpose of advertising an upcoming event or activity, the sale of a property, or erected on a construction site or in connection with a public election. Signs advertising events shall not contain any business or commercial advertising, other than the name or logo of a sponsor.

**Temporary structures** – means non-permanent structures related to a community event, construction project, or other activity such as the drilling of test bores, auger holes, test pits, and cone penetrometer tests, or anemometers, and masts or similar structures established to measure wind.

**Temporary works and associated structures related to electricity generation** – means works to develop, upgrade, maintain, repair, monitor and operate electricity generation facilities, that contribute to providing a continuous and efficient supply of electricity to users, or that ensures the potential effects from natural hazards are avoided, remedied or mitigated.

**Tokoroa Hospital** - means an institution providing primarily in-patient care for the sick or injured, including medical, surgical, maternity, mental health, geriatric, convalescent or hospice care, and includes all hospital clinics, dispensaries, out-patient departments, operations and maintenance support services (such as laundries, kitchens, cafeterias, refreshment facilities, residential centres, generators, substations, storage facilities, workshops), hospital administration offices, ancillary retail facilities and undertakings maintained in connection with, or incidental to, the hospital activity and includes Health Care Services

**Transport and courier depots** – means land and buildings used principally for the receiving, dispatching or holding of goods or passengers in transit by road or rail, and includes ancillary storage areas, offices, staff facilities and provision for vehicles.

**Upgrading** – means the structural improvement, repair and replacement of worn or technically deficient parts, to provide for the continued efficient and secure operation of the network utility or electricity generating infrastructure. In respect of electricity generating infrastructure, electricity transmission and distribution lines, this allows for an increase in carrying capacity provided any buildings, support structures and lines are of a similar character, size and scale as existing.

**Vehicle crossing** – means that part of the road reserve which has been formed or otherwise constructed to enable vehicle access between an allotment and a public road, and includes any associated culvert, bridge or kerbing.

**Verandah** – means a covering structure attached to a building that provides shelter over a public footpath along the street frontage within a town centre.

**Veterinary services** – means services and associated facilities relating to the physical health and welfare of animals by duly qualified practitioners or persons in their employ, and includes veterinary clinics, animal testing and diagnostic facilities.

**Visitor accommodation** – means land or buildings and ancillary activities used for the temporary or semi-permanent accommodation of paying guests, and includes motels, hotels, hostels, backpackers accommodation, boarding houses, homestays, camping grounds, youth hostels and motor or tourist lodges.

**Visitor facilities (associated with energy generation)** – means buildings and facilities for the display of information for visitors to energy generation sites, including museums, ancillary retail and cafes.

**Wāhi tapu** – *The literal translation is “sacred site”. These are defined locally by the hapū and iwi which are the kaitiaki (guardians) for the wāhi tapu. Typically includes burial grounds and sites of historical importance to the tribe. In some instances they signify ahi kaa roa, places used for ritual cleansing, of healing, or simply where past incidents occurred. Some wāhi tapu are places or landscapes considered tapu because of their magnitude, or symbolic representation of a hapū or iwi. In order to protect particular sites from interference and desecration, some tribes will refuse to disclose the exact location to outsiders.*

**Wetland** – means 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. For the purpose of this district plan, 'wetland' excludes:

- Wetted pasture and pasture with patches of rushes;
- Artificial water courses including wetlands developed primarily for effluent or stormwater treatment or disposal;
- Artificial farm drains and canals;
- Artificial reservoirs for fire fighting, domestic or municipal water supply;
- Temporary ponded rainfall over areas that would not otherwise be considered a wetland