

FOREWORD OR MIHI

The Timaru District Plan (the District Plan) is a statutory document that manages land use and subdivision activities in the Timaru ~~e~~District (the District). It plays an important role in guiding the sustainable development of the ~~e~~District, indicating what type of development is anticipated in particular locations. It ~~provides a framework that enables expected activities and manages other activities so they do not affect the environment~~¹.

Preparation of the ~~Proposed~~ District Plan occurred over several years and involved extensive consultation and collaboration with the public, stakeholders, mana whenua, government departments, elected members, ~~e~~Council staff and experts. Consultation initially focused on identifying issues and then subsequently on a series of discussion documents. Consultation then occurred on ~~the~~ a Draft District Plan and finally ~~the~~ a Proposed District Plan.

The Timaru District Council (the Council) highly valued the interest, ideas and commitment shown by stakeholders, staff and the public and ensured their comments were closely considered. Council believes the new District Plan will help sustainably manage development and support the continued prosperity and enjoyment of the ~~e~~District.

Nigel Bowen, Mayor

¹ Fonterra [165.9]

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~~TANGATA WHENUA~~/MANA WHENUA

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PART 2 – DISTRICT-WIDE MATTERS

STRATEGIC DIRECTION

SD – Strategic Direction
UFD – Urban ~~f~~Form and ~~d~~Development

ENERGY, INFRASTRUCTURE, AND TRANSPORT

EI – Energy and Infrastructure
SW – Stormwater ~~m~~Management
TRAN – Transport~~ation~~

HAZARDS AND RISKS

CL – Contaminated ~~l~~Land
NH – Natural ~~n~~Hazards
HS – Hazardous Substances

HISTORICAL AND CULTURAL VALUES

HH – Historical ~~h~~Heritage
TREES – Notable ~~t~~Trees
SASM – Sites and ~~a~~Areas of ~~s~~Significance to Māori

NATURAL ENVIRONMENT VALUES

ECO – Ecosystems and ~~i~~Indigenous ~~b~~Biodiversity
NATC – Natural ~~e~~Character

NFL – Natural Features and Landscapes
PA – Public ~~a~~Access
~~HPLVS – Versatile Soil~~ Highly Productive Land

SUBDIVISION

SUB – Subdivision

GENERAL DISTRICT-WIDE MATTERS

ASW – Activities on the ~~e~~Surface of ~~w~~Water
CE – Coastal Environment
EW – Earthworks
DWP – Drinking Water Protection
FC – Financial Contribution
FDA – Future Development Area¹
LIGHT – Light
NOISE – Noise
RELO – Relocation of Buildings and Shipping Containers
SIGN – Signs
TEMP – Temporary ~~a~~Activities

PART 3 – AREA-SPECIFIC MATTERS

ZONES

Residential zones

GRZ – General ~~r~~Residential ~~z~~Zone
MRZ – Medium ~~d~~Density ~~r~~Residential ~~z~~Zone

Rural zones

GRUZ – General ~~r~~Rural ~~z~~Zone
RLZ – Rural ~~l~~ifestyle ~~z~~Zone
SETZ – Settlement ~~z~~Zone

Commercial and mixed use zones

NCZ – Neighbourhood ~~e~~Centre ~~z~~Zone
LCZ – Local ~~e~~Centre ~~z~~Zone
LFRZ – Large ~~f~~Format ~~r~~Retail ~~z~~Zone
MUZ – Mixed ~~u~~Use ~~z~~Zone
TCZ – Town ~~e~~Centre ~~z~~Zone
CCZ – City ~~e~~Centre ~~z~~Zone

Industrial zones

GIZ – General ~~i~~Industrial ~~z~~Zone

Open space and recreation zones

NOSZ – Natural ~~e~~Open ~~e~~Space ~~z~~Zone
OSZ – Open ~~e~~Space ~~z~~Zone
SARZ – Sport and ~~a~~Active ~~r~~Recreation ~~z~~Zone

Special purpose zones

MPZ – Māori ~~p~~Purpose ~~z~~Zone
PORTZ – Port ~~z~~Zone

¹ Speirs, B [66.1]

DEVELOPMENT AREAS

DEV1 – Broughs ~~Residential~~ Gully ~~Residential~~ Development Area

DEV2 – Gleniti Residential Development Area

DEV3 – Washdyke Industrial Development Area

DEV4 – Temuka North West Residential Development Area²

DESIGNATIONS

CNZ – Chorus New Zealand Limited

ECAN – Canterbury Regional Council

KHL – KiwiRail Holdings Limited

MSNZ – Meteorological Service of New Zealand Limited

MEDU – Minister of Education

MPOL – Minister of Police / NZ Police

MJUS – Minister of Justice

NZTA – New Zealand Transport Agency

SPK – Spark New Zealand Trading Limited

TDC – Timaru District Council

TPR – Transpower New Zealand Limited

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² Speirs, B [66.1]

PURPOSE

The ~~Timaru~~ District Plan is the tool through which the Council manages the use, development and protection of land and associated natural and physical resources as required by the Resource Management Act 1991 (~~hereafter~~ the RMA¹). The District Plan will assist the Council in achieving the purpose of the RMA, which is the sustainable management of natural and physical resources.

The District Plan sets out a framework of objectives, policies and rules to sustainably manage the use, development and protection of resources in the District. It identifies zones and other management areas and manages certain activities and issues within those areas. It also addresses a number of district-wide matters that are appropriate to be managed at a district-wide scale.

The District Plan is a statutory document that is legally enforceable and which the Council is required to prepare in accordance with ~~S~~section 73 of the RMA. The RMA requires the District Plan be prepared subject to its purpose and principles and to give effect to the Canterbury Regional Policy Statement (CRPS) and National Policy Statements (NPSs), and also to not be inconsistent with the relevant Regional Plans and National Environmental Standards (NESs). The District Plan will have a 10 year lifespan.

DESCRIPTION OF THE DISTRICT

Settlement Patterns, Growth and Development

Kāti Huirapa ~~S~~ettlement and ~~d~~Development

Timaru District lies within the traditional boundaries of the Ngāi Tahu iwi. The Ngāi Tahu hapū who hold mana whenua in ~~the Timaru~~ District are Kāti Huirapa, whose rohe extends over the area from the Rakaia River in the north to the Waitaki River in the south. Arowhenua is the site of the tipuna marae of Kāti Huirapa, and the Papatipu Runanga that represents the hapū is Te Runanga o Arowhenua. Mana whenua rights and obligations held by Kāti Huirapa include rangatiratanga and kaitiakitanga in relation to management of natural and physical resources.

Kāti Huirapa history with the land goes back more than 70 generations, when, according to tradition, Rākaihautu came to Te Wai Pounamu from Hawaiki in the canoe Uruao. Their traditional way of life was closely related to the natural environment. Natural resources were important to feed, clothe and equip people, and landmarks and landscapes provided visible connections to tradition and history. Travel routes and permanent or seasonal settlement sites extended along the coast and inland along the river systems, and rock art in limestone shelters provides reminders of travel routes and stories told along the way.

Alienation of land and development of the ~~d~~istrict since the 1840s has curtailed the ability to maintain traditional connections with and use of land and resources. However, Kāti Huirapa have an ongoing concern and close relationship with land, waterways, mahika kai sites, and other taonga, which remain culturally and spiritually important. Te Rūnanga o Arowhenua maintains its obligations to ensure that the health and survival of these resources and areas are maintained for future generations.

As part of the Canterbury land purchases, reserves were set aside to enable Ngāi Tahu to live and sustain themselves on their ancestral lands. However, use of this land has been subject to severe restrictions in the past. Kāti Huirapa have ongoing aspirations to establish and sustain settlement on their ancestral land at Waipopo and Arowhenua.

Population ~~a~~rowth and ~~f~~uture ~~d~~Development¹

The population of the ~~Timaru~~ District was 46,296 in 2018. The population is concentrated around Timaru township (population 27,650) and in the smaller townships of Temuka (4,470), Geraldine (2,706) and Pleasant Point (1,371). The District also has a number of villages including Pareora, Ōrāri, Cave, Winchester and Woodbury.

Modest population growth is expected over the life of the District Plan. Recent growth has been at a rate of up to 1% annually. Population growth is expected to reach a peak at approximately 49,700 people in 2032 and then slowly decline.

An aging population is one challenge the District is facing, with the ratio of people over the age of 65 being projected to change from 1:5 in 2013 to 1:3 by 2033. The percentage of people in the 75+ years bracket will experience the most growth, predicted to increase by 86% over the next 30 years. This means there may be a shift in the demand for certain housing types and locations, and also in the type of recreational facilities and public areas.

The residential areas in Timaru and the surrounding townships are currently dominated by properties 500m² to 1,000m² in area with some open space and both private and public amenity plantings. The fringes of townships tend to have larger properties and houses with a higher level of rural-style amenity. Properties closer nearer to town centres, particularly Timaru, are more densely populated, with smaller

¹ Te Rūnanga o Ngāi Tahu [185.9]

outdoor living ~~spaces areas~~ and less open space. There are also opportunities for infill and densification in some strategic residential locations.

Residential land use activities in the ~~Timaru~~ District have previously been centered in the urban centres, townships, and settlements. However, in recent years there has been an increase in the proportion of residential activities being undertaken on relatively small rural allotments, or 'lifestyle blocks', in rural areas. This has resulted in some dispersal of population across the ~~the~~ District.

This increase in dispersed rural residential style development has resulted in pressure for these areas to be serviced by Council infrastructure, which is against Council policy and can result in ineffective or inefficient use of infrastructure. Furthermore, reverse sensitivity issues arise in instances where residential activities are introduced into a working rural environment and the residents of these properties expect a level of amenity not consistent with the surrounding working environment.

In 2016, the Council published a Growth Management Strategy (GMS), the purpose of which was to outline a clear vision of how land use and growth will be managed between the date of publication and the year 2045. The GMS determined that future growth should be consolidated in and around the existing settlements of Timaru, Temuka, Geraldine and Pleasant Point, with well-integrated infrastructure. It also recommended encouraging increased density of residential activities in Timaru and Geraldine town centres, and surrounding Highfield Village Mall. The GMS was reviewed prior to the release of the ~~PDP~~ District Plan and some additional residential zone land provided on the edge of Timaru.

The strategic approach taken in the GMS to address issues arising from dispersed rural lifestyle development was to identify specific areas adjoining the four main settlements that may be suitable for rural lifestyle zoning.

Community and Open Space

The ~~Timaru~~ District has a network of parks, gardens and esplanade reserves, open space areas, and active recreation facilities to cater for the recreational requirements of its residents, as well as to contribute to the pleasant visual amenity of the area. In addition to sports grounds and public open areas, the Council also owns and/or operates the Caroline Bay Trust Aoraki Centre, public pools, dog exercise areas, and a number of walking and cycling tracks.

Land used for recreation has previously not always been zoned appropriately, and likewise, not all land zoned for open space or recreation has been used as such.

Caroline Bay is a popular destination for locals and visitors alike. It is used for swimming, sailing, and other water sports during summer and is popular with dog owners in winter. The playground and leisure facilities are well loved and utilised. It is a regionally significant recreational area and a drawcard for tourists and people passing through the ~~the~~ District. Because of this, and the wide range of activities undertaken in the area, a specialised approach to management within the District Plan and other Council policies and plans is provided.

Other social or recreational facilities operated by the Council include: Aigantighe Art Gallery, South Canterbury Museum, ~~the~~ District libraries, a number of town halls, Caroline Bay Hall, Washdyke Community Centre, Temuka Alpine Energy Stadium, and the Southern Trust Events Centre. Issues have arisen in the management of these facilities, in particular those used for large events, such as stadiums, because they have been required to undergo onerous resource consent processes to be allowed to operate. As these facilities are functional, serve the community's needs, and very few complaints have been received regarding their operation, there may be call for a more specialised rule framework to address these activities.

A number of waterways within the District are recognised by either a Water Conservation Order or as a High Naturalness Water-~~Body~~ (HNWB); for fish spawning; and many are frequented by anglers and other recreational users. These include: the Rangitata River, the Ōrāri River, Ōhapi Creek, the Waihi River, the Temuka River, the Ōpihi River, and the Te Ana Wai River. Game bird hunting is also undertaken recreationally within the District.

Cemeteries have previously been zoned for open space and recreation, which is not necessarily an accurate reflection of their use.

Business Zones and Centres

Commercial activities in the ~~d~~District tend to be located within urban centres for convenience, and industrial activities tend to be restricted to particular areas within, or adjoining, urban centres, with the exception of some large rural production type factories such as the dairy factory at Clandeboye.

In Timaru, retail activities and other commercial operations are centered on Stafford Street, and serve the wider ~~d~~District. The smaller rural settlements such as Temuka and Pleasant Point are rural service towns that primarily support the needs of the surrounding rural area. They generally contain small-scale commercial activities, community facilities and educationa facilities that service the surrounding neighbourhood, such as convenience stores, churches, schools, and health care facilities centres.

The Port of Timaru and the surrounding industrial land uses are the District's most visible and centrally located industrial area. Other industrial areas in Timaru are located on the outskirts of the urban area, at Redruth to the south and Washdyke to the north. In some cases, these industrial areas adjoin residential areas, which can result in conflicts arising between residential activities and industrial activities. Industrial areas have traditionally been separated between 'light' and 'heavy' activities.

Temuka has a reasonably sized industrial area precinct on the town's southwest border. Geraldine has industrial areas to the southwest of Talbot Street and adjacent to the Village Green. In Pleasant Point, industrial operations tend to center on Te Ngawai Road, with some near the commercial operations on State Highway 8. There are also industrial sites in more rural areas such as the Fonterra factory at Clandeboye, and the Barkers processing factory near Geraldine.

The GMS determined that the Timaru and Geraldine town centres should be consolidated to provide higher amenity and a wider range of services. One issue in consolidating the town centres is that previously there has been no policy approach that clearly distinguishes between the functions of these town centres and supporting commercial areas. The GMS did recommend intensification in the Timaru Port and Washdyke industrial areas.

The GMS identified that existing industrial land is considered sufficient to cater to future industrial growth in Temuka or Pleasant Point and that there is no additional land required for business and commercial uses. Prior to the ~~Proposed~~ District Plan being released, the GMS ~~h~~was ~~been~~ reviewed and additional zoned land ~~h~~was ~~been~~ proposed.

Infrastructure

The ~~d~~District contains the following ~~R~~egionally ~~S~~ignificant ~~I~~nfrastructure:

- ~~S~~trategic land transport network and arterial roads;
- Richard Pearce (Timaru) Airport;
- Port of Timaru;
- ~~T~~elecommunication facilities;
- ~~N~~ational, regional and local renewable electricity generation activities of any scale;
- ~~T~~he electricity transmission network;
- ~~S~~ewage collection, treatment and disposal networks;
- ~~C~~ommunity land drainage infrastructure;
- ~~C~~ommunity potable water systems;
- ~~E~~stablished community-scale irrigation and stockwater infrastructure;
- ~~T~~ransport hubs; and
- ~~B~~ulk fuel supply infrastructure including terminals, wharf lines and pipelines.

The Richard Pearce (Timaru) ~~a~~Airport is located on Falvey Road at Levels, is the main airport in South Canterbury and has been operational since 1953. The Port of Timaru is located at the bottom of Port

Loop Road and is a major importing and exporting center for the [District](#). It is also New Zealand's second largest fishing port, behind Nelson.

The nationally significant National Grid includes two designated electricity substations in the District, at Old North Road and Factory Road, and a third substation that was recently authorised at Ōrāri. The District is traversed by the following transmission lines:

- Ashburton - Timaru A 110kV transmission line;
- Ashburton- Timaru B 110kV transmission line;
- Benmore - Haywards A 350kV, HVDC transmission line;
- Benmore - Islington A 220kV transmission line;
- Christchurch - Twizel A 220kV transmission line;
- Glenavy- Timaru A 110kV transmission line;
- Roxburgh - Islington A 220kV transmission line;
- Timaru Deviation A 220kV transmission line; and
- Tekapo A - Timaru A 110kV transmission line.

Reticulated sewer systems exist in Timaru, Geraldine, Pleasant Point, Temuka, and Arowhenua. These schemes each consist of a network of pipelines that are connected to the main wastewater treatment plant located northeast of the Washdyke industrial area, where wastewater is treated via oxidation ponds. Industrial wastewater from Timaru is milliscreened at Aorangi Road where it combines with the domestic wastewater before being discharged offshore via a submarine ocean outfall.

The Council own and operate four water pumping stations, two reservoirs, a water treatment plant, and a network of approximately 300km of pipelines. The Council is also involved in the operation of a number of rural water supply schemes and drinking water supply sources², including Downlands Water Supply Scheme, the Te Moana Downs Water Supply Scheme, and the Ōrāri Water Supply Scheme. The Council maintains reticulated stormwater systems in Timaru, Temuka, Geraldine, Pleasant Point, Winchester, Cave, and Milford-Ōhapi. The stormwater systems consist of a combination of pipes, drains, kerb and channels, sumps, and soakpits.

There are three state highways within the Timaru District: State Highway 1, State Highway 8, and State Highway 79. These connect the [District](#)'s main urban centres. The state highways are maintained by the New Zealand Transport Agency - Waka Kotahi (NZTA) while the local roading network, including roads, bridges, footpaths, street lighting, traffic signals, and parking facilities, is maintained by the Council.

There is one public hospital located in the Timaru District which is the only public hospital in South Canterbury that services the wider [Region](#). Emergency services such as fire stations and ambulance stations are located in Timaru, Washdyke, Temuka, Pleasant Point, and Geraldine.

The, at times, ad hoc development of the [District](#) has put a strain on local infrastructure. In particular, it is inefficient to extend piped water and wastewater services when they may only be servicing a small number of properties. Strategic integration and co-ordination³ of infrastructure and land use could reduce this strain. The GMS has recommended zoning specific areas adjoining Timaru and other townships for rural lifestyle use to reduce the inefficiency of infrastructure provision to rural residential properties that have previously developed sporadically.

Rural Areas

Rural areas are dominated by agricultural land use, with some areas of horticulture and viticulture. Farming is largely pastoral, with sheep and beef farms dominating in the steeper or higher altitude areas and dairy farms occupying much of the plains, particularly at Rangitata Island.

² TDC [42.9]

³ TDC [42.10]

In recent years, rural lifestyle blocks have gained popularity, and subdivisions to supply this property market has resulted in the fragmentation of rural land, and the loss of productive land to rural residential use. This increase in rural residential activities, and urban creep into areas that have traditionally been farmed can, in some locations, cause conflict between landowners. New residential land uses may be impacted by existing farming activities and rural industry⁴ occurring in the working rural environment. A balance is needed between these activities to maintain the ability of farming activities and rural industry⁵ to continue in a rural environment.

Furthermore, the ~~the~~ District contains a large proportion of highly high-class productive land, ~~or versatile, soils. These are the soils classified as Class 1 to 2 under the Land Use Capability (LUC) classification system and are highly productive for a range of primary industries.~~⁶ These soils tend to be concentrated around townships and urban areas because towns were historically established in areas where the resources supported agriculture and growth. As a result, urban sprawl and changes in land use on the fringe of urban areas can reduce the availability of highly productive land ~~versatile soils~~⁷ for productive uses.

Natural and Heritage Environments

Geography of the District

The ~~Timaru~~ District shares boundaries with Ashburton District, Mackenzie District and the Waimate District, and is located within the Canterbury ~~Region~~. It is bounded by the Rangitata River in the north, the Pareora/Pureroa River to the south, the coast on the east and the main divide to the west. The District is characterised by low-altitude plains, rolling hill country (downlands), foothills, and the high mountains and the broad floor of the Upper Rangitata valley.

The low-altitude plains comprise of gravels between the coast and the downlands and foothills. The downlands comprise two basalt landforms (Timaru Downs and Geraldine Downs) and low hills of limestone and other sedimentary rock. They are largely at an altitude of less than 300m and are covered by a deep layer of loess.

The foothills rise from the plains and downlands to altitudes of more than 1600m. They are dissected by the Hae Hae Te Moana, Waihi and Ōrāri Rivers, and their tributaries. The high mountainous part of the District is dominated by the Ben MacLeod, Sinclair and Black Ranges, the extensive lateral moraine between Forest Creek and Bush Stream, and the floodplain of the Rangitata River.

The District's coastline includes the shingled Ninety-~~four~~ Mile Beach from the mouth of the Rangitata River to the Washdyke/Waitarakao Lagoon. South of the lagoon are headlands with low clay cliffs and the reefs that mark the landward edge of the lava flows from Mt. Horrible's volcano. This part of the coastline extends from Dashing Rocks to Tuhawaiki Point, where the coastline becomes shingle again.

Landscapes of the District

Four landscape character areas have been determined for the District: Low Altitude Plains, Downlands, Front Ranges, and Alpine Ranges and Basins.

The Low Altitude Plains character area is defined by flat, open and expansive plains which have little topographical relief and are traversed by braided rivers, including in particular, the Ōrāri and Ōpihi ~~Rivers~~. The landscape is largely linear, emphasised by the characteristic shelterbelts and dissecting roads, and tends to be used agriculturally, with little remaining indigenous vegetation.

The Downlands character area marks the transition between the rugged Front Ranges and the Low Altitude Plains and ranges in elevation from 300m to 935m. It is characterized by steep rocky escarpments, gullies, small valleys and waterways, rolling hill slopes and undulating tablelands. The

⁴ Fonterra [165.12]

⁵ Fonterra [165.12]

⁶ Hort NZ [245.3] – Hearing F

⁷ Fonterra [165.12], Hort NZ [245.3] – Hearing F

area has a distinctive mosaic of land uses, with a mix of intensive farming, extensive grazing, forestry, and some native bush.

The Front Ranges character area includes Peel Forest, part of the Four Peaks Range, and the Tara Haoa Range. The area is often snow-covered in winter and its landforms are typically steep to very steep, strongly rolling, or dissected mountain ranges of greywacke, sandstone and igneous rock. Extensive scree and bedrock outcrops are visible at higher altitude, along with sharp crested peaks and relatively smooth flat-topped ridge crests. Indigenous vegetation is generally restricted to steep slopes and gullies.

The Alpine Ranges and Basins character area extends along the Rangitata River, from the [Rangitata](#) gorge inland. The southern boundary of the area includes the Ben MacLeod Range and the Sinclair Range on the northern flank of the Two Thumbs Range. The more eastern portion of the Alpine Ranges and Basins character area contains more typical 'High Country' with extensively grazed slopes and basins, tussocklands, herbfields and scree/rock.

Previously, significant amenity landscape areas were managed through the [District](#) Plan. However, the survey undertaken as part of the [District](#) ~~Plan~~ review resulted in different landscape classifications, including areas that were not previously identified and managed as significant or outstanding landscapes. Furthermore, a natural character study of the coastal environment was undertaken and areas of high natural character were identified for protection.

Ecology of the District

Approximately 7,260ha of the District has ~~se~~ been surveyed and mapped as Significant Natural Areas (SNAs). The SNAs cover a wide range of habitat including coastal wetlands, lowland grasslands, limestone scarp, basalt boulderfield, downlands forest, old-growth podocarp forest in foothill valleys, regenerating forest on hill slopes, inland wetlands and tussock on moraine.

Within these SNAs are populations of nine 'threatened' species and 21 'at-risk' species, including long-tailed bats and a locally-endemic limestone gentian (a small flowering herb). Many SNAs are small, isolated, poorly buffered and modified by plant and animal pests.

Most parts of the downlands and plains are agriculturally developed or occupied by towns. A few remnants of indigenous vegetation and areas of regenerating vegetation are present in gullies and on steep slopes. River flats and the lower slopes of the Rangitata valley are modified, although areas of wetland, tussockland and herbfield remain.

Larger remnants of indigenous forest and extensive areas of regenerating forest and scrub are present in the foothill valleys. Higher slopes support modified indigenous vegetation, dominated by tussockland and shrubland. Headwater valleys, high altitude and alpine sites are relatively intact, except for the effects which occur as a result of introduced animals such as possums, hares, deer, chamois and tahr.

The SNA survey started in 2005 was one of the most comprehensive in New Zealand in recent times and will enable better identification and management of indigenous biodiversity values.

The District also supports populations of game birds, native fish, salmon and trout. There are a number of fish spawning sites that are recognised by the regional plans.

Historic Heritage Sites ~~Areas~~ and Historic Heritage Items⁸

The ~~Timaru~~ District has a number of ~~historic heritage sites~~ ~~areas~~ and ~~historic heritage items~~⁹ arising from historical settlement and activities. Sites and areas of significance to Māori ([SASM](#)) are considered historic heritage but are addressed in the ~~Takaka~~ ~~Mana~~ ~~Whenua~~ [Chapter section](#). The first Europeans to make their homes in the District were whalers and landed at the mouth of Wai-iti Creek in 1839. Whalers settled in the ~~d~~ District for only a brief time as the whaling firm failed, so the stations were

⁸ Heritage NZ [114.2]

⁹ Heritage NZ [114.2]

abandoned. The Strathallan settlers arrived in 1859 and the local saw-milling industry, centered at Peel Forest, Woodbury, Geraldine and Arowhenua, was important for the growth of the ~~e~~District following this. Stone quarries were also opened at Kingsdown, Wai-iti, and Washdyke to aid in the construction of local buildings and bridges.

The first pastoral runs were taken up in the 1850s, meaning that many of the most important historic buildings in the District are found in rural areas, such as farm houses, woolsheds, granaries, stables, and implement sheds. The earliest flour mill was in Temuka, with another early mill near Pleasant Point. Large steam-powered mills were built in the later 19th century. In the late 19th century, mixed farms became established in the District, such as those that ran sheep in some areas and cultivated crops in others. Dairying was not extensive during the 19th century and most of the 20th, but a number of small dairy farms were established, particularly north of the Ōpihi River.

The formation of ~~e~~District roads began in the late 1850s. A railway line was constructed between Christchurch and Timaru in the 1870s and the state highway between them was fully sealed by the 1950s. Bridges were built over the Rangitata River at Arundel in 1872 and at Rangitata Island in the 1930s. The first wharf was completed in 1880, the second in 1886, and the third in 1910. In the 1980s, two relatively large fish-processing factories were built on new land made available by reclamation on the north side of the inner harbor.

Development began at Caroline Bay beach in the late 19th century. Between 1905 and 1913 a drinking fountain was installed, as were tearooms, a band rotunda (later replaced by the soundshell), a piazza and the tennis courts. In 1915, the first children's playground was opened, as were hot saltwater baths, which remained in place until 1968. The Bay Hall was built soon after the end of World War 1 and extended in 1958. The piazza on the Bay Hill and the stairs down to the bay were opened in 1997.

It is important that historic heritage sites¹⁰ and historic heritage items remaining from early occupation of the ~~e~~District be protected while ensuring any historic heritage buildings remain safe and do not pose a risk to the community. Furthermore, parts of the Timaru ~~T~~own ~~e~~Centre, specifically around Stafford Street, have general historic heritage character because of the building ages and styles and this character is important to the ~~e~~District.

Natural Hazards and Climate Change

A large part of the plains within the ~~Timaru~~ District ~~is~~ are subject to some degree of flooding risk, either as a result of river break-outs or overland flow. Furthermore, low lying land near the coast is subject to risk of inundation in some areas, and much of the coastline is subject to erosion and accretion. The effects of erosion may be seen in particular at Pātītī Point and Washdyke.

Much of the ~~Timaru~~ District is prone to some risk of flooding either from river breakouts or overland surface flooding from local sources. All of the ~~Timaru~~ District coastline, with the exception of Caroline Bay and South Beach, is subject to historic and ongoing coastal erosion. Furthermore, large areas of land near the coast, particularly from Washdyke/Waitarakao Lagoon to north of the Ōrāri River, are at risk of seawater inundation.

In filled sites, there is a risk of subsidence, and development on these sites must be carefully managed to ensure buildings or structures erected upon them are not damaged. In urban areas, flooding may be exacerbated by factors such as hard surface coverage, and it may be appropriate to manage this through regulatory mechanisms.

River and local runoff flooding events have had significant impact historically and are the most frequent hazard faced by the ~~e~~District. Managing coastal hazards is a growing area of concern as ongoing coastal erosion and forecast climate change and sea level rise will put developed coastal land and infrastructure at increasing risk.

¹⁰ Heritage NZ [114.2]

In some cases, natural hazards can be managed using development controls and limitations on expansions or replacements; however, in some locations it may not be appropriate to provide for any new development. Any new settlements should be provided for only in places with an acceptable level of risk as determined in accordance with the [CRPS Canterbury Regional Policy Statement](#).

The ~~the~~ District is at risk from earthquake shaking from earthquake faults both within and beyond the ~~the~~ District. There are several mapped earthquake faults along the base of the foothills and in the upper Rangitata Valley. In addition to potentially generating strong earthquake shaking, these faults also pose a fault rupture hazard — that is when the ground along the fault and a few metres either side of it is permanently ripped, warped, buckled and offset when the fault ruptures (moves). There are some low-lying coastal areas, such as around Washdyke, Waimāitaitai and Saltwater Creek, that could be susceptible to liquefaction during strong earthquake shaking.

While there are no known faults directly off the Timaru coast, the coastline of the ~~the~~ District is vulnerable to tsunamis from offshore Fiordland and the North Island's east coast, as well as from across the Pacific Ocean.

Steep areas of the ~~the~~ District, such as the Rangitata Valley and coastal cliffs around Timaru, are susceptible to landslides and rockfalls, and the steep fans coming out of the foothills, such as at Blandswood, are vulnerable to debris flows.

Climate change is expected to have the strongest effect on coastal land including at Washdyke, where the unique catchment conditions and low-lying nature of the land and flow outlets makes it vulnerable to sea level rise and increasing freshwater and seawater flooding issues. Climate change effects may also reduce the effectiveness of existing coastal and freshwater flooding defences. There may also be an increase in coastal erosion. Generally, higher rainfall is anticipated, with increased severity in resultant flood flows in rivers. The temperature is projected to increase, as is evaporation across the plains.

Takata Whenua

~~Timaru District lies within the traditional boundaries of the Ngāi Tahu iwi. The Ngāi Tahu hapū who hold mana whenua in Timaru District are Kāti Huirapa, whose rohe extends over the area from the Rakaia River in the north to the Waitaki River in the south. Arowhenua is the site of the tipuna marae of Kāti Huirapa, and the Papatipu Runanga that represents the hapū is Te Runanga o Arowhenua. Mana whenua rights and obligations held by Kāti Huirapa include rangatiratanga and kaitiakitanga in relation to management of natural and physical resources.~~

~~Kāti Huirapa history with the land goes back more than 70 generations, when, according to tradition, Rākahautu came to Te Wai Pounamu from Hawaiki in the canoe Uruao. Their traditional way of life was closely related to the natural environment. Natural resources were important to feed, clothe and equip people, and landmarks and landscapes provided visible connections to tradition and history. Travel routes and permanent or seasonal settlement sites extended along the coast and inland along the river systems, and rock art in limestone shelters provides reminders of travel routes and stories told along the way.~~

~~Alienation of land and development of the district since the 1840s has curtailed the ability to maintain traditional connections with and use of land and resources. However Kāti Huirapa have an ongoing concern and close relationship with land, waterways, mahika kai sites, and other taonga, which remain culturally and spiritually important. Te Rūnanga o Arowhenua maintains its obligations to ensure that the health and survival of these resources and areas are maintained for future generations.~~

~~As part of the Canterbury land purchases, reserves were set aside to enable Ngāi Tahu to live and sustain themselves on their ancestral lands. However use of this land has been subject to severe restrictions in the past. Kāti Huirapa have ongoing aspirations to establish and sustain settlement on their ancestral land at Waipopo and Arowhenua.¹¹~~

¹¹ Te Rūnanga o Ngāi Tahu [185.9]

STATUTORY CONTEXT

Relationship with Other Planning Documents

In preparing the District Plan, the Council is required to consider a range of other plans and policy documents of relevance to the District.

The District Plan must give effect to any NPS National Policy Statement, the NZCPS New Zealand Coastal Policy Statement, the National Planning Standards, and the CRPS Canterbury Regional Policy Statement. The Council is also required to enforce any relevant NES National Environmental Standard prepared under the RMA. Plan rules may not duplicate NES National Environmental Standard provisions or be more lenient than them, unless specifically provided for in the NES National Environmental Standard.

The District Plan must not be inconsistent with any Water Conservation Order or relevant Canterbury Regional Council Plan. The Council will undertake Plan Changes, if necessary, where these plans or policy documents are proposed or altered during the life of this District Plan.

The Local Government Act 2002 allows the Council to set out broad objectives and policies in the Long-Term Plan which will provide a clear indication of ~~of~~ desired community outcomes and intended Council activities. The Council's Long-Term Plan controls funding for planning and heritage work which may be relevant to the District Plan.

Treaty of Waitangi / Te Tiriti o Waitangi and Māori Issues of Significance

Under section 74 of the RMA, the Council is required to prepare its District Plan in accordance with the provisions of Part 2 (sections 5- to 8 of the RMA), which includes the following clauses:

Recognise and provide for:

- s6(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga;
- s6(f) the protection of historic heritage from inappropriate subdivision, use and development; and
- s6(g) the protection of protected customary rights.

Have particular regard to:

- s7(a) kaitiakitanga.

Section 8 of the RMA requires that the Council take into account the principles of the Treaty of Waitangi / Te Tiriti o Waitangi when it exercises its functions to manage the use, development and protection of physical and natural resources.

The principles of the Treaty are obligations on the Crown, but are relevant to local authorities under section 8 of the RMA, in that they are to be taken into account when exercising their power and duties under that act.

The Court of Appeal¹ has outlined the following key Treaty principles:

- *The acquisition of sovereignty in exchange for the protection of rangatiratanga*: “The Crown sought legitimacy from the indigenous people for its acquisition of sovereignty and in return it gave certain guarantees” (Justice Richardson);
- *Partnership*: Each party to the Treaty owes the other a duty to act reasonably and in good faith;
- *Freedom of the Crown to govern*: The Treaty does not restrict the right of a duly elected government to follow its chosen policy;
- *Duty of active protection*: The Crown has a duty to actively protect Māori interests in the use of their lands and waters;

- *Duty to remedy past breaches:* The Crown has a duty to grant some form of redress where the Waitangi Tribunal finds merit in a claim¹;
- *Retention of rangatiratanga:* “The Māori Chiefs looked to the Crown for protection from other foreign powers, for peace and for law and order. They reposed their trust for these things in the Crown believing that they retained their own rangatiratanga and taonga.” (Justice Bisson)²; and
- *Duty to consult:* The responsibility to act in good faith and reasonably puts the onus on the Crown to make an informed decision, in many cases that will require consultation.²

These matters are addressed in the District Plan as follows:

- ~~The~~ Mana Whenua ~~Chapter~~ recognises the status of Kāti Huirapa as the hapū holding customary authority in the ~~Timaru~~ District. It describes Kāti Huirapa values, interests and concerns that are relevant in respect to the matters in ~~Sections~~ 6(e) and (f), ~~Section~~ 7(a) and ~~Section~~ 8 of the RMA³. Section MW3 also describes resource management-related requirements of the Ngāi Tahu Claims Settlement Act 1998. Section MW3.2 specifically identifies the Statutory Acknowledgement Areas present in the District.¹ and Section MW4 identifies relevant iwi planning documents to be taken into account in resource management decision-making in the Timaru District;
- ~~The~~ Sites and Areas of Significance to Māori ~~Chapter~~ identifies areas that have particular significance to Kāti Huirapa in terms of section 6(e) of the RMA, and includes objectives, policies and rules to protect the values of these areas;
- ~~The~~ Māori Purposes Zone chapter includes objectives, policies and rules to enable Kāti Huirapa to live and support themselves on ancestral land at Arowhenua and Waipopo²; and
- ~~Provision~~ for the relationship of Kāti Huirapa with the ~~District~~ as a whole, and their kaitiakitanga role in regard to sustaining the environment, is integrated into objectives, policies and rules across the District Plan.

These provisions were developed with the involvement of Kāti Huirapa. Involvement included:

- drafting of the Mana Whenua ~~Chapter~~;
- preparation of research reports to inform drafting of the Sites and Areas of Significance to Māori Chapter and Māori Purposes Zone ~~Chapters~~; and
- representation on the Environmental Services Committee, Heritage, Biodiversity, mana whenua, Steering Groups and the Council’s Technical Working Group.

The Iwi Management Plans that apply to the ~~Timaru~~ District at the time of notification are the:

- Iwi Management Plan of Kāti Huirapa;
- Te Rūnanga o Ngāi Tahu Freshwater Policy;
- Hazardous Substances New Organisms Policy; and
- Te Whakatau Kaupapa Ngāi Tahu Resource Management Strategy for the Canterbury Region.²

The Council is committed to a process of ongoing liaison and consultation with the ~~Mmana~~ ~~Ww~~henua, the registered iwi authority,³ to discuss issues of relevance to them. Council undertakes to enter this relationship exercising utmost good faith, to make informed decisions and actively protect Māori interests through its obligations under the RMA.

Other Planning Documents and Legislation Considered

The Council is required by sections 74(2) and 74(2A) of the RMA to have regard to other relevant planning documents or management plans. In preparing the District Plan, the Council have had regard to the following:

- New Zealand Heritage List Rarangi Korero;

¹ Te Rūnanga o Ngāi Tahu [185.10]

² Te Rūnanga o Ngāi Tahu [185.10]

³ Te Rūnanga o Ngāi Tahu [185.10]

- Building Act 2004;
- Local Government Act 2002;
- Heritage New Zealand Pouhere Taonga Act 2014;
- Hazardous Substances and New Organisms (HSNO) Act 1996;
- Health and Safety in Employment Act 1992⁴;
- Reserves Act 1977⁵;
- Conservation Act 1987;
- National Parks Act 1980;
- Land Transport Management Act 2003;
- Land Transport Act 1998;
- Fire Service Act 1975;
- Health Act 1956;
- Civil Defence Emergency Management Act 2002;
- Local Government and Official Information and Meetings Act 1987;
- Timaru District Long Term Plan;
- Timaru Growth Management Strategy;
- Timaru District Stormwater Strategy 2018-2048;
- Infrastructure Strategy 2018-2068;
- Timaru District Council Consolidated Bylaw 2018;
- Timaru District Parks Strategy;
- Timaru District Off-road Walking and Biking Strategy;
- Ashburton District Plan;
- Mackenzie District Plan;
- Waimate District Plan;
- Fisheries (Declaration of Waitarakao Mātaaitai Reserve) Notice 2014 and Fisheries (Declaration of Opihi Mātaaitai Reserve) Notice 2014-; [and](#)
- [Water Services Act 2021](#).⁶

Freedom camping, as defined in ~~S~~section 5 of the Freedom Camping Act 2011, is not managed by the District Plan and is managed by the Freedom Camping Act 2011.⁷

Consultation

Consultation for the [District](#) Plan was undertaken in a number of different ways. If you would like more information, please click here (www.timaru.govt.nz/dpr)

⁴ OWL [181.7]

⁵ OWL [181.7]

⁶ TDC [42.12]

⁷ NZMCA [134.1, 134.2 and 134.6] – Hearing F

GENERAL APPROACH

Integrated Management

The ~~Timaru District~~ Council and Canterbury Regional Council (~~CRC~~) have some overlapping responsibilities under the RMA, e.g. management of natural hazards, and water quality.¹ To avoid duplication of provisions and ~~to~~ achieve integrated management of natural and physical resources, it is important to maintain communication and liaison between the Council and the ~~CRC Regional Council~~ to ensure that resource management decisions are based on the best information available and carried out in an integrated manner.

The ~~District~~ Plan is also required to give effect to the Regional Policy Statement, and Council will have the opportunity to provide input into the content of the ~~CRPS Regional Policy Statement~~ when it is reviewed.

Integrated management was incorporated into the ~~District~~ Plan in a number of ways, including the establishment of the Plan Review Technical Working Group, which consisted of Council staff from various departments, a ~~CRC Canterbury Regional Council~~ planner, and a planner from Aoraki Environmental Consultancy ~~Limited Ltd~~ (AECL) representing Arowhenua Rūnaka. This working group ensured the integration of the ~~CRPS Canterbury Regional Policy Statement~~ and consistency with Canterbury Regional Plans, while avoiding duplication.

An assessment of relevant national and regional policy documents was also undertaken during the first phase of the ~~District~~ Plan ~~Review~~.

Consultation with adjoining ~~Territorial~~ ~~Authorities~~ was conducted throughout the District Plan Review to ensure the integrated management of cross boundaries issues.

District Plan Structure

The District Plan consists of five parts as follows:

Part 1 – Introduction and General Provisions

This part provides a location for information including a foreword, contents, purpose of the ~~District~~ ~~Plan~~, a description of the ~~District~~, and how the ~~District~~ ~~Plan~~ works. It includes definitions, glossaries, and a summary of national direction instruments to assist the user of the ~~District~~ Plan. It also provides context and process-related information in relation to mana whenua.

A range of definitions are used within the plan including from national legislation (such as the RMA), the National Planning Standards, and definitions developed by the Timaru District Council. Where the definition is:

- from the National Planning Standards, the background is shaded grey when the definition is viewed in the Definitions chapter;
- adopted into the Proposed Plan from another statute (ie, the RMA), reference to the section of that statute to which the definition originates (e.g. 'Plantation Forestry has the same meaning as in section 3 of the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017') is specified at the beginning of the definition.²

¹ TDC [42.11]

² OWL [181.8, 181.12]

Definitions

The ~~District ePlan~~ explains the extended meaning of words and phrases developed specifically for, and as used in the context of, it. The definitions replace the ordinary dictionary meaning of the subject word or phrase.

Definitions only apply where identified via the following means in the Definitions ~~eChapter~~:

1. ~~In~~ some cases, a qualifier in the definition itself (i.e. “X” in relation to “Y” means...); and
2. ~~In~~ the e-plan, [dotted underline] with hyperlinking. In all other instances, words and phrases used in the ~~District ePlan~~ are best defined using their ordinary dictionary meaning.

Advice notes:

1. Where a word or phrase is defined in the Definitions ~~eChapter~~, its definition includes any variations of the word or phrase that are plural or vice versa~~;~~
2. Where a word or phrase defined is adopted into the ~~District ePlan~~ from another statute (i.e., the RMA), reference to that section of that statute to which the definition originates (e.g., ‘Plantation Forestry’ has the same meaning as in section 3 of the Resource Management ‘National Environmental Standards for Commercial Forestry’) Regulations 2017’ is specified at the beginning of the definition~~;~~
3. Where a term or phrase originates from the National Planning Standards, the background is shaded grey when the definition is viewed in the Definitions ~~eChapter~~~~;~~
4. Other definitions on which each definition relies are identified in the definition by [dotted underline] with hyperlinking in the definition for information purposes, to assist interpretation of the primary definition and to illustrate the interrelationship between some definitions~~;~~ ~~and~~
5. Please refer to:
 - a. The Abbreviations ~~eChapter~~ for abbreviations of terms referred to in this ~~District ePlan~~; and
 - b. The Glossary ~~eChapter~~ for an explanation of Māori terms and concepts relevant to the management of natural resources in the ~~Timaru~~ District.³

Part 2 – District-~~w~~Wide Matters

Strategic Directions

This section sets out the overarching directions for the sustainable management of growth, land use and development of the ~~Timaru~~ District. The section is arranged in two chapters: Strategic Directions and Urban Form and Development. The Strategic Directions:

- a. are strategically important for achieving integrated management and for ensuring the RMA's purpose is achieved;
- b. give effect to relevant higher order documents such as ~~NPSs national policy statements~~ and the ~~CRPS Canterbury Regional Policy Statement~~; and
- c. provide a basis for how decisions relating to resource use will be made in the District over the life of the ~~District~~ Plan.

Focusing as it does on high level Strategic Directions, this section leaves the articulation of activity-specific and location-specific objectives and policies to the subsequent chapters of this ~~District~~ Plan.

These provisions have been informed by the ~~GMS Timaru District 2045 Growth Management Strategy~~ which addresses growth and development in the ~~eDistrict~~ and sets out a spatial framework for its

³ OWL [181.8, 181.12]

management. They support achieving a ~~e~~District that has a sustainable lifestyle, a thriving and innovative economy and a strong identity.

District-Wide Matters

The remaining chapters of Part 2 contains objectives, policies and rules that apply across the ~~e~~District such as subdivision, transport, historic heritage and noise etc. District-~~W~~ide chapters often relate to values and risks such as Outstanding Natural Landscapes s (ONLS) and ~~High Flood Hazard Areas~~⁴, which are identified on the planning map as overlays. However, other ~~D~~istrict-~~W~~ide chapters relate to specific activities that are not spatially identified as overlays as they occur across the ~~e~~District.

Part 3 – Area-Specific Matters

Part 3 of the District Plan addresses matters that are area specific. For example, residential and commercial areas require a different management approach as different outcomes are anticipated for those areas. The different types of area specific provisions are:

- Zones: A zone spatially identifies and manages an area with common environmental characteristics or where certain environmental outcomes are sought, by bundling compatible activities together and controlling those that are incompatible. All land in the ~~e~~District is part of a 'zone' on the planning maps.
- Precincts (multi-zone): A precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying zone(s) (~~e.g.~~ for example, PREC3 – Washdyke Industrial Expansion Precinct in the General Industrial Zone).
- Development Areas: A development area spatially identifies and manages areas that are provided for future development. Additional provisions apply to these areas to enable integrated and coordinated development. and
- Designations: Designations are used to show land that has been designated for a particular purpose by a ~~R~~equiring ~~A~~uthority. Designations are generally associated with a public work, project, or a network utility operation. Designations supersede District Plan provisions.

Part 4 – Appendices and Maps

Part 4 of the District Plan contains planning maps, schedules and technical information.

Rule Numbering and Coding

The National Planning Standards require numbering in the District Plan to take an alphanumeric approach therefore chapters have been given shortened descriptors, for example, the code for the Energy and Infrastructure Chapter is 'EI' and the Town Centre Zone is 'TCZ'. Codes are referenced at the beginning of the relevant chapter and through the District ~~e~~Plan as required.

You will notice that the codes are referenced at the beginning of each chapter to which it relates on the left hand navigation panel, as well as at the beginning of any ~~O~~bjective, ~~P~~olicy, ~~R~~ule, ~~S~~tandards (for example, ~~e.g.~~ EI-O, EI-P, EI-R, EI-S).

The first column of the 'Objectives' 'Policies' and 'Rules' tables located in the 'Part 2 - District-Wide Matters' and 'Part 3 – Area-Specific Matters' chapters will contain the code to indicate to which chapter the provision relates.

Within Part 2 (excluding the Strategic Direction Chapter, which only contain objectives) and Part 3 of the District Plan, each chapter may contain objectives, policies, rules, and rule requirements to address resource management issues:

⁴ Clause 10(2)(b) – relating to Kāinga Ora [229.39]

Term	Abbreviation	Interpretation
Objectives	O	A re goals, or end states to be strived for. They are expressed as broad statements of what is to be achieved.
Policies	P	A re the broad strategies to achieve the objectives. They give direction, and represent a general course of action to be taken.
Rules	R	<p>Iimplement the policies — they identify activities you can do as of right (permitted activities) and those activities for which resource consent must be obtained prior to being undertaken.</p> <p>Rules often are subject to rule requirements, which are specific requirements within the rule table that have to be met to comply with the rule. Rule requirements for permitted activities are abbreviated as PER-1; for controlled activities as CON-1; for restricted discretionary activities as RDIS-1; for discretionary activities as DIS-1. The rule requirements are numbered and therefore the second rule requirement is displayed as PER-2, CON-2 etc.</p>
Standards	S	I dentify thresholds for effects of an activity that must either be achieved or must not be exceeded for the activity to be deemed to have a permitted status.

Activity Status

The District Plan addresses land use and subdivision activities. An activity may be managed by the Part 3 - Area-Specific provisions as well as the Part 2 - District-Wide provisions.

No person is allowed to undertake any activity in a manner that contravenes a rule in the District Plan or a NES National Environmental Standard unless the activity is:

- expressly allowed by a resource consent; or
- is an existing use allowed by section 10, 10A or 10B of the RMA; or

- is an emergency work carried out in accordance with section 330 of the RMA. Notification must be sent to the local authority and a retrospective resource consent is required following the undertaken of the emergency work.

A resource consent is a consent granted by a consent authority which allows a person to carry out a certain activity, for instance, land use activities or subdivision.

Under the RMA, activities are classified as being ~~P~~ermitted, ~~C~~ontrolled, ~~R~~estricted ~~D~~iscretionary, ~~D~~iscretionary, ~~N~~on-complying or ~~P~~rohibited.

The activity status is a category that determines whether consent is required and what will be considered when the Council decides whether a consent application can be approved. Table 1 below explains how different activities are to be considered:

Table 1 — Activity ~~s~~tatuses under the RMA

Activity Status	Resource Consent Required?	What Can Council consider?
Permitted activities (PER)	No	N/A
Controlled activities (CON)	Yes <u>Resource consent</u> must be granted.	Matters specified in the relevant rules, may impose conditions.
Restricted discretionary activities (RDIS)	Yes <u>Resource consent</u> may be granted or declined	Matters over which discretion has been reserved as specified in the relevant rules, may impose conditions if granted.
Discretionary activities (DIS)	Yes <u>Resource consent</u> may be granted or declined	Any relevant matters within Council's jurisdiction, may impose conditions if granted.
Non-complying activities (NC)	Yes <u>Resource consent</u> may be granted or declined	Any relevant matters within Council's jurisdiction. Resource consent may only be granted, and conditions imposed, if: 1. the adverse effects of the activity are minor; or 2. the activity is not contrary to the objectives and policies of the <u>District</u> Plan.
Prohibited activities (PR)	No <u>The</u> activity <u>is not allowed</u> to should not occur in any circumstances.	No application may be made for a prohibited activity and no resource consent can be granted. If Council receives an application for a prohibited activity, it will be returned to the applicant without consideration.

How to ~~i~~dentify an aActivity ~~s~~tatus

For certain activities, resource consent may be required by rules in more than one chapter in the District Plan. Unless expressly stated otherwise in the District Plan, resource consent is required under each of those rules.

~~Certain rules in the~~ There are a number of places in the District Plan where rules in one chapter Energy and Infrastructure Chapter and Temporary Activity Chapter take precedence or prevail over the rules in other chapters ~~the Zone Chapter~~. In these instances, the intension is that these rules apply 'instead of'

the rules in other chapters. This is made clear in the “Notes” to the rules section of each relevant chapter. Details of such instances are listed in Table 2 below:

Table 2 – Status of Rules in the District Plan

<u>Chapter</u>	<u>Status of rules</u>
<u>Energy and Infrastructure Chapter</u>	<ul style="list-style-type: none"> • <u>Rules in Sections A to F:</u> <ul style="list-style-type: none"> a. <u>prevail over zone rules (with the exception of the rules in the Port Zone applying to port activities); and</u> b. <u>apply in addition to rules in other chapters.</u> • <u>Rules in Section G:</u> <ul style="list-style-type: none"> a. <u>apply in addition to rules in other chapters.</u>
<u>Transport Chapter</u>	<ul style="list-style-type: none"> • <u>Prevail over zone rules (as specified in Rule Note); and</u> • <u>Apply in addition to rules in other chapters.</u>
<u>Activities on the Surface of Water Chapter</u>	
<u>Coastal Environment Chapter</u>	
<u>Temporary Activities Chapter</u>	<ul style="list-style-type: none"> • <u>Prevail over zone rules where the rule is more lenient in the TEMP chapter; and</u> • <u>Apply in addition to rules in other chapters.</u>
<u>Future Development Area Chapter</u>	<ul style="list-style-type: none"> • <u>Prevail over General Rural Zone rules in any instance of conflict; and</u> • <u>Apply in addition to rules in other chapters.</u>
<u>Other district-wide chapters not listed</u>	<ul style="list-style-type: none"> • <u>Apply in addition to rules in other chapters.</u>
<u>Zone chapters</u>	<ul style="list-style-type: none"> • <u>As specified above; and</u> • <u>Apply in addition to rules in other chapters.</u>

~~How the rules in one chapter shall be interpreted with other chapters are explained in the Note located under the Rules section of the chapter. Activities that are not listed in the Part 2 – District-Wide chapters are generally permitted in that chapter, unless otherwise stated in the rule Note. However, other chapters may require consent for the activity.~~

The figure below is an example of the Rule Note.

Rules

Note: For certain activities, consent may be required by rules in more than one chapter in the Plan. Where rules in this chapter are more lenient than the rules in [Part 3 – Area Specific Matters - Zone Chapters](#), rules in this chapter take precedence. Unless otherwise specified in this chapter, the provisions of [Part 2 - District-wide Matters Chapters](#) still apply to activities provided for in this chapter and therefore resource consent may be required by the rules in Part 2. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in [Part 1, HPW – How the Plan Works](#).

Figure 1 – Example of Rule Note

The ~~F~~figure below explains how to identify the activity status of a proposed activity.

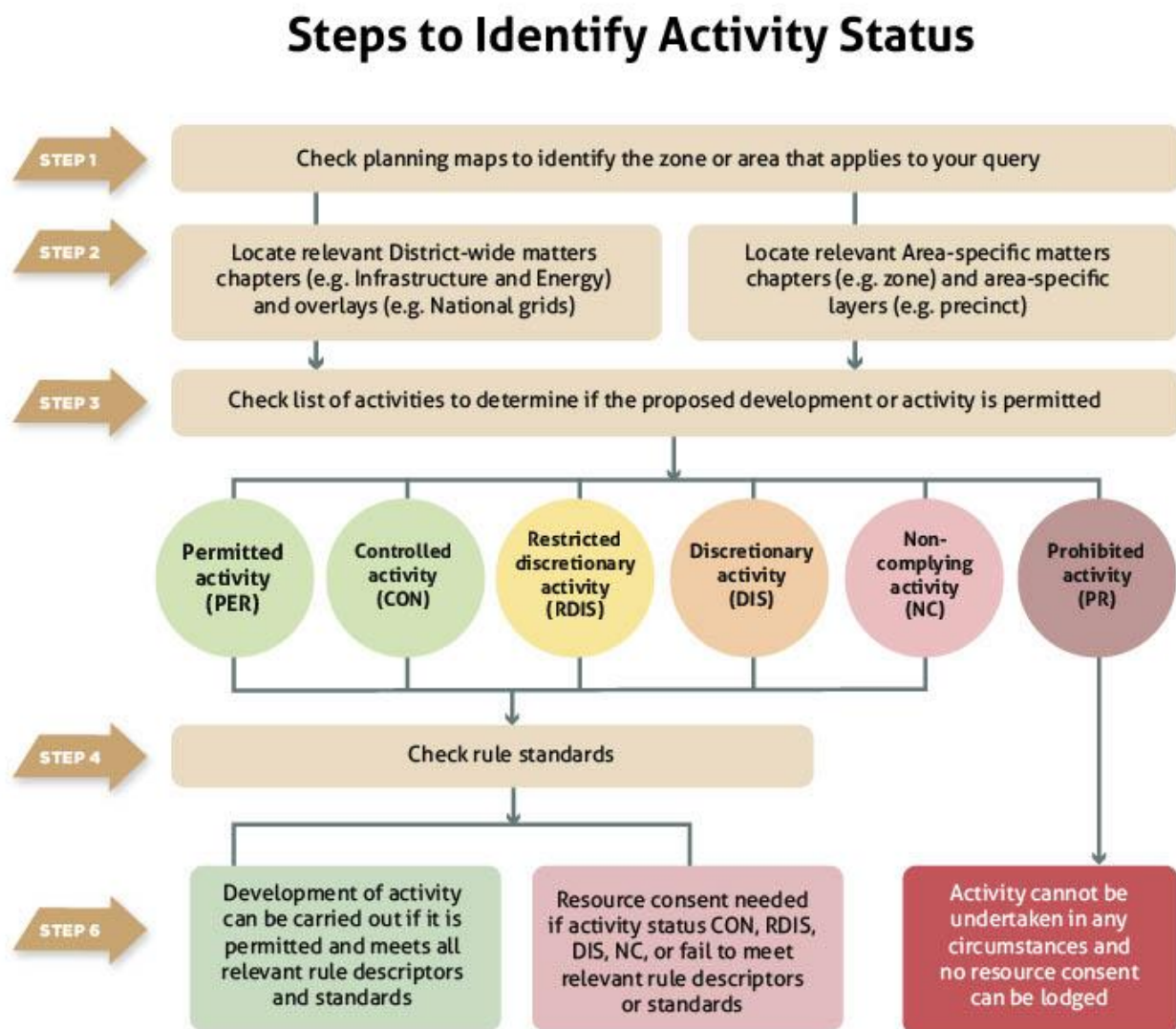


Figure 2 — Steps to ~~i~~Identify ~~a~~n ~~a~~Activity ~~s~~tatus⁵

As illustrated earlier, a property search on the planning map will bring up the zones, overlays, precincts, areas, controls and/or features that apply to the property. It will also bring up all the [District pPlan](#)

⁵ Step 2 in Figure 2 is to be amended from 'National grids' to 'National Grid Yard' – Transpower [159.3]

chapters including relevant rules that are applicable to this property. These rules will help you to identify the activity status for your proposed activity. The diagram below illustrates how to read a **R**ule.

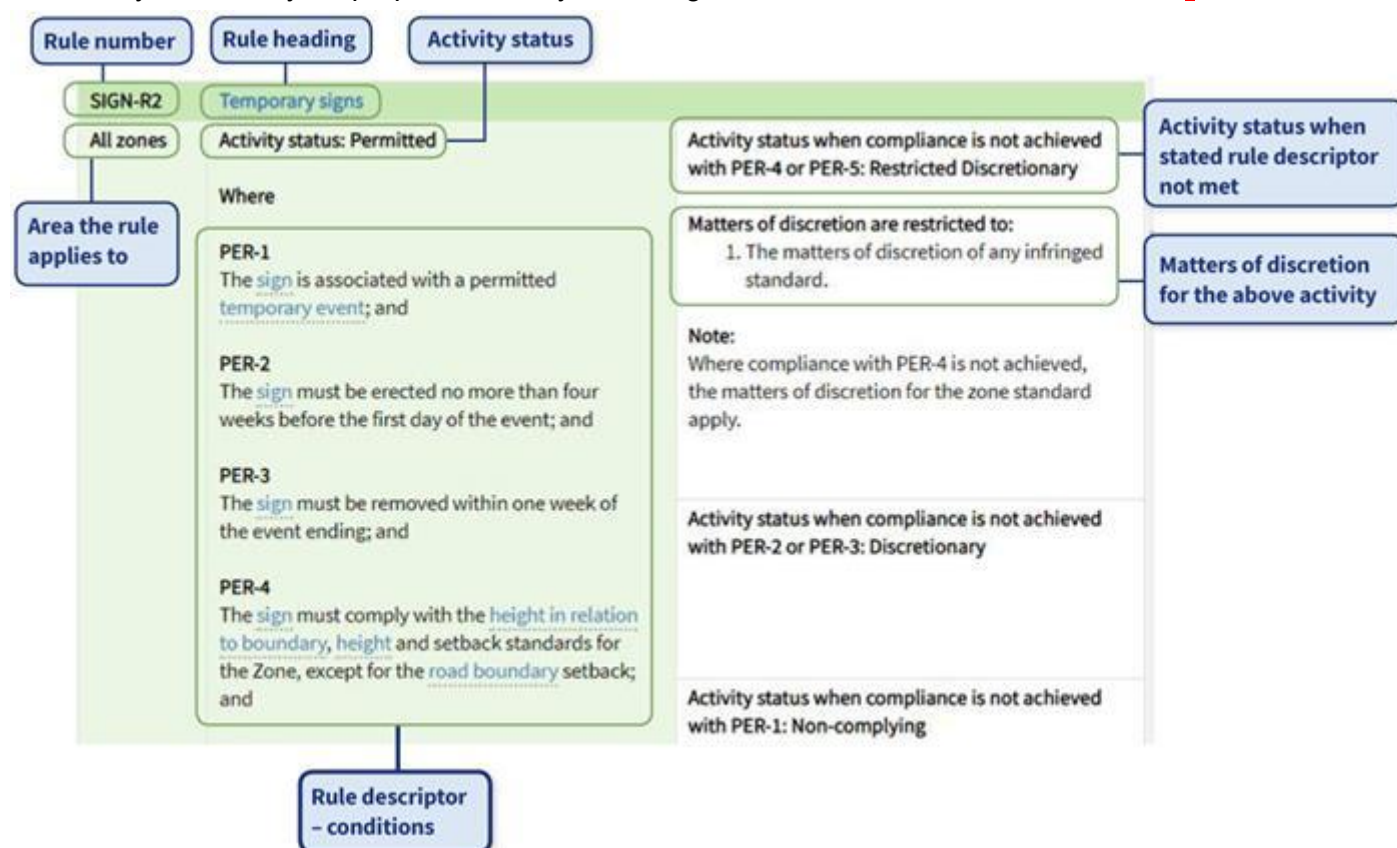


Figure 3 — Interpretation of Rule Table

A traffic light colour coding has been used in the rules:

- If the activity status of an activity starts as a **P**ermitted activity or **C**ontrolled activity, the rule will be shaded in green;
- if **# the activity status of an activity** starts as a **R**estricted **D**iscretionary activity, the rule will be shaded in yellow;
- if **# the activity status of an activity** starts as a **D**iscretionary activity, the rule will be shaded in orange;
- if **# the activity status of an activity** starts as a **N**on-complying activity, the rule will be shaded in pink; and
- if the activity is a **P**rohibited activity, the rule will be shaded in brown.

Where an activity is subject to multiple rules of the **District** Plan which have different activity statuses, unless expressly stated otherwise in the **District** Plan, the most restrictive activity status applies.

Example: Identifying an Activity's Status

For example, to rebuild a building on Stafford Street. The site is located in the City Centre Zone, **PREC2** - the Southern Centre Precinct and the Historic Heritage Area Overlay. A total of 400 **m² square metres** of earthworks is required for the rebuild. Table 2 below illustrates the activity status for this activity – assuming no other rules apply to this activity.

Table 2 — Activity status to rebuild a building on Stafford Street

Activity	Area-specific Matters Rules	District-wide Matters Rules
----------	-----------------------------	-----------------------------

	City e Centre z Zone	PREC2 – Southern Centre Retail core p PRECinct	Historic Heritage Area Overlay	Earthworks Chapter
Demolish the building	Controlled <i>subject to compliance with standards</i>	Permitted <i>subject to compliance with standards</i>	Discretionary	Permitted <i>subject to compliance with standards</i>
e Construct the a new building	Controlled <i>subject to compliance with standards</i>	Controlled <i>subject to compliance with standards</i>	Restricted D iscretionary	Permitted <i>subject to compliance with standards</i>
Earthworks	n/a	n/a	n/a	Restricted D iscretionary activity <i>regardless of compliance with standards</i>
Building use remain retailing	Permitted	Permitted	Permitted	Permitted

As illustrated above, resource consent is required:

- to demolish a building in the City Centre Zone;
- to demolish ~~ef~~ a building in the Historic Heritage Area Overlay;
- to erect a new building in the City Centre Zone and ~~PREC2 -~~ Southern Centre Precinct; and
- for any earthworks in the Historic Heritage Area Overlay.

As the most restrictive activity status applies in ~~to~~ determining an activity status, the overall activity status is ~~D~~iscretionary **Activity**.

All matters addressed in all rules that relate to the activity need ~~e~~ to be addressed in the resource consent application.

An application for resource consent for a proposal must address all rules under which resource consent is required for that proposal under the District Plan and all relevant matters (for example, e.g. matters of control/discretion). If the applicant considers any such matters are not applicable to the proposal, the application must clearly set out the reason why it is not applicable.

NOTE: The resource consent process is described on the Council website: www.timaru.govt.nz/services/planning/resource-consents

CROSS BOUNDARY MATTERS

Cross boundary matters may arise where:

- Land use activities and development give rise to environmental effects on a neighbouring district;
- Land use activities in neighbouring Districts have environmental effects within Timaru District;
- Aactivities within the District have regional or national significance;
- Aactivities within the District may require a resource consent from the CRC Regional Council; and
- Aactivities and infrastructure such as roading and transportation, drainage systems, water supplies, and other network utility services start in one district and cross into others.

A cross boundary matter can therefore relate either to an activity that may have effects across a territorial boundary or to a plan policy that affects the policies of other territorial authorities or which is affected by the policies of other territorial authorities.

Timaru District adjoins Ashburton, Mackenzie and Waimate Districts. There is the potential for activities within Timaru District to have effects on these adjoining Districts, and vice versa.

In considering cross boundary matters, Council will be guided by the CRPS Canterbury Regional Policy Statement, relevant Regional Plans, the objectives and policies of the District Plan, and the provisions of the relevant neighbouring territorial authority District Plans. Chapter 3 of the CRPS Canterbury Regional Policy Statement outlines processes for resolving cross boundary issues. As all of the neighbouring Districts are within the Canterbury Region (the Region), there should be a reasonable level of consistency in approach because ~~the~~ district plans are ~~all~~ required to give effect to the CRPS Canterbury Regional Policy Statement.

Council will consider submitting on publicly notified resource consents in other districts where they may affect Timaru District, and likewise, will notify adjoining Districts if a resource consent is likely to adversely affect that District. Where appropriate, Council will defer notification decisions on applications that require resource consent from other consent authorities in accordance with section 91 of the RMA and participate in joint hearings with other councils. Council may also consider transfer of power in cases where an activity occurs across the ~~d~~District boundary, which would grant full power to the adjoining territorial authority to grant or decline the application for the activity on both sides of the boundary.

RELATIONSHIPS BETWEEN SPATIAL LAYERS

Types of Spatial Layers

The District Plan utilises a number of spatial layers to manage areas of the District appropriately in terms of their expected type and level of activities and development. These spatial layers are:

- District-wide Layers:
 - Overlays; and
- Area-specific Layers:
 - Zones;
 - Precincts;
 - Specific Controls Areas;
 - Development Areas; and
 - Designations.

District-Wide Overlays

The District Plan includes district-wide overlays in areas with a particular characteristic, risk or value that needs to be managed at a district-wide scale. These district-wide overlays normally span across or occur in multiple zones. The associated rules provide more specific provisions relating to the characteristic, risk or value of interest to be managed. Not all district-wide matters have an associated overlay.¹ These rules apply in addition to rules on activities in the Area-Specific Layers.²

Zones

The District is divided into zones according to the intended character and use of the area. Activities within different zones will be subject to different zone provisions, including objectives, policies, rules and standards. Activities may be subject to more permissive or restrictive controls depending on the purpose of the zone in which they are located. All sites and locations within the District are zoned.

Precincts

Precincts are used to manage areas where place-based provisions apply to modify or refine the policy approach and rules of the underlying zone. For example, a precinct could be used to achieve a desired outcome in an area that has high values and that requires additional protection.

Specific Controls Areas

Specific controls areas spatially identify where a site or area has provisions that are different from other spatial layers that apply to that site or area. These tend to apply to smaller, localised and more easily defined sites, such as a single property, rather than wider area with more complex provisions which may be more appropriately managed using an overlay or precinct.

Designations

Designations are used to show land, often across multiple sites (e.g. linear infrastructure), which has been designated for a particular purpose by a requiring authority. Designations are generally associated with a public work, a particular project or a network utility operation. They can impose rules which supercede zone rules and are typically more permissive in terms of the activity for which the site is designated.

¹ Forest and Bird [156.8]

² Forest and Bird [156.7]

Any relevant resource consent is still required from the ~~CRC Canterbury Regional Council~~. The provisions of the District Plan for the underlying zone apply in relation to any land that is subject to a designation where the land is used for a purpose other than the designated purpose.

Any Minister of the Crown or local authority is automatically a requiring authority. Section 166 of the RMA defines other network utility operators who may apply to the Minister for the Environment for approval as a requiring authority. A requiring authority may, at any time, give notice to the Council in respect of a requirement.

The District Plan also contains general rules for infrastructure not designated, providing for these in a manner similar to general activities.

Development Areas

Development ~~A~~reas spatially identify and manage an area where Development Area Plans (DAPs) are used to determine future land uses, development, infrastructure provision, and open space. Activities that are in accordance with ~~the a DAP Development Area Plan~~ are permitted within the development area, while activities which do not comply with the DAP plan require resource consent.

Future Development Areas

The Future Development Area ~~e~~Overlay identifies land that is suitable for future urban or rural lifestyle development. The Future Development Area ~~e~~Chapter addresses how future growth will be managed in the Future Development Area Overlay and how activities that could compromise future growth in the ~~e~~Overlay will be addressed. It also addresses how urban development not anticipated by the District Plan located outside the Future Development Area Overlay will be managed and how urban development within the Future Development Area Overlay but out of sequence will be managed.

While land in the Future Development Area Overlay is suitable for urban development or rural lifestyle development, it cannot be developed until it is rezoned to enable that development to occur, including the preparation of a DAP Development Area Plan. Until such time, land within the ~~e~~Overlay remains in the General Rural Zone and may be used for a range of primary production activities. Activities that potentially compromise the development of the ~~e~~Overlay are to be managed through the resource consent process to avoid any permanent effects on the future development of this area.

Relationships between ~~d~~Ifferent ~~s~~Spatial ~~l~~Layers

All land in the ~~d~~Istrict is subject to a zone layer and most land is subject to other spatial layers. Figure 4 below illustrates how a planning map may look like with the different layers showing.

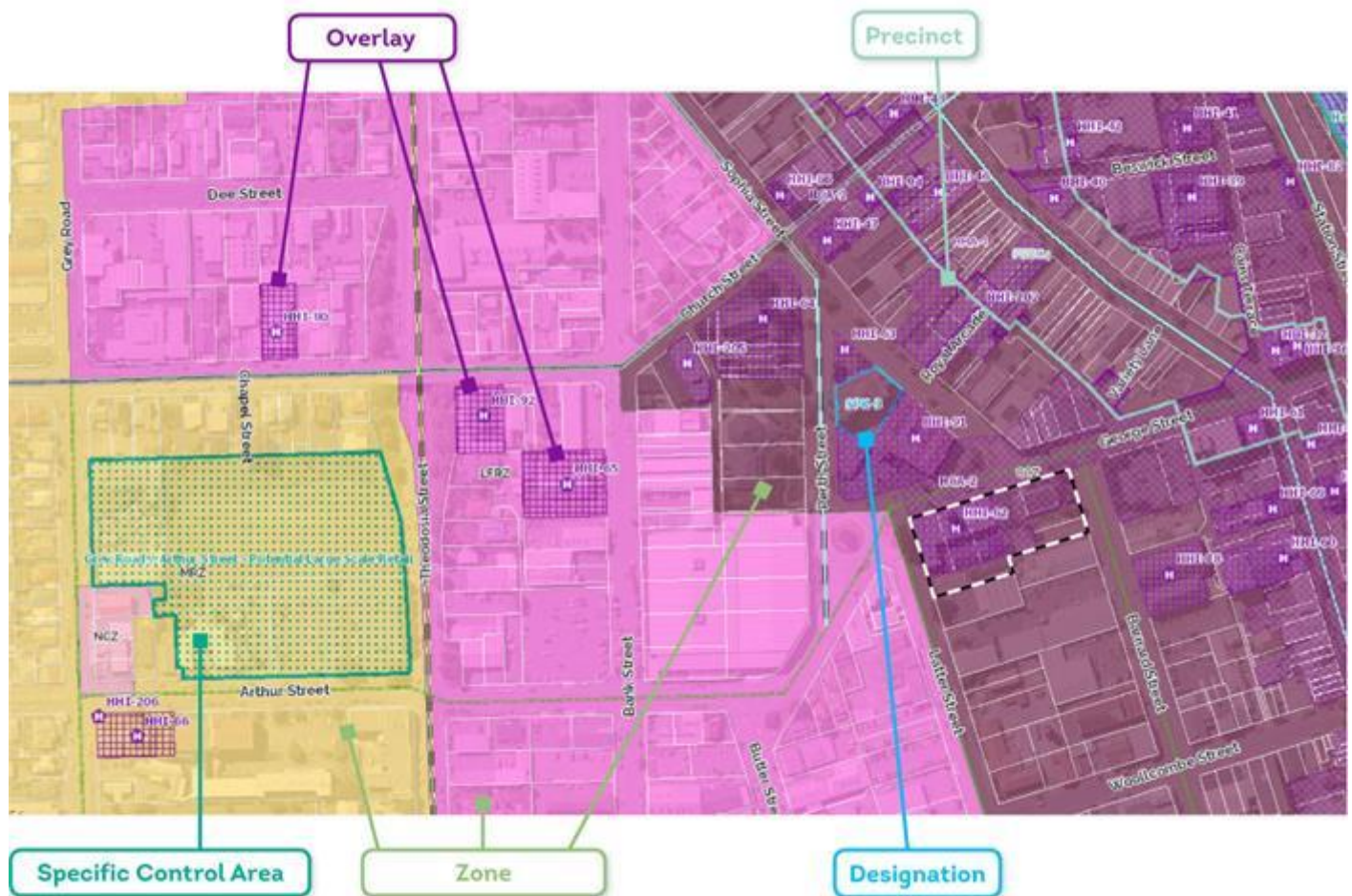


Figure 4 — Example of Planning Map with Different Spatial Layers

When there is a conflict between the provisions of different spatial layers, the following principles apply:

1. ~~When~~ when there is a conflict between overlays, or between an overlay and an area-specific spatial layer, the most stringent provision applies; and
2. ~~When~~ when there is a conflict between and an area-specific spatial layers, layers with a higher ranking in the below figure altersprevails over the³ relevant provisions in the layers underneath it.

³ Waka Kotahi [143.1] and Transpower [159.73FS]

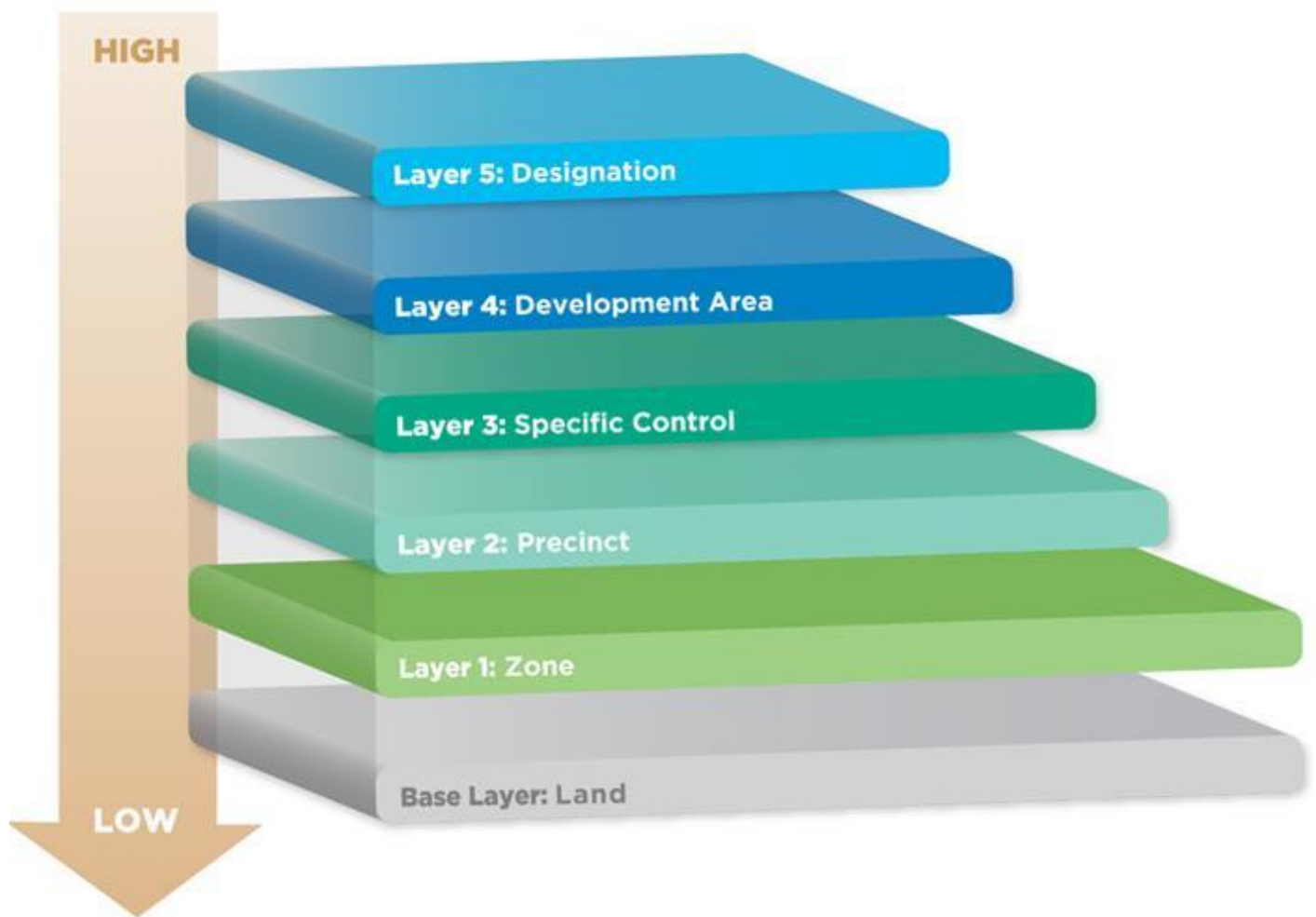


Figure 5 — Relationships of Area-specific Spatial layers

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	M 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 ¹ 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	M 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 Commercial Forestry Plantation Forestry) Regulations 2017: <ol style="list-style-type: none"> means planting and growing commercial forestry plantation forestry trees on land where there is no commercial forestry plantation forestry and where commercial forestry plantation forestry harvesting has not occurred within the last 5 years; but does not include vegetation clearance from the land before planting.
AIRCRAFT	<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.²</u>
AIRCRAFT AND HELICOPTER MOVEMENT	M means a single aircraft flight operation (landing or departure). Maintenance procedures are excluded. ³
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"> In this Act, the term allotment means— <ol style="list-style-type: none"> 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"> the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or

¹ MFL [60.1]² Helicopters Sth Cant. [53.3] and NZAAA [132.2]³ Evans, J [45.1], McAuley, S [57.1], Aubrey, L [59.1], Station Air [61.1], Pemberton, S [64.1], Cessna 180/185 Group et al [201.1], Coldicott, J. M. [118.1], Coldicott, G [254.1]

	<ul style="list-style-type: none"> 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— <ul style="list-style-type: none"> i. on a survey plan; or ii. on a licence within the meaning of subpart 6 of Part 3 of the Land Transfer Act 2017; or c. any unit on a unit plan; or d. any parcel of land not subject to the Land Transfer Act 2017. <p>2. 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— 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>3. 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 <u>primary production</u> ⁴ 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:

⁴ Hort NZ [245.5]

	<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.
<u>ARCHAEOLOGICAL SITE</u>	<p>has the same meaning as in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014:</p> <p><u>means –</u></p> <ul style="list-style-type: none"> a. <u>any place in New Zealand, including any building or structure (or part of a building or structure), that:</u> <ul style="list-style-type: none"> i. <u>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;</u> and ii. <u>provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and</u> b. <u>includes a site for which a declaration is made under section 43(1) of the Heritage New Zealand Pouhere Taonga Act 2014.</u>⁵
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> <ul 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> <ul style="list-style-type: none"> 4 <u>a</u> a pipeline passes within 50-m of the property boundary; 2 <u>b</u> the network operator will accept the wastewater from the property; and 3 <u>c</u> 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 bed 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	has the same meaning as in section 2 of the RMA (as set out in the box below): means—

⁵ Heritage NZ [114.3]

	<ul style="list-style-type: none"> a. in relation to any river— <ul style="list-style-type: none"> i. for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks; ii. in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and b. in relation to any lake, except a lake controlled by artificial means,— <ul style="list-style-type: none"> i. for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin; ii. in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and c. in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level; and d. in relation to the sea, the submarine areas covered by the internal waters and the territorial sea.
BEST PRACTICABLE OPTION	<p>has the same meaning as in section 2 of the RMA (as set out in the box below):⁵ 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 the box below):⁵ 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.⁶</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>It means a device used for the purpose of disturbing or scaring birds including gas guns <u>and</u>⁷ 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>

⁶ Forest and Bird [156.9]

⁷ Hort NZ [245.7]

BUILDING	means a temporary or permanent movable or immovable physical construction that is: <ul style="list-style-type: none"> a. partially or fully roofed; and b. is fixed or located on or in land; but excludes any motorised vehicle or other mode of transport that could be moved under its own power.
BUILDING COVERAGE	means the percentage of the net site area covered by the building footprint.
BUILDING FOOTPRINT	means, in relation to building coverage, the total area of buildings at ground floor level together with the area of any section of any of those buildings that extends out beyond the ground floor level limits of the building and overhangs the ground.
CABINET	has the same meaning as in clause 2 of the National Environmental Standards for Telecommunications Facilities 2016, which means: 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. Aa casing around an antenna, a small cell unit, ancillary equipment, or any part of a telecommunication line. b. Aa casing that is wholly underground. c. Aa casing that is inside a building. d. Aa 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 has the same meaning as <u>section</u> 2 of the Burial and Cremation Act 1964 , which 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	means the care or education of children and includes: <ul style="list-style-type: none"> a. creches; b. early childhood centres; c. day care centres; d. kindergartens; e. Kohanga Reo; f. playgroups; g. day nurseries; and h. home-based childcare and education activities.
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 <u>destruction</u> ⁸ , 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— 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 FOREST OR COMMERCIAL FORESTRY	has the same meaning as in section 3 of the Resource Management (National Environmental Standards for <u>Commercial Forestry, Plantation Forestry</u>) Regulations 2017: means exotic continuous-cover forestry or plantation forestry. ⁹
COMMERCIAL RECREATIONAL ACTIVITIES	M means the commercial guiding, training, instructing, transportation or provision of recreation facilities to clients for recreational purposes. ¹⁰
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: 4 <u>a</u> 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 <u>b</u> registered under section 23 of the Water Services Act 2021; or 3 <u>c</u> 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.

⁸ Dir. General Conservation [166.5]

⁹ TRoNT [185.105] - Evidence of Rachel Pull, paras 112-117.

¹⁰ Rooney Holdings [174.84], Rooney, G.J.H. [191.84], Rooney Group [249.84], Rooney Farms [250.84], Rooney Earthmoving [251.84], TDL [252.84]

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.
COMPOSTING FACILITIES <u>[IN RELATION TO THE DRINKING WATER PROTECTION CHAPTER]</u>	<u>In relation to the Drinking Water Protection Chapter, For the purposes of the DWP Chapter, means:</u> buildings, grounds and equipment used for the receiving of organic material, manufacture of compost, storage and disposal of more than 20m ³ of composted material, but does not include domestic composting activities or where compost is stored on an impervious surface and stormwater runoff is appropriately collected and treated. ¹¹
CONDUCTOR	H as 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"> Means a wire or cable used for carrying electric current along a transmission line; and 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"> when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged.
CONTAMINATED LAND	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"> has significant adverse effects on the environment; or 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	M 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	<u>means</u> 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.”

¹¹ TDC [42.41]

CUSTOMER CONNECTION	means part or all of any structure, pipe, equipment or cable that relates to: <ul style="list-style-type: none"> • <u>a</u> radio communication or telecommunication lines; <u>or</u> • <u>b</u> wastewater or stormwater treatment or disposal; <u>or</u> • <u>c</u> or water; <u>or</u> • <u>d</u> gas or electricity; that connects a network utility to a premises for the purpose to provide services to a customer(s).
DAIRY PROCESSING ACTIVITIES	<u>Means:</u> <ol style="list-style-type: none"> <u>The processing, testing, storage, handling, packaging or distribution of product associated with dairy product.</u> <u>Any ancillary activity, limited to:</u> <ol style="list-style-type: none"> <u>Infrastructure for wastewater, sewerage, stormwater, water supply and renewable energy generation.</u> <u>Any laboratory or facility for research and development related to the dairy processing activity.</u> <u>Any office or facility required for the administration and management of the dairy processing activity, and the marketing, sales, and distribution of dairy products.</u>¹²
<u>DEMOLITION [NOT IN RELATION TO A HERITAGE ITEM]</u>	<u>not in relation to a heritage item, means the permanent destruction, in whole or in part, of a building or structure.</u> ¹³
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 OF CONSERVATION ACTIVITY	is 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. ¹⁴
<u>DEPARTMENT STORE</u>	<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> ¹⁵
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"> the zoning, objectives, policies, rules, and overlays that apply in the relevant proposed and operative RMA planning documents; and 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.

¹² Fonterra [165.1]¹³ Clause 16(2) relating to NZHHA [182.2]¹⁴ Dir. General Conservation [166.6]¹⁵ Clause 10(2)(b) relating to Redwood Group [228.1]

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 <u>a known or suspected active earthquake</u> 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 <u>could be permanently deformed (ripped, buckled or wrapped) during an earthquake on that fault.</u> ¹⁶
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— a. any positive or adverse effect; and b. any temporary or permanent effect; and c. any past, present, or future effect; and d. any cumulative effect which arises over time or in combination with other effects— regardless of the scale, intensity, duration, or frequency of the effect, and also includes— e. any potential effect of high probability; and

¹⁶ ECan [183.148]

	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— 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— a. which is either— 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.
<u>EXOTIC CONTINUOUS-COVER FOREST OR EXOTIC CONTINUOUS-COVER FORESTRY</u>	has the same meaning as in section 3 of the Resource Management (National Environmental Standards for Commercial Forestry Plantation Forestry) Regulations 2017: a. <u>means a forest that is deliberately established for commercial purposes, being at least 1 ha of continuous forest cover of exotic forest species that has been planted and—</u> i. <u>will not be harvested or replanted; or</u> ii. <u>is intended to be used for low-intensity harvesting or replanted; and</u> b. <u>includes all associated forestry infrastructure; but</u> c. <u>does not include—</u> i. <u>a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 m; or</u> ii. <u>forest species in urban areas; or</u> iii. <u>nurseries and seed orchards; or</u> iv. <u>trees grown for fruit or nuts; or</u> v. <u>long-term ecological restoration planting of indigenous forest species; or</u> vi. <u>willows and poplars space planted for soil conservation purposes.</u> ¹⁷
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

¹⁷TRoNT [185.105] - Evidence of Rachel Pull, paras 112-117.

	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	<p>Mmeans the extraction of aggregates which are:</p> <ol style="list-style-type: none"> taken for use ancillary to farming and horticulture, including for farm and forestry tracks, access ways and hardstand areas and only used within the property of extraction, and not sold, exported or removed from the property of origin. <p>Note: This definition is a subset of quarrying activities.</p>
FENCE	M means a largely free standing structure, including walls, intended to prevent escape or intrusion, mark a boundary or provide shelter or privacy.
FERTILISER	<p>means a substance or biological compound or mix of substances or biological compounds in solid or liquid form, that is described as, or held out to be suitable for, sustaining or increasing the growth, productivity or quality of soils, plants or, indirectly, animals through the application to plants or soil of any of the following:</p> <ol style="list-style-type: none"> nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, and sodium as major nutrients; or manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, and selenium as minor nutrients; or fertiliser additives to facilitate the uptake and use of nutrients; or non-nutrient attributes of the materials used in fertiliser. <p>It does not include livestock effluent, human effluent, substances containing pathogens, or substances that are plant growth regulators that modify the physiological functions of plants.</p>
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	<p>means works, structures and plantings for the protection of property and people from floods and includes:</p> <ol style="list-style-type: none"> areas of vegetation maintained or planted in beds and margins of rivers, the clearance of vegetation and debris from river fairways, works to prevent or minimise river bed or bank erosion, the construction, use, maintenance and removal of defences against water, and any access tracks required to undertake these works and activities.
FLOOD RISK ASSESSMENT ¹⁸ CERTIFICATE	<p>means a certificate issued by Timaru District Council which specifies:</p> <ol style="list-style-type: none"> 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 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

¹⁸ ECan [183.108]

	<p>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; and¹⁹</p> <p>d. <u>c</u>. whether the specific land is located within an overland flow path.</p>
FLOOD RESILIENT	<p>Flood resilient means the use of materials, construction systems and design types that are capable of withstanding direct and prolonged contact with floodwaters without sustaining damage that would result in the need to replace the materials used in the building. This can be achieved by:</p> <ul style="list-style-type: none"> i. <u>utilising suitable materials comprising stainless or galvanized steel, aluminum, closed cell foam panels, stone, concrete, pressure treated or marine-grade plywood, fibre cement sheeting, and / or other non-porous materials;</u> ii. <u>locating all electrical and data outlets and appliances above predicated flood levels (0.2% AEP), including heat pump and air conditioning compressors and electrical switchboards.</u>²⁰
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 vegetated 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	G 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

¹⁹ ECan [183.50]²⁰ PrimePort [175 - various] and Timaru District Holdings [186 - various]

	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	means a facility or activity that involves the use, storage or disposal of any hazardous substance, but excludes: <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);

	<ol style="list-style-type: none"> 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 d<u>Drinking w</u><u>Water Protection Overlay</u>;²¹ 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>;²² 10. <u>existing municipal waste transfer stations and Redruth landfill</u>.²³
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> <ol style="list-style-type: none"> a. with 1 or more of the following intrinsic properties: <ol 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> <ol style="list-style-type: none"> a. medical practitioners; b. dentists and dental services; c. opticians; d. physiotherapists; e. medical social workers and counsellors; f. midwives; g. paramedical practitioners h. pharmacists; and <p>include the following facilities:</p> <ol 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>

²¹ Timaru District Council [42.5]

²² FENZ [131.2]

²³ EnviroNZ [162.3]

	<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	It 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	means an an area of land around and adjacent to a heritage item that is identified spatially <u>as the Heritage Item Extent</u> in the District Plan <u>maps</u> . ²⁴
HIGH HAZARD AREA	<p>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.</p> <p><u>means:</u></p> <ul style="list-style-type: none"> <u>a. land likely to be subject to coastal erosion; or</u> <u>b. land where there is inundation by floodwater and 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.</u> <p><u>When determining a. and b. above, the cumulative effects of climate change over than next 100 years (based on latest national guidance) and all sources of flooding (including fluvial, pluvial, and coastal) must be accounted for.</u>²⁵</p>
HIGH NATURALNESS WATER-BODIES (HNWB)	means the surface water-bodies which are identified: <ul style="list-style-type: none"> 1. As a High Naturalness Water-Bbody 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

²⁴ TDC [42.2]²⁵ ECan [183.14], Silver Fern Farms [172.2] and Alliance Group [173.3]

	<p>features including wild, scenic and other natural characteristics and amenity and intrinsic values.</p> <p>being:</p> <ul style="list-style-type: none"> a. Clyde River and all tributaries; 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”.
<u>HIGHLY PRODUCTIVE LAND</u>	<p>has the same as in section 1.3 of the National Policy Statement for Highly Productive Land 2022 (as set out in the box below):</p> <p><u>means land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land)</u>²⁶</p>
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	<p>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.</p>
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

²⁶ Hort NZ [245.29], Forest and Bird [156.34], Speirs, B [66.12 and 66.13], ECan [183.12]

	<p>c. an open space, such as a square, park, garden or cemetery.</p> <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	<p>Mmeans 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.</p> <p>Note: This definition is a subset of 'residential unit'</p>
HOME BUSINESS	<p>means a commercial activity that is:</p> <ol style="list-style-type: none"> undertaken or operated by at least one resident of the site; and incidental to the use of the site for a residential activity.
HOUSING RECOVERY TEMPORARY ACCOMMODATION	<p>Mmeans buildings and facilities that provide temporary accommodation for displaced residents following an emergency event that either:</p> <ol style="list-style-type: none"> 4 <u>a</u> been declared as a state of emergency; or 2 <u>b</u> has entered into the transitional period <p>in accordance with the Civil Defence Emergency Act 2002.</p>
IMPERVIOUS SURFACE	<p>Mmeans an area with a <u>man-made surfaces, such as compacted gravel, chip seal or asphalt</u>,²⁷ which prevents or significantly reduces the soakage or filtration of water into the ground. It includes:</p> <ul style="list-style-type: none"> - a <u>R</u>oofs; - b <u>P</u>paved areas including driveways and sealed or compacted metal parking areas and patios; - c <u>S</u>sealed outdoor sports surfaces; - d <u>S</u>sealed and compacted-metal roads, <u>carparks, and yards and other trafficked hardstand areas</u>,²⁸ <u>and</u> - e <u>E</u>ngineered layers such as compacted clay. <p>It excludes:</p> <ul style="list-style-type: none"> - a <u>G</u>grass or bush areas; - b <u>G</u>ardens and other landscaped areas; - c <u>P</u>ermeable paving and green roofs; - d <u>P</u>ermeable artificial surfaces, fields or lawns, including permeable crop protection cloth; - e <u>S</u>latted decks; - f <u>S</u>swimming pools, ponds and dammed water; and - g <u>R</u>rain tanks.
IMPROVED PASTURE	<p>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.</p>
INDIGENOUS VEGETATION	<p>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.</p>

²⁷ Kainga Ora [229.24]. Also, see the evidence of Ms Seaton for Hearing E dated 23 January 2025

²⁸ This change has been proposed to the JWS agreed definition after the JWS was signed in order to link the definition back to the SW Policies and matters of discretion which refer to "trafficked hardstand areas"

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.
INFRASTRUCTURE	<p>has the same meaning as in section 2 of the Resource Management Act 1991: means:</p> <ul style="list-style-type: none"> a. <u>pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy;</u> b. <u>a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001;</u> c. <u>a network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989;</u> d. <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> <ul style="list-style-type: none"> (i) <u>uses them in connection with the generation of electricity for the person's use; and</u> (ii) <u>does not use them to generate any electricity for supply to any other person;</u> 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 166.²⁹</u>
INSTRUCTIONAL SIGN	M means any static sign on a site which primarily provides information or direction relating to wayfinding, instructions or warnings relevant to the site's operation, including signs that identify business entrances, exits and carparks and signs for security purposes. ³⁰
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:

²⁹ Radio NZ [152.24]³⁰ Evidence of PrimePort and NZTA [Hearing F, Interim Reply]

	<p>a. calf-rearing for three months in any calendar year;</p> <p>b. pig production for domestic self-subsistence home use;</p> <p>c. extensive pig farming;</p> <p>d. free range poultry farming; and</p> <p>e. the feeding of supplementary feed during adverse weather events such as drought or snow.³¹</p>
INTENSIVE PRIMARY PRODUCTION	<p><u>means primary production activities that:</u></p> <p>4- <u>a. 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></p> <p><u>i. calf-rearing for three months in any calendar year;</u></p> <p><u>ii. pig production for domestic self-subsistence home use;</u></p> <p><u>iii. extensive pig farming;</u></p> <p><u>vi. free range poultry farming; and</u></p> <p><u>v. the feeding of supplementary feed during adverse weather events such as drought or snow or while stock are temporarily held prior to processing</u></p> <p>2- <u>b. are defined as intensive indoor primary production.</u></p> <p>means any activity defined as intensive indoor primary production or intensive outdoor primary production.³²</p>
INTENSIVELY FARMED STOCK	<p><u>means:</u></p> <p>a. cattle or deer grazed on irrigated land or contained for break-feeding of winter feed crops; and</p> <p>b. dairy cattle, including cows, whether dry or milking, and whether on irrigated land or not; and</p> <p>c. Pig farming (except pig farming for domestic self-subsistence home use);</p> <p>any stock that is associated with an intensive primary production.³³</p>
INTRINSICALLY DARK LANDSCAPE	<p>intrinsically dark <u>means any</u> landscapes are those entirely, or largely, uninterrupted by artificial light.</p>
KEEPING OF ANIMALS	<p>It<u>means</u> the keeping of animals for domestic purposes as part of a residential activity.’</p> <p>Note: this definition is a subset of residential activity.</p>
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): <u>;</u>

³¹ Clause 10(2)(b) relating to Te Rūnanga o Ngāi Tahu [185.11], Federated Farmers [182.15]

³² Te Rūnanga o Ngāi Tahu [185.11], Federated Farmers [182.15]

³³ EJAPS [4.2], Hargreaves, T [29.2], Beattie, D M [238.4], Pye Group [35.2], Fenlea Farms [171.31], Alliance Group [173.49], Rooney, A J [177.13], KJ Rooney [197.6], Bonifacio, P [36.24], Stack, D [50.8], Hart, J [58.7], Moore, D and J [100.6], Rangitata Dairies [44.15]

	means a body of fresh water which is entirely or nearly surrounded by land.
LAND	<p>has the same meaning as in section 2 of the RMA (as set out in the box below):³⁴</p> <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	<p>means any infrastructure, land, building, equipment or devices that support the movement of people and goods by land including:</p> <ul style="list-style-type: none"> a. cycle facilities including cycleways, cycle parking, cycle hire stations and cycle maintenance stands; b. pedestrian facilities and accessways including footpaths, footways and footbridges; c. railway tracks, bridges, tunnels, signalling, access tracks and facilities; d. roads including carriageways, pavements, bridges, tunnels, retaining walls, underpasses, overpasses, verge and berms; e. lighting, signals, signs, and control structures and devices associated with intelligent transport systems including vehicle detection systems (electronic vehicle identification, and infra-red vehicle occupancy counters, incident detection, emergency telephones, cables and ducting; f. safety devices including hand rails, bollards, cameras, road markings, rumble strips, barriers, fences, speed tables and speed cushions and traffic separators; g. other traffic control devices including traffic islands, level crossings, pedestrian crossings, roundabouts and intersection controls, traffic and cycle monitoring devices; h. parking control devices; i. site access including <u>vehicle crossings</u>; j. street and railway furniture, artworks, passenger shelters and ticketing and tolling facilities; 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; l. noise attenuation walls or fences; and m. stormwater management facilities, ventilation structures, drainage devices and erosion control devices.
<u>LAND-BASED PRIMARY PRODUCTION</u>	<p>has the same meaning as in section 1.3 of the National Policy Statement for <u>Highly Productive Land 2022 (as set out in the box below)</u>:</p> <p><u>means production, from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the land</u>³⁴</p>
LANDFILL	means an area used for, or previously used for, the disposal of solid waste. It excludes cleanfill areas.

³⁴ NZ Pork [247.11] and Silver Fern Farms [172.69]

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	means any individual retail tenancy with a GFA greater than 450 square metres. Note: This definition is a subset of retail activity.
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 e <u>S</u> upply of Alcohol Act 2012, which means: any premises for which a licence is held.
LIFELINE UTILITIES	means <u>infrastructure that delivers a service operated by a lifeline utility</u> ³⁵ (those entities listed 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]. These are as follows: Schedule 1 Lifeline utilities Part A Specific entities <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. Part B Entities carrying on certain businesses <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.

³⁵ TDC [42.4]

	<ol style="list-style-type: none"> 3. An entity that supplies or distributes water to the inhabitants of a city, district, or other place. 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 ³⁶	<p>Includes land in the following areas outside of the Port Zone:</p> <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.
SPILL LIGHT SPILL	<p>means light emitted by a lighting installation that falls outside of the design area.</p> <p>Spill Light spill may or may not be obtrusive depending on what it effects.</p>
LIQUEFACTION AWARENESS AREA	<p>means land at risk from where liquefaction and lateral spreading is possible during an earthquake, but which requires site specific assessment to determine the <u>actual</u> level of risk to property.³⁷</p>
LOADING SPACE	<p>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.</p> <p>Loading space is also referred as car bay and heavy vehicle bay.</p> <p>(partly from Christchurch CP)</p>
LPEAK	<p>has the same meaning as 'Peak sound pressure level' in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound.</p>
LUMINANCE	<p>Luminance is <u>means</u> the measure of the intensity of light in a given direction per unit area, measured in Candela/m² (Cd/m²)</p>
MAINTENANCE	<p>4. In relation to values, means the act of making a state or situation continue.38</p> <p>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, <u>or replacement where this involves upgrading.</u>³⁸</p>

³⁶ Rangitata Dairies [44.1], Dairy Holdings [89.4], Fonterra [165.15], Fenlea Farms [171.2, 171.4], Rooney, A J [177.6], Hort NZ [245.12]

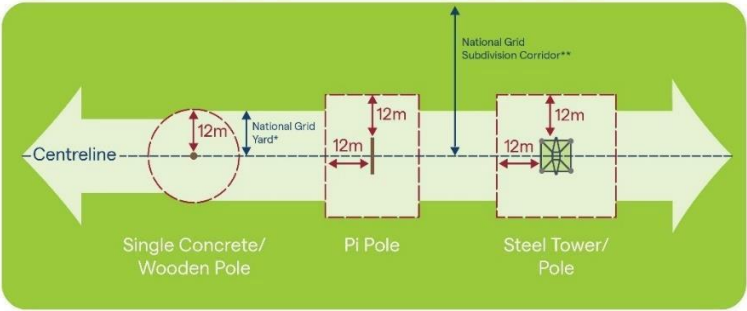
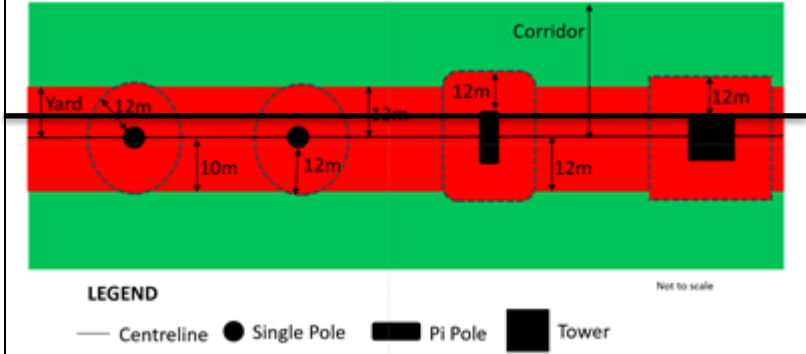
³⁷ ECan [183.7]

³⁸ Transpower [159.24], the Telcos [176.25, 208.25, 209.25 and 210.25] and BP Oil, et al [196.15]

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	It 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 section 338 Te Ture Whenua Maori Act 1993; or 3. Māori customary land and Māori freehold land as defined in section 4 and section 129 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. It 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	It 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 NZTA the Agency has declared under section 168A is not a motor vehicle; or

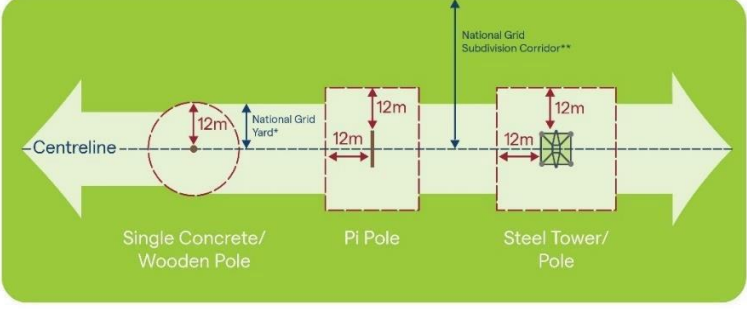
	vii. a mobility device.
MOTORSPORT EVENT	means competitive sporting events which primarily involve the use of motorised vehicles, whether for racing or nonracing competition. It includes any ancillary activities.
MOTORSPORT FACILITY	means a recreation facility used for participating in or viewing land-based 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 <u>New Zealand</u> 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<u>m</u> 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: ¶<u>The</u> 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>Replace diagram with the following:³⁹</p>

³⁹ Transpower [159.10]

	<div><p>The diagram illustrates the National Grid Yard and Subdivision Corridor for three types of transmission poles: Single Concrete/Wooden Pole, Pi Pole, and Steel Tower/Pole. A central dashed line represents the Centreline. The National Grid Yard is shown as a shaded area around the poles, with dimensions of 10m for single concrete/wooden poles and 12m for pi-poles and steel towers. The National Grid Subdivision Corridor is shown as a wider shaded area, with dimensions of 14m, 32m, 37m, or 39m depending on the line voltage.</p><p>* 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</p></div>
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 (<u>including tubular steel towers where these replace steel lattice towers</u>);⁴⁰the 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> <p>Diagram 1 – National Grid Yard and National Grid Subdivision Corridor=</p> <div><p>Diagram 1 illustrates the National Grid Yard and National Grid Subdivision Corridor. The diagram shows a horizontal corridor (green) with a central red line representing the Centreline. The National Grid Yard is shown as a red shaded area around the poles, with dimensions of 10m for single poles and 12m for pi-poles and towers. The National Grid Subdivision Corridor is shown as a wider green shaded area, with dimensions of 14m, 32m, 37m, or 39m depending on the line voltage.</p><p>LEGEND</p><ul style="list-style-type: none">— Centreline● Single Pole■ Pi Pole■ Tower<p>Not to scale</p></div> <p>Replace diagram with the following.⁴¹</p>

⁴⁰ Transpower [159.11]

⁴¹ Transpower [159.11]

	 <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>
NATURAL DEFENCES	<p>Natural defences include dunes, beaches, estuaries, wetlands, intertidal areas, coastal vegetation, natural ponding areas and water-body margins. It excludes artificial water races and drainage infrastructure such as swales and stormwater management areas.⁴²</p>
NATURAL AND PHYSICAL RESOURCES	<p>has the same meaning as in section 2 of the RMA (as set out in the box below): It includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.</p>
NATURAL HAZARD	<p>has the same meaning as in section 2 of the RMA (as set out 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.</p>
NATURAL HAZARD MITIGATION WORKS	<p>means structures and associated engineering works to prevent or control the impacts of natural hazards and includes both soft engineering natural hazard mitigation <u>works</u>⁴³ and hard engineering natural hazard mitigation <u>works</u>, <u>retaining walls, stop banks, and flood protection works</u>.⁴⁴ 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.</p>
NATURAL HAZARD SENSITIVE ACTIVITY	<p>means: <u>any</u> B buildings which:</p> <ol style="list-style-type: none"> 1. <u>is/are used as part of the primary activities on the site; or</u> 2. <u>contains one or more habitable rooms; and / or</u> 3. <u>buildings which are connected to a potable water supply and wastewater system.</u> 4. contain two or more employees on a full time basis; and / or 5. are a place of assembly; <p>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.</p> <p><u>For the purposes of clause 1, the following buildings are not included.</u></p> <ol style="list-style-type: none"> i. <u>farm sheds used solely for storage; or</u>

⁴² Dir. General Conservation [166.109]

⁴³ Clause 16(2)

⁴⁴ EnviroWaste [162.4] and ECan [183.14A]

	<ul style="list-style-type: none"> ii. <u>animal shelters which comply with v below; or</u> iii. <u>carports; or</u> iv. <u>garden sheds; or</u> v. <u>any buildings with a dirt/gravel or similarly unconstructed floor; or</u> vi. <u>any buildings or extensions with a building floor area less than 30m²; or⁴⁵</u> vii. <u>Regionally Significant Infrastructure.⁴⁶</u> <p><u>Note: This definition also applies to the conversion of existing buildings into natural hazard sensitive buildings and extensions greater than 30m² to existing natural hazard sensitive buildings.⁴⁷</u></p>
NAVIGATIONAL AID	<p>has the same meaning as in section 2 of the <u>Marine Transport Act</u> MARITIME TRANSPORT ACT 1994, which means:-</p> <p>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.</p>
NET FLOOR AREA	<p>means the sum of any gross floor area; and</p> <ul style="list-style-type: none"> a. includes: <ul style="list-style-type: none"> i. both freehold and leased areas; and ii. any stock storage or preparation areas; but b. excludes: <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): 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

⁴⁵ Clause 16(2) amendment to change the location of the floor area from the rule into the definition and ECan [183.1] to refer to building floor area

⁴⁶ ECan [183.173] and ECan [183.127]

⁴⁷ ECan [183.38] and [183.125]

	<p>ii. radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989; or</p> <p>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</p> <p>d. undertakes or proposes to undertake the distribution of water for supply (including irrigation); or</p> <p>e. undertakes or proposes to undertake a drainage or sewerage system; or</p> <p>f. constructs, operates, or proposes to construct or operate, a road or railway line; or</p> <p>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</p> <p>h. is a provider of any approach control service within the meaning of the Civil Aviation Act 1990; or</p> <p>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> <p>and the words network utility operation have a corresponding meaning.</p>
NOISE	has the same meaning as in section 2 of the RMA (as set out in the box below); includes vibration.
NOISE SENSITIVE ACTIVITY	<p>means:</p> <p>a. Residential activities;</p> <p>b. Visitor accommodation;</p> <p>c. Educational facility;</p> <p>d. Hhealth care activities; and</p> <p>e. Sleeping areas within Marae complexes⁴⁸ (building only).</p>
NON-INTENSIVE PRIMARY PRODUCTION	means primary production that is not defined as intensive primary production.
NOTIONAL BOUNDARY	means a line 20 m 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.
OFFAL PITS <u>[IN RELATION TO THE DRINKING WATER PROTECTION CHAPTER]</u>	<p>For the purposes of the DWP Chapter, in relation to the Drinking Water Protection Chapter, means: a simple pit or trench, dug into the ground for disposing of animal parts or an animal which has died or been killed on the farm, but does not include burial of a single animal provided this complies with the following conditions:</p> <p>a. The dead animal results from agricultural production on the same property; and</p> <p>b. The dead animal is buried in a pit which does not contain any water, and is immediately and completely covered by sufficient soil or plant material so as to prevent discharge of odour to air, or other nuisance; and</p> <p>c. The burial location is not within any area or zone identified in a proposed or operative district plan for residential, commercial or industrial purposes; and</p> <p>d. The burial site is at least 50 m from any:</p> <p>i. <u>surface water-body; or</u></p> <p>ii. <u>bore used for water abstraction; or</u></p>

⁴⁸ Clause 16(2)

	iii. <u>property boundary</u> . ⁴⁹
OFFENSIVE TRADES	means activities listed as offensive trades in Schedule 3 of the Health Act 1956 (as set out in the box below): 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; <u>and</u> s. Wool scouring.
OFFICE	means any of the following: a. A administrative offices where the administration of an organisation, whether trading or non-trading, is conducted; b. C 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; <u>or</u> c. P 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 <u>but excludes any temporary sign</u> . ⁵⁰
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.
ORIGINALLY RARE ECOSYSTEM IN <u>IN</u> RELATION TO TERRESTRIAL ECOSYSTEMS	<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 ha hectares. A published list of originally rare terrestrial ecosystem types has been compiled by Landcare Research and is available from that organisation.</u> ⁵¹

⁴⁹ TDC [42.41]⁵⁰ Clause 16(2) Amendment⁵¹ Clause 10(2)(b) relating to Frank, H [90.23], Forest and Bird [156.3, 156.116], Dir. General Conservation [166.29] - Evidence of Elizabeth Williams, paras 46-52; Speaking notes of Forest and Bird, para 27

OUTDOOR LIGHTING	means any <u>fixed</u> ⁵² 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.
<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> ⁵³
OVERLAND FLOW PATH	means the route <u>at a low point or terrain</u> ⁵⁴ along which stormwater flows over land in a rain event, and excludes permanent watercourses or intermittent rivers or streams.
PAPAKĀIKA (PAPAKĀINGA)	<p>Mmeans 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:</p> <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 wānanga⁵⁵; n. Hākinakina (recreation activities and facilities, excluding commercial recreation and motorised sports)⁵⁶; and o. ahuwhehenua (primary production).
PARK MANAGEMENT ACTIVITY	<p>means the day to day management, operations and maintenance of parks and reserves. It includes:</p> <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. Aanimal 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.

⁵² Fenlea Farms [171.5], Rooney Holdings [174.9], Rooney, A J [177.6] Rooney, GJH [191.9], Rooney Group [249.9], Rooney Farms [250.9], Rooney Earthmoving [251.9], TDL [252.9]

⁵³ Hart, JR [149.2]

⁵⁴ ECan [183.6]

PERMANENT AIRSTRIP OR HELICOPTER LANDING SITE	It means any defined area of land intended or designed to be used, whether wholly or partly, used for the landing or departure of aircraft. ⁵⁵
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 an activity which provides individual service to people and includes hairdressers, beauticians and photographers.
PERSONAL SERVICES	means a commercial activity which provides individual service to people and includes hairdressers, beauticians and photographers. ⁵⁶
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	It has the same meaning as in section 3 of the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017. ⁵⁷ means a forest deliberately established for commercial purposes, being— a. at least 1-ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted; and b. includes all associated forestry infrastructure; but c. does not include— i. 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 ii. forest species in urban areas; or iii. nurseries and seed orchards; or iv. trees grown for fruit or nuts; or v. long-term ecological restoration planting of forest species; or vi. willows and poplars space planted for soil conservation purposes
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 THE ENERGY AND INFRASTRUCTURE CHAPTER]	in relation to <u>the</u> Energy and I nfrastructure e Chapter, means a non-lattice ⁵⁸ 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 guywires.
PORT ACTIVITY	means the use of land, buildings and structures for: a. cargo handling, including the loading, unloading, storage, processing and transit of cargo; b. passenger handling, including the loading, unloading and transit of passengers; c. maintenance and repair activities, including the maintenance and repair of vessels;

⁵⁵ Evans, J [45.1], McAuley, S [57.1], Aubrey, L [59.1], Station Air [61.1], Pemberton, S [64.1], Cessna 180/185 Group et al [201.1], Coldicott, J. M. [118.1], Coldicott, G [254.1]

⁵⁶ Clause 10(2)(b) relating to Redwood Group [228.1]

⁵⁷ Correction of a minor error as outlined within RMA Schedule 1, Section 16(2)

⁵⁸ The Telcos [176.15, 208.15, 209.15 and 210.15]

	<p>d. port administration;</p> <p>e. marine-related trade and industry training activities;</p> <p>f. marine-related industrial activities, including ship and boat building, and fish processing;</p> <p>g. warehousing and container storage in support of a.-f., h., i. and j., and distribution activities, including bulk fuel storage and ancillary pipeline networks;</p> <p>h. log storage;</p> <p>i. facilities for recreational boating, including yachting;</p> <p>j. activities associated with the surface navigation, berthing, manoeuvring, refuelling, storage, servicing and providing of vessels, cargo certification, Ccustoms and other Ggovernment activities associated with Pport activities;</p> <p>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;</p> <p>l. Mmeteorological activities;</p> <p>m. ancillary food and beverage outlets in support of the above;</p> <p>n. Telecommunication and radio communication facilities; and</p> <p>o. Ancillary office and commercial activity, including ancillary trade suppliers, in support of the above.</p>
POST-HARVEST FACILITY	<p><u>means any Bbuilding 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"> • <u>a. use of the site for the collection and distribution of horticultural products;</u> • <u>b. slicing and dicing agricultural products in preparation for distribution to retail outlets, including the disposal of associated waste material from these activities;</u> • <u>c. preparation and shrink-wrapping horticultural products in preparation for distribution to retail outlets;</u> • <u>d. collection and distribution of agricultural products including the cross loading of trucks used in the collection and delivery of horticultural products; and</u> • <u>e. the on-site servicing and maintenance of vehicles and equipment associated with the activities.</u>⁵⁹
POTENTIALLY CONTAMINATED LAND	<p>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.</p>
PRESCHOOL	<p>means a <u>child care services</u> of three or more children (in addition to any children <u>who</u> residentnt on the site) and would not operate for any continuous period of more than seven consecutive days.</p>
PRIMARY PRODUCTION	<p>means:</p>

⁵⁹ Hort NZ [245.24]

	<p>a. any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and</p> <p>b. includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a); <u>and</u></p> <p>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</p> <p>d. excludes further processing of those commodities into a different product.</p>
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	H as 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> <ol style="list-style-type: none"> a large passenger service vehicle; or a small passenger service vehicle; or a ferry; or a hovercraft; or a rail vehicle; or 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> <ol style="list-style-type: none"> an excluded passenger service; or 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.
<u>RADIO COMMUNICATIONS</u>	<p><u>has the same meaning as in the Radio eC Communications Act 1989 (as set out in the box below):</u></p> <p><u>means any transmission or reception of signs, signals, writing, images, sounds, or intelligence of any nature by radio waves.</u>⁶⁰</p>
RAFT	<p>has the same meaning as in section 2 of the RMA (as set out in the box below):</p> <p>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.</p>
RAILWAY LINE	<p>A<u>a</u>s defined in Section 4 of the Railways Act 2005:</p> <ol 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— <ol 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,— <ol 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— <ol 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.

⁶⁰ The Telcos [176.27, 208.27, 209.27, 210.27]

REAL ESTATE AND DEVELOPMENT SIGN	means a sign that is erected to: <ol style="list-style-type: none"> advertise the sale or rental of a property; or 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: <ol style="list-style-type: none"> includes the construction of any causeway; but 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	Regionally Significant Infrastructure is: <ol style="list-style-type: none"> the <u>the</u> S<u>s</u>trategic land transport network, including National Routes, Regional Arterials and District Arterials, and arterial roads⁶¹. <u>Richard Pearse</u> (Timaru) Airport; Port of Timaru; the <u>the</u> T<u>t</u>elecommunication facilities network⁶². N<u>n</u>ational, regional and local renewable electricity generation activities of any scale; T<u>t</u>he <u>National Grid</u> electricity transmission network⁶³. S<u>s</u>ewage collection, treatment and disposal networks; C<u>c</u>ommunity land drainage infrastructure; C<u>c</u>ommunity potable water systems; E<u>e</u>stablished community-scale irrigation and stockwater infrastructure; T<u>t</u>ransport hubs; B<u>b</u>ulk fuel supply infrastructure including terminals, wharf lines and pipelines; T<u>t</u>he electricity distribution network⁶⁴; and T<u>t</u>he Redruth Landfill and Resource Recovery Facility in Timaru.⁶⁵
<u>RELOCATABLE [IN RELATION TO THE NATURAL HAZARDS CHAPTER AND COASTAL ENVIRONMENT CHAPTER]</u>	Relocatable: for the purposes of the Natural Hazards and Coastal Environment Chapters, in relation to the Natural Hazards Chapter and Coastal Environment Chapter means a building that is intended for relocation, either in part or whole, to another site and demonstrates compliance with the following: <ol style="list-style-type: none"> 4 <u>a</u> the building shall be generally of timber or metal framing and excludes any structures that have cast in situ concrete walls, concrete block walls, brick stone walls (including brick veneer), which would enable at least the greater part of the building to be relocated if required; 2 <u>b</u> the building can be removed from the site in less than seven consecutive days; 3 <u>c</u> the building is fully self-contained or able to disconnect from Council reticulated services in less than two days; and

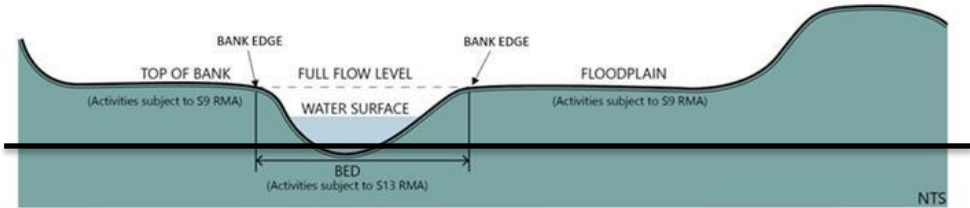
⁶¹ TDC [42.1]⁶² Evidence of Mr Anderson for the Telcos [176.16, 208.16, 209.16 and 210.16] Hearing E, dated 23 January 2025 at paragraphs 16 to 20⁶³ Transpower [159.14]⁶⁴ Alpine Energy [55.1]⁶⁵ Enviro NZ [162.2]

	4. d. has a building footprint of less than 150m ² . ⁶⁶
RELOCATED BUILDING	means any building that is relocated, in whole or in part, from one site to another site, but excludes: <ol style="list-style-type: none"> shipping containers; and new buildings specifically constructed for relocation to another site; and non-motorised caravans;and <u>heritage buildings listed in SCHED3 – Schedule of Historic Heritage Items.</u>⁶⁷
RENEWABLE ELECTRICITY GENERATION	H 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.
RENEWABLE ELECTRICITY GENERATION ACTIVITY	H 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.
REPAIR	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.
REPLACEMENT	M 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. <u>It does not include repair.</u> ⁶⁸
RESIDENTIAL ACTIVITY	means the use of land and building(s) for people's living accommodation.
RESIDENTIAL UNIT	means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.
RESIDENTIAL VISITOR ACCOMMODATION	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.
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

⁶⁶ PrimePort [175 - various] and Timaru District Holdings [186 - various]

⁶⁷ Heritage New Zealand [114.7]

⁶⁸ Transpower [159.18]

	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, approved (whether by consent or designation) or permitted activity, or a permitted or authorised activity—activities otherwise anticipated by the Plan, 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 that activity. ⁶⁹
RIPARIAN MARGIN	<p>means land that is within:</p> <ol style="list-style-type: none"> 10m of the bank edge of a river that is up to 3m wide (and is not listed in (c) below); and/or 20m of the bank edge of a river that is greater than 3m wide (and is not listed in (c) below); and/or 100m of the bank edges of the Rangitata; Ōpihi; and Ōrāri Rivers; and/or; 50m of any wetland. <p>The bank edge is illustrated by the following figure⁷⁰</p> 
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. ⁷¹
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).

⁶⁹ Alliance Group [173.9], Silver Fern Farms [172.10], KiwiRail [187.13]

⁷⁰ Speirs, B [66.6]

⁷¹ Federated Farmers [182.26]

ROAD	<p>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—</p> <ul style="list-style-type: none"> 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 c. is laid out by the council as a road or street after the commencement of this Part; or d. is vested in the council for the purpose of a road as shown on a deposited survey plan; or e. is vested in the council as a road or street pursuant to any other enactment;— <p>and includes—</p> <ul style="list-style-type: none"> 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; 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>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> <ul style="list-style-type: none"> 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 b. includes all bridges, drains, culverts, or other structures or works forming part of any motorway so declared; but 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.
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> <ul style="list-style-type: none"> a. the outer extent of the branch spread; or b. half the height of the tree.
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	means fruit, vegetables, flowers or other similar farm products primarily grown and/or processed on a property in a rural zone.
RURAL PRODUCE MANUFACTURING	means the use of land and/or buildings for the manufacturing of products from rural produce grown on the same site or: <ol style="list-style-type: none"> on other sites in the same ownership; or on other sites leased by the owner of the primary site.
RURAL PRODUCE RETAIL	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.
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.⁷²
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"> Rrural production retail; Rrural production manufacturing; Vvisitor accommodation; <u>or</u> Hhome business.
SCHEDULED INTERIOR ELEMENT	i n 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"> 4 <u>a</u>. Rresidential activities; 2 <u>b</u>. Eeducation facilities and preschools; 3 <u>c</u>. Guest & and⁷³ Vvisitor accommodation; 4 <u>d</u>. Hhealth care facilities which include accommodation for overnight care; 5 <u>e</u>. Hhospitals; 6 <u>f</u>. Marae (building only); or 7 <u>g</u>. Place of assembly. except that: <ol style="list-style-type: none"> subclause f⁷⁴ above is not applicable in relation to electronicelectricity⁷⁵ transmission. subclause g⁷⁶ above is not applicable in relation to noise or electronicelectricity⁷⁷ transmission.

⁷² ECan [183.11]

⁷³ Transpower [159.20] and Hort NZ [245.25]

⁷⁴ MoE [106.6], BP Oil et al [196.11] and Radio NZ [152.20]

⁷⁵ Transpower [159.20] and correction of minor error as per Schedule 1, Clause 16(2) RMA

⁷⁶ MoE [106.6], BP Oil et al [196.11] and Radio NZ [152.20]

⁷⁷ Transpower [159.20] and correction of minor error as per Schedule 1, Clause 16(2) RMA

SENSITIVE ENVIRONMENT	<p>means</p> <ol style="list-style-type: none"> 1. areas within the following overlays identified on the Planning map: <ol style="list-style-type: none"> a. Coastal Environment; and b. Coastal High Natural Character Areas; and c. Drinking Water Protection Area; and d. Heritage Item; and e. Heritage Item extent <u>Setting</u>⁷⁸; and f. Outstanding Natural Features; and g. Outstanding Natural Landscapes; and h. Sites and e<u>A</u>reas of Significance to Māori; and i. Significant Natural Areas; and j. Visual Amenity Landscapes; and k. Earthquake Fault Awareness Area; and l. High Hazard Areas; and m. Flood Assessment Area; and n. Seawater Inundation Overlay; and o. W<u>W</u>ithin 250m from M<u>M</u>ajor H<u>H</u>azard F<u>F</u>acilities; and p. <u>Long-Tailed Bat Habitat</u> Protection Area <u>Overlay</u>; and⁷⁹ 2. the below areas: <ol style="list-style-type: none"> a. T<u>T</u>he area within 100m from the edge of a R<u>R</u>iparian M<u>M</u>argin; and b. T<u>T</u>he area within 100m from the edge of a W<u>W</u>etland A<u>A</u>rea; and c. High Hazard Areas identified in a Flood <u>Assessment</u> Certificate issued under NH-S1.
<u>SENSITIVE LOCATIONS</u>	<p><u>means:</u></p> <ol style="list-style-type: none"> 1. A<u>A</u>reas within the following O<u>O</u>verlays identified on the Planning map, but excluding the <u>Port Zone PORTZ</u>: <ol style="list-style-type: none"> a. A<u>A</u>n the Earthquake Fault Awareness Overlay; and b. A High Hazard Area Overlay; and c. T<u>T</u>he Sea Water Inundation Overlay; and d. T<u>T</u>he Coastal Erosion Overlay; and e. A<u>A</u> the Drinking Water Protection Area <u>Overlay</u>; and f. T<u>T</u>he area within 250m of an MHE; and 2. the below areas: <ol style="list-style-type: none"> a. T<u>T</u>he area within 100m from the edge of a R<u>R</u>iparian M<u>M</u>argin or wetland area; and <u>b. High Hazard Areas identified in a Flood Assessment Certificate issued under NH-S1.</u>⁸⁰
SERVICE LANE	<p>H<u>H</u>as the same meaning as in section 315 of the Local Government Act 1974:</p> <p>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.</p>
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>

⁷⁸ Heritage NZ [144.5]⁷⁹ Dir. General Conservation [166.11]⁸⁰ PrimePort [175.32] and TDH [186.17]

	<ul style="list-style-type: none"> • a. Sale or hire of kerosene, alcohol-based fuels, lubricating oils, tyres, batteries, vehicle spare parts, trailers and other accessories normally associated with motor vehicles; • b. Truck stops; • c. Trailer hire; <u>and</u> • d. The ancillary sale of other goods for the convenience and comfort of service station customers; but shall not include any industrial activity. <p>Note: This definition is a subset of retail <u>'eCommercial'</u>⁸¹ <u>Activity</u>.</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 <u>m</u> metres in width and are not clear felled (unless the <u>clear felled</u> if for replanting of <u>a</u> ⁸² new shelterbelt).
SIGN	means any device, character, graphic or electronic display, whether temporary or permanent; which <ol style="list-style-type: none"> is for the purposes of— <ol style="list-style-type: none"> identification of or provision of information about any activity, property or structure or an aspect of public safety; providing directions; or promoting goods, services or events; and is projected onto, or fixed or attached to, any, structure or natural object; and 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 <u>[SNA]</u>	means identified areas of significant indigenous vegetation and significant habitats of indigenous fauna, as set out in ECO-SCHED27 ⁸³ and shown on the Planning Maps.
<u>SILAGE STORAGE [IN RELATION TO THE DRINKING WATER PROTECTION CHAPTER]</u>	<u>For the purposes of the DWP Chapter, in relation to the Drinking Water Protection Chapter, means: silage storage of more than 20m³ where contaminants are able to leach into the ground, and excludes wrapped silage and storage of silage on an impervious surface where stormwater runoff is appropriately collected and treated.</u> ⁸⁴
SITE	means: <ol style="list-style-type: none"> an area of land comprised in a single record of title under the Land Transfer Act 2017; or 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 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

⁸¹ BP Oil et al [196.13]

⁸² Correction of a minor error as outlined within RMA Schedule 1, Clause 16(2)

⁸³ Dir. General Conservation [166.12], Fenlea Farms [171.6, 171.32], Rooney, A J [177.14], K J Rooney Ltd [197.7]

⁸⁴ TDC [42.41]

	<p>Land Transfer Act 2017 could be issued without further consent of the Council; or</p> <p>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.</p>
SITE COVERAGE	means the combined total of building footprint and impervious surfaces.
SKY GLOW	means 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> <ol style="list-style-type: none"> that receives or transmits radiocommunication or telecommunication signals; and the volume of which (including any ancillary equipment, but not including any cabling) is not more than 0.11 m³.
<u>SMALL FIXED-WING AIRCRAFT</u>	<u>means an aeroplane that has a certified take-off weight for the aeroplane and its contents of 5,700kg or less.⁸⁵</u>
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.
<u>SPECIFIED MĀORI LAND</u>	<p><u>means land that is any of the following:</u></p> <p><u>(a) Māori customary land and Māori freehold land (as defined in Te Ture Whenua Māori Act 1993);⁸⁵</u></p> <p><u>(b) 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;⁸⁵</u></p> <p><u>(c) 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;⁸⁵</u></p> <p><u>(d) 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;⁸⁵</u></p> <p><u>(e) 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);⁸⁵</u></p> <p><u>(f) the maunga listed in section 10 of the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014;⁸⁵ and</u></p>

⁸⁵ Evans, J [45.1], McAuley, S [57.1], Aubrey, L [59.1], Station Air [61.1], Pemberton, S [64.1], Cessna 180/185 Group et al [201.1], Coldicott, J. M. [118.1], Coldicott, G [254.1]

	<p><u>(g) 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);</u> <u>(i) as part of redress for the settlement of Treaty of Waitangi claims; or</u> <u>(ii) by the exercise of rights under a Treaty settlement Act or Treaty settlement deed.</u>⁸⁶</p>
STATE HIGHWAY	<p>has the same meaning as in in <u>section</u>⁸⁷ 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 Sstate 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"> 1. all land along or contiguous with its route that is the road; and 2. any part of an intersection that is within the route of the Sstate highway; and 3. 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 Sstate highway; and 4. land that becomes a Sstate highway under section 88(2) of the Government Roding Powers Act 1989.
STORMWATER	means run-off that has been intercepted, channelled, diverted, intensified or accelerated by human modification of a land surface, or run-off from the surface of any structure, as a result of precipitation and includes any contaminants contained within.
STORMWATER MANAGEMENT AREA	means an area specifically designated to contain stormwater or floodwaters.
STORMWATER NEUTRALITY	<p>means that post-development stormwater runoff rates and volumes do not exceed the pre-development stormwater runoff rates and volumes.</p> <p><u>means the management of stormwater runoff from a site during one or more specific rainfall events to restrict post-development peak flows and/or volumes to pre-development flows and/or volumes.</u>⁸⁸</p>
STORMWATER NEUTRALITY DEVICE	<u>means A</u> 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.
STORMWATER UTILITY AREA	<u>means A</u> 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);

⁸⁶ Clause 10(2)(b) relating to Dir. General Conservation [166.38]

⁸⁷ Waka Kotahi [143.17]

⁸⁸ Kāinga Ora [229.4], PrimePort [175.23] and Timaru District Holdings [186.9]

	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— a. the division of an allotment— i. by an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of the allotment; or ii. by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or iii. by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or iv. by the grant of a company lease or cross lease in respect of any part of the allotment; or v. by the deposit of a unit plan, or an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; or b. an application to the Registrar-General of Land for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by section 226.
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	M 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— 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.
TELECOMMUNICATION LINE ⁸⁹	<u>(a) means a wire or a conductor of any other kind (including a fibre optic cable) used or intended to be used for the transmission or reception of signs, signals, impulses, writing, images, sounds, instruction, information, or intelligence of any nature by means of any electromagnetic system; and</u> <u>(b) includes—</u>

⁸⁹ Evidence of Tom Anderson for the Telcos [176.40, 208.40, 209.40, 210.40], Hearing E dated 23 January 2025 at paragraphs 12 to 15

	<p>(i) <u>any pole, insulator, casing, fixture, tunnel, or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any of those wires or conductors; and</u></p> <p>(ii) <u>any part of a telecommunication line.</u></p>
TEMPORARY ACTIVITY	M 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 CULTURAL EVENT	<u>means an event undertaken by Kāti Huirapa in accordance with tikanga which relates to the expression of Māori culture and the relationship that Kāti Huirapa have with places of customary importance, and includes Mahika kai activities and ceremonial activities.</u> ⁹⁰
TEMPORARY ⁹¹ EMERGENCY SERVICES TRAINING ACTIVITY	M means a temporary activity undertaken for training purposes by emergency services, including but not limited to, Fire and Emergency New Zealand, the New Zealand Police, St John/Hato Hone and Civil Defence. ⁹²
TEMPORARY EVENT	<p>Mmeans 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, public meetings, <u>and</u> hui, and emergency services training events, but excludes motorsport events.⁹³</p> <p>Note: This <u>definition</u> is a subset<u>definition</u> of 'Temporary Activity'.</p>
TEMPORARY MILITARY TRAINING ACTIVITY (TMTA)	<p>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:</p> <ol style="list-style-type: none"> the defence of New Zealand, and of any area for the defence of which New Zealand is responsible under any Act; the protection of the interests of New Zealand, whether in New Zealand or elsewhere; the contribution of forces under collective security treaties, agreements, or arrangements; 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; the provision of assistance to the civil power either in New Zealand or elsewhere in time of emergency; <u>and</u> the provision of any public service.
TEMPORARY SIGN	means a sign that is erected for no more than 60 days in one calendar year for the purpose of advertising a one-off or temporary activity or temporary event.
TERRITORIAL AUTHORITY	<p>has the same meaning as in section 5 of the Local Government Act <u>2002</u> (as set out in the box below):</p> <p>means a city council or a district council named in Part 2 of Schedule 2.</p>

⁹⁰ Clause 16(2)⁹¹ Clause 16(2) Amendment⁹² FENZ [131.4]⁹³ FENZ [131.5]

<u>TERTIARY EDUCATION SERVICES</u>	<p><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></p> <p><u>Note: This definition is a subset of 'Educational Facility'.⁹⁴</u></p>
TOWER [IN RELATION TO THE ENERGY AND INFRASTRUCTURE CHAPTER]	<p>in relation to the Energy and Infrastructure eChapter, means a steel-lattice structure that supports conductors, lines, cables or antennas <u>(other than telecommunication equipment).</u>⁹⁵ A tower includes the foundations and hardware associated with the structure such as insulators, cross arms and guy-wires.</p>
TRADE SUPPLIER	<p>Mmeans 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:</p> <ul style="list-style-type: none"> a. automotive and marine suppliers; b. building suppliers; c. catering equipment suppliers; 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 for <u>Electricity Transmission Activities</u> ELECTRICITY TRANSMISSION ACTIVITIES 2009, which means <u>means</u>⁹⁶:</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]	<p>In relation to major hazard facilities, means exposure of sensitive activities (including residential <u>units dwelling</u>) to an individual fatality risk level exceeding 1×10^{-6} per year (one in a million).⁹⁷</p>
UNDERMINE	<p>means lessen the effectiveness, power, or ability of, especially gradually or insidiously.</p>

⁹⁴ Te Pukenga [215.1]

⁹⁵ The telcos [176.24, 208.24, 209.24, 210.24]. See also the evidence of Mr Anderson for the Telcos for Hearing E dated 23 January 2025, paragraphs 21 to 29

⁹⁶ Transpower [159.23]

⁹⁷ Bruce Speirs [66.9]

UPGRADING / UPGRADE	M means the replacement, renewal or improvement of infrastructure that results in an increase in carrying capacity <u>and size</u> , ⁹⁸ <u>and may include replacement and renewal</u> , ⁹⁹ 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.
URBAN DEVELOPMENT	has the same meaning as in section 9 of the Urban Development Act 2020 which includes: a. development of housing, including public housing and community housing, affordable housing, homes for first-home buyers, and market housing; b. development and renewal of urban environments, whether or not this includes housing development; c. development of related commercial, industrial, community, or other amenities, infrastructure, facilities, services, or works. means development within an area zoned as a R esidential Z one, Settlement Zone, C ommercial and M ixed U se Z one, General Industrial Zone, Special Purpose Port Z one, and Māori Purpose z ones, and Open Space Zone or a Sport and Active Recreation Zone that are 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. ¹⁰⁰
URBAN ZONE / URBAN ZONED AREAS <u>[IN RELATION TO THE ENERGY AND INFRASTRUCTURE, NATURAL HAZARD AND COASTAL ENVIRONMENT CHAPTERS]</u>	Urban zone or urban-zoned areas: for the purpose of in relation to the Energy and Infrastructure, ¹⁰¹ Natural Hazard and Coastal Environment chapters, means all zones with the exception of the General Rural Z one, Rural Production Z one, Rural Lifestyle Z one, Future Urban Z one, and O pen S pace and R ecreation zones that do not share at least 50% of their boundary with a qualifying zone. ¹⁰²
VEGETATION CLEARANCE <u>[IN RELATION TO THE DRINKING WATER PROTECTION CHAPTER]</u>	F for the purposes of the Drinking Water Protection Chapter, <u>in relation to the Drinking Water Protection chapter</u> , means: the removal of vegetation by physical, mechanical, chemical or other means but excludes: a. <u>cultivation for the establishment of, or harvesting of, crops or pasture;</u> b. <u>clearance for the establishment or maintenance of network utilities or structures;</u> c. <u>removal of a species listed in the Biosecurity NZ Register of Unwanted Organisms or the Canterbury Pest Management Strategy;</u> d. <u>clearance for the purposes of maintaining existing fence lines, vehicle tracks, firebreaks, drains, ponds, dams or crossings;</u> e. <u>domestic gardening and the maintenance of amenity planting;</u>

⁹⁸ The Telcos [176.25, 208.25, 209.25, 210.25]⁹⁹ Transpower [159.24], The Telcos [176.25, 208.25, 209.25, 210.25] and BP Oil, et al [196.15]¹⁰⁰ ECan [183.9]¹⁰¹ PrimePort [175.20]¹⁰² Te Rūnanga o Ngāi Tahu [185.46]

	<p>f. <u>clearance by, or on behalf of, the Canterbury Regional Council for the purposes of maintaining the flood-carrying capacity of a river;</u></p> <p>g. <u>exotic vegetation clearance by the Department of Conservation or Land Information New Zealand for the purposes of pest management and maintenance of public access; and</u></p> <p>h. <u>vegetation clearance by chemical means where this is more than 50m from a drinking water supply bore.</u>¹⁰³</p>
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 ¹⁰⁴ AREA	<p>means that part of a site or building within which vehicle parking and manoeuvring are accommodated.</p> <p><i>Note: This definition change also requires the rule references in all chapters to be amended to refer to “vehicle parking and maneuvering area”.</i></p>
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. ¹⁰⁵
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 <u>A</u> FENCE]	in relation to a 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 stor <u>esing</u> and sort <u>sing of</u> 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	<p>has the same meaning as in section 2 of the RMA (as set out in the box below):</p> <p>a. means water in all its physical forms whether flowing or not and whether over or under the ground:</p> <p>b. includes fresh water, coastal water, and geothermal water:</p> <p>c. does not include water in any form while in any pipe, tank, or cistern.</p>

¹⁰³ TDC [42.41]¹⁰⁴ Bruce Spiers [66.11]¹⁰⁵ Hort NZ [245.29], Forest and Bird [156.34], Spiers, B [66.12 and 66.13], ECan [183.12]

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.
<u>WELL-FUNCTIONING URBAN ENVIRONMENT</u> ¹⁰⁶	H as the meaning as in clause 1.4 in the National Policy Statement on Urban Development (2022).
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.

Note:

SITE	Remove the link to the definition of 'site' where the word is used in the SASM Chapter (except where it is used in SASM-R1.1 PER1.1) ¹⁰⁷
HISTORIC HERITAGE	Remove the hyperlink associated with the word 'site' within this definition.

¹⁰⁶ TDC [42.7]¹⁰⁷ Heritage NZ [114.30]

ABBREVIATIONS

Abbreviations	Full terms
AECL	Aoraki Environmental Consultancy Limited
AEP	Annual exceedance probability
CCT	Correlated colour temperature
CDEM	Civil Defence Emergency Management
CMA	Coastal marine area
Commercial and mixed use zones	Includes: <ul style="list-style-type: none"> • Neighbourhood eCentre zZone; • Local eCentre zZone; • Large fFormat rRetail zZone; • Mixed uUse zZone; • Town eCentre zZone; and • City eCentre zZone;
CPTED	Crime prevention through environmental design
CRC	Canterbury Regional Council
<u>CRPS</u>	<u>Canterbury Regional Policy Statement</u>
DAP	Development Area Plan
<u>District Plan</u>	<u>Timaru District Plan</u>
DOC	Department of Conservation
DRPA	Drinking Water Protection Area ¹
DWPA	Drinking Water Protection Area
EI	Energy and Infrastructure
<u>FTA</u>	<u>Full time equivalent</u>
GFA	Gross floor area
GMS	Growth Management Strategy
ha	Hectare
HAIL	Hazardous Activities and Industries List
HNWB	High Naturalness Water- B b o dy
HNZPT	Heritage New Zealand Pouhere Taonga
HSNO	Hazardous Substances and New Organisms Act 1996
<u>HSW</u>	<u>Health and Safety at Work Act 2015</u>
<u>ITA</u>	<u>Integrated Transport Assessment</u>
LGA	Local Government Act 2002

¹ Speirs, B [66.14]

LINZ	Land Information New Zealand
LPG	Liquefied petroleum gas
<u>LMP</u>	<u>Light Management Plan</u>
LUC	Land use capability
m	Metre
MHWS	M HWSMean High Water Springs ²
NES	National e <u>E</u> nvironmental s <u>S</u> tandards
<u>NESCF</u>	<u>Resource Management (National Environment Standards for Commercial Forestry) Regulations 2017</u>
NESCS	Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
NESETA	National Environmental Standards on Electricity Transmission Activities 2009
NESTF	National Environmental Standards for Telecommunication Facilities <u>2016</u> ³
NPS	National Policy Statement
NPSET	National Policy Statement on Electricity Transmission 2008
<u>NPSHPL</u>	<u>National Policy Statement for Highly Productive Land 2022</u>
NPSREG	National Policy Statement for Renewable Electricity Generation 2011
NZAA	New Zealand Archaeological Association
NZCPS	New Zealand Coastal Policy Statement 2010
NZECF	New Zealand Electrical Code of Practice
NZTA	New Zealand Transport Agency
ONF	Outstanding Natural Feature
ONFs	Outstanding Natural Features
ONL	Outstanding Natural Landscape
ONLs	Outstanding Natural Landscapes
Open space and recreation zones	Includes: Natural e <u>O</u> pen s <u>S</u> pace z <u>Z</u> one; Open s <u>S</u> pace z <u>Z</u> one; and Sport and a <u>A</u> ctive r <u>R</u> ecreation z <u>Z</u> one
Residential zones	i <u>I</u> ncludes: General r <u>R</u> esidential zone; and Medium d <u>D</u> ensity r <u>R</u> esidential z <u>Z</u> one
RMA	Resource Management Act 1991
Rural zones	Includes:

² Speirs, B [66.15]³ Connexa [176.28], Spark [208.28], Chorus [209.28] and Vodafone [210.28]

	General R ural z Zone; Rural L ifestyle z Zone; and Settlement z Zone
<u>SASM</u>	<u>Sites and Areas of Significance to Māori/Kāti Huirapa</u>
SNA	Significant Natural Area
<u>SNAs</u>	<u>Significant Natural Areas</u>
STEM	Standard Tree Evaluation Method
Te Rūnanga	Te Rūnanga o Arowhenua
the e Council	means the Timaru District Council, <u>and includes the successors of infrastructure management</u> ⁴ .
<u>the District</u>	<u>Timaru District</u>
<u>the Region</u>	<u>Canterbury Region</u>
TMTA	Temporary Military Training Activity/ <u>Activities</u>
VAL	Visual Amenity Landscape
VALs	Visual Amenity Landscapes

⁴ TDC [42.8, 42.24, 42.25, 42.26]

GLOSSARY	
Glossary Term	Explanation
ara tawhito	Ancient trails.
atua	God, supernatural being.
hapū	Sub-tribe, extended whanau.
Iwi	Tribe.
Ka Tiritiri o te moana	<u>S</u> outhern alps.
Kā tuhituhi o neherā	Rock art.
Kāi Tahu	The collective of the individuals who descend from one or more of the of the five primary hapu of Kāi Tahu, Kāti Māmoe and Waitaha, <u>namely Kāti Kurī, Kāti Irakehu, Kāti Huirapa, Ngāi Tuahuriri, and Kai Te Ruahikihiki.</u> ¹
kāika nohoaka	Place of residence or shelter, includes seasonal occupation sites where food is gathered.
kaitiaki	Guardian.
kaitiakitaka	The exercise of customary custodianship, in a manner that incorporates spiritual matters, by takata whenua who hold <u>M</u> ana whenua status for <u>a</u> particular area or resource.
Kāti Huirapa	The hapū that holds rights of mana whenua for the lands, waters, coastal and marine environments between the Rakaia River in the north, Waitaki River in the south and between the East Coast and the Southern Alps. Note: For the purposes of implementing this plan, Kāti Huirapa includes <u>Te Rūnanga o Ngāi Tahu.</u> ²
kawa	Rules, protocols or procedures.
ki uta ki tai	'From the mountains to the sea'. See explanation in MW2.1.3.
Koiwi Takata	Human skeletal remains.
mahika kai	Places where food is produced or procured. See MW2.1.8 for further explanation.
Mahika mātaītai	Places where food is obtained from the sea or seashore. Mātaītai reserves in the South Island are established by the Minister of Fisheries under the Fisheries (South Island Customary Fishing) Regulations 1999.
mana whenua	Those who exercise customary authority or Rakatirataka.
manaakitaka	Show kindness to, look after, entertain.
manuhiri noho	Place of shelter for visitors.
mātauraka	Māori knowledge.

¹ Te Rūnanga o Ngāi Tahu [185.14]

² Te Rūnanga o Ngāi Tahu [185.13]

mauri	Essential life force or principle; a metaphysical quality inherent in all things both animate and inanimate. (Ngāi Tahu Fresh Water Policy).
nohoaka	Temporary campsites.
Pā	Fortification.
Papatipu Rūnaka	Traditional Rūnaka.
Pouwhenua	Carved wooden posts used by mana whenua to mark territory or place.
rakatirataka	Chieftainship, decision-making rights self-determination. In the context of the RMA Resource Management Act , rakatirataka includes the active involvement of mana whenua in resource management decision making processes. See MW2.1.6 for further explanation.
repo	Wetland.
rohe	Boundary.
Rūnaka	Local representative group or community system of representation.
takata tiaki	The people who are responsible for exercising kaitiakitaka. See MW2.1.5 for further explanation.
Takata whenua	The iwi or hapū that holds mana whenua in a particular area.
takiwā	Area, region, district (synonym for rohe).
taniwha	Legendary serpent-like creature.
taoka	Treasure. See MW2.1.7 for further explanation.
tauraka waka	Canoe mooring site.
te ao tūroa	The natural environment.
te reo	The language.
Te Rūnanga o Arowhenua	The whānau who whakapapa to Kāti Huirapa.
Te Rūnanga o Ngāi Tahu	Te Rūnanga o Ngāi Tahu Act 1996 described the takiwā of Kā Papatipu Rūnaka, which was revised in the Te Runanga o Ngai Tahu (Declaration of Membership) Order 2001.
Te Wai Pounamu	The South Island.
tī kōuka	Cabbage tree.
tikaka	Customary values and practices. See MW2.1.2 for further explanation.
tūpuna	Ancestors.
tūrakawaewae	Place of belonging through ancestral rights linked to land, place to stand.
umu-ti	Earth oven used for cooking.
urupā	Burial place.

wāhi taoka	Resources, places and sites treasured by Mana whenua. See MW2.1.7 for further explanation. Wāhi taoka is the term used to refer to such places where they are land-based and wai taoka is used to refer to waterways.
wāhi tapu	Places sacred to takata whenua. See MW2.1.9 for further explanation. Wāhi tapu is the term used to refer to such places where they are land-based and wai tapu is used to refer to waterways.
wāhi tūpuna	Broader geographical areas / cultural landscapes that hold significant value to Kai Tahu due to the concentration of wahi tapu or taoka values, or the importance of the area to cultural traditions, history or identity. See MW2.1.9 for further explanation.
wai puna	Spring.
wai taoka	Resources, places and sites treasured by Mana whenua. See MW2.1.7 for further explanation. Wāhi taoka is the term used to refer to such places where they are land-based and wai taoka is used to refer to waterways.
wai tapu	Places sacred to takata whenua. See MW2.1.9 for further explanation. Wāhi tapu is the term used to refer to such places where they are land-based and wai tapu is used to refer to waterways.
wairua	Life principle, spirit.
Waitarakao	Washdyke Lagoon.
whakapapa	Genealogy.
whānau	Family.
whānaukataka	The process of establishing relationships and relating well to others.
Whānui	Wider group of related whānau.
Whare Tūpuna	Ancestral meeting house.
whare wānaka	Place of learning.
Wharenui	Ancestral meeting house.

NATIONAL POLICY STATEMENTS AND NEW ZEALAND COASTAL POLICY STATEMENT

~~National policy statements~~ (NPSs) and the ~~New Zealand Coastal Policy Statement~~ (NZCPS) form part of the RMA's policy framework and are prepared by central government. NPSs and the NZCPS contain objectives, policies and methods that must be given effect to by regional policy statements and plans. Consent authorities must also have regard to NPSs and the NZCPS when making decisions on resource consent applications, alongside other considerations.

The following table provides an overview of whether a review of the ~~Timaru~~ District Plan has been undertaken in relation to the NPSs and the NZCPS.

National Policy Statement for Freshwater Management 2020	The Timaru District Plan has been reviewed.
National Policy Statement on Urban Development Capacity 2016 2020 ¹	The Timaru District Plan has been reviewed.
National Policy Statement on Renewable Electricity Generation 2011	The Timaru District Plan has been reviewed.
New Zealand Coastal Policy Statement 2010	The Timaru District Plan has been reviewed.
National Policy Statement on Electricity Transmission 2008	The Timaru District Plan has been reviewed.
National Policy Statement on Highly Productive Land 2022	The Timaru District Plan has not been reviewed. ²

¹ Fonterra [165.24]

² Hort NZ [245.36], Speirs B [66.16] and Fonterra [165.24]

NATIONAL ENVIRONMENTAL STANDARDS

~~National environmental standards (NESs)~~ are prepared by central government and can prescribe technical standards, methods (including rules) and/or other requirements for environmental matters throughout the whole country or specific areas. If an activity does not comply with an NES, it is likely to require a resource consent. NESs must be observed and enforced by local authorities. District Plan rules can only be more stringent, or less stringent, than a NES if the NES expressly states a rule can be more or less stringent than it. The following NESs are currently in force:

- Resource Management (National Environmental Standard for Freshwater) Regulation 2020
- Resource Management (National Environmental Standard for Commercial Forestry ~~on Plantation Forestry~~) Regulations 2017
- Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016
- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
- Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009
- Resource Management (National Environmental Standard for Sources of Drinking Water) Regulations 2007
- Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (amended 2011)
- Resource Management (National Environmental Standards for Storing Tyres Outdoors) Regulations 2021

REGULATIONS

The regulations included in this chapter come under the RMA (excluding the ~~national environmental standards~~ NESs listed above). These regulations are:

- Resource Management (Discount on Administrative Charges) Regulations 2010
- Resource Management (Exemption) Regulations 1996
- Resource Management (Exemption) Regulations 2017
- Resource Management (Forms, Fees, and Procedure) Regulations 2003
- Resource Management (Infringement Offences) Regulations 1999
- Resource Management (Marine Pollution) Regulations 1998
- Resource Management (Measurement and Reporting of Water Takes) Regulations 2010
- Resource Management (Network Utility Operations) Regulations 2016
- Resource Management (Transitional, Fees, Rents, and Royalties) Regulations 1991

WATER CONSERVATION ORDERS

Regional policy statements, regional plans and district plans cannot be inconsistent with the provisions of a water conservation order. A water conservation order can prohibit or restrict a regional council issuing new water and discharge permits, although it cannot affect existing permits.

The following table provides an overview of whether any relevant review of the District Plan has been undertaken in relation to relevant water conservation orders.

Water Conservation (Rangitata River) Order 2006	The <u>District</u> p Plan has been reviewed.
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MANA WHENUA

Note on dialect: In Ngāi Tahu/Kāi Tahu dialect, 'k' is used interchangeably with 'ng'. As the 'k' variant is most commonly used by Kāti Huirapa in the ~~Timaru~~ District, this is the practice followed in this District Plan, except for references to legislation or the name of a legal entity (for example Te Rūnanga o Arowhenua).

MW1 Identity of Kāi Tahu and Kāti Huirapa in Timaru District

Timaru District lies within the traditional boundaries of Kāi Tahu. Kāi Tahu is the largest iwi in Te Wai Pounamu (the South Island) and comprises people who descend from the tribe's five primary hapū (Ngāti Kurī, Ngāti Irahehu, Kāti Huirapa, Ngāi Tūāhuriri and Ngāi Te Ruahikihiki) as well as earlier Rapuwai, Hawea, Waitaha and Kāti Mamoe ancestors. The collective of all of these genealogies is known today as Kāi Tahu whānui.

Te Rūnanga o Ngāi Tahu is the mandated iwi authority for Kāi Tahu whānui, and was established by the Te Rūnanga o Ngāi Tahu Act 1996. Within Kāi Tahu whānui, Papatipu Rūnaka are representative bodies of the whānau and hapū of traditional marae-based communities. While Te Rūnanga o Ngāi Tahu accepts its statutory responsibilities as the representative voice of Kāi Tahu whānui "for all purposes" it also respects the rights of local Kāi Tahu whānau and hapū to represent and express their own respective rights, values and interests as mana whenua through their local Papatipu Rūnaka.

The hapū who hold mana whenua in ~~the Timaru~~ District are Kāti Huirapa. The rohe of Kāti Huirapa extends over the area from the Rakaia River in the north to the Waitaki River in the south and the Papatipu Rūnaka that represents Kāti Huirapa is Te Rūnanga o Arowhenua. Arowhenua is the site of the tīpuna marae of Kāti Huirapa.

Kāti Huirapa history with the land goes back more than 70 generations, when, according to tradition, Rākahautu came to Te Wai Pounamu from Hawaiki in the canoe *Uruao*. The canoe landed at the boulder bank at Whakatū (Nelson). While his son Te Rakihouia took some of the party down the east coast, Rākahautū led the remainder through the interior to Te Ara a Kiwa (Foveaux Strait). With his ko (digging stick) Rākahautū dug Te Kari Kari O Rākahautū (the southern lakes).

Te Rakihouia proceeded south in Uruao down the Canterbury ~~Coast~~ where he placed eel weirs at the mouths of the rivers. The posts he left behind became known as Ngā Pou Pou o Rakihouia. The two parties met up at Waihao, then proceeded up the coast, making their headquarters at Akaroa. Rākahautū was buried at Wai Kakahi (near Wairewa/ Lake Forsyth). Te Uruao lies as part of the Waitaki River bed near Wai Kakahi (near Glenavy).

It was the natural resources that attracted ~~Māori people~~ Kāi Tahu¹ to Te Wai Pounamu, and the enjoyment of these is what kept them there. The distinctive flavours of birds, eel, shellfish, fish and other wildlife bound the people to the land and to the waters, and strengthened their will to hold on to them. Each district had its specialties. In Arowhenua, the specialties were ti -kauru (a fructose rich cake made from the pith of the stems and roots of tī kōuka (cabbage trees)) and aruhe (made from the root of the bracken fern). Ti -kāuru and aruhe were cooked in large earth ovens known as umu-ti. Some umu-ti still exist and are today regarded as wāhi tapu.

For Kāti Huirapa people, a way of life developed which was closely related to the natural environment. Natural resources were used to feed, clothe and equip people. Physical landmarks were often associated with atua and with the births, lives and deaths of tīpuna. The stories of the ancestor's journeys of exploration and creation and the shaping of the land also acted as "oral maps", with place names' meanings woven carefully into them. Within ~~Timaru~~ the District every mountain, hill, river and stream

¹ Te Rūnanga o Ngāi Tahu [185.24]

was owned and named. Natural resources were managed by strict kawa (resource management protocols and practices) and observance to atua. Today knowledge of these traditional resource management techniques is maintained by kaumatua and whānau of Kāti Huirapa hapū.

The gathering and preparation of food and other bounties of nature in Te Wai Pounamu were based around kāika nohoaka. These were permanent or seasonal settlements situated near a particular resource to be worked.

The principal Kai Tahu settlement in South Canterbury was previously at Te Waiateruatī pā, which was situated near the mouth of the Ōpihi River and was home to Te Rehe, the influential Kāti Huirapa rakatira. It was a place of marriages to link rakatira together and get access to mahika kai. Arowhenua, with its location between the junctions of the Ōpihi and Te Umu Kaha (Temuka) rivers, was traditionally one of the few remaining areas of lowland native forest on Kā Pakihi-Whakatekateka-a-Waitaha (the Canterbury Plains). The richer soils of Arowhenua, combined with the forest shelter, provided one of the few successful cultivations in the area. People began moving to Arowhenua from Te Waiateruatī after Arowhenua Māori Reserve 881 was allocated in 1848 as part of the Canterbury Purchase.

The coast of ~~Timaru~~the District was part of an important ara tawhito or travel route between lakes Wairewa and Waitarakao (Washdyke Lagoon), connecting the settlements of Te Pātaka-a-Rākaihautu (Banks Peninsula) with coastal kāika to the south, including Te Waiateruatī pā. Timaru itself was an integral component of the extensive network of kāika nohoaka, wānaka o tohuka and kāika mahika kai located throughout South Canterbury.

In addition to the route along the coast, other ara tawhito led inland to provide access to mahika kai in Te Manahuna (the Mackenzie Basin) and the Rangitata (Rakitata) catchment, and for the purpose of learning and conversing with tipuna and atua in whare wānaka. Significant rock art sites provide enduring markers of points where a day's travel ended and stories were told.

The natural and physical resources and traditional areas such as mahika kai sites within ~~Timaru~~the District remain culturally and spiritually important to Kāti Huirapa. Te Rūnanga o Arowhenua maintains its guardianship obligations (takata tiaki duties) to ensure that the health and survival of these resources and areas are maintained for future generations.

MW2 Mana whenua values and interests in resource management

MW2.1 Kāi Tahu resource management framework

MW2.1.1 Overview

Kāi Tahu do not see their existence as separate from te ao tūroa (the natural world), but as an integral part of it. Through whakapapa, all people and life forms descend from a common source. Whakapapa binds Kāi Tahu to the mountains, forests and waters and the life supported by them, and this is reflected in traditional attitudes towards the natural world and resource management. Whanaukataka embraces whakapapa, through the relationship between people, and between people and the environment. The nature of these relationships determines people's rights and responsibilities in relation to the use and management of taoka of the natural world.

All things have the qualities of wairua (spiritual dimension) and mauri (life force), are living, and have a genealogical relationship with each other. Mauri provides the common centre between the natural resources (taoka), the people or guardians who care for the taoka (the kaitiaki), and the management framework (tikaka) of how taoka are to be managed by the kaitiaki. It is through kawa (protocol) that the relationship between taoka, tikaka and kaitiakitaka is realised.

The authority exercised by those holding mana whenua over an area encompasses kaitiakitaka and rakatirataka. Integral to this is the recognition that Kāi Tahu have their own traditional means of managing

and maintaining resources and the environment. This system of rights and responsibilities is inherited from previous generations and has evolved over time. The resources in any given area are representative of the people who reside there and are a statement of identity. Traditionally, the abundance or lack of resources directly determines the welfare of whānau and hapū, and so affects their mana.

MW2.1.2 Tikaka

Tikaka-Māori² encompasses the beliefs, values, practices and procedures that guide appropriate codes of conduct, or ways of behaving. It seeks to unify the three planes of reality in a holistic way: te taha tinana (the physical plane), te taha hinekaro (the intellectual plane), and te taha wairua (the spiritual plane). In the context of natural resource management, observing tikaka is part of the ethic and exercise of kaitiakitaka. It is underpinned by a body of mātauraka Māori (Māori knowledge), and based on a general understanding that people belong to the land and have a responsibility to care for and manage the land. It incorporates forms of social control to manage the relationship of people and the environment, including the concepts of tapu, noa and rāhui discussed in MW2.1.4.

Tikaka is based on traditional practices, but is dynamic and continues to evolve in response to different situations. One example of tikaka is the concept of kanohi ki te kanohi, or meeting face-to-face. For consultation on some natural resource management issues, kanohi ki te kanohi may be the appropriate tikaka. Tikaka also limits public access to wāhi tapu sites and requires that certain protocols are observed before entering a site.

MW2.1.3 Ki uta ki tai

Ki uta ki tai is the “mountains to sea” philosophy that Kāi Tahu adopts in respect of natural resource management. The approach sees all elements within an environment, for example a particular catchment, as inevitably related, interconnected and interdependent.

Ki uta ki tai is the Kāi Tahu way of understanding the natural environment, including how it functions, how people relate to it and how it can be looked after appropriately. It involves not only a planning and policy framework, but also the development of monitoring, reporting, information databases and tools for natural resource management.

MW2.1.4 Mauri

For Kāi Tahu, mauri is the life force that comes from wairua — the spirit, or source of existence and all life. Mauri is the life force in the physical world.

As a life principle, mauri implies health and spirit and can be a measure or an expression of the health and vitality of a place or being. Mauri can be harmed by the actions of humans but is unaffected by natural processes such as natural disasters.

The overall purpose of resource management for Kāi Tahu is the maintenance of the mauri of natural and physical resources, and to enhance mauri where it has been degraded by the actions of humans. The preservation of the mauri of natural resources is paramount to Kāi Tahu to ensure that resources may be used sustainably by present and future generations.

Traditionally, rules were established to govern the use of natural and physical resources, and to ensure that the mauri was protected from human actions. These rules form part of kawa and tikaka (Māori protocol, means Māori customary values and practices³) and have been passed on through the generations.

² Te Rūnanga o Ngāi Tahu [185.24]

³ Te Rūnanga o Ngāi Tahu [185.24]

Every resource has both a tapu (spiritual) and a noa (physical) aspect. When the health of the resource is affected, its mauri is diminished. A rāhui or restriction may be imposed to replenish the noa and the mauri. When the mauri has been restored, the rāhui will be lifted.

There are indicators within the environment, both physical and spiritual, that Kāi Tahu uses to reflect the status of mauri. Physical indicators of the health of mauri include, but are not limited to, the presence of healthy mahika kai and other indigenous flora and fauna, the presence of resources fit for cultural use, and the aesthetic qualities of resources such as the visibility of important landmarks. Spiritual indicators are those from the atua, which can take many forms and are recalled in the kōrero pūrākau telling the whakapapa of whānau and hapū.

MW2.1.5 Kaitiakitaka/ takata tiakitaka

Traditionally, kaitiaki were taniwha – birds or animals who were guardians of the environment - who signalled the relative health and vitality of their respective environments to the local tohuka- and rangatira who were responsible for interpreting the 'signs' and making decisions accordingly.⁴ Today, with the absence of many indigenous habitats and species, the term kaitiaki is used in reference to mana whenua, who have taken on the role of takata tiaki. Kaitiakitaka entails the active protection and responsibility for natural and physical resources by mana whenua.

Kaitiakitaka is fundamental to the relationship between Kāi Tahu and the environment. The responsibility of kaitiakitaka is twofold: first, there is the ultimate aim of protecting mauri and, secondly, there is the duty to pass the environment to future generations in a state which is as good as, or better than, the current state. To Kāi Tahu, kaitiakitaka is not a passive custodianship, nor is it simply the exercise of traditional property rights, but entails an active exercise of responsibility in a manner beneficial to the resource.

To give effect to kaitiakitaka (in accordance with section 7(a) of the RMA)⁵ it is important for resource users and decision-makers to engage meaningfully with those holding mana whenua over an area.

MW2.1.6 Rakatirataka

Rakatirataka is the mana or authority to exercise the relationship between Kāi Tahu and their culture and traditions with the natural world. Traditionally, rakatirataka incorporates the right to make, alter and enforce decisions pertaining to how a resource is to be used and managed and by whom (in accordance with kawa and tikaka).

The Crown apology to Kāi Tahu recorded in the Ngāi Tahu Claims Settlement Act 1998 explicitly recognises the rakatirataka of Kāi Tahu within its takiwā. Consistent with this recognition, Kāi Tahu aspire to developing a true partnership with local government in regard to resource management, rather than merely a stakeholder relationship.

In the context of the RMA, rakatirataka includes the active involvement of mana whenua in resource management decision-making processes, including the appointment of commissioners on hearing panels and having a voice in resource management decision making.⁶ Rakatirataka is also recognised through a planning framework that enables Kāi Tahu to maintain customary practices and to use their ~~ancestral~~⁷ land in a way that supports their identity and wellbeing. This would include enabling development of papakāika and practices related to mara kai (food gardens), rokoa (medicinal plants) and toi māori⁸ (crafts and creative arts).

⁴ Te Rūnanga o Ngāi Tahu [185.27]

⁵ Te Rūnanga o Ngāi Tahu [185.27]

⁶ Te Rūnanga o Ngāi Tahu [185.28]

⁷ Te Rūnanga o Ngāi Tahu [185.28]

⁸ Te Rūnanga o Ngāi Tahu [185.24]

MW2.1.7 Taoka/ wāhi taoka

All natural resources — water, air, land and indigenous biodiversity — are part of te ao tūroa and are treated as taoka. Taoka are treasures, things highly prized and important to Kāi Tahu, derived from the atua (gods or deities) and left by the tīpuna to provide and sustain life. All taoka are part of the cultural and tribal identity of an iwi.

Wāhi taoka are places that are treasured due to their high intrinsic values and the critical role they have in maintaining a balanced and robust ecosystem (such as wetlands, freshwater springs and nesting sites for birds) and/or their capacity to shape and sustain the quality of life and provide for the needs of present and future generations. Wāhi taoka include sites and resources such as mahika mātaītai and other sites for gathering food and cultural resources.

To ensure taoka are available for future generations, resource management decision-making processes need to recognise tikaka and have the conservation and sustainability of resources as their focus.

“ Mō tātou, a, mō kā uri a muri ake nei - For us and our children after us.

MW2.1.8 Mahika kai

The maintenance of the diversity, quality and quantity of resources valued for mahika kai, is crucial to Kāi Tahu.

Mahika kai is the customary gathering of food and natural materials and the places where those resources are gathered. The term mahika kai refers to the whole resource chain, from mountain top to the ocean floor. It encompasses social and educational elements (e.g. intergenerational transfer of knowledge) as well as the process of food gathering. It includes the way it is gathered, the place where it is gathered, and the actual resource itself. The practices and associated knowledge systems that protect and sustain mahika kai are central to Kāi Tahu culture and identity. Manaakitaka, which is the custom of being aware of and caring for the needs of your guests, is a fundamental part of this identity, and the ability to provide food for guests is crucial to the mana of Kāti Huirapa and marae.

The importance of mahika kai to Kāi Tahu is reflected in the Ngāi Tahu Claims Settlement Act [1998](#), which contains a range of mahika kai-related elements, including statutory acknowledgements, nohoaka (temporary campsites), fishing easements, taoka species and customary fisheries management. There are many other significant mahika kai sites, such as Waitarakao (Washdyke Lagoon), that are not included in the legislation which also need to be considered through consultation with mana whenua.

MW2.1.9 Wāhi tapu and wāhi tūpuna

Wāhi tapu are sacred sites or areas held in reverence according to whakapapa. Wāhi tapu may be associated with creation stories of mana whenua, particular events, such as battles or ceremonies, sacred locations such as where whenua or placenta is buried, or sites where a particular valued resource is found.

Wāhi tapu include:

- ~~K~~kōiwi tākata (human remains), urupā (burial sites), and waiwhakaheke tūpāpaku (water burial sites);
- ~~H~~historic pā such as Te Waiateruatī;
- ~~B~~uried whakairo (carvings) and Kā tuhituhi o neherā (archaeological and rock art sites) such as the sites at Hanging Rock; and
- ~~T~~auraka waka (canoe landing sites) associated with pā sites near the coast and water ~~b~~odies.

Both the RMA's and the Heritage New Zealand Pouhere Taonga Act 2014 have requirements relating to the protection of historic heritage, including archaeological sites. Sites do not have to be registered or

listed to warrant this protection. Usually if there is one site, there is a high probability of others in the vicinity. Tikaka Māori⁹ provides the framework to ensure appropriate respect for, and treatment, of wāhi tapu.

It is important to mana whenua that wāhi tapu sites are protected from inappropriate activity and that there is continued access to such sites for Kāi Tahu. Where sites are of special significance, mana whenua may wish to protect them by restricting certain activities, access and information about their location. Wāhi tapu are often not confined to specific sites and management of the wider cultural landscape may be needed to protect their values, consistent with the ki uta ki tai philosophy.

The whakapapa and traditions of Kāi Tahu are embedded in the landscape. A cultural landscape or wāhi tūpuna is a geographical area that holds significant value to Kāi Tahu due to the concentration of wāhi tapu or taoka values, or the importance of the area to cultural traditions, history or identity. Wāhi tūpuna provide current and future generations of Kāi Tahu the opportunity to experience and engage with the landscape as their tūpuna once did. It is important that the history and tradition are recognised and the associated values maintained, but cultural landscapes are not areas that are locked up to preserve the past. The relationship of Kāi Tahu with the place will continue and develop over time.

Indicators of wāhi tūpuna include pā and kāika, ara tawhito, mahika kai, wāhi tapu, tohu (markers such as prominent features, mountain ranges and some trees), and ana (caves). Wāhi ikoa (place names) are also important for their association with wāhi tūpuna.

MW2.2 Resources of significance and specific interests in resource management

MW2.2.1 Overview

The ~~Timaru~~ District is part of the tūrakawaewae of Kāti Huirapa, who have spiritual and historic association with and customary rights to the land and resources of the ~~the~~ District and the broader rohe. Historically many coastal areas or places near the District's waterbodies were rich in mahika kai resources and attracted substantial settlement, contributing to a rich cultural history. The values of many of these areas have been degraded as a result of land use and development, and it is of paramount importance to the wellbeing and cultural identity of Kāti Huirapa that remaining mahika kai resources are restored, sustained and enhanced, and that sites and areas with connections to history and cultural traditions are protected from the effects of further development.

Significant resources and resource management interests in the ~~the~~ District include, but are not limited to the following matters.

MW2.2.2 Coastal and inland waterbodies and areas of indigenous vegetation.

Waitarakao Lagoon, the Te Ahi Tarakihi Mātaitai Reserve and the wider coastal environment in the Washdyke area, and other coastal wetlands at Waipopo and Ōrakipaoa, are of great significance to mana whenua due to long relationship with the area, presence of wāhi tapu and wāhi taoka and particularly the important mahika kai values. Development of land along this coast has had adverse impacts on cultural and ecological values over time, and good management of future activities is crucial to avoid further degradation and to enable restoration of degraded values.

All remaining wetlands, other waterbodies and areas of indigenous vegetation also have significant values as mahika kai and wāhi taoka. They are treasured for their critical role in sustaining ecosystems, cultural identity and practices and the needs of present and future generations. Kāti Huirapa are concerned about the degradation of these resources that has occurred as a result of prioritisation of economic activities over the sustenance of the environment.

⁹ Te Rūnanga o Ngāi Tahu [185.24]

Matters of concern include:

- ~~the~~ effects of vegetation clearance, earthworks, stormwater runoff and waste generation, particularly from industrial activities, on the quality of water and aquatic life in streams, the lagoon and coastal waters;
- ~~the~~ effects of land use near streams and the lagoon on riparian habitats and maintenance of fish passage to and from the sea;
- ~~m~~Maintenance of the ability for whānau to obtain access for fishing and other activities associated with mahika kai. This can be hindered, for example, by the stopping of “paper roads” that may be associated with land development;
- ~~the~~ effects of regulatory restrictions on the ability of whānau to undertake customary harvest of natural resources;
- ~~the~~ effects of vegetation clearance, land disturbance, noise and light pollution on habitats of indigenous species;
- ~~the~~ degradation and loss of wetlands through land development;
- ~~the~~ effects of land use intensification on the health of mahika kai; and
- ~~m~~Maintenance of the integrity of natural systems. For example, coastal lagoon environments are adversely affected by accelerated coastal erosion arising from both land use changes and climate change processes.

MW2.2.3 Culturally significant sites and wāhi tūpuna

Due to the long history of occupation along the coast and the extensive travel to other areas undertaken by Kāti Huirapa tūpuna, wāhi tapu and other culturally significant sites are found throughout ~~Timaru~~ the District. Archaeological sites associated with past activity include pā sites, cultivation areas, umu-ti, middens and rock art sites. Kāti Huirapa consider all archaeological sites related to the occupation and activity of their tūpuna to be culturally significant. However, ~~not~~ not all culturally significant sites are associated with archaeological evidence. Wāhi tapu and wāhi tūpuna need to be respected regardless of whether or not they contain archaeological artefacts.

Sites associated with traditional occupation along the coast are extremely vulnerable to the effects of coastal erosion, and this has led to degradation or loss of sites associated with Te Waiateruatī pā and other kāika. Further inland, limestone rock art sites are vulnerable to land use activities that affect the groundwater environment, because of the influence of this on the integrity of the limestone and the rock art pigments. Disturbance through land development is a threat to sites through the ~~ed~~ District, particularly in the Timaru area, where the presence of multiple sites coincides with the greatest rate of land development.

Information about some sites is culturally sensitive, and it is important to always consult with mana whenua to ensure that wāhi tapu sites and the values of wāhi tūpuna are protected.

Matters of concern include:

- ~~l~~Loss of significant sites through exacerbation of coastal erosion, or change in coastal processes, as
- ~~the~~ effects of land disturbance on wāhi tapu and archaeological sites;
- ~~a~~Adverse effects on the values of culturally significant sites from establishment of inappropriate activities (for example development or redevelopment of roads or railways, or construction of a wastewater treatment plant) in close proximity;
- ~~the~~ effects of nearby land use activities on the integrity of the limestone features that support rock art;
- ~~l~~Loss of wāhi tūpuna associations through inappropriate location of structures or obstruction of connections through the landscape;
- ~~the~~ adverse effects on water-bodies identified in the previous section; and

- ~~u~~Use of incorrect te reo Māori¹⁰ place names that do not properly reflect and respect the tīpuna associations with the place; ~~and~~
- ~~r~~Recognition of Kāi Tahu cultural identity within the District.¹¹

MW2.2.4 Occupation of ancestral land

In 1848, the Crown purchased 20,000,000 acres of land within the South Island for £2,000 from Kāi Tahu through a series of deeds. As part of the Deed of Sale for the purchase of land in Canterbury, the Crown undertook to set aside adequate reserves for the “present and future wants” of Kāi Tahu whānui. The intention was to allow for Kāi Tahu to live on their ancestral lands and also to carry out activities in these settlements to sustain themselves and support community wellbeing. In the ~~Timaru~~ District, land was set aside for this purpose at Arowhenua and Waipopo. In addition to these areas, there are some further areas of Māori Reserve ~~land~~¹² in the ~~ed~~District which, while not suitable for settlement, have wāhi tapu and mahika kai values.

Successive restrictions on use over time, including imposition of rural zoning and the effects of local government decisions about flood protection and management of flood hazard, have prevented Kāti Huirapa from fully implementing their aspirations to establish and sustain a settlement on their ancestral land. Practical provision to enable Kāti Huirapa to live and sustain themselves on their land is important to enable them to maintain their relationship with this land and to provide for rakatirataka.

Matters of concern include:

- ~~t~~The effects of ~~past~~¹³ zoning restrictions on the ability to establish residential settlements at Arowhenua and Waipopo;
- ~~f~~Failure of flood hazard management decisions to take into account historical knowledge of flooding in these areas and to work with the environment rather than against it; and
- ~~p~~Protection of wāhi tapu and mahika kai values on other Māori Reserve ~~land~~¹⁴.

MW2.2.5 Practical expression of rakatirataka and kaitiakitaka role in resource management

The Treaty of Waitangi / Te Tiriti o Waitangi¹⁵, in return for granting the right to govern to the Crown, guarantees active protection of the rakatirataka of mana whenua in respect of their natural and physical resources and taoka. The Council is required by the RMA to take into consideration the principles of the Treaty / Te Tiriti¹⁶ and carry out its other statutory functions relating to ~~Māori~~mana whenua¹⁷.

Part 2 of the RMA includes the following obligations that relate to rakatirataka and kaitiakitaka:

- ~~t~~To recognise and provide for the relationship of Kāi Tahu and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka as a matter of national importance (section 6(e));
- ~~p~~Protection of historic heritage from inappropriate subdivision, use, and development (section 6(f));
- ~~t~~To have particular regard to kaitiakitaka (section 7(a)); and
- ~~t~~To take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) (section 8).

¹⁰ Te Rūnanga o Ngāi Tahu [185.24]

¹¹ Te Rūnanga o Ngāi Tahu [185.30]

¹² Te Rūnanga o Ngāi Tahu [185.24]

¹³ Te Rūnanga o Ngāi Tahu [185.31]

¹⁴ Te Rūnanga o Ngāi Tahu [185.24]

¹⁵ Te Rūnanga o Ngāi Tahu [185.32]

¹⁶ Te Rūnanga o Ngāi Tahu [185.32]

¹⁷ Te Rūnanga o Ngāi Tahu [185.24]

In relation to the District Plan, the relevant principles of the Treaty of Waitangi/Te Tiriti o Waitangi¹⁸ include:

- Rakatirataka - the authority and ability for mana whenua to manage and control their natural resources and taoka in accordance with customs and having regard to cultural preferences;
- Partnership - the duty for all parties to act reasonably, with the utmost good faith, and with the courtesy of real and meaningful consultation. As well as open consultation between Councillors and Council staff and mana whenua, Kāti Huirapa consider that partnership implies being open to the opportunities that are available to share decision-making under the Act, within the limits of the Council's powers and functions; and
- Active ~~P~~rotection - a duty to take an active role in the protection of the ability for Kāti Huirapa to use and manage their traditional resources and taoka to the fullest extent practicable.

As mana whenua in the ~~Timaru~~ District, and consistent with the recognition of rakatirataka in the Ngāi Tahu Claims Settlement Act 1998, Kāti Huirapa maintain an aspiration to be treated as an equal partner with the Council in management of the resources for which they hold kaitiakitaka roles. To achieve this, Kāti Huirapa seek to build on their existing relationship with the Council to improve recognition and provision for the practical expression of rakatirataka and kaitiakitaka on matters relating to resources of importance to mana whenua, including through:

- ~~R~~ecognition of Treaty / Te Tiriti¹⁹ guarantees in regard to the relationship of Kāti Huirapa with their ancestral land, sites and taoka and removing impediments that limit their ability to use their resources;
- ~~C~~onsultation ~~W~~orking²⁰ with Te Rūnanga o Arowhenua and Te Rūnanga o Ngāi Tahu²¹ on all matters related to the mana whenua values and interests described in this chapter of the District Plan, especially matters related to the health of mahika kai and water-body environments;
- ~~P~~rovision of opportunities for active involvement in resource management decision-making and monitoring; and
- ~~R~~esourcing of the relationship between Kāti Huirapa and the Council.

MW.2.2.6 Consideration of mana whenua concerns in the District Plan

Kāti Huirapa values, concerns and interests have been considered in preparation of the District Plan through representation on the Technical Working Group throughout the process of plan drafting. Research reports and recommendations from mana whenua were commissioned for sections relating to papakāika / kāika nohoaka and protection of culturally significant sites and areas, and these have informed the policy approach for these matters.

In addition, recognition of Kāti Huirapa values and concerns has been integrated into objectives, policies, rules and assessment matters throughout the District Plan.

MW3 Treaty settlement requirements

MW3.1 Introduction

The Ngāi Tahu Claims Settlement Act 1998, in addition to recognising the rakatirataka of Kāi Tahu, includes specific provisions that provide for exercise of rakatirataka and kaitiakitaka of mana whenua in respect to resource management matters. These include rights in relation to the management of specified significant areas (statutory acknowledgement areas and nohoaka).

MW3.2 Statutory acknowledgements

¹⁸ Te Rūnanga o Ngāi Tahu [185.32]

¹⁹ Te Rūnanga o Ngāi Tahu [185.32]

²⁰ Te Rūnanga o Ngāi Tahu [185.32]

²¹ Te Rūnanga o Ngāi Tahu [185.32]

The requirements relating to statutory acknowledgements (sections 205 to 220, Ngāi Tahu Claims Settlement Act 1998) are intended to provide for improved participation of Kāi Tahu in resource management decision-making for areas with significant cultural, spiritual, historic and traditional associations. The particular values and associations are described in schedules to the Act.

Statutory acknowledgements recognised in the ~~Timaru~~ District are:

- Ōrakipaoa Wetland (Schedule 49); and
- Rangitata River (Schedule 55)

Section 208 of the Ngāi Tahu Claims Settlement Act 1998 and section 95B of the RMA recognise the interests of Kāi Tahu in statutory acknowledgement areas in regard to notification of resource consent applications for activities that may affect land in these areas. The Council will forward ~~advice of~~²² all resource consent applications which may affect a statutory acknowledgement to Te Rūnanga o Ngāi Tahu and to ~~Aoraki Environmental Consultancy Limited (AECL)~~, as the resource management agent of Te Rūnanga o Arowhenua. Council will seek advice and it must²³ have regard to effects on Kāi Tahu when considering the need for notification of such resource consents and in making decisions on resource consent applications.

The statutory acknowledgements are recognised in this District Plan by ~~theas Sites and Areas of Significance to Māori SASM~~ provisions and the ~~Outstanding Natural Landscape ONL~~ provisions where the Statutory Acknowledgment Area is also recognised as an ONL Outstanding Natural Landscape and ~~their values are protected through the provisions relating to those sites.~~²⁴

MW3.3 Nohoaka

Nohoaka entitlements provide a right of seasonal occupation and use for Kāi Tahu whānui of specified areas of Crown-owned land near water ~~bodies~~ for harvest of natural resources (sections 255 to 268, Ngāi Tahu Claims Settlement Act 1998).

There is one nohoaka in the ~~Timaru~~ District, adjacent to the Tengawai River. There is also another site recognised adjacent to the Pareora/Pureora River in the Mackenzie District near the Timaru District boundary. In recognition of the interests held by iwi and hapu in these sites, the Council will have regard to effects on Kāi Tahu when making decisions relating to affected parties, under section 95E of the RMA, for any resource consent application that may affect the values of the identified nohoaka.

MW4 Hapū and iwi planning documents

Under section 74(2A) of the RMA territorial authorities, in preparing or changing a district plan, must take into account planning documents recognised by iwi. These documents are also relevant to consider, under section 104(1)(c), in making decisions on resource consents that could affect the values and interests described in this chapter.

Kāti Huirapa prepared their first iwi management plan in 1992, being the Kāti Huirapa Iwi Management Plan²⁵. A more extensive replacement for this was in preparation while this District Plan was being developed.

Relevant matters in the iwi management plans have been taken into account in this District Plan through participation of Te Rūnanga o Arowhenua representatives in development of the District Plan provisions. These iwi management plans at the time of notification include:

²² Te Rūnanga o Ngāi Tahu [185.33]

²³ Te Rūnanga o Ngāi Tahu [185.33]

²⁴ Te Rūnanga o Ngāi Tahu [185.33]

²⁵ Te Rūnanga o Ngāi Tahu [185.34]

- Te Rūnanga o Ngāi Tahu Freshwater Policy;
- Hazardous Substances New Organisms Policy; and
- Te Whakatau Kaupapa Ngai Tahu Resource Management Strategy for the Canterbury Region.²⁶

MW5 Participation of mana whenua in RMA processes

MW5.1 Formal agreements

~~Aoraki Environmental Consultancy Limited (AECL)~~ is mandated by Te Rūnanga o Arowhenua to provide professional resource management and environmental services to:

- support the environmental aspirations of the Rūnanga, and its exercise of kaitiakitaka over its rohe; and
- respond to and work with parties that need to, or wish to, work with Te Rūnanga o Arowhenua on environmental issues.

The ~~Timaru District~~ Council has a formal agreement with AECL to provide advice on cultural environmental matters on behalf of the Rūnaka in respect of preparation and change of the District Plan, assessment of resource consent applications and related processes including cultural impact assessments and cultural monitoring.

Kāti Huirapa may also pursue broader agreements in future, such as a Mana Whakahono a Rohe as provided for in sections 58M to 58U of the RMA.

MW5.2 Involvement in decision-making processes

In addition to the agreement described above, Te Rūnanga o Arowhenua is involved in resource management decision-making through representation on the Council's Environmental Services Committee.

In line with its partnership aspirations, Te Rūnanga o Arowhenua will continue to advocate for greater involvement in decision-making to give effect to the Treaty obligations in section 8 of the RMA. In particular, Te Rūnanga seeks opportunities to participate at early stages of development of Council resource consent proposals.

MW5.3 Consultation expectations

The Council will consult Kāti Huirapa, through AECL, on all matters related to the mana whenua values and interests identified in this District Plan, and will maintain regular and open communication with AECL on resource management matters and processes.

Resource consent applicants should also consult early with AECL on any matters where the District Plan identifies that cultural values need to be considered.

²⁶ Te Rūnanga o Ngāi Tahu [185.34]