

Before the Hearing Panel
Appointed by the Timaru District Council

Under the Resource Management Act 1991 (**RMA**)
In the matter of submissions on the Proposed Timaru District Plan

Legal submissions of Counsel on behalf of Timaru District Council – Hearing E

30 January 2025

Council's solicitors:

Michael Garbett | Jen Vella
Anderson Lloyd
Level 12, Otago House, 477 Moray Place, Dunedin 9016
Private Bag 1959, Dunedin 9054
DX Box YX10107 Dunedin
p: + 64 3 477 3973
michael.garbett@al.nz | jen.vella@al.nz

**anderson
lloyd.**

May it please the Hearing Panel:

Introduction

- 1 These legal submissions are made on behalf of the Timaru District Council (**Council**) in relation to the Timaru Proposed District Plan (**PDP**). The purpose of these submissions is to assist the Hearing Panel (**Panel**) by setting out issues relevant to this topic hearing - Hearing E.
- 2 These submissions address:
 - (a) Evidence filed by, and section 42A reports prepared on behalf of, the Council;
 - (b) Key issues to be addressed in Hearing E; and
 - (c) Specific issues arising in relation to in Hearing E topics, ie., sites of significance to Māori (**SASMs**) and provisions relating to stormwater management.
- 3 Legal submissions and memoranda of counsel previously filed generally address matters relevant to the Panel's assessment of submissions, including:
 - (a) the Council's legal submissions for Hearing A (30 April 2024) – which set out in full the matters relevant to the Panel's assessment of submissions, including the statutory assessment to be undertaken by the Panel and general principles relating to scope; and
 - (b) the memoranda of counsel filed on 1 July 2024 and 18 December 2024 – which set out legal principles relating to the scope of permissible amendments to address submissions.

Section 42A reports and evidence

- 4 The Council has prepared four section 42A reports in relation to the matters being heard in Hearing E. They are:
 - (a) **Section 42A report: Historic Heritage and Notable Trees** – prepared by Mr MacLennan. Mr MacLennan presented to the Panel in Hearing B. He is a consultant planner from Incite, with over 10 years planning experience, including as a section 42A officer. Mr MacLennan will only attend the hearing on Monday, 10 February 2025 as he is in Environment Court mediation for the remainder

of the week. Mr MacLennan will be briefed on any matters relevant to his section 42A report that arise in his absence.

- (b) **Section 42A report: Sites and Areas of Significance to Māori and Māori Purpose Zone** – prepared by Ms Liz White. Ms White presented a section 42A report to the Panel in Hearings B and D. She is a consultant planner with significant experience in district plan development.
 - (c) **Section 42A report: Energy and Infrastructure, Transport and Stormwater Management** – prepared by Mr Andrew Willis. Mr Willis presented to the Panel in Hearings A and D. He is a consultant planner with significant experience in the preparation of district plans and as an independent hearing commissioner.
 - (d) **Section 42A report: Subdivision and Development Areas** - prepared by Mr Nick Boyes. Mr Boyes presented to the Panel in Hearing D. He is an independent planning consultant with 25 years' planning experience across all planning functions, including district plan development.
- 5 The section 42A officers will also file summaries of their reports on 4 February 2025, identifying resolved and outstanding matters on the basis of pre-circulated evidence, in accordance with the Panel's previous directions.¹
- 6 Three of the section 42A reports attach evidence or memoranda from Council officers or relevant experts as follows:
- (a) **Historic Heritage and Notable Trees section 42A report:**
 - (i) **Dr Ann McEwan, heritage consultant, Heritage Consultancy Services** - Dr McEwan is an independent heritage consultant with extensive experience in built heritage, including in undertaking heritage assessments for the purposes of preparing district plans. She has been involved in scheduling of heritage items in both the Timaru Operative District Plan and the PDP. Dr McEwan's evidence addresses heritage matters raised by submitters and provides expert heritage assessment upon which Mr MacLennan has relied for the purposes of his section 42A report. Dr McEwan will appear at the hearing by video link.

¹ See Minutes 7 and 8.

(b) **Sites and Areas of Significance to Māori and Māori Purpose Zone section 42A report:**

- (i) **Mr John Henry, kaitiaki, Kāti Huirapa o Arowhenua** – Mr Henry is engaged by the Council as an expert on the cultural beliefs, values, activities and associations of Kāti Huirapa o Arowhenua (**Kāti Huirapa**). He gave evidence to the Panel in Hearing A in relation to the importance of the Timaru District to Kāti Huirapa and the involvement of the rūnanga in the preparation of the PDP. Mr Henry's Hearing E evidence is provided in accordance with the Panel's direction in Minute 7,² and addresses how SASMs were identified and specific issues raised in submissions. Ms White has relied on Mr Henry's evidence in preparing her section 42A report. Mr Henry will attend the hearing in person.

(c) **Energy and Infrastructure, Transport and Stormwater Management section 42A report:**

- (i) **Ms Sarah Dudson (engineer) and Mr Joao Machado (planner), WSP** – Ms Dudson and Mr Machado have provided technical advice and recommendations in response to submissions on the Stormwater Management chapter. Mr Willis has relied upon the expert advice of WSP in preparing his section 42A report. Ms Dudson will attend the hearing via video-link.
- (ii) **Mr Kevin Kemp, Stormwater Team Leader, TDC** – Mr Kemp is a council officer and has addressed the recommendation made by WSP in relation to specific thresholds contained in SW-S4. Mr Kemp is unavailable for the hearing, but Mr Andrew Lester, TDC Drainage and Water Manager, will attend the hearing in person to answer any questions the Panel may have. Mr Lester will also provide further background on the stormwater chapter to the Panel.
- (iii) **Mr Mat Collins and Ms Ann-Marie Head, transport engineers, Abley** – Mr Collins and Ms Ann-Marie Head are independent transport engineers with Abley. They have prepared technical advice and recommendations in response to submissions on the Transport chapter. Mr Willis has relied upon the expert advice of Abley in preparing his

² Minute 7, 17 May 2024, at [16].

section 42A report. Mr Collins will attend the hearing via video-link.

- 7 The Council has also filed further evidence from **Mr Aaron Hakkaart, Planning Manager – District Plan Review**, in relation to consultation undertaken with submitters on the SASM chapter. Mr Hakkaart will be in attendance at the hearing.
- 8 **Ms Suzy Ratahi, TDC Land Transport Manager**, will also attend the first morning of hearing in case she is able to assist the Panel.

Key issues to be addressed in Hearing E

- 9 The key issues to be addressed in Hearing E relate to the following chapters of the PDP:
 - (a) Energy, Infrastructure and Transport:
 - (i) EI - Energy and Infrastructure;
 - (ii) SW - Stormwater Management;
 - (iii) TRAN - Transport;
 - (b) Historical and Cultural Values:
 - (i) HH - Historic Heritage;
 - (ii) TREES - Notable Trees;
 - (iii) SASM - Sites of Significance to Māori;
 - (c) Subdivision:
 - (i) SUB – Subdivision;
 - (d) Zones:
 - (i) MPZ - Māori Purpose Zone; and
 - (e) Development Areas.
- 10 The section 42A summaries will contain a full list of issues raised in evidence pre-circulated to the Panel, and will identify matters that have been resolved and those which remain outstanding based on the evidence received. Further issues that have not been addressed in expert evidence may nevertheless be raised by submitters attending the hearing.

- 11 The specific issues addressed in these legal submissions are:
- (a) sites of significance to Māori, including the appropriate approach to identifying and mapping SASMs, the extent of mapping, and matters relating to private property and existing use rights; and
 - (b) provisions relating to the management of stormwater, including potential duplication with the Timaru District Council Consolidated Bylaw.

Sites of significance to Māori

- 12 A number of submissions raised matters relating to both the mapping of SASMs and the policy and regulatory framework that applies to land within SASMs. These are fully traversed in Ms White's section 42A report. The Panel has already heard from some submitters on this topic in the context of hearings on other chapters of the plan.
- 13 Concerns raised by submitters in Hearing A in relation to consultation with landowners prompted the Panel to seek evidence from the Council and Kāti Huirapa as to the methodology for identifying SASMs, the cultural values being protected, and engagement with landowners prior to notification.³ The Panel also sought advice on whether any information relating to SASMs should be received by the Panel with the public excluded.⁴ The Council has provided further evidence which updates the Panel on engagement with submitters for the purposes of informing the section 42A report, and further engagement opportunities provided following the release of that report.⁵
- 14 For completeness, the following table records the evidence and other information the Council has filed in relation to SASMs.

Document	Matters addressed
Memorandum of counsel (14 June 2024)	<ul style="list-style-type: none">• Advising of publicly available background information on development of SASM chapter and mapping• Proposed approach toward identifying any information requiring public excluded hearing
Statement of evidence Mr Aaron Hakkaart (20 June 2024) (Hakkaart June evidence)	<ul style="list-style-type: none">• Process followed by Council in preparing the SASM chapter and planning maps• Landowner engagement on SASMs during the draft PDP phase

³ Minute 7, 17 May 2024 at [16].

⁴ Minute 7, 17 May 2024 at [16].

⁵ Evidence of Aaron Hakkaart (23 January 2025).

	<ul style="list-style-type: none"> • Opportunities for engagement post notification of the PDP
Statement of evidence Mr Aaron Hakkaart (23 January 2025) (Hakkaart January evidence)	<ul style="list-style-type: none"> • Council approach to responding to submissions on SASMs • Further engagement with submitters on SASMs
Statement of evidence Mr John Henry (9 December 2024) See Appendix 3 of section 42A report	<ul style="list-style-type: none"> • Methodology adopted to identify SASMs and cultural values • Response to specific submissions

- 15 Ms White has worked closely with Aoraki Environmental Consultants Ltd (AEC) to consider the appropriateness of the PDP provisions in light of the matters raised in submissions, and whether amendments can be made to address those matters while fulfilling the Council's obligations under the Resource Management Act 1991 (**RMA**) to:
- (a) recognise and provide for the relationship of Māori and their culture and traditions with ancestral lands, water, sites, wāhi tapu and other taonga as a matter of national importance (section 6(e));
 - (b) protect historic heritage from inappropriate subdivision, use and development as a matter of national importance (section 6(f));
 - (c) have particular regard to kaitiakitanga (section 7(a)); and
 - (d) take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) (section 8).
- 16 As a result, Ms White recommends substantial amendments to the provisions of the chapter. These have been developed in collaboration with, and are supported by AEC's planners. Submitters on the SASM chapter that have filed evidence also generally support the recommended amendments notwithstanding that some seek additional changes. It is also notable that only a small proportion of submitters on the SASM chapter are now seeking to be heard.
- 17 In light of that, these legal submissions need only address the following narrow set of issues:
- (a) the development of the SASMs chapter, including consultation requirements;

- (b) matters relevant to the Panel's consideration of the proposed SASM mapping;
- (c) private property rights and existing use rights;
- (d) the appropriate response to resource management reform.

Identification and mapping of SASMs

- 18 The SASM chapter responds to the directions under section 6(a) (to recognise and provide for the relationship of mana whenua with ancestral land and other taonga), section 6(f) (to protect historic heritage from inappropriate use and development), section 7(a) (to have particular regard to kaitiakitanga) and section 8 (to take into account the principles of te Tiriti o Waitangi / the Treaty of Waitangi). The Privy Council⁶ asserted that these provisions "are strong directions, to be borne in mind at every stage of the planning process", and the High Court⁷ subsequently said that decision-makers must meaningfully respond to a claim by iwi that a particular resource management outcome is required to meet those statutory directions.
- 19 Recognising and providing for the relationship of Māori with their land and other taonga is, like outstanding natural landscapes or significant natural areas, a two-step process involving:⁸
 - (a) the identification of ancestral lands and other taonga that are significant to mana whenua and with which they have a relationship – this is a matter of fact to be determined on the evidence; and
 - (b) determining how those sites and that relationship should be managed – ie., the policy framework.
- 20 Both steps require the involvement of mana whenua. Judge Thompson, in *Maungaharuru-Tangitū Trust v Hastings District Council*⁹ observed that what mana whenua regard as wāhi tapu and other taonga is for them to identify, because the law requires recognition and provision for their relationship with their taonga. Whata J in *Ngāti Maru* said that the obligation to recognise and provide for the relationship of Māori and

⁶ *McGuire v Hastings District Council* [2002] 2 NZLR 577 (PC), at [21].

⁷ *Ngāti Maru Trust v Ngāti Whātua Ōrākei Whāia Maia Ltd* [2020] NZHC 2768, at [102].

⁸ *Man O' War Station Ltd v Auckland Council* [2015] ELRNZ 591, at [58] – [61] which was upheld by the Court of Appeal in *Man O' War Station Ltd v Auckland Council* (2017) 10 ELRNZ 662, at [61] – [62].

⁹ *Maungaharuru-Tangitū Trust v Hastings District Council* [2021] NZEnvC 98, at [76].

their culture and traditions with their whenua and other taonga "must necessarily involve seeking input from affected iwi about how their relationship, as defined by them in tikanga Māori, is affected by a resource management decision".¹⁰ In addition, Schedule 1 requires the Council to consult with tangata whenua who may be affected by the PDP during its development.¹¹

- 21 This is the approach that the Council has taken toward developing the SASM chapter – which is set out in Mr Hakkaart's June evidence. That included establishing the Takaka Whenua Steering Group, the identification of sites of significance and a preferred management approach by AEC, the development of plan provisions and GIS mapping layer by an independent policy planner, and the release of a draft PDP for public feedback.¹²
- 22 As a result of that process, the Council, in consultation with mana whenua, has elected to fulfill (at least in part) its obligations under sections 6 and 7 of the RMA by mapping SASMs and including provisions for their management in the PDP. The process adopted reflects a partnership approach, enabling protection of Kāti Huirapa values and the participation of Kāti Huirapa in the management of SASMs (in terms of section 8), and reflects the role of Kāti Huirapa as kaitiakitanga (in terms of section 7(a)). In other words, the Council has borne the strong directions of sections 6(e), 7(a) and 8 in mind throughout the planning process.
- 23 Some submitters are concerned that the SASM mapping has not been undertaken in collaboration or consultation with landowners and that the SASMs have not been "ground-truthed". The Council acknowledges that this process has had an impact on landowners – particularly given that some landowners are of the view that they contribute significantly to the protection of some taonga, such as rock art. Mr Hakkaart has indicated that the Council has learned from this process, and intends to work with landowners and mana whenua to build relationships in the community that foster collaboration.¹³
- 24 Having said that, the Council does not accept the assertions that landowners were shut out of the process, or were precluded from seeing the SASM overlay until the PDP was notified. Once draft maps and

¹⁰ *Ngāti Maru Trust v Ngāti Whātua Orākei Whaia Maia Ltd* [2020] NZHC 2768, at [73].

¹¹ RMA, clause 3, Schedule 1.

¹² Evidence of Aaron Hakkaart (20 June 2024), at [7] – [17].

¹³ Evidence of Aaron Hakkaart (23 January 2025), at [23] – [25].

provisions were developed in consultation with mana whenua (in accordance with the Council's legal obligations), a draft PDP was released to the public for feedback. Meetings were held with parties who took up the opportunity to provide feedback on the draft SASM chapter (including Federated Farmers).¹⁴

- 25 The Council, mana whenua and submitters have each signalled a desire to work together to protect sites that are significant to mana whenua, including rock art. While the identification and management of SASMs through the district plan is a regulatory process, it does provide the opportunity for a more collaborative approach to the management of SASMs. It will allow mana whenua to develop their relationship with their taonga and exercise kaitiakitanga, which private property rights (including lack of access) can impede. While landowners are clearly aggrieved about the process to date, with the exception of some relatively minor amendments, most of the provisions now being recommended by Ms White are broadly accepted.
- 26 In light of the above, it is respectfully submitted that it would be both counter-productive and inefficient to commence the process of mapping SASMs again. Any amendments to mapping that the Panel consider necessary or desirable following the hearing of evidence can be made as a result of the Schedule 1 process.

Consideration of proposed mapping

- 27 While it is for mana whenua to identify the sites that are significant to them, and to articulate their relationship with those sites, the Panel is still required to assess the credibility and reliability of the evidence before it.
- 28 In terms of the assessment of cultural evidence, the accepted approach (referred to as "the rule of reason") was developed by the Environment Court in *Ngāti Hokopu Ki Hokowitu v Whakatane District Council*.¹⁵ While this approach was developed in the context of conflicting cultural evidence, it has been applied by the High Court in relation to assessing cultural evidence relating to the identification of sites of significance to Māori.¹⁶ The "rule of reason" approach recognises the unique nature of cultural evidence and enables a decision-maker to assess values and traditions by:

¹⁴ Evidence of Aaron Hakkaart (20 June 2024), at [19] – [23].

¹⁵ *Ngāti Hokopu Ki Hokowitu v Whakatane District Council* (2002) 9 ELRNZ 111.

¹⁶ *Raikes v Hastings District Council* [2022] NZHC 3075, at [105] and [120].

...listening to, reading and examining (among other things):

- whether the values correlate with physical features of the world (places, people);
- people's explanations of their values and traditions;
- whether there is external evidence (e.g. Maori Land Court Minutes) or corroborating information (e.g. waiata, or whakatauki) about the values. By 'external' we mean before they become important for a particular issue and (potentially) changed by the value-holders;
- the internal consistency of people's explanations (whether there are contradictions);
- the coherence of those values with others;
- how widely the beliefs are expressed and held.¹⁷

29 The Court in *Raikes v Hastings District Council*¹⁸ also referred to the High Court's comments in *Takamore Trustees v Kapiti Coast District Council*¹⁹, which held the evidence of iwi entrusted with the oral history of the area was acceptable, saying:²⁰

Unless they were exposed as incredible or unreliable witnesses, or there was other credible or reliable evidence which contradicted what they had to say, accepted by the Court, how could the Court reject their evidence?

30 The High Court in *Raikes* traversed a range of cases relating to the need to assess claims of wahi tapu and other taonga, concluding that:²¹

The Court must assess the credibility and reliability of mana whenua evidence, but the evidence of mana whenua if consistent and

¹⁷ *Raikes v Hastings District Council* [2022] NZHC 3075, at [105] citing *Ngati Hokopu Ki Hokowitu v Whakatana District Council* (2002) 9 ELRNZ 111, at [53].

¹⁸ *Raikes v Hastings District Council* [2022] NZHC 3075.

¹⁹ *Takamore Trustees v Kapiti Coast District Council* [2003] 3 NZLR 496 (HC).

²⁰ *Raikes v Hastings District Council* [2022] NZHC 3075, at [110] citing *Takamore Trustees v Kapiti Coast District Council* [2003] 3 NZLR 496 (HC), at [68].

²¹ *Raikes v Hastings District Council* [2022] NZHC 3075, at [105] and [120].

credible, using the approaches set out in *Takamore Trustees v Kapiti Coast District Council* and *Ngati Hokopu Ki Hokowhitu v Whakatane District Council*, will be strong evidence.

- 31 In other words, the Panel should satisfy itself that the evidence before it on SASMs is credible, following the "rule of reason" approach. It may wish to ask questions of Mr Henry in relation to specific sites in order to do so. As previously raised by the Panel, that evidence may be more appropriately be given in a public excluded context as provided for by section 42 of the Resource Management Act 1991 (**RMA**). Mr Henry will advise the Panel if he considers that necessary.
- 32 A key issue for the Panel to determine is the appropriate extent of individual SASMs. In particular, Ms White recommends that the overlay cover an area of approximately 250m around rock art sites, whereas the Limestone Group consider that a setback of 10m from the rock art site itself is sufficient. The Panel may wish to further explore the reasons for the identified areas with Ms White and Mr Henry at the hearing.

Private property rights and existing use rights

- 33 Submissions and evidence raise concerns about the effect of SASMs on private property rights, including access to private property, and the need to ensure that existing use rights are protected.
- 34 In terms of general submissions about the effect of SASMs on private property rights, fulfilling the Councils obligations under the RMA may involve some restriction on the use of private property – it is well accepted that the resource management regime regulates and control of the use of land and common law property rights relating to the use of land are subject to it.²² The issue for the Panel to determine is whether the level of restriction on private property is appropriate in light of all of the matters it is required to consider, including the requirements of sections 6(e), 7(a) and 8, and the costs and benefits of the proposed approach.²³
- 35 In terms of access to private property, the PDP cannot create access for mana whenua to private land without landowner agreement. Amendments to clarify this are unnecessary, although there is nothing

²² *Falkner v Gisborne District Council* [1995] 3 NZLR 622 (HC).

²³ The matters relevant to the Panel's assessment are set out in full in the [Legal submissions of Counsel on behalf of Timaru District Council \(30 April 2024\)](#), presented at Hearing A.

to preclude the Panel from including an advice note or similar if the Panel considers it desirable to do so.

- 36 Similarly, the PDP cannot, as a matter of law, override existing use rights that are preserved by section 10. Legal submissions for Fenlea Farms and A Rooney suggest that Ms White inappropriately relies upon existing use rights in recommending that rules replicating existing rights are not included, and that that recommendation is inconsistent with case law, namely *Advance Properties Group Ltd v Taupo District Council*.²⁴
- 37 The original submissions by Fenlea Farms and A Rooney sought amendments to SASM-P8 on the basis that the policy doesn't recognise existing uses of land. Ms White recommended that the change be rejected on the basis that the policy would not apply to existing uses (because they would not require a resource consent).
- 38 The Court in *Advance* did consider it preferable to include a schedule of existing non-residential activities in the plan, where the area was being re-zoned to high density residential, rather than requiring each existing use to be proved at a later date. However, it is a stretch to suggest that relying on existing use rights is inconsistent with case law as a general proposition. If that argument is taken to its logical extent, all plans would need to make specific provision for existing use rights despite the existence (and continued application) of section 10. A more sensible application of that case law would be that there might be circumstances in which identifying existing uses in a place is desirable, depending on the case.
- 39 While unnecessary, the Panel could include an advice note or similar to reflect that nothing in the plan affects section 10 of the RMA if it considered that to be desirable. However, since that general proposition applies to the whole plan, it would be better included in a general introductory section rather than only in the SASM chapter.
- 40 Federated Farmers' submits that the presence of SASMs has created some anxiety amongst landowners – particularly in terms of perceptions about public access to private property, and potential impacts on existing use rights and property values. While that is acknowledged by the Council, some of those concerns appear to be founded on the mere presence of the SASM overlay, rather than its impact on activities that can be undertaken a property. Mr Hakkaart has signalled that the Council intends to seek opportunities to work with the community to

²⁴ *Advance Properties Group Ltd v Taupo District Council* [2014] NZEnvC 126.

understand the rationale for the district plan, including SASMs.²⁵ There is therefore an opportunity for Federated Farmers to address the anxiety-related issues for its members by working with the Council on education, awareness and relationship-building.

Impact of resource management reform

- 41 Federated Farmers suggests that it would be irresponsible of the Council to pursue SASMs when there is uncertainty in relation to the reform of the RMA, particularly in light of the signal from the Coalition Government it intends to replace the RMA with legislation based on the enjoyment of private property rights.²⁶
- 42 As noted in legal submissions for Hearing A, while the resource management system is consistently changing, the Panel needs to make decisions within the legislative and policy framework that currently exists.
- 43 While the Government has signalled that it intends to replace the RMA with new legislation based on private property rights, the only official information available is that the Government currently intends to develop that legislation based on 10 core design features – none of which specifically signal that sections 6(e), 7(a) or 8 will be removed or replaced.
- 44 It would therefore be inappropriate for the Panel to guess as to what new legislation might require (or preclude) in the future, particularly when proposed legislation is still being developed, has not yet been introduced to Parliament in the form of a Bill, and will need to go through a parliamentary process including public submissions, select committee review and parliamentary debate.
- 45 This position is supported by the recent Environment Court in *Zant v Central Hawke's Bay District Council*²⁷ which rejected a submission that an appeal should be delayed because the Government has signalled an intention to repeal that part of the RMA that enables the identification of significant natural areas on private property. The Environment Court said:

We do not find it appropriate to delay the determination of an appeal pending such a

²⁵ Evidence of Aaron Hakkaart (23 January 2025), at [24].

²⁶ Evidence of Rachel Thomas and Greg Anderson (23 January 2025), at [11].

²⁷ *Zant v Central Hawke's Bay District Council* [2024] NZEnvC 267.

process given no legislation has yet been enacted.²⁸

Stormwater management

- 46 Prime Port has filed evidence seeking changes to the Stormwater Management chapter, citing duplication with the Council's bylaw.
- 47 The Council currently manages stormwater through requests to connect to the reticulated stormwater network. The Timaru District Council Consolidated Bylaw 2018 requires any person seeking to connect to the Council's reticulated network to make an application to the Council for its permission.²⁹ The Council may approve or decline an application, and may require pre-treatment works as necessary to regulate the quality, quantity and rate of stormwater discharge prior to the point of discharge.³⁰ To be eligible for connection, the Council requires some activities to attenuate stormwater prior to being discharged to the network, and has published guidance on those requirements.
- 48 The section 32 report identified that stormwater runoff is a significant issue in the District and the capacity of the reticulated stormwater network may not provide sufficient protection to properties in high rainfall events.³¹
- 49 Via the PDP, the Council proposed to set standards for managing the quality and quantity of stormwater being discharged into the Council's network via rules and standards in the district plan. It is anticipated that this approach will ensure that those wishing to connect to the reticulated network are aware of those requirements at the design and planning stage of development, rather than only becoming aware of them once seeking a network connection.
- 50 The approach taken in the PDP is to establish the requirements set out in the bylaw guidance as permitted activity standards,³² and signal that permission to connect to the network will be granted if the standards are met.
- 51 Since receiving Prime Port's evidence, the Council has been considering the appropriateness of the PDP provisions and whether

²⁸ *Zant v Central Hawke's Bay District Council* [2024] NZEnvC 267, at [65].

²⁹ Timaru District Council Consolidated Bylaw 1502.1 and 1528.1(d).

³⁰ Timaru District Council Consolidated Bylaw 1502.2 and 1528.1(e).

³¹ [section 32 reference]

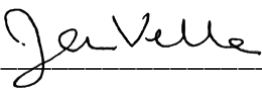
³² SW-S1, SW-S2, SW-S3 and SW-S4.

further changes are required to respond to that evidence. Mr Willis will address this in further detail at the hearing, but it is respectfully suggested that it would be appropriate for further discussions between the Council, Prime Port and other relevant submitters during and following the hearing to ascertain whether an approach can be developed that addresses Council's infrastructure needs as well as the issues raised by Prime Port.

Definitions

- 52 The Council has produced a marked-up version of the Definitions chapter, which contains recommended amendments to the definitions following Hearings A, B, and D, including recommendations from section 42A reports for Hearing E. That is attached at **Appendix A**.
- 53 The Council is grateful to the Panel for the time it has dedicated to this hearing.

Dated this 30th of January 2025



Jen Vella
Counsel for Timaru District Council

Appendix A

Definitions

Definitions	
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 WAY / ACCESSWAY	Means that area of land over which vehicular, pedestrian and/or livestock access to a legal road is obtained and extends to include, as the context requires: an access leg; access lot; private way; land shown on a cross lease or company lease definition plan as being available for use for that purpose; and land shown as common land on a unit plan under the Unit Titles Act 1972 2010 which is used for that purpose.
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.
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.
ACTIVE TRANSPORT	Means transport modes that rely predominantly on human power, primarily walking and cycling, and including micro mobility devices.
AFFORESTATION	has the same meaning as in section 3 of the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017: <ol style="list-style-type: none"> a. means planting and growing plantation forestry trees on land where there is no plantation forestry and where plantation forestry harvesting has not occurred within the last 5 years; but b. does not include vegetation clearance from the land before planting
<u>AIRCRAFT</u>	<u>Has the same meaning as in section 2 of the Resource Management Act 1991: means – any machine that can derive support in the atmosphere from the reactions of the air otherwise than by reactions of the air against the surface of the earth.</u>
<u>AIRCRAFT AND HELICOPTER MOVEMENT</u>	<u>Means a single aircraft flight operation (landing or departure). Maintenance procedures are excluded.</u>
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

	<ul style="list-style-type: none"> 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. <p>3. For the purposes of subsection (2), an allotment that is—</p> <ul 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>4. 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>
AMATEUR RADIO CONFIGURATION	means the antennae, aerials (including rods, wires and tubes) and associated supporting structures which are owned and used by licensed amateur radio operators.
AMENITY PLANTING	means any vegetation and/or trees planted in the immediate vicinity of a residential unit, primarily to provide aesthetic appeal, shelter or domestic food supply. Amenity planting includes any woodlot, orchard or vineyard (to a maximum combined area of 1ha) planted within 100m of a residential unit.
AMENITY VALUES	has the same meaning as in section 2 of the RMA (as set out in the box 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.
ANCILLARY RURAL EARTHWORKS	means any earthworks associated with the maintenance and construction of facilities typically associated with farming activities, including, but not limited to, farm tracks/roads (up to 6m wide), landings, stock races, silage pits, farm drains, farm effluent ponds, feeding pads, fencing and erosion and sediment control measures, and burying of material infected by unwanted organisms (as declared by Ministry for Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993).
ANNUAL EXCEEDANCE PROBABILITY	means the probability that a flood event of a certain scale will occur at a specified location in any year. For example: <ul style="list-style-type: none"> a. 5% AEP event has a 5% chance of occurring in any one year (or is a 1 in 20 year flood event); b. 0.5% AEP event has a 0.5% chance of occurring in any one year (or is a 1 in 200 year flood event); and c. 0.2% AEP event has a 0.2% chance of occurring in any one year (or is a 1 in 500 year flood event).
ANTENNA	has the same meaning as in Regulation 4 of the National Environmental Standards for Telecommunications Facilities 2016, which means:

	a device that receives or transmits radiocommunication or telecommunication signals, but not a small cell unit.
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.
ARCHAEOLOGICAL SITE	<p>Has the same meaning as in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014:</p> <p>means—</p> <ol style="list-style-type: none"> a. any place in New Zealand, including any building or structure (or part of a building or structure), that: <ol style="list-style-type: none"> i. was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and ii. provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and b. includes a site for which a declaration is made under section 43(1) of the Heritage New Zealand Pouhere Taonga Act 2014.
ARTIFICIAL CROP PROTECTION STRUCTURE	means structures with material used to protect crops and/or enhance growth (excluding greenhouses).
AVAILABLE RETICULATED STORMWATER NETWORK	<p>means a reticulated stormwater network where:</p> <ol style="list-style-type: none"> a. a conveyance structure that forms part of the reticulated stormwater network passes within 50m of the property boundary; and b. stormwater is able to be conveyed into the reticulated network under gravity; and c. the network operator will accept the stormwater from the property; and d. the distance between the conveyance structure and the source of the stormwater is less than 100m.
AVAILABLE SEWERAGE NETWORK	<p>means a community or territorial authority reticulated sewerage network where:</p> <ol style="list-style-type: none"> 1. a pipeline passes within 50 m of the property boundary; 2. the network operator will accept the wastewater from the property; and 3. the distance from the network to the building from which wastewater is generated is less than 100 m.
BANK [IN RELATION TO ANY RIVER, LAKE AND WATERWAYS]	in relation to any river, lake and waterbody, means the outermost part of the <i>bed</i> of the river that comprises an acclivity or elevation of land above the level of the adjacent land or water and creates a boundary sufficient to prevent the water in the river from flowing into the neighbouring land at its fullest flow.
BED	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p>means—</p> <ol style="list-style-type: none"> a. in relation to any river— <ol 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,— <ol 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:

	<ul style="list-style-type: none"> 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.
BEST PRACTICABLE OPTION	<p>has the same meaning as in section 2 of the RMA (as set out in the box below) 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.
BIODIVERSITY / BIOLOGICAL DIVERSITY	<p>has the same meaning as in section 2 of the RMA (as set out in box below) means the variability of among living organisms and the ecological complexes of which they are a part, including diversity within species, between species and of ecosystems</p>
BIODIVERSITY MANAGEMENT PLAN	<p>means a document prepared to direct development within one or more properties for the purpose of maintenance and protection of indigenous biodiversity</p>
BIRD SCARING DEVICE	<p>Means a device used for the purpose of disturbing or scaring birds including gas guns avian distress alarms when being used specifically for bird scaring.</p>
BLASTING	<p>means the detonation of a single explosive charge within a formed blast-hole or a series of connected explosive charges within an array of blast-holes.</p>
BORE	<p>means any hole drilled or constructed in the ground that is used to—</p> <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; <p>but it excludes test pits, trenches, soak holes and soakage pits.</p>
BOUNDARY ADJUSTMENT	<p>means a subdivision that alters the existing boundaries between adjoining allotments, without altering the number of allotments.</p>
BUILDING	<p>means a temporary or permanent movable or immovable physical construction that is:</p> <ul style="list-style-type: none"> a. partially or fully roofed; and b. is fixed or located on or in land; <p>but excludes any motorised vehicle or other mode of transport that could be moved under its own power.</p>
BUILDING COVERAGE	<p>means the percentage of the net site area covered by the building footprint.</p>
BUILDING FOOTPRINT	<p>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.</p>
CABINET	<p>has the same meaning as in clause 2 of the National Environmental Standards for Telecommunications Facilities 2016, which means:</p>

	a casing around equipment that is necessary to operate a telecommunication network, but not any of the following: <ul style="list-style-type: none"> a. A casing around an antenna, a small cell unit, ancillary equipment, or any part of a telecommunication line. b. A casing that is wholly underground. c. A casing that is inside a building. d. A building.
CAFE	means a small food and beverage outlet that primarily provides breakfast, lunch, light meals, snack foods and drinks for sale.
CAR PARKING FACILITY OR PARKING FACILITY	means land and buildings where the principal activity is the parking of vehicles.
CEMETERY	[has the same meaning as s2 of the Burial and Cremation Act 1964] means any land held, taken, purchased, acquired, set apart, dedicated, or reserved, under the provisions of any Act or before the commencement of this Act, exclusively for the burial of the dead generally, and, where the context so permits, includes a closed cemetery.
CHILD CARE SERVICES	<i>means the care or education of children and includes:</i> <ul style="list-style-type: none"> a. <i>creches;</i> b. <i>early childhood centres;</i> c. <i>day care centres;</i> d. <i>kindergartens;</i> e. <i>Kohanga Reo;</i> f. <i>playgroups;</i> g. <i>day nurseries; and</i> h. <i>home-based childcare and education activities.</i>
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.
CLEARANCE OF INDIGENOUS VEGETATION	means the destruction clearing or removal of ' <i>indigenous vegetation</i> ' by any means, including grazing, cutting, crushing, cultivation, spraying, irrigation, chemical application, artificial drainage, overplanting, over sowing, or burning.
COASTAL WATER	has the same meaning as in section 2 of the RMA (as set out in the box below) means seawater within the outer limits of the territorial sea and includes— <ul style="list-style-type: none"> a. seawater with a substantial fresh water component; and b. 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 RECREATIONAL ACTIVITY	<u>Means the commercial guiding, training, instructing, transportation or provision of recreation facilities to clients for recreational purposes.</u>
COMMUNITY ACTIVITY	means recreational, sporting, cultural, safety, health, welfare, or worship activities undertaken by members of the community.
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 DRINKING WATER SUPPLY	means a drinking water supply that provides no fewer than 25 people with drinking water for not less than 60 days each calendar year and is: <ol style="list-style-type: none"> 1. recorded in the drinking water register maintained by the Chief Executive of the Ministry of Health (the Director-General) under section 69J of the Health Act 1956; or 2. registered under section 23 of the Water Services Act 2021; or 3. is classified as a drinking water supply under the methodology set out in Schedule 1 of the Canterbury Land and Water Regional Plan.
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 GARDEN	means land used as a garden operated by a group or collective for the purpose of growing plants, vegetables or fruit on a not for profit basis and excludes any retail activity.
COMMUNITY WASTEWATER TREATMENT SYSTEM	means a wastewater treatment system owned and operated by a group, institution, territorial authority or company that primarily treats domestic effluent and serves more than one site, but does not include the pipework and sewers running from individual sites to the collection and treatment system.
CONDUCTOR	Has the same meaning as conductor in the National Environmental Standard for Electricity Transmission Activities 2009 (as set out below): <ol style="list-style-type: none"> a. Means a wire or cable used for carrying electric current along a transmission line; and b. Includes any hardware and insulation associated with the wire or cable.
CONTAMINANT	has the same meaning as in section 2 of the RMA (as set out in the box below) 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— <ol style="list-style-type: none"> a. when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or b. 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	has the same meaning as in section 2 of the RMA (as set out in the box below) means land that has a hazardous substance in or on it that— <ol style="list-style-type: none"> a. has significant adverse effects on the environment; or b. is reasonably likely to have significant adverse effects on the environment.

CONVENIENCE ACTIVITY	means the use of land and/or buildings to provide retail activities and commercial services required on a day to day basis.
CONVENIENCE STORE	Means a dairy/superette, newsagent/stationer, post office, hairdresser, drycleaner or pharmacy, or a store engaged in specialised foot retailing, liquor retailing, takeaway food retailing, video hire, shoe repair or key cutting.
CORRELATED COLOUR TEMPERATURE	Correlated colour temperature (CCT) defines the colour appearance of a light source in degrees Kelvin; a warm white light is around 2700K-3000K, moving to neutral white at around 4000K, and to cool white, at 5000K or more.
CROP SUPPORT STRUCTURE	means an open structure on which plants are grown.
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.
CULTURAL ACTIVITY	means the use of land and/or existing buildings for public performances, demonstrations or displays/exhibitions of cultural, historic, scientific or artistic significance, whether a charge is made for admission or not, but does not include the construction of any new buildings or structures.”
CUSTOMER CONNECTION	means part or all of any structure, pipe, equipment or cable that relates to <ul style="list-style-type: none"> • radio communication or telecommunication lines; • wastewater or stormwater treatment or disposal; • or water, • gas or electricity; that connects a network utility to a premises for the purpose to provide services to a customer(s).
DEMOLITION [IN RELATION TO A HERITAGE ITEM]	in relation to a heritage item, means permanent destruction ,in whole or a substantial part, which results in complete or significant loss of the heritage fabric and/or form of the item.
DEPARTMENT STORE	<u>means a business primarily engaged in selling a wide range of nongrocery and non-food merchandise including worn and carried apparel, household appliances, furnishings and equipment, personal goods and giftware as otherwise described and classified as ANZSIC category 5210, in individual retail premises of no less than 2,000 sqm of gross floor area.</u>
DEPARTMENT OF CONSERVATION ACTIVITY	means an activity listed in APP1 – Work or activities of the Department of Conservation. The list includes activities specifically provided for in the Canterbury (Waitaha) Conservation Management Strategy 2016 which it considers meets the requirements of Section 4(3) of the Resource Management Act 1991 for exemptions from land use consents.
DEVELOPMENT CAPACITY	has the same meaning as in clause 1.4 of the National Policy Statement on Urban Development 2020: development capacity means the capacity of land to be developed for housing or for business use, based on: <ol style="list-style-type: none"> a. the zoning, objectives, policies, rules, and overlays that apply in the relevant proposed and operative RMA planning documents; and b. the provision of adequate development infrastructure to support the development of land for housing or business use.

DISCHARGE	has the same meaning as in section 2 of the RMA (as set out in the box below) includes emit, deposit, and allow to escape.
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.
DRINKING WATER PROTECTION AREA	means identified protection areas around community drinking water supplies and private drinking water supplies, as shown on the Drinking Water Protection Area overlay of the Planning Maps.
DRY ABRASIVE BLASTING	means abrasive blasting using materials to which no water has been added.
DTR,2M,NT,W + CTR	means the Weighted Standard Level Difference of the external building envelope (including windows, walls, roof / ceilings and floors where appropriate) and is a measure of the reduction in sound level from outside to inside a building, assessed in accordance with ISO 140-5: 1998 Acoustics - Measurement of sound insulation in buildings, and of building elements - Part 5 and ISO 717-1: 2013 Acoustics - Rating of sound insulation in buildings and building elements - Part 1. $D_{tr,2m,nT,w} + C_{tr}$ is also known as the external sound insulation level.
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.
EARTHQUAKE FAULT AWARENESS AREA	means land located on either side of an identified active fault line that is mapped to ensure that land owners and service providers are aware of the presence of a fault line before they decide to build.
EARTHWORKS	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.
EDUCATIONAL FACILITY	means land or buildings used for teaching or training by child care services, schools, or tertiary education services, including any ancillary activities.
EFFECT	has the same meaning as in section 3 of the RMA (as set out in the box below) includes— <ul style="list-style-type: none"> 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— <ul style="list-style-type: none"> 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.
EMERGENCY SERVICES FACILITY	means fire stations, ambulance stations, police stations and associated ancillary facilities.

	Note: this definition is an subset of 'Community Facility'.
ENVIRONMENT	has the same meaning as in section 2 of the RMA (as set out in the box below) includes— <ul style="list-style-type: none"> 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 in the box below) means a reserve within the meaning of the Reserves Act 1977— <ul style="list-style-type: none"> a. which is either— <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 b. which is vested in the territorial authority, regional council, or the Crown for a purpose or purposes set out in section 229.
ESPLANADE STRIP	has the same meaning as in section 2 of the RMA (as set out in the box below) 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.
EXTENSIVE PIG FARMING	means the keeping of pigs outdoors on land at a stock density which ensures permanent vegetation cover is maintained and in accordance with any relevant industry codes of practice, and where no fixed buildings are used for the continuous housing of animals.
FARM EFFLUENT DISPOSAL AREA	means an area used for the collection, storage, treatment and the permanent application of liquid and slurry animal effluent or solid effluent onto production land.
FARM QUARRY	Means the extraction of aggregates which are: <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 and b. only used within the property of extraction, and c. not sold, exported or removed from the property of origin. Note: This definition is a subset of quarrying activities.
FENCE	Means a largely free standing structure, including walls, intended to prevent escape or intrusion, mark a boundary or provide shelter or privacy.
FERTILISER	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: <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.

	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.
FLOOD ASSESSMENT AREA	means areas that are highly likely to be subject to flooding and inundation but which require site specific assessment to determine the level of risk to people and property.
FLOOD PROTECTION WORKS	means works, structures and plantings for the protection of property and people from floods and includes: <ul style="list-style-type: none"> a. areas of vegetation maintained or planted in beds and margins of rivers, b. the clearance of vegetation and debris from river fairways, c. works to prevent or minimise river bed or bank erosion, d. the construction, use, maintenance and removal of defences against water, and e. any access tracks required to undertake these works and activities.
FLOOD RISK CERTIFICATE	means a certificate issued by Timaru District Council which specifies: <ul style="list-style-type: none"> a. the flood event risk level for specific land (being either land not subject to flooding in a 0.5% AEP flood event, or land subject to flooding in a 0.5% AEP flood event, or land within a High Hazard area); and b. where a. above identifies that the specific land is subject to flooding in a 0.5% AEP flood event, the minimum finished floor level for any new building or structure (or part thereof) on the specific land to provide at least 300mm freeboard above the flood level in a 0.5% AEP flood event; and c. if the specific land is within 150m of a stopbank, the minimum finished floor level for any new building or structure (or part thereof) on the specific land to avoid risk from a stopbank failure; and d. whether the specific land is located within an overland flow path.
FOOD AND BEVERAGE	means a commercial activity involving the sale of food and, or beverages prepared for immediate consumption on or off the premises including restaurants, taverns, cafes and takeaway bars but does not include supermarkets, dairies or bottle stores.
FREE RANGE POULTRY FARMING	means the primary production of poultry for commercial purposes, where: <ul style="list-style-type: none"> a. all of the birds farmed have access to open air runs; and b. permanent vegetation ground cover exists on the land where birds are permitted to range; and c. the stocking rate of the runs and weatherproof shelter to which the birds have access does not exceed the industry standard for the relevant bird type.
FRESHWATER	has the same meaning as fresh water in section 2 of the RMA (as set out in the box below) means all water except coastal water and geothermal water.
FULLY SHIELDED [IN RELATION TO A LIGHT SOURCE]	in relation to a light source, means fully shielded means the light source is screened and its light directed in such a way that no light is emitted above the horizontal plane passing through the lowest light-emitting portion of a fixture.
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.

GENERAL RETAIL	means the use of land and/or buildings for displaying or offering goods for sale or hire to the public. It excludes individual tenancies with a GFA over 450m ² (see large format retail), trade suppliers and service stations. Note: This definition is a subset of retail activity.
GLARE	Condition of vision in which there is discomfort or a reduction in ability to see, or both, caused by an unsuitable distribution of luminance, or to extreme contrasts in the field of vision.
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.
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 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 b. where there are walls separating two buildings, from the centre lines of the walls separating the two buildings 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	means: <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.
GYMNASIUMS	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.
HARD ENGINEERING [IN RELATION TO NATURAL HAZARD MITIGATION WORKS]	in relation to natural hazard mitigation works, means the construction of, usually artificial, physical structures or resistant barriers, to avoid flood damage or slow down or prevent erosion or inundation of the coastline. Such structures include stopbanks, seawalls, gabions, breakwaters and groynes
HAZARD OVERLAY	means an area subject to a natural hazard related overlay including:

	<ul style="list-style-type: none"> a. Earthquake Fault (Infrastructure or Facilities) Awareness Areas b. Earthquake Fault (Subdivision) Awareness Areas c. Flood Assessment Area d. High Hazard Area e. Liquefaction Awareness Area; and
HAZARDOUS FACILITY	<p>means a facility or activity that involves the use, storage or disposal of any hazardous substance, but excludes:</p> <ul style="list-style-type: none"> 1. the incidental use and storage of hazardous substances in minimal domestic scale quantities; 2. retail outlets for hazardous substances intended for domestic usage (e.g. supermarkets, hardware stores and pharmacies); 3. the incidental storage and use of agrichemicals, fertilisers and fuel for land based primary production activities and the incidental storage of agrichemicals, fertilisers and fuel for land based primary production activities which are not located in a drinking water <u>Drinking Water Protection</u>; 4. pipelines used for the transfer of hazardous substances such gas, oil, trade waste and sewage; 5. fuel in motor vehicles, boats, airplanes and small engines; 6. the use, transportation, or storage of any hazardous substance for any temporary military training activity; 7. the transportation of hazardous substances (e.g. in trucks or trains); or 8. mixing and application of hazardous substances solely for the purpose of controlling plant and animal pests on site. 9. <u>emergency services facilities and emergency management activities.</u> 10. <u>existing municipal waste transfer stations and Redruth landfill.</u>
HAZARDOUS SUBSTANCE	<p>has the same meaning as in section 2 of the RMA (as set out in the box below) 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); 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).
HEALTH CARE FACILITY	<p>means land and/or buildings used for the provision of physical and mental health services, or health-related welfare services, for people by registered health practitioners (approved under the Health Practitioners Competence Assurance Act 2003) or its successors. These include:</p> <ul style="list-style-type: none"> a. medical practitioners; b. dentists and dental services; c. opticians; d. physiotherapists;

	<ul style="list-style-type: none"> e. medical social workers and counsellors; f. midwives; g. paramedical practitioners h. pharmacists; and <p>include the following facilities:</p> <ul style="list-style-type: none"> i. diagnostic laboratories; ii. day care facilities for the elderly and disabled; iii. accessory offices and retail activity to the above; but <p>exclude facilities used for:</p> <ul style="list-style-type: none"> i. the promotion of physical fitness, such as gymnasiums and/or pools (except where ancillary to a hospital service or treatment programme); ii. beauty clinics; and iii. health care within retirement villages.
HEIGHT	means the vertical distance between a specified reference point and the highest part of any feature, structure or building above that point.
HEIGHT FOR NETWORK UTILITY STRUCTURE	Means, the height of the structure (to the highest point, including conductors, but excluding ancillary utility equipment, omni directional 'whip' antennas, GPS antennas, earth peaks and lightning rods) when measured from ground level or the top of a plinth or foundation, if there is one.
HEIGHT IN RELATION TO BOUNDARY	means the height of a structure, building or feature, relative to its distance from either the boundary of: <ul style="list-style-type: none"> a. a site; or b. another specified reference point.
HERITAGE FABRIC	means any physical aspect of a heritage item or heritage setting which contributes to its heritage values. Heritage fabric includes: <ul style="list-style-type: none"> a. material and detailing that forms part of, or is attached to, the interior or exterior of a building, structure or feature; b. the patina of age resulting from the weathering and wear of construction material over time; c. fixtures and fittings that form part of the design or significance of a heritage item, but excludes inbuilt museum and artwork exhibitions and displays; and d. for open space heritage items, built or non-built elements independent of buildings, structures or features, such as historic paths, paving and garden layout.
HERITAGE SETTING	<u>Heritage setting</u> means: an area of land around and adjacent to a heritage item <u>that</u> <u>that</u> is identified spatially <u>as the Heritage Item Extent</u> in the District Plan <u>maps</u> .
HIGH HAZARD AREA	means flood hazard areas subject to inundation events where the water depth (metres) x velocity (metres per second) is greater than or equal to 1 or where depths are greater than 1 metre, in a 0.2% annual exceedance probability flood event.
HIGH NATURALNESS WATER BODIES (HNWB)	<p>means the surface water bodies which are identified:</p> <ol style="list-style-type: none"> 1. As a High Naturalness Water Body in the Canterbury Land and Water Regional Plan; and 2. In Schedule 1 and items 1 and 2 in Schedule 2 of the Water Conservation (Rangitata River) Order 2006 as having outstanding characteristics or features including wild, scenic and other natural characteristics and amenity and intrinsic values. <p>being:</p> <ul style="list-style-type: none"> a. Clyde River and all tributaries;

	<ul style="list-style-type: none"> b. Havelock Rivers and all tributaries; c. Ōrāri River and tributaries From the mouth of the gorge (at or about BY19:553-335 5133500N 1455300E) to the headwaters; and d. Milford Lagoon and Ōrakipaoa Creek From the mouth of the lagoon (at or about 5095987N 1468610E) to the confluence of Burkes Creek and Ōrakipaoa Creek (at or about 5097932N 1467093E). e. Rangitata River main stem from confluence with Clyde and Havelock Rivers to the top of the gorge (at or about J36:636174) “upper Rangitata”; f. Rangitata River main stem from the top of the gorge (at or about J36:636174) to the water level recorder at Klondyke (at or about J36:666149) “the gorge”.
HISTORIC HERITAGE	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> i. archaeological: ii. architectural: iii. cultural: iv. historic: v. scientific: vi. technological; and b. includes— <ul 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.
HISTORIC HERITAGE AREA	means an area of land that is identified in SCHED4 – Schedule of Historic Heritage Areas and which comprises an inter-related group of historic places, buildings, structures and/or sites that make a significant contribution to an understanding and appreciation of Timaru District’s history, identity and cultures.
HISTORIC HERITAGE ITEM	<p>means an entry in SCHED3 – Schedule of Historic Heritage Items which has met the assessment criteria and significance threshold for scheduling in the District Plan. Historic heritage items can be:</p> <ul style="list-style-type: none"> a. a building, buildings or group of interrelated buildings; b. a structure or feature, such as a bridge, monument, gun emplacement, whale pot or lamp stand; and c. an open space, such as a square, park, garden or cemetery. <p>Historic heritage items only include scheduled interior elements where these elements are specifically listed in an addendum to the assessment report for that heritage item.</p>
HOLIDAY HUT	Means a building within the holiday hut precinct that has habitable rooms including kitchens and bathrooms that is used as living accommodation on a temporary basis. Note: This definition is a subset of ‘residential unit’
HOME BUSINESS	<p>means a commercial activity that is:</p> <ul 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.

HOUSING RECOVERY TEMPORARY ACCOMMODATION	Means buildings and facilities that provide temporary accommodation for displaced residents following a emergency event that either: <ol style="list-style-type: none"> 1. been declared as a state of emergency; or 2. has entered into the transitional period in accordance with the Civil Defence Emergency Act 2002.
IMPERVIOUS SURFACE	means an area with a surface which prevents or significantly reduces the soakage or filtration of water into the ground. It includes: <ul style="list-style-type: none"> • Roofs; • Paved areas including driveways and sealed or compacted metal parking areas and patios; • sealed outdoor sports surfaces • Sealed and compacted-metal roads; • Engineered layers such as compacted clay. It excludes: <ul style="list-style-type: none"> • Grass or bush areas; • Gardens and other landscaped areas; • Permeable paving and green roofs; • Permeable artificial surfaces, fields or lawns, including permeable crop protection cloth; • Slatted decks; • Swimming pools, ponds and dammed water; and • Rain tanks.
IMPROVED PASTURE	means an area of land where exotic pasture species have been deliberately sown or maintained for the purpose of pasture production, and species composition and growth has been modified and is being managed, for livestock grazing.
INDIGENOUS VEGETATION	means vascular and non-vascular plants that, in relation to a particular area, are native to the ecological district in which that area is located.
INDUSTRIAL ACTIVITY	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.
INDUSTRIAL AND TRADE WASTE	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.
<u>INFRASTRUCTURE</u>	<u>has the same meaning as in section 2 of the RMA:</u> <u>means—</u> <ol style="list-style-type: none"> <u>pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy;</u> <u>a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001;</u> <u>a network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989;</u> <u>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—</u>

	<ol style="list-style-type: none"> 1. <u>uses them in connection with the generation of electricity for the person's use; and</u> 2. <u>does not use them to generate any electricity for supply to any other person:</u> <ol style="list-style-type: none"> e. <u>a water supply distribution system, including a system for irrigation:</u> f. <u>a drainage or sewerage system:</u> g. <u>structures for transport on land by cycleways, rail, roads, walkways, or any other means:</u> h. <u>facilities for the loading or unloading of cargo or passengers transported on land by any means:</u> i. <u>an airport as defined in section 2 of the Airport Authorities Act 1966:</u> j. <u>a navigation installation as defined in section 2 of the Civil Aviation Act 1990:</u> k. <u>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:</u> l. <u>anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166.</u>
INTENSIVE INDOOR PRIMARY PRODUCTION	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.
INTENSIVE OUTDOOR PRIMARY PRODUCTION	means primary production activities involving the keeping or rearing of livestock that principally occurs outdoors, where the regular feed source for the livestock is substantially provided from off-site sources, but excludes: <ol style="list-style-type: none"> a. calf-rearing for three months in any calendar year; b. pig production for domestic self-subsistence home use; c. extensive pig farming; d. free range poultry farming; and e. the feeding of supplementary feed during adverse weather events such as drought or snow.
INTENSIVE PRIMARY PRODUCTION	<p>means <u>primary production activities that:</u></p> <ol style="list-style-type: none"> 1. <u>involve the keeping or rearing of livestock that principally occurs outdoors, where the regular feed source for the livestock is substantially provided from off-site sources, but excludes:</u> <ol style="list-style-type: none"> a. <u>calf-rearing for three months in any activity calendar year;</u> b. <u>pig production for domestic self-subsistence home use;</u> c. <u>extensive pig farming;</u> d. <u>free range poultry farming; and</u> e. <u>the feeding of supplementary feed during adverse weather events such as drought or snow or while stock are temporarily held prior to processing</u> 2. <u>are defined as intensive indoor primary production</u> or intensive outdoor primary production.
INTENSIVELY FARMED STOCK	means: <ol style="list-style-type: none"> a. cattle or deer grazed on irrigated land or contained for break-feeding of winter feed crops; and b. dairy cattle, including cows, whether dry or milking, and whether on irrigated land or not; and c. Pig farming (except pig farming for domestic self-subsistence home use); d. any stock that is associated with an intensive primary production.

INTRINSICALLY DARK LANDSCAPE	Intrinsically dark landscapes are those entirely, or largely, uninterrupted by artificial light.
KEEPING OF ANIMALS	Means the keeping of animals for domestic purposes as part of a residential activity. Note: this definition is a subset of residential activity.
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 in the box 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 in the box 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 TRANSPORT INFRASTRUCTURE	means any infrastructure, land, building, equipment or devices that support the movement of people and goods by land including: <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 <u>vehicle crossings</u>; j. street and railway furniture, artworks, passenger shelters and ticketing and tolling facilities;

	<p>k. ancillary equipment and structures associated with <u>public transport</u> systems including seats, shelters, real time information systems and ticketing facilities, bicycle storage and cabinets;</p> <p>l. noise attenuation walls or fences; and</p> <p>m. stormwater management facilities, ventilation structures, drainage devices and erosion control devices.</p>
LANDFILL	means an area used for, or previously used for, the disposal of solid waste. It excludes cleanfill areas.
LANDSCAPING	means the provision of tree and shrub plantings which may be interspersed with ground cover plants including lawn, arranged to improve the visual amenity of the site, including to partially or wholly screen activities or buildings on the site.
LARGE FORMAT RETAIL	<p>means any individual retail tenancy with a GFA greater than 450 square metres.</p> <p>Note: This definition is a subset of retail activity.</p>
LARGE SCALE RENEWABLE ELECTRICITY GENERATION ACTIVITY	means electricity generation activities utilising renewable energy sources with a capacity of 20kW or greater for the purpose of exporting electricity directly into the distribution network or National Grid. It includes all ancillary components and activities such as substations, climate/environmental monitoring equipment, earthworks, roading, maintenance buildings, temporary concrete batching plants, internal transmission and fibre networks, vegetation clearance, and site rehabilitation works.
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.
LICENSED PREMISES	has the same meaning as section 5 of the Sale and supply of Alcohol Act 2012, which means- any premises for which a licence is held.
LIFELINE UTILITIES	<p>means those entities listed <u>infrastructure that delivers a service operated by a lifeline utility</u> in Part A, or described in Part B, of Schedule 1 to the Civil Defence Emergency Management Act 2002 that are within the Timaru District area. These are as follows:</p> <p>Schedule 1 Lifeline utilities</p> <p>Part A Specific entities</p> <ol style="list-style-type: none"> 1. Radio New Zealand Limited and Television New Zealand Limited. 6. The port company (as defined in section 2(1) of the Port Companies Act 1988) that carries out port-related commercial activities at Auckland, Bluff, Port Chalmers, Gisborne, Lyttelton, Napier, Nelson, Picton, Port Taranaki, Tauranga, Timaru, Wellington, Westport, or Whangarei. <p>Part B</p> <p>Entities carrying on certain businesses</p> <ol style="list-style-type: none"> 1. An entity that produces, supplies, or distributes manufactured gas or natural gas (whether it is supplied or distributed through a network or in bottles of more than 20 kg of gas). 2. An entity that generates electricity for distribution through a network or distributes electricity through a network. 3. An entity that supplies or distributes water to the inhabitants of a city, district, or other place.

	<ol style="list-style-type: none"> 4. An entity that provides a waste water or sewerage network or that disposes of sewage or storm water. 5. An entity that provides a telecommunications network (within the meaning of the Telecommunications Act 2001). 6. An entity that provides a road network (including State highways). 7. An entity that produces, processes, or distributes to retail outlets and bulk customers any petroleum products used as an energy source or an essential lubricant or additive for motors for machinery. 8. An entity that provides a rail network or service.
LIGHT SENSITIVE AREA	Includes land in the following areas outside of the Port Zone: <ol style="list-style-type: none"> a. Wāhi tapu, Wāhi taoka and Wai taoka Overlays b. Significant Natural Areas Overlay c. Outstanding Natural Landscapes Overlay d. Visual Amenity Landscape Overlay e. the Rural Lifestyle Zone; and f. the Natural Open Space Zone.
LIQUEFACTION AWARENESS AREA	means land at risk from where liquefaction and lateral spreading is possible during an earthquake but which requires site specific assessment to determine the level of risk to property.
LOADING SPACE	means that portion of a site clear of any road or service lane upon which a vehicle can stand while being loaded or unloaded, whether covered or not. Such loading space must be provided with vehicular access to a road or service lane by way of a vehicle crossing, driveway and/or right of way. Loading space is also referred to as car bay and heavy vehicle bay. (partly from Christchurch CP)
LPEAK	has the same meaning as 'Peak sound pressure level' in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound.
LUMINANCE	Luminance is the measure of the intensity of light in a given direction per unit area, measured in Candela/m ² (Cd/m ²)
MAINTENANCE	<ol style="list-style-type: none"> 1. In relation to values, means the act of making a state or situation continue; 2. In relation to an object (such as a structure, building or infrastructure) means the work required to keep the object in good condition or operation but it does not include any upgrading or expansion or replacement of the existing object, or replacement where this involves upgrading.
MAJOR HAZARD FACILITY	means a facility or activity that has been designated by Worksafe as a lower tier major hazard facility or an upper tier major hazard facility under the Health and Safety at Work (Major Hazard Facilities) Regulations 2016.
MĀORI LAND	Means land within the Māori Purpose Zone that is: <ol style="list-style-type: none"> 1. owned by the Rūnanga; or 2. Māori communal land gazetted as Māori reservation under s338 Te Ture Whenua Maori Act 1993; or 3. Māori customary land and Māori freehold land as defined in s4 and s129 Te Ture Whenua Maori Act 1993; or 4. Owned by a person or persons with evidence of whakapapa connection to the land (where documentary evidence of whakapapa connection is provided from either the Māori Land Court or the Te Rūnanga o Ngāi Tahu Whakapapa Unit), or

	5. Is vested in a Trust of Māori incorporation under the Te Ture Whenua Maori Act 1993.
MARAE COMPLEX	means land and buildings generally associated with hapū or iwi, which are used for whanau, community, cultural, social and educational gatherings; including marae, wharenuī, wharekai, manuhiri noho (guest accommodation, whether for a tariff or not) and associated facilities.
METEOROLOGICAL ACTIVITIES	means the establishment and operation of facilities and installations or equipment to measure, collect and distribute meteorological information. This includes telecommunications, radio and satellite links.
MINING	means any activity which involves the taking, winning, or extraction by whatever means, of a mineral existing in its natural state in land, or a chemical substance from that mineral, for the purpose of obtaining the mineral or chemical substance, excluding quarrying activities. Mining also includes prospecting and exploration activities.
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.
MOTOR GARAGE	means land and/or buildings used for the servicing, repair (including panel beating and spray painting repair) of motor vehicles, agricultural machinery or boats and ancillary activities (including the sale and/or fitting of accessories).
MOTOR VEHICLE	Has the same meaning as in section 2(1) of the Land Transport Act 1998: <ol style="list-style-type: none"> a. means a vehicle drawn or propelled by mechanical power; and b. includes a trailer; but c. does not include— <ol style="list-style-type: none"> i. a vehicle running on rails; or [Repealed] ii. a trailer (other than a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of the New Zealand Defence Force; or iii. a trailer running on 1 wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres; or iv. a vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles; or v. a pedestrian-controlled machine; or vi. a vehicle that the Agency has declared under section 168A is not a motor vehicle; or vii. a mobility device
MOTORSPORT EVENT	means competitive sporting events which primarily involve the use of motorised vehicles, whether for racing or nonracing competition. It includes any ancillary activities.
MOTORSPORT FACILITY	means a recreation facility used for participating in or viewing land-based motor sports activities. It includes, but is not limited to, car, truck, go-kart and motorbike racing tracks and accessory facilities such as club rooms/clubhouses, spectator stands, lighting and associated support structures, mechanical workshops and fuel storage and pumps.

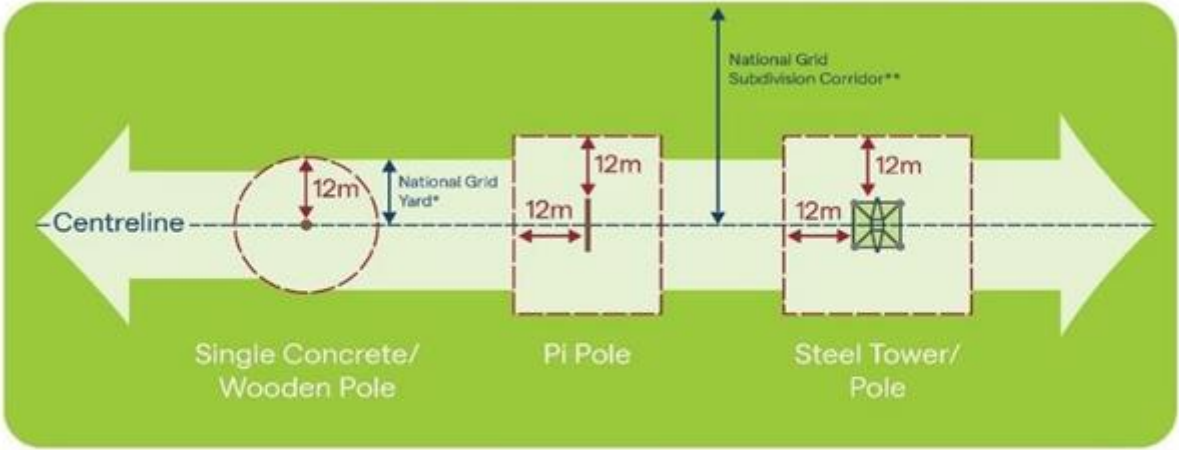
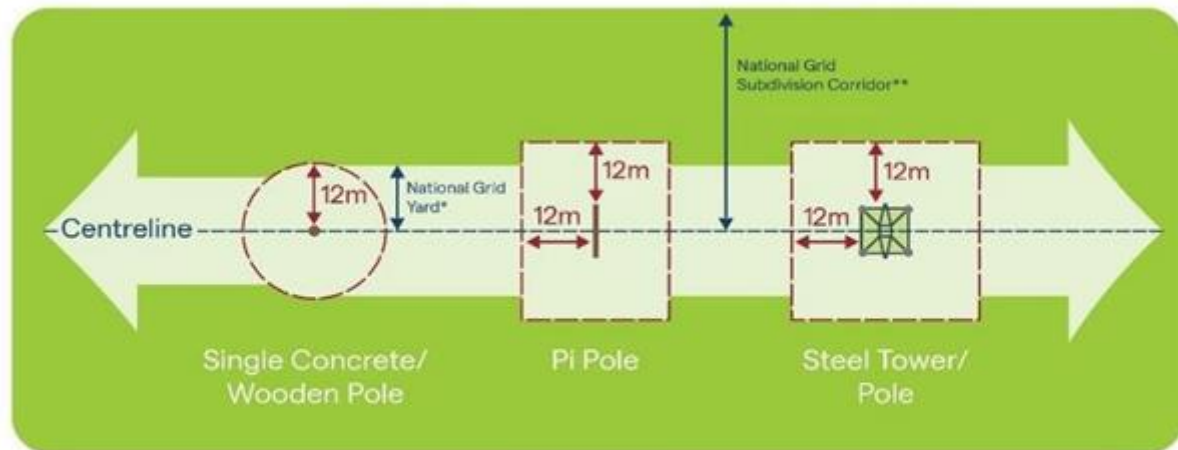
NATIONAL GRID	has the same meaning as given in the National Policy Statement on Electricity Transmission (2008): means the assets used or owned by Transpower NZ Limited.
NATIONAL GRID SUBDIVISION CORRIDOR	<p>means, as depicted in Diagram 1, the area measured either side of the centre line of any above ground electricity transmission line as follows:</p> <ol style="list-style-type: none"> 14m of a 110kV transmission line on single poles; 16m of a 110kV transmission line on pi poles; 32m of a 110kV transmission line on towers (including tubular steel towers where these replace steel lattice towers); 37m of a 220kV transmission line (including tubular steel towers where these replace steel lattice towers); 39 metres of a 350kV transmission line (including tubular steel towers where these replace steel lattice towers). <p>The measurement of setback distances from National Grid transmission lines shall be undertaken from the centre line of the National Grid transmission 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.</p> <p>Note: the National Grid Subdivision Corridor does not apply to underground cables or any transmission lines (or sections of line) that are designated.</p> <p>Diagram 1 – National Grid Yard and National Grid Subdivision Corridor.</p>  <p>* National Grid Yard: 10m for single concrete/wooden pole lines, 12m for all other line types</p> <p>** National Grid Subdivision Corridor: 14m, 32m, 37m or 39m depending on line voltage</p>
NATIONAL GRID YARD	<p>means, as depicted in Diagram 1:</p> <ol style="list-style-type: none"> the area located within 10m of either side of the centreline of an above ground 110kV electricity transmission line on single poles; the area located within 12m either side of the centreline of an above ground transmission line on pi-poles or towers that is 110kV or greater (including tubular steel towers where these replace steel lattice towers); the area located within 12m in any direction from the outer visible edge of an electricity transmission pole or tower foundation, associated with a line which is 110kV or greater. <p>The measurement of setback distances from National Grid transmission lines must be undertaken from the centre line of the National Grid transmission 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.</p> <p>Note: the National Grid Yard does not apply to underground cables or any transmission lines (or sections of line) that are designated.</p>

Diagram 1 – National Grid Yard and National Grid Subdivision Corridor.



- * National Grid Yard: 10m for single concrete/wooden pole lines, 12m for all other line types
 ** National Grid Subdivision Corridor: 14m, 32m, 37m or 39m depending on line voltage

NATURAL AND PHYSICAL RESOURCES	has the same meaning as in section 2 of the RMA (as set out in the box below) Includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.
NATURAL HAZARD	has the same meaning as in section 2 of the RMA (as set out in the box below) 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.
NATURAL HAZARD MITIGATION WORKS	means structures and associated engineering works to prevent or control the impacts of natural hazards and includes both soft engineering natural hazard mitigation and hard engineering natural hazard mitigation. Retaining walls not required for a hazard mitigation purpose are excluded from this definition. Raised building floor levels and raised land which are required to be raised to meet the requirements of a flood assessment certificate are excluded from this definition.
NATURAL HAZARD SENSITIVE ACTIVITY	means: Buildings which: <ol style="list-style-type: none"> 1. contain one or more habitable rooms; and / or 2. contain two or more employees on a full time basis; and / or 3. are a place of assembly; but excludes regionally significant infrastructure and garages that are either detached or attached that do not meet the building code requirements for a habitable space.
NAVIGATIONAL AID	has the same meaning as in section 2 of the MARITIME TRANSPORT ACT 1994, which means- a device or system (such as a radar beacon) that provides an aviation operator with data to support navigation of aircraft; or 'navigational aid' as defined in the Maritime Transport Act 1994.
NET FLOOR AREA	means the sum of any gross floor area; and <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

	<p>b. excludes:</p> <ul 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 SITE AREA	<p>means the total area of the site, but excludes:</p> <ul 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; 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 a 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 in the box below)</p> <p>means a person who—</p> <ul 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— <ul 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 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,— <p>and the words network utility operation have a corresponding meaning.</p>
NOISE	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p>includes vibration.</p>
NOISE SENSITIVE ACTIVITY	<p>means:</p> <ul style="list-style-type: none"> a. Residential activities; b. Visitor accommodation;

	<ul style="list-style-type: none"> c. Educational facility; d. Healthcare activities; and e. Marae (building only).
NON-INTENSIVE PRIMARY PRODUCTION	means primary production that is not defined as intensive primary production.
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 TRADES	<p>means activities listed as offensive trades in Schedule 3 of the Health Act 1956 (as set out in the box below)</p> <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 s. Wool scouring
OFFICE	<p>means any of the following:</p> <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. c. Professional offices such as the offices of accountants, solicitors, architects, surveyors, engineers, where a professional service is available and carried out.
OFFICIAL SIGN	means all signs required or provided for under any statute or regulation, or are otherwise related to aspects of public safety.
OFF-SITE SIGN	means any sign that is used to advertise activities, goods and services that are not undertaken, sold or provided on the site on which the sign is located.
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.

<u>ORIGINALLY RARE ECOSYSTEM [In RELATION TO TERRESTRIAL ECOSYSTEMS]</u>	<u>In relation to terrestrial ecosystems, “originally” means the ecosystem type was present when Māori arrived, and still exists today. “Rare” means the total extent of each originally rare ecosystem type is less than 0.5 percent of New Zealand’s total area – that is, less than 134,000 hectares. A published list of originally rare terrestrial ecosystem types has been compiled by Landcare Research and is available from that organisation.</u>
OUTDOOR LIGHTING	means any exterior or interior lighting that emits directly into the outdoor environment.
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.
<u>OVERGRAZING/TRAMPLING</u>	<u>means the practice of confining farm stock to an area of land resulting in the depletion or destruction of indigenous vegetation by intensive grazing and/or trampling.</u>
PAPAKĀIKA (PAPAKĀINGA)	Means any buildings associated with any activity undertaken in the traditional rohe of mana whenua to sustain themselves, and may include (but is not limited to) residential, social, cultural, economic, conservation and recreation activities including: <ul style="list-style-type: none"> a. whare (household unit); b. home businesses; c. marae complexes; d. manuhiri noho; e. whare taoka; f. urupā; g. pouwhenua; h. mahika kai; i. community facilities; j. kōhanga reo (preschool); k. kura kaupapa (education activity and facilities); l. whare hauora (health care facilities); m. Māori cultural activities, including art and wānanga, n. Hākinakina (recreation activities and facilities, excluding commercial recreation and motorised sports), and o. ahuwenua (primary production).
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 Protected 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.

PERMANENT AIRSTRIP OR HELICOPTER LANDING SITE	Means any defined area of land intended or designed to be used, whether wholly or partly, used for the landing or departure of aircraft.
PERMANENT WORKERS ACCOMODATION	means a residential unit for the purpose of accommodating a permanent full time worker(s) of a primary production activity, and their family.
PERSONAL SERVICES	means ana commercial activity which provides individual service to people and includes hairdressers, beauticians and photographers.
PLACE OF ASSEMBLY	means land and buildings used for gathering of people, including cinemas, theatres, concert venues, conference and private function facilities, arts and cultural centres, places of worship, community centres and halls.
PLANTATION FORESTRY	<p><u>Has the same meaning as in section 3 of the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017:</u></p> <p>means a forest deliberately established for commercial purposes, being—</p> <ol style="list-style-type: none"> at least 1 ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted; and includes all associated forestry infrastructure; but does not include— <ol style="list-style-type: none"> a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 m; or forest species in urban areas; or nurseries and seed orchards; or trees grown for fruit or nuts; or long-term ecological restoration planting of forest species; or willows and poplars space planted for soil conservation purposes
PLAYGROUND EQUIPMENT	means equipment designed for recreation and play, including, but not limited to, swings, slides, seesaws and merry go rounds.
POLE [IN RELATION TO INFRASTRUCTURE AND ENERGY]	In relation to Energy and infrastructure chapter, means a non-lattice structure that supports conductors, lines, cables, antennas, lights or cameras, but is not a tower, and includes foundations and hardware associated with the structure such as insulators, cross arms and guy-wires.
PORT ACTIVITY	<p>means the use of land, buildings and structures for:</p> <ol style="list-style-type: none"> cargo handling, including the loading, unloading, storage, processing and transit of cargo; passenger handling, including the loading, unloading and transit of passengers; maintenance and repair activities, including the maintenance and repair of vessels; port administration; marine-related trade and industry training activities; marine-related industrial activities, including ship and boat building, and fish processing; warehousing and container storage in support of a.-f., h., i. and j., and distribution activities, including bulk fuel storage and ancillary pipeline networks; log storage;

	<ul style="list-style-type: none"> i. facilities for recreational boating, including yachting; j. activities associated with the surface navigation, berthing, manoeuvring, refuelling, storage, servicing and providing of vessels, cargo certification, Customs and other Government activities associated with Port activities; k. ancillary transport infrastructure, buildings, structures, signs, utilities, parking areas, landscaping, hazardous facilities (excluding major hazard facilities) and service stations, offices and other facilities, and earthworks; l. Meteorological activities; m. ancillary food and beverage outlets in support of the above; n. Telecommunication and radio communication facilities; and o. Ancillary office and commercial activity, including ancillary trade suppliers, in support of the above.
POST-HARVEST FACILITY	<p><u>Building operated by any number of growers and used for the storage, packing, washing, inspecting and grading of eggs, fruit, vegetables, or other (natural and unprocessed) primary produce brought to the post-harvest facility from a range of locations, and includes all activities that are an integral aspect of post-harvest operations.</u></p> <p><u>Includes:</u></p> <ul style="list-style-type: none"> a. <u>use of the site for the collection and distribution of horticultural products;</u> b. <u>slicing and dicing agricultural products in preparation for distribution to retail outlets, including the disposal of associated waste material from these activities;</u> c. <u>preparation and shrink-wrapping horticultural products in preparation for distribution to retail outlets;</u> d. <u>collection and distribution of agricultural products including the cross loading of trucks used in the collection and delivery of horticultural products; and</u> e. <u>the on-site servicing and maintenance of vehicles and equipment associated with the activities.</u>
POTENTIALLY CONTAMINATED LAND	means land on which an activity or industry that is described in Appendix 2 - Hazardous Activities and Industries List is being, has been or is more likely than not to have been undertaken. This definition does not include land for which a detailed site investigation demonstrates that any contaminants present are at, or below, background concentrations.
PRESCHOOL	means a <u>child care services</u> of three or more children (in addition to any children resident on the site) and would not operate for any continuous period of more than seven consecutive days.
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.
PRIVATE DRINKING WATER SUPPLY	means a drinking water supply from a bore / well that provides 1 to 24 people with drinking water for not less than 60 days each calendar.
PRIVATE WAY	Has the same meaning as in section 315 of the Local Government Act 1974:

	means any way or passage whatsoever over private land within a district, the right to use which is confined or intended to be confined to certain persons or classes of persons, and which is not thrown open or intended to be open to the use of the public generally; and includes any such way or passage as aforesaid which at the commencement of this Part exists within any district.
PUBLIC AMENITY BUILDING	means buildings/structures providing for public toilets, information buildings and shelters, that are available to the community or visitors, and includes publicly available tramping huts.
PUBLIC ARTWORK	means any object, figure, image, character, outline, spectacle, display, delineation, audio or visual installation (including projection or illumination, static or otherwise), announcement, poster or sculpture that is used principally to enhance public spaces, whether it is placed on, affixed or tethered to any land, building, footpath or pavement (subject to any Council bylaws or traffic management requirement) and/or incorporated in the design of any building (whether by painting or otherwise). It excludes use as a sign or for any purpose other than as public artwork.
PUBLIC TRANSPORT	<p>(a) means, subject to paragraph (b), a service for the carriage of passengers for hire or reward by means of—</p> <ul style="list-style-type: none"> a. a large passenger service vehicle; or b. a small passenger service vehicle; or c. a ferry; or d. a hovercraft; or e. a rail vehicle; or f. any other mode of transport (other than air transport) that is available to the public generally; but <p>(b) in relation to Part 5, does not include—</p> <ul style="list-style-type: none"> a. an excluded passenger service; or b. a shuttle service <p>It may include a public transport interchange, park and ride facilities, bus bays, taxi ranks, drop-off and pick-up points, cycle parking, shelters, waiting rooms, ticket office, information centre, luggage lockers, public toilets, showers and changing rooms.</p>
QUALIFIED ARBORIST	means a person who has a recognised arboricultural qualification and practical experience with the tasks, equipment and hazards involved in arboricultural activities; and has demonstrated competency to Level 4 NZQA Certificate in Horticulture Services (Arboriculture) standard (or an equivalent arboricultural standard) or a person recognised as suitably qualified by Timaru District Council
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.
QUEUEING SPACE	means the length of a vehicle access internal to the site, between the road boundary and the vehicle control point, available for the circulation and queuing of vehicles.

RADIO COMMUNICATIONS	has the same meaning as in the Radio communications Act 1989 (as set out in the box below) means any transmission or reception of signs, signals, writing, images, sounds, or intelligence of any nature by radio waves.
RAFT	has the same meaning as in section 2 of the RMA (as set out in the box 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.
RAILWAY LINE	As defined in Section 4 of the Railways Act 2005: <ul style="list-style-type: none"> a. means a single rail or set of rails, having a gauge of 550 mm or greater between them, laid for the purposes of transporting people or goods by rail; and b. includes— <ul style="list-style-type: none"> i. sleepers, associated formation and ballast, tunnels, and bridges; and ii. in relation to a single rail or set of rails that are laid on a road for the purposes of 1 or more light rail vehicles,— <ul style="list-style-type: none"> A. any area between the rails; and B. the area that extends 500 mm outside the extremity of any light rail vehicle being used on that single rail or set of rails; and iii. a set of rails, having a gauge of less than 550 mm between them, that is designated as a railway line in regulations made under section 59(l); and iv. except as provided in subparagraph (ii), any area within 5 m of a single rail or within 5 m of a line drawn midway between a set of rails; but c. excludes— <ul style="list-style-type: none"> i. a railway line that is part of a railway used as an amusement device; ii. a railway line excluded by regulations made under section 59(m); iii. a railway line that exclusively serves private cable cars.
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. other relevant information related to any construction or demolition works on a site.
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.
RECREATION ACTIVITY	means the use of land, water bodies and/or buildings for the purpose of the active or passive enjoyment of organised sports (excluding motorsport), recreation or leisure, whether competitive or non-competitive, and whether a charge is made for admission or not.

REGIONALLY SIGNIFICANT INFRASTRUCTURE	<p>Regionally Significant Infrastructure is:</p> <ul style="list-style-type: none"> a. Strategic land transport network, including National Routes, Regional Arterials and arterial roads District Arterials b. Timaru Airport c. Port of Timaru d. Telecommunication facilities e. National, regional and local renewable electricity generation activities of any scale f. The electricity transmission network National Grid g. Sewage collection, treatment and disposal networks h. Community land drainage infrastructure i. Community potable water systems j. Established community-scale irrigation and stockwater infrastructure k. Transport hubs l. Bulk fuel supply infrastructure including terminals, wharf lines and pipelines m. The electricity distribution network n. Redruth landfill and Resource Recovery Facility in Timaru
RELOCATED BUILDING	<p>means any building that is relocated, in whole or in part, from one site to another site, but excludes:</p> <ul style="list-style-type: none"> a. shipping containers; and b. new buildings specifically constructed for relocation to another site; and c. non-motorised caravans.
RENEWABLE ELECTRICITY GENERATION	<p>Has the same meaning as renewable electricity generation in the National Policy Statement for Renewable Electricity Generation 2011 (as set out below): means generation of electricity from solar, wind, hydroelectricity, geothermal, biomass, tidal, wave, or ocean current energy sources.</p>
RENEWABLE ELECTRICITY GENERATION ACTIVITY	<p>Has the same meaning as renewable electricity generation activities in the National Policy Statement for Renewable Electricity Generation 2011 (as set out below): 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.</p>
REPAIR	<p>means to mending or fixing something that is decayed or damaged. It includes temporarily securing the object such as making a structure safe or weathertight. It does not include upgrading or replacement.</p>
REPLACEMENT	<p>Means replacing an object or its parts with another of the same or similar location, height, size, capacity, footprint and scale and for the same or similar purpose. It does not include repair.</p>
RESIDENTIAL ACTIVITY	<p>means the use of land and building(s) for people's living accommodation.</p>
RESIDENTIAL UNIT	<p>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.</p>
RESIDENTIAL VISITOR ACCOMMODATION	<p>means the use of a residential unit for temporary accommodation advertised for a tariff to paying guests that is secondary and incidental to the use of the residential unit as a permanent residence.</p>

RETAIL ACTIVITY	means any activity that involves the display or offer for sale or hire to the public of goods, merchandise or equipment and any ancillary work rooms. It includes general retail, large format retail, and trade and yard based retail, but excludes service stations.
RETICULATED STORMWATER NETWORK	means a network of pipes, swales, drains, kerbs and channels owned or operated by a network utility operator that collects stormwater within areas used or proposed to be used for urban-residential, commercial or industrial and rural lifestyle purposes and conveys that stormwater to any device, wetland, retention or detention pond or infiltration basin for the treatment of stormwater, prior to a discharge to land, groundwater or surface water. It excludes any rural land drainage system that has been constructed for the primary purpose of collection, conveyance or discharge of land drainage water, or any natural waterbody.
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.
REVERSE SENSITIVITY	means the potential for the operation of an existing lawfully established, <u>permitted or consented</u> activity, <u>or activities otherwise anticipated by the Plan</u> , to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an existing <u>that</u> activity.
<u>RIPARIAN MARGIN</u>	<u>means land that is within:</u> a. <u>10m of the bank edge of a river that is up to 3m wide (and is not listed in (c) below); and/or</u> b. <u>20m of the bank edge of a river that is greater than 3m wide (and is not listed in (c) below); and/or</u> c. <u>100m of the bank edges of the Rangitata; Ōpihi; and Ōrāri Rivers; and/or;</u> d. <u>50m of any wetland.</u>
RIPARIAN ZONE [IN RELATION TO A RIVER OR LAKE]	(RPS definition) means the area of land within their beds and adjacent to the beds where direct interaction occurs between aquatic and terrestrial ecosystems. The riparian zone includes the banks of a river and the margin of a lake. Wetlands and islands may also be part of the riparian zone
RIVER	has the same meaning as in section 2 of the RMA (as set out in the box 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).
ROAD	has the same meaning as in section 2 of the RMA (as set out in the box below) 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 Section 315 of the Local Government Act 1974 road definition: road means the whole of any land which is within a district, and which— a. immediately before the commencement of this Part was a road or street or public highway; or b. immediately before the inclusion of any area in the district was a public highway within that area; or

	<p>c. is laid out by the council as a road or street after the commencement of this Part; or</p> <p>d. is vested in the council for the purpose of a road as shown on a deposited survey plan; or</p> <p>e. is vested in the council as a road or street pursuant to any other enactment;—</p> <p>and includes—</p> <p>f. 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:</p> <p>g. 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> <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 Section 2(1) of the Government Roding Powers Act 1989 motorway definition motorway—</p> <p>a. 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</p> <p>b. includes all bridges, drains, culverts, or other structures or works forming part of any motorway so declared; but</p> <p>c. 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.</p>
ROAD BOUNDARY	<p>means any boundary of a site abutting a legal road, road reserve or road designation.</p> <p>Frontage, road frontage or street frontage shall have the same meaning as road boundary.</p>
ROOT PROTECTION AREA	<p>means the circular area surrounding a tree; which is the greater of the radius; measured from the base of the trunk to:</p> <p>a. the outer extent of the branch spread; or</p> <p>b. half the height of the tree.</p>
RURAL INDUSTRY	<p>means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.</p>
RURAL PRODUCE	<p>means fruit, vegetables, flowers or other similar farm products primarily grown and/or processed on a property in a rural zone.</p>
RURAL PRODUCE MANUFACTURING	<p>means the use of land and/or buildings for the manufacturing of products from rural produce grown on the same site or:</p> <p>a. on other sites in the same ownership; or</p> <p>b. on other sites leased by the owner of the primary site.</p>
RURAL PRODUCE RETAIL	<p>means the use of land and/or buildings on, or within which, rural produce grown or produced on-site, and products manufactured from it, are offered for sale.</p>

RURAL RESIDENTIAL DEVELOPMENT	(RPS definition) means zoned residential development outside or on the fringes of urban areas which for primarily low density residential activities, ancillary activities and associated infrastructure.
RURAL TOURISM ACTIVITY	means the use of land or buildings for people to visit and experience places of interest within the rural area. It does not include: <ol style="list-style-type: none"> Rural production retail Rural production manufacturing Visitor accommodation Home business
SCHEDULED INTERIOR ELEMENT	In relation to the heritage item, means identified heritage fabric within a heritage item that is specifically listed in an addendum to the assessment report for that heritage item.
SEASONAL WORKERS ACCOMMODATION	means the use of land and buildings for the sole purpose of accommodating the short-term labour requirement of a primary production activity, rural industry or post-harvest facility.
SELF-CONTAINED POWER UNIT	has the same meaning as in Regulation 4 of the NESTF as set out below: means equipment installed with a facility for the purpose of generating power for that facility (such as solar panels), including cables connecting the equipment to the facility.
SENSITIVE ACTIVITY	means: <ol style="list-style-type: none"> Residential activities; Education facilities and preschools; Guest & visitor Visitor accommodation; Health care facilities which include accommodation for overnight care; Hospitals; Marae (building only); or Place of assembly. except that: <ol style="list-style-type: none"> subclause f6. above is not applicable in relation to electronic electricity transmission. subclause g7. above is not applicable in relation to noise or electronic electricity transmission.
SENSITIVE ENVIRONMENT	means <ol style="list-style-type: none"> areas within the following overlays identified on the Planning map: <ol style="list-style-type: none"> Coastal Environment; and Coastal High Natural Character Areas; and Drinking Water Protection Area; and Heritage Item; and Heritage Item extent; and Outstanding Natural Features; and Outstanding Natural Landscapes and Sites and areas of Significance to Māori; and Significant Natural Areas; and Visual Amenity Landscapes; and Earthquake Fault Awareness Area; and High Hazard Areas; and Flood assessment Area; and

	<p>n. Seawater Inundation Overlay; and</p> <p>o. Within 250m from Major Hazard Facilities; and</p> <p>p. <u>Bat Protection overlay; and</u></p> <p>2. the below areas:</p> <p>a. The area within 100m from the edge of a Riparian Margin; and</p> <p>b. The area within 100m from the edge of a Wetland Area; and</p> <p>c. High Hazard Areas identified in a Flood Certificate issued under NH-S1.</p>
<u>SENSITIVE LOCATIONS</u>	<p><u>Means:</u></p> <p>1. <u>Areas within the following Overlays identified on the Planning map, but excluding the PORTZ:</u></p> <p>a. <u>An Earthquake Fault Awareness Overlay; and</u></p> <p>b. <u>A High Hazard Area Overlay; and</u></p> <p>c. <u>The Sea Water Inundation Overlay; and</u></p> <p>d. <u>The Coastal Erosion Overlay; and</u></p> <p>e. <u>A Drinking Water Protection Area; and</u></p> <p>f. <u>The area within 250m of an MHF; and</u></p> <p>g. <u>Liquefaction Awareness Areas; and</u></p> <p>2. <u>the below areas:</u></p> <p>a. <u>The area within 100m from the edge of a Riparian Margin (excluding the Riparian Margin of a wetland) or within 50m from the edge of a wetland; and</u></p> <p>b. <u>High Hazard Areas identified in a Flood Certificate issued under NH-S1.</u></p>
SERVICE LANE	Has the same meaning as in section 315 of the Local Government Act 1974: means any lane laid out or constructed either by the authority of the council or the Minister of Works and Development or, on or after 1 April 1988, the Minister of Lands for the purpose of providing the public with a side or rear access for vehicular traffic to any land.
SERVICE STATION	<p>means any site primarily used for the retail sale of motor vehicle fuels, including petrol, LPG, CNG and diesel and may include any one or more of the following activities, where they are ancillary to the retail sale of fuels:</p> <ul style="list-style-type: none"> • Sale or hire of kerosene, alcohol-based fuels, lubricating oils, tyres, batteries, vehicle spare parts, trailers and other accessories normally associated with motor vehicles; • Truck stops; • Trailer hire; • The ancillary sale of other goods for the convenience and comfort of service station customers; <p>but shall not include any industrial activity.</p> <p>Note: This definition is a subset of retail<u>commercial</u> activity.</p>
SEWAGE	means human excrement and urine.
SHELTER BELT	means any trees planted primarily to provide shelter for stock, crops or buildings from the prevailing wind(s). Shelterbelts are no greater than 30 metres in width and are not clear felled (unless the clear if <u>felled</u> for replanting of <u>a</u> new shelterbelt).
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.
SIGNAGE	has the same meaning as sign.
SIGNIFICANT NATURAL AREA OR SNA	means identified areas of significant indigenous vegetation and significant habitats of indigenous fauna, as set out in ECO-SCHED2 SCHED7 and shown on the Planning Maps.
SITE	<p>means:</p> <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 COVERAGE	means the combined total of building footprint and impervious surfaces.
SKY GLOW	Artificial sky glow is defined as that part of the sky glow that is attributable to man-made sources of radiation (e.g. outdoor lighting), including radiation that is emitted above the horizontal and radiation that is reflected from the surface of the earth.
SMALL CELL UNIT	<p>has the same meaning as in Regulation 4 of the NESTF as set out below:</p> <p>means a device—</p> <ul style="list-style-type: none"> a. that receives or transmits radiocommunication or telecommunication signals; and b. the volume of which (including any ancillary equipment, but not including any cabling) is not more than 0.11 m³.
SMALL SCALE RENEWABLE ELECTRICITY GENERATION	means renewable electricity generation at a capacity of no greater than 20 kW for the purpose of using or generating electricity on a particular site, or supplying an immediate community, or connecting into the distribution network, and includes generation using solar, wind, hydro and biomass energy resource.
SOFT ENGINEERING [IN RELATION TO NATURAL HAZARD MITIGATION WORKS]	In relation to natural hazard mitigation works means the use of natural materials, features and processes, including vegetation to stabilise waterway banks, and absorb wave energy and reduce coastal erosion and inundation. Soft engineering techniques include planting, beach re-nourishment, beach and bank re-profiling and the restoration of natural features such as dunes, coastal wetlands/saltmarsh and floodplains.
SPECIAL AUDIBLE CHARACTERISTIC	has the same meaning as 'special audible characteristic' in section 6.3 of New Zealand Standard 6802:2008 Acoustics – Environmental Noise.

SPECIFIED MĀORI LAND	<p>means land that is any of the following:</p> <ol style="list-style-type: none"> Māori customary land and Māori freehold land (as defined in Te Ture Whenua Māori Act 1993); land set apart as a Māori reservation under Part 17 of Te Ture Whenua Māori Act 1993 or its predecessor, the Māori Affairs Act 1953; land held by or on behalf of an iwi or a hapū if the land was transferred from the Crown, a Crown body, or a local authority with the intention of returning the land to the holders of mana whenua over the land; land vested in the Māori Trustee that is constituted as a Māori reserve by or under the Māori Reserved Land Act 1955, and remains subject to that Act; land that forms part of a natural feature that has been declared under an Act to be a legal entity or person (including Te Urewera land within the meaning of section 7 of the Te Urewera Act 2014); the maunga listed in section 10 of the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014; Treaty settlement land, being land held by a post-settlement governance entity (as defined in the Urban Development Act 2020) where the land was transferred or vested and held (including land held in the name of a person such as a tipuna of the claimant group, rather than the entity itself): <ol style="list-style-type: none"> as part of redress for the settlement of Treaty of Waitangi claims; or by the exercise of rights under a Treaty settlement Act or Treaty settlement deed.
SPILL LIGHT	<p>means light emitted by a lighting installation that falls outside of the design area. Spill light may or may not be obtrusive depending on what it effects.</p>
STATE HIGHWAY	<p>has the same meaning as in subsection section 5 of the Land Transport Management Act 2003:</p> <p>means a road, whether or not constructed or vested in the Crown, that is declared to be a State highway under section 11 of the National Roads Act 1953, section 60 of the Government Roding Powers Act 1989 (formerly known as the Transit New Zealand Act 1989), or under section 103; and includes—</p> <ol style="list-style-type: none"> all land along or contiguous with its route that is the road; and any part of an intersection that is within the route of the State highway; and for the purposes of regional land transport plans, the national land transport programme, and any expenditures approved under section 20 by the Agency, a proposed State highway; and land that becomes a State highway under section 88(2) of the Government Roding Powers Act 1989.
STORMWATER	<p>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.</p>
STORMWATER MANAGEMENT AREA	<p>means an area specifically designated to contain stormwater or floodwaters.</p>
STORMWATER NEUTRALITY	<p>means that post development stormwater runoff rates and volumes do not exceed the pre-development stormwater runoff rates and volumes.</p>
STORMWATER NEUTRALITY DEVICE	<p>A device or natural system which retains (re-use) or detains the stormwater discharge from the site, and slows the release of the stormwater at a rate that is no more than the site's original discharge.</p>

STORMWATER UTILITY AREA	Any area used for mitigation or treatment of stormwater as part of the development.
STRENGTHENING [IN RELATION TO THE HISTORICAL HERITAGE CHAPTER]	in relation to the Historical Heritage Chapter, means increasing the seismic resilience of a structure to an approved standard.
STRUCTURE	has the same meaning as in section 2 of the RMA (as set out in the box 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 in the box below) means— <ul style="list-style-type: none"> a. the division of an allotment— <ul style="list-style-type: none"> 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.
SUPERMARKET	means a retail activity primarily involved in the sale of groceries, including fresh produce, meat, fish, dairy food and delicatessen items, beverages, general household and personal goods, as otherwise described and categorised as ANZSIC category 5110, in individual premises of no less than 1,500m ² of gross floor area.
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.
SUSTAINABLE MANAGEMENT	has the same meaning as in section 5 of the RMA (as set out in the box 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.

TELECOMMUNICATION KIOSK	means any structure intended for public use to facilitate telecommunication and includes boxes or booths for telephone, video or internet services.
TEMPORARY ACTIVITY	Means an activity that has a short duration, limited frequency and is not an ancillary activity to a permanent activity that occurs on the site.
TEMPORARY EVENT	Means a type of temporary activity that is a planned public or social occasion and includes carnivals, fairs, markets, auctions, displays, rallies, shows, commercial filming or video production, gymkhanas (equestrian), dog trials, concert, and other recreational and sporting activities, public meetings, hui, and emergency services training events, but excludes motorsport events. This is a sub-definition of temporary activity.
TEMPORARY MILITARY TRAINING ACTIVITY (TMTA)	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; f. the provision of any public service.
TEMPORARY SIGN	means a sign that is erected for no more than 35 days in one calendar year for the purpose of advertising a one-off or temporary activity or temporary event.
TERRITORIAL AUTHORITY	has the same meaning as in section 5 of the Local Government Act (as set out in the box below) means a city council or a district council named in Part 2 of Schedule 2.
<u>TERTIARY EDUCATION SERVICES</u>	<u>means the use of land and/or buildings for the purpose of facilitating tertiary education, training, development, and instruction and/or related research and laboratories; and includes ancillary and accessory administrative, cultural, commercial, community, staff and student facilities, conferencing, accommodation, retail and recreational facilities.</u> <u>Note: this definition is a subset of 'Educational Facility'.</u>
TOWER [IN RELATION TO ENERGY AND INFRASTRUCTURE CHAPTER]	In relation to Energy and Infrastructure chapter, means a steel-lattice structure that supports conductors, lines, cables or antennas (other than telecommunication equipment). A tower includes the foundations and hardware associated with the structure such as insulators, cross arms and guy-wires.
TRADE SUPPLIER	Means a retail activity that involves the sale of wholesale goods to businesses, as well as limited retail sales to the general public, which fall into the following categories: <ul style="list-style-type: none"> a. automotive and marine suppliers; b. building suppliers; c. catering equipment suppliers;

	<ul style="list-style-type: none"> d. farming and agricultural suppliers; e. garden and patio suppliers; f. hire premises (except hire or loan of books, video, DVD and other home entertainment items); g. industrial clothing and safety equipment suppliers; h. landscape suppliers; and i. office furniture, equipment and systems suppliers.
TRANSMISSION LINE	<p>has the same meaning as in the National Environment Standards ELECTRICITY TRANSMISSION ACTIVITIES 2009, which <u>means</u>:</p> <ul style="list-style-type: none"> a. the facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the national grid; and b. includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph (a) applies; but c. Does not include an electricity substation.
UNACCEPTABLE RISK [IN RELATION TO HAZARDOUS SUBSTANCES]	In relation to major hazard facilities, means exposure of sensitive activities (including residential dwelling) to an individual fatality risk level exceeding 1×10^{-6} per year (one in a million).
UNDERMINE	means lessen the effectiveness, power, or ability of, especially gradually or insidiously.
UPGRADING / UPGRADE	<u>Means</u> the <u>replacement, renewal or</u> improvement of infrastructure that results in an increase in carrying capacity <u>and size, and may include replacement and renewal</u> , but excludes repair and maintenance.
URBAN AREA	means towns with a population of 1,000 or more. In the Timaru District, it includes Timaru, Pleasant Point, Temuka and Geraldine as shown on the District Planning Map.
<u>URBAN DEVELOPMENT</u>	<p><u>has the same meaning as in section 9 of the Urban Development Act 2020 which includes:</u></p> <ul style="list-style-type: none"> a. <u>development of housing, including public housing and community housing, affordable housing, homes for first-home buyers, and market housing;</u> b. <u>development and renewal of urban environments, whether or not this includes housing development;</u> c. <u>development of related commercial, industrial, community, or other amenities, infrastructure, facilities, services, or works.</u>
<u>URBAN DEVELOPMENT</u>	<u>means development within an area zoned as a Residential Zone, Settlement Zone, Commercial and Mixed Use Zone, General Industrial Zone, an Open Space Zone or a Sport and Active Recreation Zone that is adjacent to the aforementioned zones. It also includes development outside of these zones which is not of a rural or rural-lifestyle character and is differentiated from rural development by its scale, intensity, visual character and the dominance of built structures. For the avoidance of doubt, it does not include the provision of regionally significant infrastructure in Rural Zones.</u>
VEHICLE ACCESS WAY / VEHICLE ACCESSWAY	means that area of land which is included in the ownership of that lot or site, over which vehicular access to legal road is obtained.
VEHICLE CROSSING / VEHICLE ACCESS POINT	means the formed and properly constructed vehicle entry/exit point from the carriageway of any road up to and including that portion of the road boundary of the

	site across which a vehicle entry or exit point is permitted or consented. It includes any culvert, bridge or kerbing.
VEHICLE MOVEMENT	means a single journey to or from a particular site by a person or persons within a motor vehicle. Vehicle trip has the same meaning.
VEHICLE PARKING AND MANOEUVRING AREA	means that part of a site or building within which vehicle parking spaces and manoeuvring areas are accommodated.
VERSATILE SOIL	means land classified as Class 1 or 2 under the land use capability classification system, as set out in Lynn I.H., Manderson A.K., Page M.J., Harmsworth G.R., Eyles G.O., Douglas G.B., Mackay A.D., Newsome P.J.F. (2009). Land Use Capability Survey Handbook – a New Zealand handbook for the classification of land. 3rd ed. Hamilton, AgResearch Ltd; Lincoln, Landcare Research New Zealand Ltd; Lower Hutt, Institute of Geological and Nuclear Sciences Ltd.
VISITOR ACCOMMODATION	means land and/or buildings used for accommodating visitors, subject to a tariff being paid, and includes any ancillary activities.
VISUALLY PERMEABLE [IN RELATION TO FENCE]	In relation to fence, means the ability to clearly see through a fence, from one side to the other, and is determined by a comparison of the solid portion of the fence structure against any gaps provided within the structure, or between fence structures.
WAREHOUSING AND STORAGE	means an industrial activity that storing and sorting of materials, goods or products pending distribution.
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 in the box below) <ul style="list-style-type: none"> 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.
WATER SENSITIVE DESIGN	means design that seeks to protect and enhance natural freshwater systems, sustainably manage water resources, and mimic natural processes to achieve enhanced outcomes for ecosystems and communities.
WATERBODY	has the same meaning as in section 2 of the RMA (as set out in the box 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 in the box 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.
WORKERS ACCOMODATION	includes permanent workers accommodation and seasonal workers accommodation.