

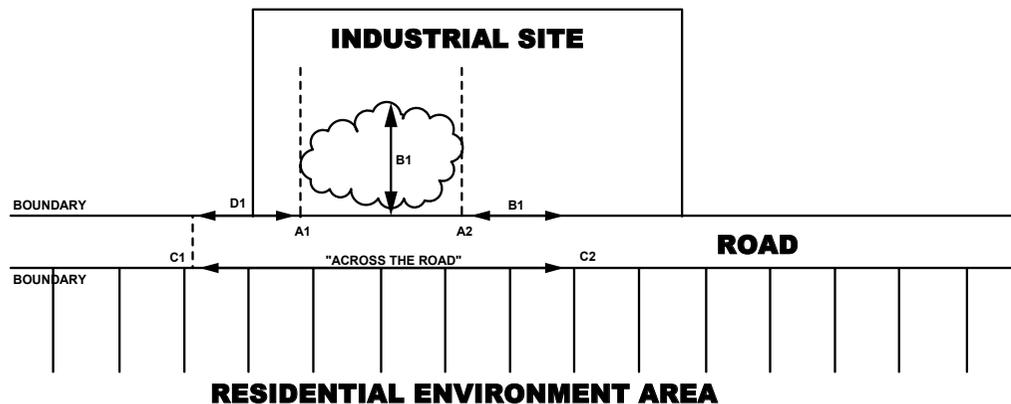
DEFINITIONS

All words or phrases defined for the purposes of this plan are shown in UPPERCASE.

All definitions in *italics* are from the ACT.

ACT means the Resource Management Act 1991.

ACROSS THE ROAD means that part of a RESIDENTIAL ENVIRONMENT AREA that is separated by a ROAD from an INDUSTRIAL ENVIRONMENT AREA calculated as follows (by reference to the diagram):



- (1) Identify the widest points of the OUTDOOR STORAGE area in relation to the ROAD boundary (Points A1 and A2 on the diagram).
- (2) Calculate the depth of OUTDOOR STORAGE area – measured from the ROAD boundary to the rear of the OUTDOOR STORAGE area (B1 on the diagram).

- 3) Project the distance of B1 along the INDUSTRIAL ENVIRONMENT AREA frontage from points A1 and A2.
- 4) Transfer the total distance to the RESIDENTIAL ENVIRONMENT AREA that is separated by the ROAD (C1 to C2 on the diagram).

ADVERTISING SIGN means any name, writing, picture, painting, engraving, carving, figure, character, logo, display, notice, placard, poster, handbill, hoarding, billboard, flag, aerial display, banner or other device or appliance erected or displayed for the purposes of attracting the attention of passers by and has implied or actual commercial advertising content and includes all parts, portions, units and materials composing the same, together with the frame, background, STRUCTURE and support or anchorage thereof but does not include:

- (a) SIGNS in shop windows;
- (b) Advertising on VEHICLES, including trailers, except where the VEHICLE or trailer acts as a stationary support STRUCTURE for commercial advertising;
- (c) OFFICIAL SIGNS; and
- (d) MURALS.

AIRCRAFT ENGINE TESTING means noise from stationary aircraft undergoing testing for the purposes of engine monitoring or maintenance.

AIRCRAFT MOVEMENT means one aircraft landing or take-off or one “touch and go” manoeuvre.

AIRCRAFT OPERATIONS includes aircraft operating in-flight and immediately before and after flight but excludes the following:

- (a) Aircraft landing in an emergency or diverted aircraft;

- (b) Emergency flights required to rescue people from life-threatening situations or to transport patients, human vital organs or medical personnel in a medical emergency;
- (c) The operation of unscheduled flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Act 1983;
- (d) Military aircraft;
- (e) Recreational jet aircraft; and
- (f) AIRCRAFT ENGINE TESTING.

AIR NOISE BOUNDARY means that area shown on the planning maps and in Appendix 12.2 and used for the purposes of defining the maximum permissible noise levels from AIRCRAFT OPERATIONS at New Plymouth airport.

AIRPORT FLIGHT PATH SURFACE means those areas identified in Appendix 11 and on the planning maps as AIRPORT FLIGHT PATH SURFACE. Each surface provides a maximum threshold protection level to ensure the safe and efficient operation of New Plymouth airport and its users.

ALLOTMENT means

- (a) *Any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not-*
 - (i) *The subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or*
 - (ii) *A subdivision consent for the subdivision shown on the survey plan has been granted under this ACT; or*
- (b) *Any parcel of land or building or part of a building that is shown or identified separately-*
 - (i) *On a survey plan; or*
 - (ii) *On a licence within the meaning of Part 7A of the Land Transfer Act 1952; or*
- (c) *Any unit on a unit plan; or*
- (d) *Any parcel of land not subject to the Land Transfer Act 1952.*

ALL WEATHER STANDARD means a pavement that is useable by motor VEHICLES under all weather conditions.

AMENITY TREE means a TREE that is either of six metres or more in HEIGHT, excluding the species listed in Table 24.1 in Appendix 24, or is a replacement TREE installed as a requirement of rules Bus69 and OS62, and is located within the NEW PLYMOUTH AMENITY TREE AREA.

ANNUAL EXCEEDENCE PROBABILITY (AEP) means the probability of exceeding a given storm discharge within a period of one year. Equivalent return period terms are:

1%	=	1 in 100 year
2%	=	1 in 50 year
10%	=	1 in 10 year
20%	=	1 in 5 year
50%	=	1 in 2 year

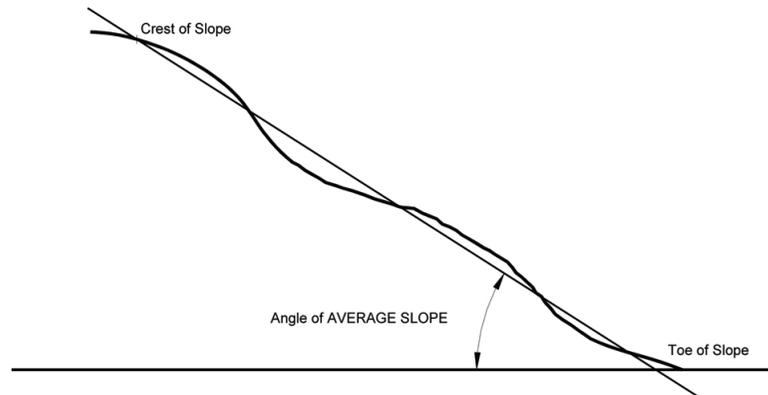
APPLICANT means the person, persons or body corporate who is named in a resource consent application as being the APPLICANT or any NETWORK UTILITY operator or requiring authority.

APPROVED ARBORICULTURAL CONTRACTOR means a person who meets standards set by the COUNCIL and has been engaged by the COUNCIL to carry out specific arboricultural tasks. APPROVED ARBORICULTURAL CONTRACTORS have appropriate experience and skills relating to all aspects of the care and maintenance of TREES, have proven competency in the understanding of contemporary arboricultural theory and an ability to transfer such knowledge into industry accepted practice. APPROVED ARBORICULTURAL CONTRACTORS undertake a wide range of operational and management tasks, including TREE planting, pruning, removal, transplanting, pest and disease diagnosis and treatment, TREE inspections, surveys and reports.

ARCHAEOLOGICAL SITE means any place in the district that was associated with human activity that occurred before 1900 and is, or may be able through investigation by archaeological methods, to provide evidence relating to the history of New Zealand. ARCHAEOLOGICAL SITES are identified on the planning maps.

ARTERIAL ROAD means a ROAD of regional or district strategic importance that is a significant element of the regional or local economy, having its access standards determined principally on the basis of strategic function and traffic volumes. ARTERIAL ROADS are identified on the planning maps.

AVERAGE SLOPE means the angle of the slope measured from the toe to the crest of the whole slope on which the development is to be located.



AVERAGE WIDTH means the average width of any STRUCTURE, excluding any attachment 0.6m or less in any two dimensions (that is width, depth or HEIGHT), provided that the width is no greater at any point than at the base.

BANK (of WATERCOURSE or waterbody) means:

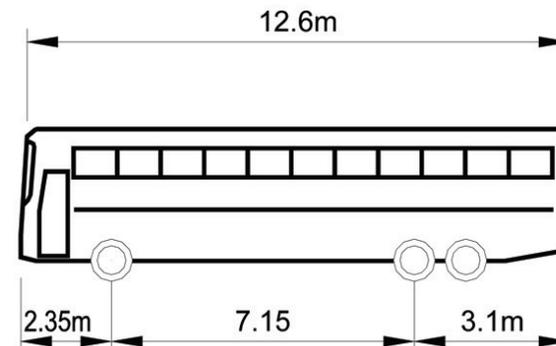
- In the case of RIVERS with entrenched channels (i.e. most Taranaki eastern hill country RIVERS and entrenched sections of volcanic ring plain RIVERS), the area of land which extends from the channel upwards to the point at which there is an initial significant topographic break in the slope above the RIVER;
- In the case of sections of braided RIVER (e.g. parts of the Hangatahua (Stony) RIVER), where the active bed migrates within a wider channel, the area of land between the outer limits of shingle or boulder deposits and the edge of the adjacent RIVER escarpment; and
- In the case of RIVERS lacking noticeable entrenchment (e.g. small streams and tributaries), the area of land determined to be the BANK based on site specific assessment by the COUNCIL.

BOUNDARY ADJUSTMENT is a subdivision where the total number of Computer Freehold Registers stay the same but where the position of the boundaries to the Computer Freehold Registers change.

BUILDING means any STRUCTURE, whether TEMPORARY or permanent, moveable or fixed, 5m² or greater in area in plan view and 2m or greater in HEIGHT, or any fence greater than two metres in HEIGHT, but does not include:

- Any part of the BUILDING or attachment to it, which in its entirety:
 - is less than 1m in HEIGHT; or
 - has a diameter or width of 600mm or less;
- Up to 600mm of overhanging eaves;
- Any scaffolding or false-work erected for maintenance or construction purposes;
- Cranes and derricks/drilling rig masts;
- OFFICIAL and ADVERTISING SIGNS;
- Underground pipes;
- HARD PROTECTION WORKS; and
- Any VEHICLE, trailer, tent, caravan or boat unless being used as a place of accommodation or business.

BUS means any VEHICLE that has dimensions equal to or less than those specified in the diagram below and does not include a LIGHT, MEDIUM or LARGE SERVICE VEHICLE.



BUSINESS OR COMMERCIAL ACTIVITY, for the purposes of the Future Urban Development OVERLAY, includes but is not limited to any retail or wholesale activity, or any service or professional activity, including any COMMERCIAL ACCOMMODATION, COMMUNICATION FACILITY, HEALTH FACILITY, HELICOPTER LANDING AREA, OFFICES, RETAIL AND SERVICE ACTIVITIES (excluding the sale of any produce grown on the property), commercial stockyards, SUPERMARKET, TRANSPORT DEPOT, or TRANSPORT INTERCHANGE AREA, but excludes HOME OCCUPATION.

BUSINESS ENVIRONMENT AREA means those areas within the district that are predominantly business in character, being either places of trade or areas that are residential in character but zoned for future commercial or business activity in the Transitional Plan. There are four different types of BUSINESS ENVIRONMENT AREAS each having a distinct level of amenity. These areas are identified on the planning maps as BUSINESS A, B, C, or D ENVIRONMENT AREAS.

Note: A full explanation of these areas is given at the beginning of the BUSINESS ENVIRONMENT AREA chapter.

CARE HOME means any land or BUILDINGS used for an old people's home within the meaning of the Old People's Home Regulations 1965, and subsequent amendments thereto, or a home for the residential care of people with special needs and/or the care during the day of elderly or disabled persons.

CARRIAGEWAY means the formed section of pavement between kerb and channel in urban areas, or between the outer edge-line of unsealed shoulders in rural or unkerbed areas, constructed for the carriage of motor VEHICLES and cycles.

CBD means the central business district of Inglewood, New Plymouth or Waitara.

CLASSROOM means any room used principally for regular teaching. To avoid any doubt, a CLASSROOM shall not include a school hall, gymnasium, library or administration facility. CLASSROOMS have the same meaning.

COASTAL HAZARD AREA means that area of land within the coastal environment, excluding the COASTAL MARINE AREA, where the COUNCIL considers it is appropriate to control activities to avoid the adverse effects of erosion, sea level rise and other coastal hazards on development within the next

100 years. COASTAL HAZARD AREAS are identified on the planning maps as HAZARDS Coastal(H1).

COASTAL MARINE AREA means the foreshore, seabed, and coastal water, and the air space above the water:

- (a) of which the seaward boundary is the outer limits of the territorial sea:
- (b) of which the landward boundary is the line of mean high water springs, except that where it crosses a river, the landward boundary at that point shall be whichever is the lesser of -
 - (i) one kilometre upstream from the mouth of the river; or
 - (ii) the point upstream that is calculated by multiplying the width of the river mouth by five.

COASTAL POLICY AREA means that area of land within the coastal environment, excluding the COASTAL MARINE AREA, where the COUNCIL considers it is appropriate to control activities to avoid adverse effects on natural character. It is identified on the planning maps as that area of land on and seaward of the COASTAL POLICY AREA line.

COLLECTOR ROAD means a ROAD that is a locally preferred route between or within areas of population or activity. They collect, distribute or link traffic from the arterial network, and have property access as a high priority. COLLECTOR ROADS are identified on the planning maps.

COMMERCIAL ACCOMMODATION means any land or BUILDINGS used for residential accommodation offered for a daily tariff, and may provide meals, liquor and other refreshments for consumption on the premises to in-house guests and the public. Such accommodation includes, but is not limited to, boarding houses, bed and breakfasts, backpackers, holiday flats, hostels, motels, hotel rooms, motor and tourist lodges and other forms of travellers' accommodation. To avoid any doubt, COMMERCIAL ACCOMMODATION shall not include a hostel associated with a secondary educational facility.

COMMUNICATION FACILITY means any LINE, mast, pole, aerial, tower, antenna or dish antenna, fixed radio station, other radio apparatus, other STRUCTURE, facility or apparatus intended for, associated with, or ancillary to, effecting RADIOCOMMUNICATION or TELECOMMUNICATION, excluding domestic television aerials.

COMMUNITY ACTIVITY means the use of land and BUILDINGS for recreational, sporting, cultural, religious or similar community purposes. It also includes, but is not limited to the following: libraries, theatres, churches, MARAE, EMERGENCY SERVICES facilities, court houses, gymnasiums and probation and detention centres.

COMMUNITY FACILITIES means those facilities administered, managed or funded in full or in part by the COUNCIL that contribute to the health, safety, and social and cultural wellbeing of the community and include land and any existing or proposed BUILDINGS, STRUCTURES or other improvements on that land for use as public open space (including: parks, playgrounds, sportsgrounds and walkways) libraries, museums, art galleries, theatres, swimming pools, stadia, multi-sports facilities and improvements to central business areas.

CONSERVATION COVENANT means:

- (a) Any legal covenant, or executed agreement to covenant, over a SIGNIFICANT NATURAL AREA or part of a SIGNIFICANT NATURAL AREA of which the COUNCIL has been notified and which provides for the ongoing protection and management of a SIGNIFICANT NATURAL AREA where the Department of Conservation, the Queen Elizabeth II National Trust, the Taranaki Tree Trust, Nga Whenua Rahui or the COUNCIL is the covenanting agency (covenantee); or
- (b) Any consent notice issued by the COUNCIL under section 221 of the Resource Management Act 1991 in respect of a SIGNIFICANT NATURAL AREA or part of a SIGNIFICANT NATURAL AREA.

CONSERVATION PLAN means a document prepared by a suitably qualified professional which identifies the heritage significance and values of a listed BUILDING or item and contains policies which guide any significant work or alteration that is to be carried out in the future use and development of that listed BUILDING or item.

CONSTRUCTION WORK (as defined in section 2 of the Construction Act 1959) means any work in connection with the construction, ERECTION, installation, carrying out, repair, maintenance, cleaning, painting, renewal, alteration, dismantling, or demolition of:

- (a) Any BUILDING, ERECTION, edifice, STRUCTURE, wall, fence, or chimney, whether constructed wholly or partly above or below ground;
- (b) Any ROAD, motorway, harbour works, railway, cableway, tramway, canal, or aerodrome;
- (c) Any drainage, irrigation or RIVER control work;
- (d) Any electricity, water, gas, telephone, or telegraph reticulation;
- (e) Any bridge, viaduct, dam, reservoir, earth-works, pipeline, aqueduct, culvert, drive, shaft, tunnel, or reclamation;
- (f) Any scaffolding;

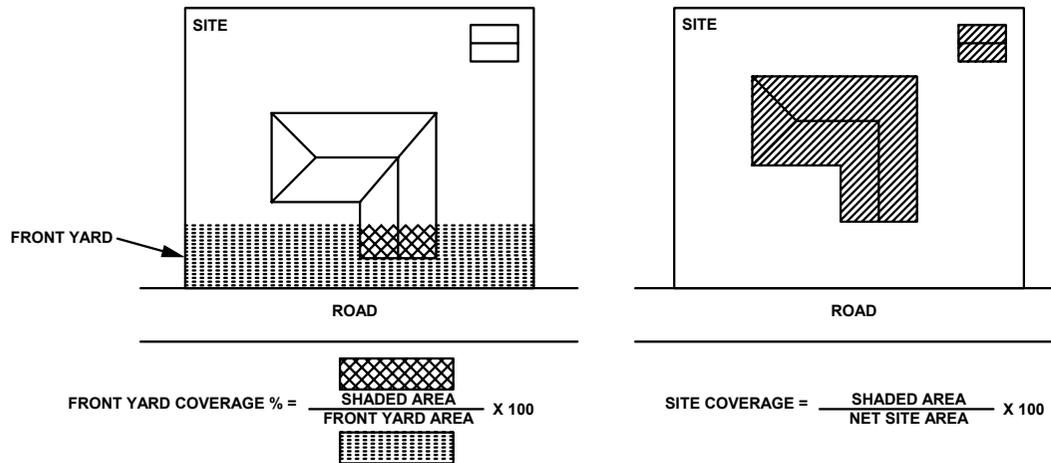
and includes any work in connection with any EXCAVATION, SITE preparation or preparatory work carried out for the purpose of any CONSTRUCTION WORK; and also includes use of any plant, tools, gear, or materials for the purpose of any CONSTRUCTION WORK but does not include PETROLEUM EXPLORATION.

CONTAMINATED SITE means a SITE at which HAZARDOUS SUBSTANCES occur at concentrations above background levels and where assessment indicates it poses or is likely to pose an immediate or long term hazard to human health or the environment and includes those SITES identified by Taranaki Regional Council as being contaminated. Background levels refer to ambient levels of a contaminant in the local area of the SITE under consideration.

CONTINUOUS STRUCTURE means (in this plan in relation to verandah requirements) a STRUCTURE that extends the entire ROAD BOUNDARY of a SITE and is connected, without any break, to any existing verandah on an adjoining SITE.

COUNCIL means New Plymouth District Council or, where delegation has been given, any committee or subcommittee or any officer of New Plymouth District Council duly authorised and any commissioner duly appointed.

COVERAGE means the percentage of the NET SITE AREA that is covered by BUILDINGS.

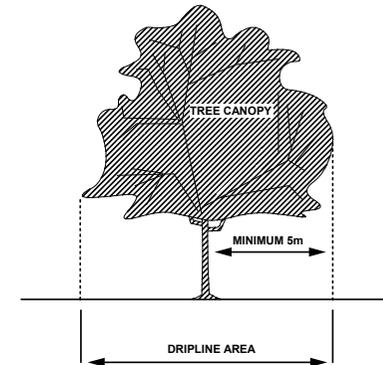


dBA means A-frequency-weighted sound pressure level in decibels relative to a reference sound pressure of 20 micropascals (see NZS 6801:1991 clause 2.1. definitions of frequency, sound pressure, reference sound pressure, sound pressure level, decibel, weighting, and sound level).

DEFINED RETAIL FRONTAGE means that area where verandahs and shop fronts are an integral part of business amenity. It also delineates those areas designed for pedestrian traffic and therefore their safety is paramount. The DEFINED RETAIL FRONTAGE is identified on the planning maps.

DIRECTIONAL SIGN means an ADVERTISING SIGN located on a SITE, other than the SITE on which the activity being advertised is located, the content of which is limited to the name of a destination together with associated logo or branding giving directions to the destination but which does not contain any information or advertising or promoting consumer products or services.

DRIPLINE AREA means that area beneath the canopy of a TREE, measured at GROUND LEVEL from any part of the surface of the trunk, with a radius of 5m or to the outermost extent of the spread of its branches, whichever is the greater.



DRIVEWAY means that part of an ALLOTMENT that can be or has been formed or otherwise constructed for use by VEHICLES to provide the legal and/or physical access from the ROAD to the ALLOTMENT or required LOADING or STANDING SPACES and does not include a RIGHT OF WAY.

DWELLING HOUSE means (in this plan in relation to financial contributions), premises containing a detached residential BUILDING, or groups of residential BUILDINGS, each designed for or occupied exclusively as one household unit.

EDUCATIONAL FACILITIES means land and BUILDINGS used for the purposes of educational learning and includes, but is not limited to preschools, daycare centres, primary and intermediate schools, colleges, teacher colleges, polytechnics, university outpost centres and technical institutes.

EFFECTS RATIO means a numerical value that reflects an appropriate level of risk for an ENVIRONMENT AREA and which is used to determine the consent status of a HAZARDOUS FACILITY by reference to the Consent Status Matrix.

EMERGENCY SERVICES means those authorities that are responsible for the safety and welfare of the people and property in the community and include Fire, Police and Ambulance Services.

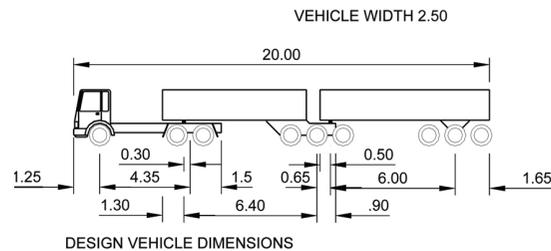
ENVIRONMENT AREA means an area having a different character from another area and an existing level of amenity. Each may be considered to be similar to a ‘zone’ and include those areas identified on the planning maps as RESIDENTIAL, RURAL, INDUSTRIAL, BUSINESS, and OPEN SPACE ENVIRONMENT AREAS.

ERECTION means, in relation to STRUCTURES (including BUILDINGS), to construct or establish, and includes any reconstruction, extension or RELOCATION but does not include MINOR UPGRADING.

EXCAVATION means the removal by digging out of material from the land but does not include:

- (a) FILLING or EXCAVATION associated with the maintenance of flood PROTECTION WORKS undertaken by the authority responsible for them; and
- (b) Post holes for the ERECTION of fences.

EXTRA-HEAVY SERVICE VEHICLE means any VEHICLE that has dimensions equal to or less than those specified in the diagram below and does not include a BUS or LIGHT, MEDIUM, LARGE or HEAVY SERVICE VEHICLE.



FAULT LINE means a fracture in the earth’s crust resulting in relative displacement of the ground on either side of it and in the context of this plan refers to the Inglewood fault and the Norfolk fault as identified on the planning maps.

FILL/FILLING means the deposition of material upon the surface of the land for the purpose of altering the level of the ground.

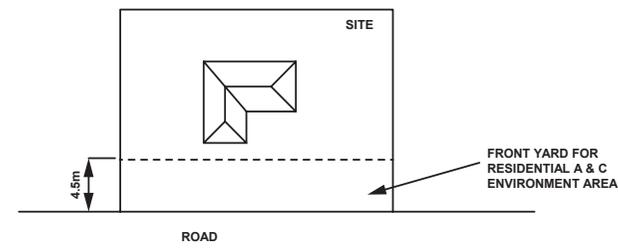
FLOOD DETENTION AREA means any property or part thereof specifically designated to contain floodwaters in the 1% ANNUAL EXCEEDENCE PROBABILITY (100-year return) rainfall event, and is identified on the planning maps as FLOOD DETENTION AREA.

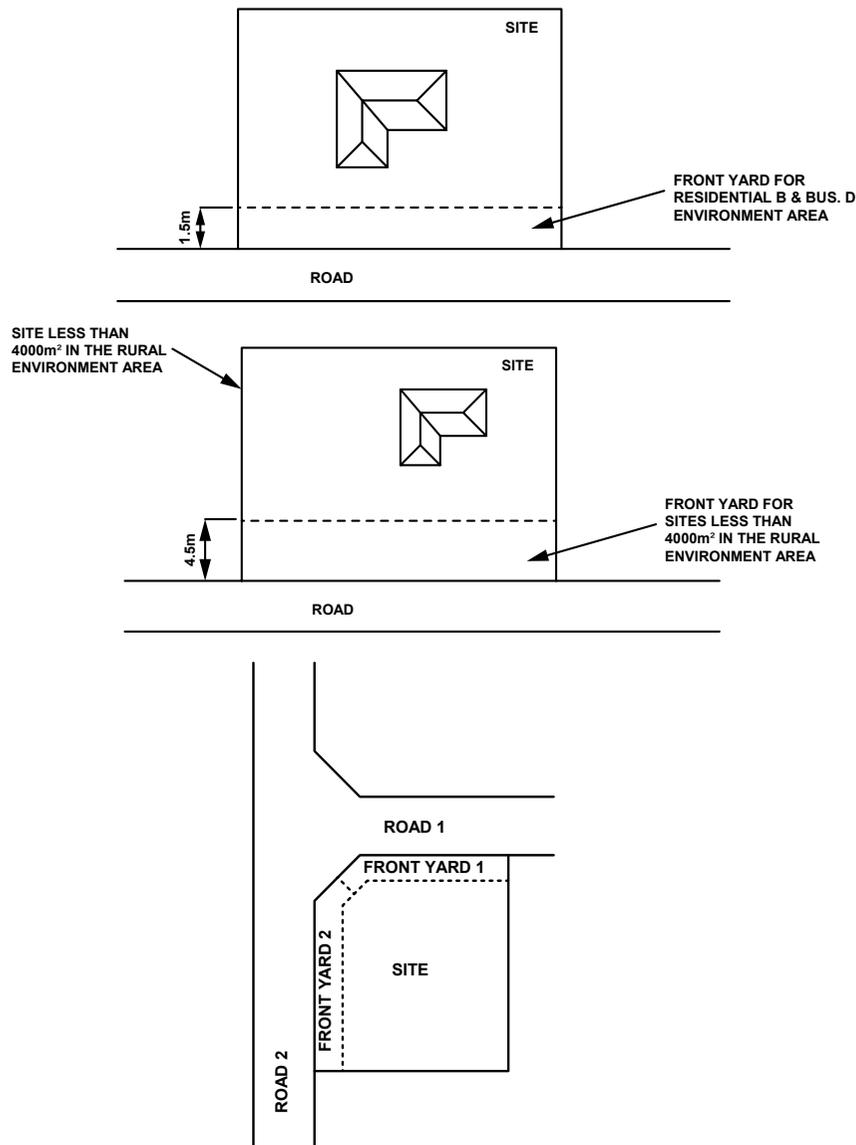
FLOOD PLAIN means that area of land likely to be covered by water in the event that the stopbanks of the lower Waitara River or the lower Waiwhakaiho River flood control schemes are breached and is identified on the planning maps as FLOOD PLAIN.

FOOTPATH SIGN means a readily movable ADVERTISING SIGN located on a public footpath.

FREESTANDING SIGN means a BUILDING or other STRUCTURE together with an ADVERTISING SIGN constructed and erected solely or primarily for the purposes of supporting that ADVERTISING SIGN.

FRONT YARD means that area of land extending for the full width of each ROAD boundary and for a depth of 4.5m in the RESIDENTIAL A and C ENVIRONMENT AREAS and for SITES less than 4000m² within the RURAL ENVIRONMENT AREAS or 1.5m in the RESIDENTIAL B and BUSINESS D ENVIRONMENT AREAS from the ROAD BOUNDARY. Where a SITE has more than one ROAD BOUNDARY the SITE is considered to have a FRONT YARD requirement for each ROAD BOUNDARY and the COVERAGE shall apply to each FRONT YARD separately.





FUTURE URBAN GROWTH AREA means any area of land within the areas defined by the Future Urban Development OVERLAY on the planning maps.

Updated March 2013 (update 8g)

GLARE means a condition of vision in which there is discomfort, or a reduction in ability to see, or both, caused by unsuitable distribution or range of LUMINANCE, or to extreme contrasts in the field of vision.

GOAT PROOF FENCING means a fence that meets the following minimum fencing standards:

- (a) Bulldozed line or other method to ensure that the bottom wire is not more than 70mm from the ground;
- (b) Nine wires of high tensile 2.5mm diameter galvanised steel, kept tight at all times;
- (c) Wire spacing intervals of 100, 100, 100, 110, 120, 135, 150 and 165mm from the bottom wire. The bottom wire shall be barbed wire instead of high tensile wire where the fence is situated on land subject to erosion;
- (d) Top wire approximately 50mm from the top of the fence post;
- (e) No internal stays,
- (f) Posts spaced at 5m for ground slopes <300 degrees, 4m for ground slopes 300 to <450 degrees, 3m for ground slopes > 450 degrees;
- (g) Battens at 1m intervals;
- (h) Where a waterbody crosses the boundary of the area to be fenced either one of the following shall be adhered to:
 - (i) Fences which meet the specifications in (a) to (g) inclusive shall be constructed alongside the waterbody with an appropriate setback to avoid possible slumping which may cause a breach of the fencing standard; or
 - (ii) Fences across waterbodies shall require a floodgate to be constructed of H3 treated 100mm x 50mm timber suspended from an overhead wire or rail in such a way that the spacings will allow the passage of water but will not allow stock including goats to pass through. A cross bar shall be positioned in the top third of the floodgate. Wire netting is not to be used in floodgate construction. Floodgates across culverted WATERCOURSES shall be on the downstream side of the culvert.

GROSS FLOOR AREA (GFA) shall be the sum of the floor areas of BUILDINGS, each measured to the outside of the structural frame or exterior walls of the BUILDING, or to the centreline of walls separating two BUILDINGS, but shall exclude any floor area allocated to parking, lift wells and machine rooms, stairwells, toilet rooms, tank rooms, boiler and heater rooms.

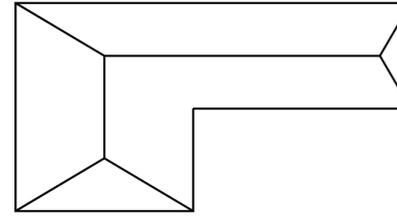
GROSS HABITABLE FLOOR AREA (GHFA) shall be the sum of the habitable floor areas of BUILDINGS, measured to the outside of the structural frame or exterior walls of the BUILDING, or to the centreline of walls separating floor area allocated as communal space such as living rooms, hallways, kitchens, and en-suites/toilet rooms.

GROSS LEASEABLE FLOOR AREA (GLFA) shall be the sum of the floor areas of BUILDINGS designed for tenant occupancy, including both freehold and leased areas, measured to the outside of the structural frame or exterior walls of the BUILDING, or to the centreline of walls separating two occupancies or BUILDINGS, but shall exclude any floor area allocated to parking, lift wells and machine rooms, stairwells, toilet rooms, tank rooms, boiler and heater rooms.

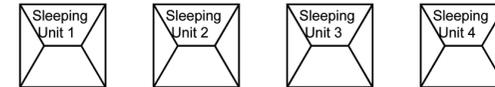
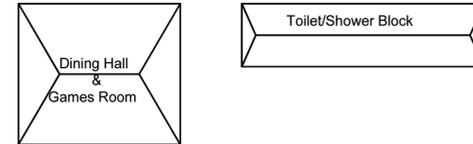
GROUND LEVEL means the level of the ground at the time of the deposit of the plan for subdivision.

HABITABLE BUILDING means (in this plan in relation to the number of BUILDINGS on a SITE and proximity to high voltage transmission LINES and intensive farming uses) any BUILDING that is used or intended to be used for self-contained accommodation (i.e. includes cooking, sleeping and ablution facilities), or any part of a BUILDING used for sleeping in conjunction with other BUILDINGS used for cooking and ablution.

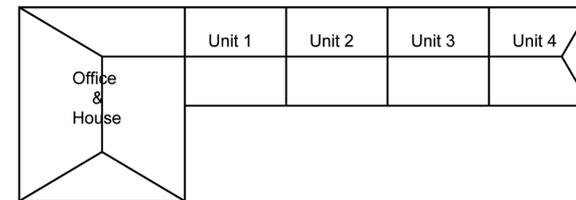
HABITABLE BUILDING GROSS FLOOR AREA (HBGFA) shall be the sum of the floor areas of HABITABLE BUILDINGS, each measured to the outside of the structural frame or exterior walls of the HABITABLE BUILDING, or to the centreline of walls separating two HABITABLE BUILDINGS. This includes all parts of the HABITABLE BUILDING, including garaging associated with the residential use of the HABITABLE BUILDING.



= 1 HABITABLE BUILDING



= 4 HABITABLE BUILDINGS



= 5 HABITABLE BUILDINGS

HABITABLE ROOM means (in relation to sound attenuation, LIGHT OVERSPILL and SIDE BOUNDARY setbacks) any lounge, bedroom, office/study or place of work, family/rumpus/entertainment room, kitchen or conservatory.

HAPU means sub-tribe, usually a number of WHANAU with a common ancestor.

HARD PROTECTION WORKS means any STRUCTURE used as PROTECTION WORKS, constructed of hard materials including but not limited to wood, concrete, steel mesh, rock rip rap, tyres, or car bodies.

HAZARDOUS FACILITY means a SITE or part of a SITE used for the storage, use and disposal of HAZARDOUS SUBSTANCES but excludes the following:

- (a) Trade waste sewers and sewage treatment or disposal facilities;
- (b) The storage and use of hazardous consumer products for private domestic purposes;
- (c) Premises storing or displaying HAZARDOUS SUBSTANCES for retail sale including but not limited to supermarkets, hardware shops and pharmacies;
- (d) Facilities using genetically modified organisms;
- (e) Gas and oil pipelines and other pipelines transporting HAZARDOUS SUBSTANCES; and
- (f) Fuel in motor VEHICLES, boats and small engines.

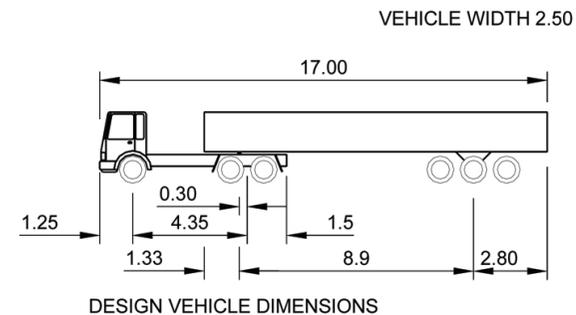
HAZARDOUS SUB-FACILITY means a HAZARDOUS FACILITY within a SITE that:

- (a) Is designed as and operates as a self-contained process or activity; and
- (b) Is physically contained within a BUILDING and/or by security fencing, bunding or similar means; and
- (c) Is or will be located no less than 30m from any other HAZARDOUS FACILITY within the same SITE.

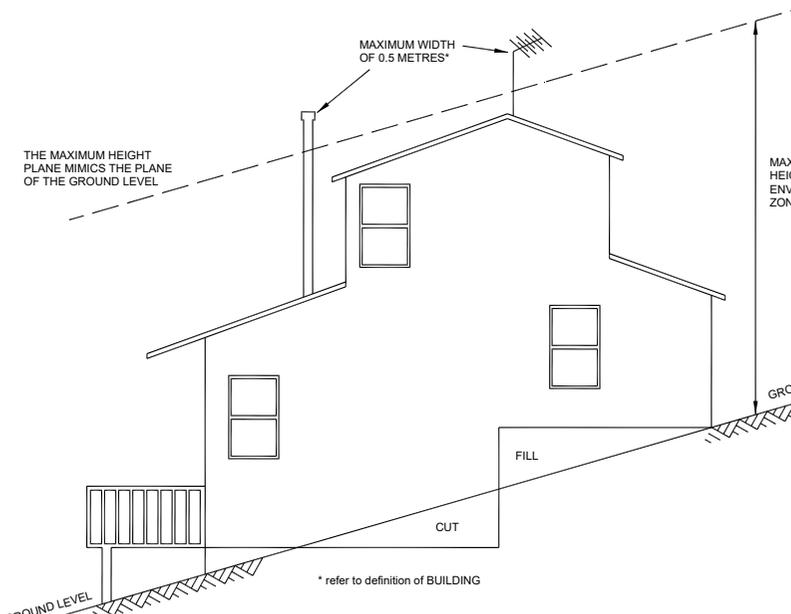
HAZARDOUS SUBSTANCES includes, but is not limited to, any substance defined in section 2 of the Hazardous Substances and New Organisms Act 1996 as a HAZARDOUS SUBSTANCE.

HEALTH FACILITY means land and/or BUILDINGS (excluding hospitals) used for the provision of services by registered practitioners or health professionals relating to the physical and mental health of people and animals, including ancillary BUILDINGS and activities, but excluding facilities used for promotion of physical fitness or beauty.

HEAVY SERVICE VEHICLE means any VEHICLE that has dimensions equal to or less than those specified in the diagram below and does not include a LIGHT, MEDIUM, or LARGE SERVICE VEHICLE.



HEIGHT means the vertical distance between the GROUND LEVEL and the highest part of any STRUCTURE (including BUILDINGS) or TREE.



HELICOPTER LANDING AREA means any area of land to be used or intended to be used as a location from which to base helicopter operations including helicopter take-off and landing, refuelling, maintenance, servicing, helicopter parking, hangaring, administration, pilot training, passenger and freight handling facilities.

HERITAGE PROTECTION FUND means the fund established in 1996, and operated by the COUNCIL to assist private landowners to manage, maintain and preserve heritage values.

HOME OCCUPATION means the use of a SITE for an occupation, business, trade or profession that is secondary and incidental to the use of that SITE for a residential activity.

INDICATIVE ROAD means any area identified on the planning maps as an 'INDICATIVE ROAD', including any proposed indicative pedestrian links, indicating the preferred location and type of ROAD required for future subdivisions. INDICATIVE ROAD shall not include any area identified on the planning maps as an INDICATIVE ROAD where a subdivision approved by the COUNCIL has been given effect to which will result in the vesting of the ROAD as legal ROAD. The edge of the INDICATIVE ROAD shall be taken 7.5m either side of the centre point of the INDICATIVE ROAD for a LOCAL, COLLECTOR or ARTERIAL ROAD or 2.5m either side of the centre point of the INDICATIVE ROAD for a pedestrian link as shown on the planning maps.

INDIGENOUS VEGETATION means flora occurring naturally in New Zealand; or belonging naturally to New Zealand. INDIGENOUS VEGETATION does not include flora established by humans.

INDIGENOUS VEGETATION DISTURBANCE means felling, destruction or damage to INDIGENOUS VEGETATION, including TREES, shrubs, grasses and other plants by any means including cutting, burning, crushing or spraying. Except that INDIGENOUS VEGETATION DISTURBANCE does not include:

- Actions necessary for the avoidance of imminent danger to human life,
- TREE trimming and selective removal of vegetation necessary for the current operation and maintenance of existing infrastructure, including ROADS, tracks, stream or RIVER access, fire water points, utilities, structures and fence lines,
- The collection of material for scientific purposes or propagation, and
- The collection of material by TANGATA WHENUA for maintaining traditional practices of rongoa (medical purposes), raranga (weaving) and mahhi whakairo (carving).

INDUSTRIAL ACTIVITY means the manufacturing and storage of products and for the purposes of the Future Urban Development OVERLAY, includes any rural industrial activity, including any: commercial quarrying; prospecting, exploration or production of minerals; and PETROLEUM related activities (hydrocarbon, exploration, extraction and processing).

INDUSTRIAL ENVIRONMENT AREA means those areas within the district that are predominantly industrial in character, having uses that range from small warehouses or offices to large scale petrochemical developments. There are six INDUSTRIAL ENVIRONMENT AREAS each having a distinct level of amenity and a different ability to accept the level of risk associated with the use or storage (and transportation to a lesser extent) of HAZARDOUS SUBSTANCES. These areas are identified on the planning maps as INDUSTRIAL A, B, C, D, E, or F ENVIRONMENT AREAS.

Note: A full explanation of these areas is given at the beginning of the INDUSTRIAL ENVIRONMENT AREA chapter.

INFRASTRUCTURE means public works and utilities provided by the COUNCIL and includes water supply, wastewater collection and treatment, stormwater disposal, public ROADS and public motor VEHICLE parking spaces.

IN TRANSIT means, in relation to HAZARDOUS SUBSTANCES, freight, cargo or goods otherwise being transported that have not reached their final destination and which for the time being are deposited at a TRANSPORT INTERCHANGE AREA and are under the care and responsibility of the TRANSPORT INTERCHANGE AREA operator.

IWI AUTHORITY means an organisation that represents an IWI and which is recognised by that IWI as having authority to do so and includes those organisations known respectively as Te Atiawa Iwi Authority, Te Runanga O Te Atiawa and Te Atiawa Tribal Council.

IWI means tribe or grouping of people with tribal affiliations.

KAITIAKITANGA means the exercise of guardianship by the TANGATA WHENUA of an area in accordance with TIKANGA MAORI in relation to natural and physical resources; and includes the ethic of stewardship.

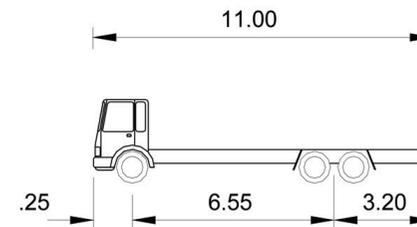
L₁₀ means the L10 exceedance level, in A-frequency-weighted decibels, which is equalled or exceeded 10% of the total measurement time (see NZS 6801:1991 clause 2.2 definition of exceedance level).

L_{dn} (day/night level, or day-night average sound level) means the time-average sound level, in decibels, over a 24 hour period (from midnight to midnight), obtained after the addition of 10 decibels to sound levels in the night (from midnight to 7.00 am and from 10.00 pm to midnight). When the day/night level is measured it is not necessary that the measurement period begin at midnight.

L_{eq} in decibels, (also known as time-average sound level or equivalent continuous A-weighted sound pressure level) means the value of the steady continuous A-weighted sound pressure level that, within a measurement time interval, has the same mean square sound pressure as the sound under consideration whose level varies with time. The time interval for every Leq measurement should be stated.

L_{max} means the maximum A-frequency-weighted sound level during a stated time period (see NZS 6801:1991 clause 2.1 definition of maximum sound level).

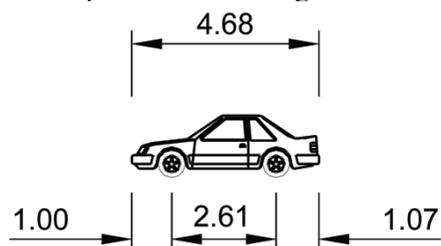
LARGE SERVICE VEHICLE means any VEHICLE that has dimensions equal to or less than those specified in the diagram below and does not include a LIGHT or MEDIUM SERVICE VEHICLE.



DESIGN VEHICLE DIMENSIONS

LIGHT OVERSPILL means the emission of artificial illumination that travels beyond the boundaries of the SITE from within which it originated.

LIGHT SERVICE VEHICLE means any VEHICLE that has dimensions equal to or less than those specified in the diagram below.



LIMITED ACCESS ROADS (LAR'S) are those sections of STATE HIGHWAY declared under section 88 of the Transit New Zealand Act 1989 as 'LIMITED ACCESS ROADS' and identified on the planning maps (refer to Appendix 23 Part A for a complete list.)

LINE means a wire or wires or a conductor of any other kind (including fibre optic cable) used or intended to be used for the transmission or reception of signs, signals, impulses, writing, images, sounds, or intelligence of any nature by means of any electromagnetic system; and includes any pole, insulator, casing, fixture, tunnel, or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any such wire or conductor; and also includes any part of a LINE.

LOADING SPACE means the area set aside on-SITE for the loading/unloading of SERVICE VEHICLES.

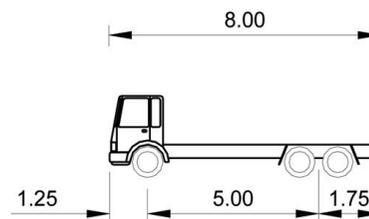
LOCAL ROAD means any ROAD other than a STATE HIGHWAY, ARTERIAL ROAD or COLLECTOR ROAD, and includes cul-de-sacs and SERVICE LANES.

MANA WHENUA means customary authority and title exercised by an IWI or HAPU over land and other TAONGA within the tribal ROHE.

MANOEUVRING SPACE means that part of a SITE used by VEHICLES, moving between the VEHICLE ACCESS POINT and any parking, LOADING or STANDING SPACES provided on-SITE, to enable entry/exit to/from a SITE in a forward motion.

MARAE means a meeting place for an IWI or HAPU being a SITE owned or administered by an incorporated body and used primarily for the maintenance and enhancement of Maori culture and traditions.

MEDIUM SERVICE VEHICLE means any VEHICLE that has dimensions equal to or less than those specified in the diagram below and does not include a LIGHT SERVICE VEHICLE.



DESIGN VEHICLE DIMENSIONS

MILITARY AIRCRAFT means aircraft owned or operated by the Defence Forces of the New Zealand Government or another sovereign state.

MINOR UPGRADING means

- (a) In relation to LINES, an increase in the carrying capacity, efficiency or security of LINES, utilising the existing support STRUCTURES or STRUCTURES of a similar scale, character and within an existing corridor and includes:
 - (i) The addition of circuits and conductors.
 - (ii) The reconductoring of the LINE with higher capacity conductors.
 - (iii) The resagging of conductors.
 - (iv) The addition of longer or more efficient insulators.
 - (v) The addition of earthwires, earthpeaks and lightning rods.
- (b) The following activities will also be classed as MINOR UPGRADING activities where they are on or within 50 metres of a WAAHI TAONGA/ SITE OF SIGNIFICANCE TO MAORI or ARCHAEOLOGICAL SITE:

- (i) 0.3m² of EXCAVATION to a depth of 450mm at the base of an existing aboveground NETWORK UTILITY STRUCTURE around which the land has previously been disturbed.
- (ii) 10m² or 5m³ of EXCAVATION for the purposes of maintenance of existing underground NETWORK UTILITY STRUCTURES around which the land has previously been disturbed.
- (iii) Customer connections to an existing network including associated EXCAVATION AND FILLING.
- (iv) The trimming of TREES and vegetation for the purpose of protecting the integrity of an existing NETWORK UTILITY or otherwise undertaken in accordance with the Electricity (Hazards from Trees) Regulations 2003.

MINOR BOUNDARY ADJUSTMENT means a BOUNDARY ADJUSTMENT between existing Computer Freehold Registers to recognise boundary corrections, including where existing BUILDINGS have been located in error over the boundary of a Computer Freehold Register which is in different ownership. It does not include BOUNDARY ADJUSTMENTS between existing Computer Freehold Registers that create additional BUILDING platforms under Rule Rur82.

MURAL means a painting or drawing on a BUILDING which has no implied advertising, or advertising content.

NET SITE AREA means the total area of the SITE excluding any of the following:

- Any part of the site subject to proposed ROAD widening; and/or
- RIGHT OF WAY.

NETWORK UTILITIES or **NETWORK UTILITY** means any of the following:

- A pipeline for the distribution or transmission of natural or manufactured gas, PETROLEUM or geothermal energy.
- A network for the purpose of TELECOMMUNICATIONS.
- LINES for the purpose of line function services as defined in section 2 of the Electricity Act 1992.
- A system for the distribution of water for supply (including irrigation).
- Drainage or sewage systems.
- Railway lines and ROADS.
- An airport operated by an airport authority (as defined by the Airport Authorities Act 1966);
- An approach control service as defined by the Civil Aviation Act 1990.
- Meteorological facilities, including equipment to measure, collect and distribute meteorological information, including TELECOMMUNICATION radio and satellite links.
- All STRUCTURES and incidental facilities such as LINES, support STRUCTURES, pipes, pumping stations, aerials and similar STRUCTURES which directly form part of the network.
- Any other project or works as per section 166 of the ACT.

NEW PLYMOUTH AMENITY TREE AREA means that area within the New Plymouth city that is predominantly business in character and contains AMENITY TREES. This area is defined in Appendix 24, Volume II.

NOISE SENSITIVE ACTIVITY means any BUILDING used or intended to be used for residential living, as a hospital, for residential health care or care of the elderly, educational or commercial accommodation purposes.

NOISE SENSITIVE ROOM means, in relation to a hospital, residential rest home or home for care of the elderly and any visitor accommodation (including commercial accommodation premises), any indoor room occupied by patients, residents, visitors or guests for sleeping, rest, recreation, lounging or where meals are consumed; and in relation to any school or educational facility, including a daycare centre, kindergarten or trade training school, means any indoor room which may be occupied by students and which is used for learning and any indoor room used by staff for preparation of teaching material or for meal or rest breaks; and in relation to a residential dwelling means any HABITABLE ROOM.

NOTABLE TREE means a TREE or group of TREES that are considered significant for their historical, botanical, landscape, amenity or cultural values, that meet criteria listed in section 13.1 in Appendix 13 and are listed in Schedule 13.3 in Appendix 13. NOTABLE TREES have been assigned as either Category 1 or Category 2 as described in section 13.2 of Appendix 13. NOTABLE TREES are identified on the planning maps.

NOTIONAL BOUNDARY means a line 20m from, and parallel to, any external wall of any HABITABLE BUILDING, or the legal boundary of the SITE, whichever is closer to such HABITABLE BUILDING.

OFFICES means an administrative, professional or commercial OFFICE and includes but is not limited to the following: financial firms, insurance firms, law firms, accountancy firms, valuers, banks, architects, surveyors, engineers and real estate agents.

OFFICIAL SIGN means all regulatory traffic SIGNS and signals approved by a ROAD CONTROLLING AUTHORITY or provided for under any legislation and which are erected on a legal ROAD or motorway. It also includes New Zealand Automobile Association Incorporated and Venture Taranaki directional signs.

OFF-SITE INFRASTRUCTURE means that INFRASTRUCTURE required to serve a subdivision or development which is not deemed to be ON-SITE INFRASTRUCTURE.

ON-SITE INFRASTRUCTURE means that INFRASTRUCTURE which is required to be located within an area of land to be subdivided or developed and which will be used solely and directly to service the needs of the subdivision or development for which it is installed.

OPEN SPACE ENVIRONMENT AREA means those areas within the urban ENVIRONMENT AREAS of the district (private and public land included) that is open space in character, including but not limited to locations used for:

- Organised sport and recreation, or
- Informal recreational pursuits, or
- Areas of natural heritage value.

There are three OPEN SPACE ENVIRONMENT AREAS each with a distinct level of amenity. The areas are identified on the planning maps as OPEN SPACE A, B, C or PORT TARANAKI ENVIRONMENT AREAS.

Note: A full explanation of these areas is given at the beginning of the OPEN SPACE ENVIRONMENT AREA chapter.

OPERATING DAY means any day of the week that an activity is open for trade or business including Saturday, Sunday and all public holidays.

OUTDOOR STORAGE means:

- Equipment;
- Machinery;
- Natural and processed products; or
- VEHICLES that are disused, inoperative or under repair stored on an area of land outside of a fully enclosed BUILDING.

OUTER CONTROL BOUNDARY means that area shown on the planning maps and in Appendix 12.2 and used for the purposes of defining the maximum permissible noise levels from AIRCRAFT OPERATIONS at New Plymouth Airport.

OUTSTANDING LANDSCAPE means those landscapes within the district having exceptional value or eminence or distinction on a national scale; and are identified as an OUTSTANDING LANDSCAPE on the planning maps.

OUTSTANDING NATURAL FEATURE means natural geological sites and landforms that are listed as of international scientific importance or of national scientific, educational or aesthetic importance in the “Inventory of Important Geological Sites and Landforms in the Taranaki and Wanganui Regions.”²²

OVERLAYS means areas or items of value or importance to the community within the district, or that are for information purposes, identified on the planning maps.

PAPAKAINGA HOUSING means housing established on Maori land, as defined by the Te Ture Whenua Maori Land Act 1993, by an IWI, HAPU or WHANAU of the New Plymouth District on behalf or and for use by its members to promote Maori community development, and sustain a relationship of Maori and their culture and traditions with their ancestral land. (Refer to Appendix 15 for an illustrated example).

PARENT TITLE is an area of land comprised in one Computer Freehold Register existing at 5 March 1999.

PARKING EXEMPTION AREA means that area within the New Plymouth central business area that is predominantly business in character where there is no requirement for an activity to provide a minimum number of on-SITE VEHICLE parking spaces. This area is defined in Appendix 23, Volume II.

²² Kenny, J and Hayward, B (1993). Inventory of important geological sites and landforms in the Taranaki and Wanganui Regions. Geological Society of New Zealand Miscellaneous Publication No.72

PERIMETER means a line circumscribing the extremities of an intensive piggery or poultry farm within which all pig or poultry housing and animal enclosures are contained.

PERMANENT SIGN means any ADVERTISING SIGN that is not a TEMPORARY SIGN and may be located either on-SITE or off-SITE, be freestanding or attached to or painted onto a BUILDING or other STRUCTURE.

PETROLEUM means:

- (a) Any naturally occurring hydrocarbon (other than coal) whether in a gaseous, liquid, or solid state; or
- (b) Any naturally occurring mixture of hydrocarbons (other than coal) whether in a gaseous, liquid or solid state; or
- (c) Any naturally occurring mixture of one or more hydrocarbons (other than coal) whether in a gaseous, liquid, or solid waste, and one or more of the following, namely hydrogen sulphide, hydrogen, helium or carbon dioxide; and includes
- (d) Any PETROLEUM as so defined which has been mined or otherwise recovered from its natural condition, or which has been so mined or otherwise recovered but which has been returned to a natural reservoir for storage purposes in the same or an adjacent area.

PETROLEUM EXPLORATION means the use of land for exploration and testing of PETROLEUM, and includes exploration survey (including seismic survey), well drilling, well testing and interim production of PETROLEUM but specifically excludes any activity associated with well-site establishment such as earthworks and the importation of STRUCTURES, BUILDINGS and equipment.

PLANTATION FORESTRY means an area of forest, which is planted, managed and harvested, for the primary purpose of commercial gain.

PONDING AREA means any property or part thereof identified as filling with floodwater in the 1% ANNUAL EXCEEDENCE PROBABILITY (100-year return) rainfall event, and is identified on the planning maps as a PONDING AREA.

PORT means any area of land or water, whether or not it is within the COASTAL MARINE AREA, used, intended or designed to be used either wholly or partly for PORT related activities including for the berthing, departure, and movement of ships, storage areas and cargo handling of goods and passengers, all activities associated with the movement, storage and handling of cargo and includes any BUILDINGS, machinery and equipment within such areas used in connection within a PORT or its administration.

PORT NOISE means noise generated within a PORT and includes noise from the handling of cargo and passengers; the operation of machinery and equipment; ships at berth; maintenance, repair, storage and administration activities and includes noise from vehicle traffic engaged in PORT activities within a PORT but excludes noise from vessels not at berth and noise from CONSTRUCTION WORK.

POTABLE WATER means drinking-water which does not contain any determinands which exceed the Maximum Acceptable Values (MAV's) given in the DWSNZ2000.

PRACTICABLE (in relation to subdivision) means a two-wheel drive LIGHT SERVICE VEHICLE under its own power and in a forward gear shall be able to access the SITE.

PRIORITY WATERBODIES means those waterbodies identified as being important for natural character or public recreation and access purposes, as identified in Appendix 18. PRIORITY WATERBODIES are identified on the planning maps.

PROFESSIONAL STAFF means registered medical practitioners, dentists, veterinary surgeons, physiotherapists, practice nurse and any other specialist employed at a HEALTH FACILITY or hospital whose patients may consult for the provision of medical advice independently. For the purpose of this definition, medical receptionists and general nursing assistants are excluded.

PROTECTION WORKS means any works, STRUCTURES, BUILDINGS, restrictions of access, or deposition of materials to protect land, property, INFRASTRUCTURE, development and other assets from erosion, slippage, flooding or other natural hazards, and includes HARD PROTECTION WORKS.

QUEUING SPACE means the area used for the on-SITE queuing of VEHICLES entering or exiting a SITE, measured from the ROAD BOUNDARY of the SITE to the first point at which a VEHICLE can turn into a LOADING SPACE, STANDING SPACE or parking space.

RADIOCOMMUNICATION means any transmission, emission or reception of signs, signals, writing, images, sounds or intelligence of any nature by electromagnetic waves or frequencies between nine kilohertz and 3000 gigahertz propagated in space without artificial guide (as per section 2(1) of the Telecommunications Act 1987).

RECEIVING SITE means, for the purposes of measuring noise and LIGHT OVERSPILL, any SITE exposed to and receiving noise or LIGHT OVERSPILL generated from within any other SITE, where the SITE from which the noise or LIGHT OVERSPILL originated is not in the same ownership as the SITE receiving the noise or LIGHT OVERSPILL.

RELOCATION (in relation to BUILDINGS) means the re-siting of a BUILDING onto a SITE from another SITE.

REGIONALLY SIGNIFICANT LANDSCAPE means those landscapes within the district which have significance on a regional scale and are identified as a REGIONALLY SIGNIFICANT LANDSCAPE on the planning maps.

RENEWABLE ELECTRICITY GENERATION ACTIVITIES means the development, operation, maintenance and upgrading of STRUCTURES associated with electricity generation from renewable energy sources. It includes new and existing RENEWABLE ELECTRICITY GENERATION ACTIVITIES and the investigation, identification and assessment of potential SITES and energy sources for renewable electricity generation. It also includes small and community-scale distributed RENEWABLE ELECTRICITY 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.

RESIDENTIAL AND COMMUNITY ACTIVITY, for the purposes of the Future Urban Development OVERLAY, means any HABITABLE BUILDING and includes, but is not limited to, CARE HOMES, COMMUNITY ACTIVITY, COMMUNITY FACILITIES, EDUCATIONAL FACILITIES, HEALTH FACILITY or MARAE, but excludes HOME OCCUPATION.

RESIDENTIAL ENVIRONMENT AREA means those areas within the district that are predominantly residential in character. They are the areas where the majority of people choose to reside and include areas of undeveloped rural land zoned for residential use. There are three RESIDENTIAL ENVIRONMENT AREAS each with a distinct level of amenity. These areas are identified on the planning maps as RESIDENTIAL A, B, or C ENVIRONMENT AREAS.

Note: A full explanation of these areas is given at the beginning of the RESIDENTIAL ENVIRONMENT AREA chapter.

RETAIL AND SERVICE ACTIVITIES means any land, BUILDING or part of BUILDING on or in which goods are displayed, sold or offered to sale or hire direct to the public; or personal or household, or private business and professional services are offered to the public.

RIGHT OF WAY means an easement granting rights to pass over another person's land, and for the purposes of this plan, shall include:

- An access lot; or
- A common area as identified on a cross-lease or unit title plan.

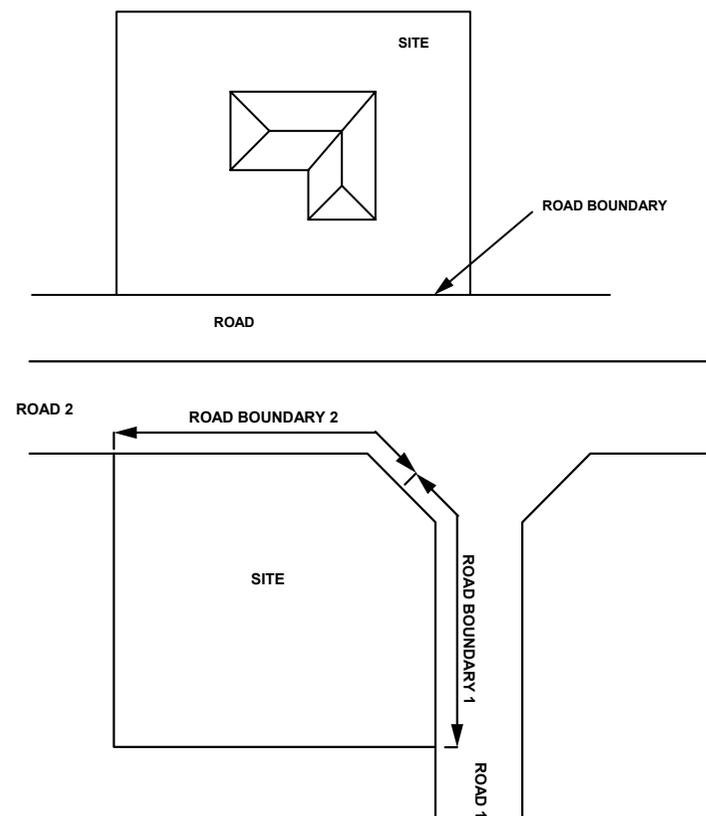
RIVER means a continually or intermittently flowing body or freshwater and includes a stream and modified WATERCOURSE but does not include any artificial WATERCOURSE (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal).

ROAD has the same meaning as in section 315 of the Local Government Act 1974; and includes a motorway as defined in section 2(1) of the Transit New Zealand Act 1989).

[See also ARTERIAL ROAD, COLLECTOR ROAD, LIMITED ACCESS ROADS, LOCAL ROAD, STATE HIGHWAY].

Updated March 2013 (update 8g)

ROAD BOUNDARY means any part of an ALLOTMENT that abuts onto a legal ROAD, excluding SERVICE LANES and/or land designated for the purpose of legal ROAD widening. Where a SITE abuts more than one ROAD each boundary constitutes a separate ROAD BOUNDARY.



ROAD CONTROLLING AUTHORITY means those authorities that have financial responsibility for the design, construction, repair and maintenance of public ROADS in the district and includes the COUNCIL and Transit New Zealand.

ROAD TRANSPORTATION NETWORK means all public ROADS in the district including all STATE HIGHWAYS.

ROADING HIERARCHY means the hierarchical classification system for all of the ROADS within the New Plymouth District and is comprised of four classifications, namely STATE HIGHWAY, ARTERIAL ROAD, COLLECTOR ROAD and LOCAL ROAD. Existing levels of traffic generation and the design of the ROAD are determinants for each of the classifications.

Note: A full explanation of the ROADING HIERARCHY is given within the Traffic and Transport section of the plan.

ROHE means a territory or boundary that defines the area within which a TANGATA WHENUA group claims traditional association and MANA WHENUA.

RURAL CHARACTER is the combination of elements that make an area 'rural' rather than 'urban'. Rural areas are typically distinguished by a dominance of openness and rural practices over man made structures not related to the primary use. RURAL CHARACTER includes the key elements of Spaciousness, Low density, Vegetated, Production Orientated, Working Environment, Rural Based Industry and Rural INFRASTRUCTURE. The elements of RURAL CHARACTER are further defined under these categories in the reasons to Issue 4.

RURAL ENVIRONMENT AREA means that area of the district that is predominantly rural in character, where the elements of rural character include but are not limited to; spacious areas of pasture, low density and widely spaced built form, infrequent intensively developed industrial SITES, areas of vegetation or rural noise and smell. This area has a distinct level of amenity. It is identified on the planning maps as a RURAL ENVIRONMENT AREA.

Note: A full explanation of these areas is given at the beginning of the RURAL ENVIRONMENT AREA chapter.

SEALED means the use of a 'construction design standard' in terms of sub-base, base course and final pavement, including the application of the correct chip grade and chip type.

Note: Specific detail can be obtained from the COUNCIL'S adopted Land Development and Subdivision Infrastructure Standard.

SEL 95 BOUNDARY means that area shown on the planning maps and in Appendix 12.2 and used for the purposes of defining the maximum permissible noise levels from AIRCRAFT OPERATIONS at New Plymouth Airport and is indicative of the noise contour from a single event of the noisiest aircraft likely to use the airport at night.

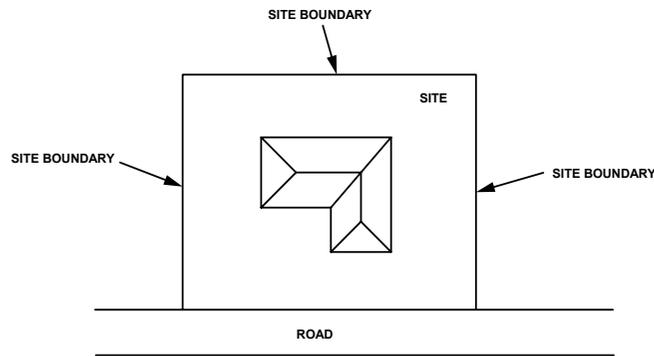
SERVICE LANE has the same meaning as in section 315 of the Local Government Act 1974.

SERVICE VEHICLE means any VEHICLE used or available for use in a goods, transport, passenger or rental service for the carriage of goods for commercial purposes, but does not include the carriage of such small amounts, or occurs so infrequently, that it does not form a significant part of the overall operations of the VEHICLE. See EXTRA-HEAVY SERVICE VEHICLE, HEAVY SERVICE VEHICLE, LARGE SERVICE VEHICLE, LIGHT SERVICE VEHICLE and MEDIUM SERVICE VEHICLE for dimensions.

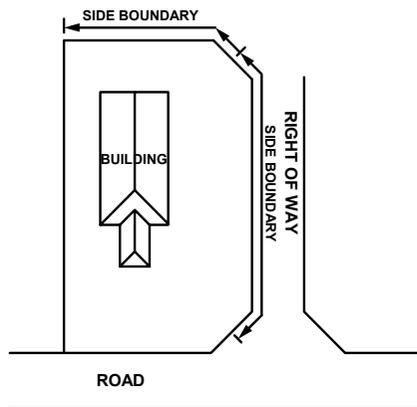
SHADOW FLICKER means the alternating periods of shadow and light due to the rotation of turbine blades as the sun passes behind a wind turbine.

SHELTER BELT means vegetation planted to provide shelter from wind.

SIDE BOUNDARY means any boundary of a SITE other than the ROAD BOUNDARY.



Where a SITE adjoins a RIGHT OF WAY, the boundary created by the splay shall count half towards either adjoining boundary, as illustrated below:



SIGN see ADVERTISING SIGN, FOOTPATH SIGN, FREESTANDING SIGN, OFFICIAL SIGN, PERMANENT SIGN, TEMPORARY SIGN, DIRECTIONAL SIGN.

SIGN DISPLAY AREA means the surface area of an ADVERTISING SIGN or FREESTANDING SIGN used to display advertising or other information.

SIGN FACE means the total visible area of an ADVERTISING SIGN on which advertising or information is displayed, excluding the anchorage or support thereof, when viewed at 90 degrees to the display surface from one direction only.

SIGNIFICANT COASTAL AREA means an area in the coastal environment determined to be significant for reasons of natural character and listed in Appendix 20.

SIGNIFICANT NATURAL AREA means an area of INDIGENOUS VEGETATION or a habitat of indigenous fauna that meets the criteria in Schedule 21.1 and is identified in Schedule 21.2 or Table 21.3 of Appendix 21. Except that, no vegetation that has regenerated since this plan was notified shall be regarded as a SIGNIFICANT NATURAL AREA.

SILENT FILE means a WAAHI TAONGA/SITES OF SIGNIFICANCE TO MAORI identified on the planning maps whose exact location has not been disclosed by the MANA WHENUA.

SITE means:

- (a) An area of land which is:
 - (i) Comprised in a single ALLOTMENT, or other legally defined parcel of land and held in a single certificate of title; or
 - (ii) Comprised in a single ALLOTMENT or legally defined parcel of land for which a separate certificate of title could be issued without the further consent of the COUNCIL.

or

- (b) An area of land which is comprised of two or more legally defined parcels of land held together in one certificate of title in such a way that the lots cannot be dealt with separately without prior consent of the COUNCIL, or
- (c) An area of land which is comprised of two or more adjoining certificates of title where such titles are:
 - (i) subject to a condition imposed under section 77 of the Building Act 2004, or
 - (ii) held together in such a way that they cannot be dealt with separately without the prior consent of the COUNCIL, or

- (d) In the case of land subdivided under the cross lease or company lease systems (other than strata titles), **SITE** shall mean an area of land containing:
- (i) a **BUILDING** or **BUILDINGS** for residential or business purposes with any accessory **BUILDING**, plus any land exclusively restricted to the users of that **BUILDING**, or
 - (ii) a remaining share or shares in the fee simple creating a vacant part of the whole for future cross lease or company lease purposes.
- (e) In the case of land subdivided under the Unit Titles Act 1972 (other than strata titles), **SITE** shall mean an area of land containing a principal unit or proposed unit on a unit plan together with its accessory units.
- (f) In the case of strata titles, **SITE** shall mean the underlying certificate of titles, immediately prior to subdivision.
- (g) Land partitioned under the Te Ture Whenua - Maori Land Act 1993.

SITE OF SIGNIFICANCE TO MAORI means a site or place that tangata whenua has, or at any time had an interest in and the site holds cultural or spiritual significance to Maori. A **SITE OF SIGNIFICANCE TO MAORI** is identified on the planning maps.

SMALL AND COMMUNITY-SCALE DISTRIBUTED ELECTRICITY GENERATION means renewable electricity generation for the purpose of using electricity on a particular **SITE**, or supplying an immediate community, or connecting into the distribution network.

SPILLWAY means any property or part thereof specifically designated as the spill route for a flood detention dam in a probable maximum precipitation rainfall event, and is identified on the planning maps as **FLOOD DETENTION AREA**.

STATE HIGHWAY means those **ROADS** declared under section 11 of the National Roads Act 1953 or by Transit New Zealand under the Transit New Zealand Act 1989, including all motorways and **ROADS** declared to be **LIMITED ACCESS ROADS** and that are identified on the planning maps as **STATE HIGHWAY**.

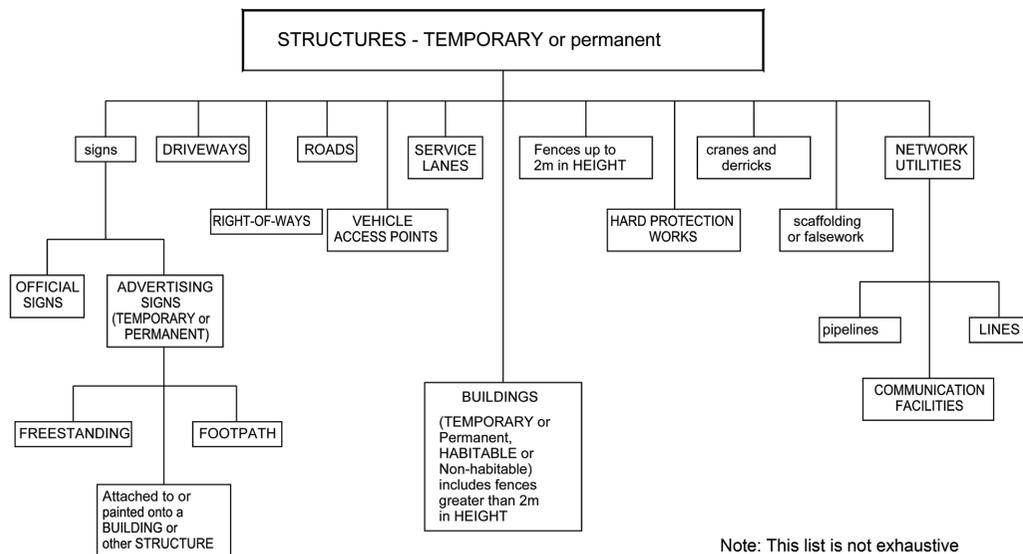
STANDING SPACE means the area set aside on-SITE for the standing of **SERVICE VEHICLES** waiting to load/unload goods.

STORMWATER MANAGEMENT PLAN means any of the following documents:

- Beca Carter Hollings & Ferner Ltd. (July 1992) Waitara Stormwater Comprehensive Management Plan.
- Beca Carter Hollings & Ferner Ltd. (16 May 1995) Townships of Urenui, Onaero, Lepperton, Egmont Village, Oakura and Okato - Stormwater Management Plans.
- Bruce Henderson Consultants Ltd. (June 1992) New Plymouth District Council Inglewood Stormwater Management Plan.
- Harrison Grierson (March 1997) Stormwater Management Plan - New Plymouth Central - Waimea, Huatoki, and Central Unnamed Catchments.
- Harrison Grierson (April 1997) Stormwater Management Plan - New Plymouth East - Te Henui, Waiwhakaiho and Eastern Unnamed Catchments.
- Harrison Grierson (June 1997) Stormwater Management Plan - New Plymouth West - Herekawe, Hongihongi, Mangaotuku, and Western Unnamed Catchments.
- Manukau Consultants Limited. (May 1997, revised September 1997) Glen Avon Catchment Management Plan for the New Plymouth District Council.
- Manukau Consultants Limited. (June 1997, revised October 1997) Bell Block Catchment Management Plan for the New Plymouth District Council.

STRUCTURE means any **BUILDING**, equipment, device or other facility made by people and which is fixed to land, and includes any raft. In the context of this plan **BUILDINGS**, **NETWORK UTILITIES**, **OFFICIAL SIGNS**, **ADVERTISING SIGNS**, **HARD PROTECTION WORKS**, **DRIVEWAYS**, **RIGHT OF WAYS**, **ROADS**, **VEHICLE ACCESS POINTS**, **SERVICE LANES**, fences, scaffolding and falsework, cranes and derricks are all types of **STRUCTURES** and must therefore meet the rules for **STRUCTURES** as well as those specific to them.

STRUCTURES may be TEMPORARY or permanent.



SUBSTATION AND SWITCHING STATION means those parts of works or electrical installations, being a BUILDING, STRUCTURE (including multi-pole STRUCTURES), or enclosure incorporating fittings that are used for the purpose of the control of transformation, transmission, or distribution of electricity.

TANDEM PARKING SPACES means two parking spaces, one directly behind the other with no MANOEUVRING SPACE between them.

TANGATA WHENUA in relation to a particular area means the IWI or HAPU that holds MANA WHENUA over that area.

TAONGA means treasure or property that are prized and protected as sacred possessions of TANGATA WHENUA as determined by TANGATA WHENUA.

TELECOMMUNICATION means the conveyance from one device to another of any sign, signal, impulse, writing, images, sound, instruction, information, or intelligence of any nature, whether for the information of any person using the device or not (as per section 2(1) of the Telecommunications Act 1987).

TEMPORARY means, in relation to BUILDINGS and any other STRUCTURE, a period of no more than 12 months on any one SITE.

TEMPORARY EVENT means an event that is primarily held outdoors with or without TEMPORARY STRUCTURES for entertainment and is musical, cultural, theatrical, recreational or sporting in nature but excluding the use of motorised sporting equipment for the purpose of motorsport. A TEMPORARY EVENT does not exceed three days of duration and does not involve the construction of permanent BUILDINGS. Any one SITE may have only one TEMPORARY EVENT within any 30 day period.

TEMPORARY MILITARY TRAINING ACTIVITY means a temporary training activity undertaken for defence purposes in accordance with the Defence Act 1990.

TEMPORARY SIGN means an ADVERTISING SIGN displayed for no more than 12 months whose purpose is:

- (a) Advising of a forthcoming community event, occasion or service which is primarily a not-for-profit, event, organisation or service;
- (b) Electioneering;
- (c) Identifying a construction SITE or a development under construction;
- (d) Notifying the availability of land and/or premises for sale or lease; or
- (e) Advising of a resource consent application;

and may be located either on-SITE or off-SITE, be freestanding or attached to a BUILDING.

TIKANGA MAORI means Maori customary values and practices.

TINO RANGATIRATANGA means chiefly authority, chieftainship, full tribal authority and refers to tribal self-management - to manage and control in accordance with the preferences of the owner.

TRANSPORT DEPOT means land and BUILDINGS used principally for the receiving, despatching or holding of goods or passengers in transit (and includes, but is not limited to, airports, bus stations, courier depots) and any associated provision for VEHICLES.

TRANSPORT INTERCHANGE AREA means an area designed for the interchange of freight, cargo or goods otherwise being transported between transport modes or carriers and includes those parts of airports, PORTS, rail yards, and freight, courier and postal depots designed for that purpose.

TREATY OF WAITANGI (TE TIRITI O WAITANGI) has the same meaning as the word ‘Treaty’ as defined in section 2 of the Treaty of Waitangi Act 1975.

TREE means any large woody perennial plant that develops into a plant of at least 4m in HEIGHT, with a distinct trunk giving rise to branches.

URBAN VIEWSHAFT means a view from a public place (such as a ROAD or reserve), located within an urban area, that contributes significantly to the visual amenity of that urban area. The location and full extent of these viewshafts are mapped in section 3 of Volume III. The area shown as URBAN VIEWSHAFT on the planning maps delineates parts of the viewshaft for which there are specific height restrictions over and above those for the underlying ENVIRONMENT AREA.

VEHICLE means any motorised conveyance, with wheels, by which goods or peoples are transported including SERVICE VEHICLES, BUS, EXTRA-HEAVY SERVICE VEHICLE, HEAVY SERVICE VEHICLE, LARGE SERVICE VEHICLE, LIGHT SERVICE VEHICLE, MEDIUM SERVICE VEHICLE.

VEHICLE ACCESS POINT means that part of a ROAD reserve that can be or has been formed or otherwise constructed to enable VEHICLE access between a SITE and a public ROAD. They usually connect to a DRIVEWAY or RIGHT OF WAY.

VEHICLE EQUIVALENT MOVEMENT (VEM) means the number of movements a VEHICLE makes to and from a SITE where:

- One VEHICLE being smaller than or equal to in size to a LIGHT SERVICE VEHICLE to and from a SITE = 2 VEM.
- One VEHICLE being equal to or larger in size than a MEDIUM SERVICE VEHICLE to and from a SITE = 6 VEM.
- One VEHICLE being equal to or larger in size than a MEDIUM SERVICE VEHICLE with a trailer (including those VEHICLES having an articulation point) to and from a SITE = 10 VEM.

VOLCANIC HAZARD AREA means that area around Mount Taranaki/Egmont where the COUNCIL considers it is appropriate to control activities to avoid the adverse effects of a volcanic eruption, and identified on the planning maps as VOLCANIC HAZARD AREA. The volcanic hazard information mapped is based on the highest risk hazard zone (lahars and associated floods).

WAAHI TAONGA/SITE OF SIGNIFICANCE TO MAORI means Ko te wāhi taonga momo wāhi, he whenua rānei e noho ai te TANGATA WHENUA, a, he wāhi i arotia ai ngā TANGATA WHENUA ma i ngā rā o mua taenoa ki ēnei rā; ko te wāhi he wāhi tikanga, he WAAHI TAPU rānei ki ngā tangata whenua. Ko te wāhi taonga ki ngā TANGATA WHENUA e whakaaturia kei runga i ngā mahere whenua whakatakoto kaupapa.

Site of Significance to Maori means a site or place the TANGATA WHENUA has, or at any time had an interest in; and the site holds cultural or spiritual significance to Maori, including WAAHI TAPU. A site of significance to Maori is identified on planning maps and listed in Appendix 26. (Note: refer to definition of SILENT FILE.)

WAAHI TAPU means places or things that are sacred or spiritually endowed, and includes but is not limited to pa, area (tracks), urupa, battle sites and tauranga waka (canoe landings).

WATERCOURSE means any RIVER, lake, stream or pond. This term is limited in its application to rural flooding issues.

WHANAU means extended family.