

27 DEFINITIONS

Accessory building - means a detached structure, the use of which is ancillary and incidental to any lawful existing use on the site, and includes carports whether or not attached to the principal building.

Accessway - means, in relation to a rear site, all land that provides physical and legal access for one or more properties and which is held by an individual owner or in common, and it includes entities such as a driveway, right-of-way, private way and common access lot.

Assessment of Environmental Effects (AEE) - means an assessment of the environmental effects in accordance with the Fourth Schedule of the Resource Management Act 1991.

Bed – this is the definition applied in Section 2 of the Resource Management Act for a 'bed' in relation to any river for the purpose of the esplanade reserves.

Boarding kennels – kennels that are used to accommodate dogs for short-term accommodation purposes for the payment of a charge. The dogs do not permanently reside on the subject site.

Boundary Adjustment - means the subdivision of land comprised in two or more contiguous lots (notwithstanding any separation by any road, railway line or waterbody) involving the realignment and/or reconfiguration of boundaries where the number of existing certificates of title do not increase.

Building – means any structure, temporary or permanent, movable or immovable, and includes water tanks more than 1000 litres capacity, but excludes:

- Fences or walls of 2m or less in height above ground level or retaining walls of 2m or less in depth below ground level
- Masts and poles less than 2m in height above ground level
- Radio and television aerials (excluding dish antenna greater than 1.2m in diameter) less than 2m in height
- Uncovered decks not more than 1m above ground level
- Uncovered swimming pools no higher than 1m above ground level
- Up to 0.6m of overhanging eaves
- One building per allotment not exceeding 2m in height and 6m² in floor area provided the height to boundary performance standard is met
- Temporary structures associated with maintenance activities and construction works
- Structures intended primarily for erosion control or flood protection.

Building coverage – the percentage of the allotment covered by buildings.

Building Setback – the distance from the boundary within which no building can be erected, and any such area shall be left unoccupied and unobstructed by any structure from the ground level upwards.

- *Front boundary* – the boundary adjoining any road
- *Other boundary* – all other boundaries excluding the front boundary
- *Common wall boundary* – the boundary where two buildings join along an allotment boundary by way of a common wall.

Building Work – means work for, or in connection with, the construction, erection, alteration, relocation or placement of a building on an allotment.

Common wall – means any wall dividing adjoining dwelling units in a residential building or any party wall dividing accessory buildings.

Community Amenity Facilities – means any land or structures used to enhance the amenity of public areas, and includes gardens and landscaped areas, conveniences, and seating.

Community Activity – means the use of any land or premises purpose built for any activity or service which has an individual or community health, welfare, care, safety, educational, recreational, cultural, ceremonial, spiritual, art or craft purpose.

Community Facility – means any land, building or premises which provides any community activity; and includes educational facilities, places of worship, libraries, hospitals, retirement homes and rest homes, community halls, kohanga reo, and childcare centres, but excludes entertainment facilities.

Cottage Lot - in terms of the Jellicoe Residential Character Area, this means a lot identified on the Jellicoe Residential Area Structure Plan subdivided for the purpose of a 2 – 3 bedroom residential unit.

Cultural Heritage – Landscapes, areas, places, structures, archaeological sites, waahi tapu, and waahi tapu areas associated with human activity that are inherited from the past or are of value to current and future generations, and are considered to be of special value.

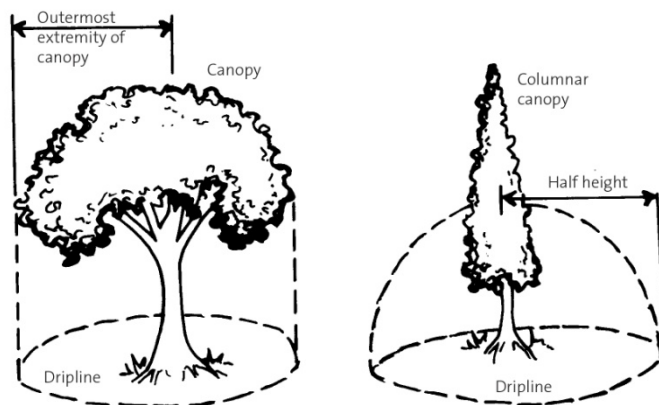
Daytime – Unless otherwise specified, 1 hour before sunrise till 1 hour after sunset.

Derelict vehicle – any car or other vehicle which does not currently have a Motor Vehicle Registration or a Warrant of Fitness, and which for the time being is unable to be driven under its own power.

Development Concept Plan (DCP) – a plan of proposed development submitted by an applicant when making a consent application within a Future Development Area.

Display windows – means windows that permit the public to view display space within a building.

Dripline – the area beneath the canopy of a tree, measured at ground level from any part of the surface of the trunk, with a radius to the outer most extent of the spread of the tree's branches.



Note: Dripline equals whichever method gives greatest measurement

Duplex – one residential building containing two residential units with each unit sharing a common wall with the other unit.

Dwelling – A self-contained residential structure designed primarily to accommodate one household. Self-contained means one kitchen only, and not less than one bathroom/toilet facility.

Earthworks – removal, deposition, or redistribution of any material on a site that alters the natural or existing ground level, but does not include:

- The cultivation of soil for planting of crops and pasture and associated soil retention measures
- The harvesting of crops
- Drainage of land (not affected wetland hydrology) in connection with primary production activities
- Non-motorised soil disturbance activities
- Thrusting, boring, trenching or mole ploughing associated with cable or pipe laying
- Formation of a building platform for permitted or consented buildings
- Maintenance of fencelines
- Maintenance of man-made dams.

Education Facility – Any land or buildings used for education purposes; and includes any pre-school, primary, secondary or tertiary institution.

Effluent Storage Pond - Effluent Storage Ponds are ponds built to store untreated effluent before it is applied to land, eg dairy effluent.

Entertainment – Any land or buildings used for the purpose of entertainment, or social or cultural enjoyment; and includes any cinema, theatre, or electronic games facility.

Environmental Standard – refer to *Standard* .

Front Yard – The area located between the principal building and the front boundary and extending the full width of the site.

Frontage Surface – in reference to buildings within the Commercial Zone, is the total frontage area below the height of the verandah (or 3m above ground level if there is no verandah).

Goat farming - is the keeping or farming of one or more free-ranging goats (i.e., untethered).

Ground level – The natural level of the ground; or the finished ground level approved at the time of subdivision or development.

Gross floor area (GFA) – the sum of the total area of all the floors of all buildings on an allotment, excluding uncovered stairways, car parks and external balconies, measured in square metres.

Habitable Room – any room in a building which is, or is likely to be, used as a rumpus or games room, study, lounge, living room, bedroom, dining room, kitchen or for general amusement purposes.

Hazardous Facility – any activity involving hazardous substances.

Hazardous Substance - is defined by the Resource Management Act 1991 to include, but not be limited to, any substances as defined in section 2 of the Hazardous Substances and New Organisms Act 1996. For the purposes of this district plan, hazardous substances are defined as:

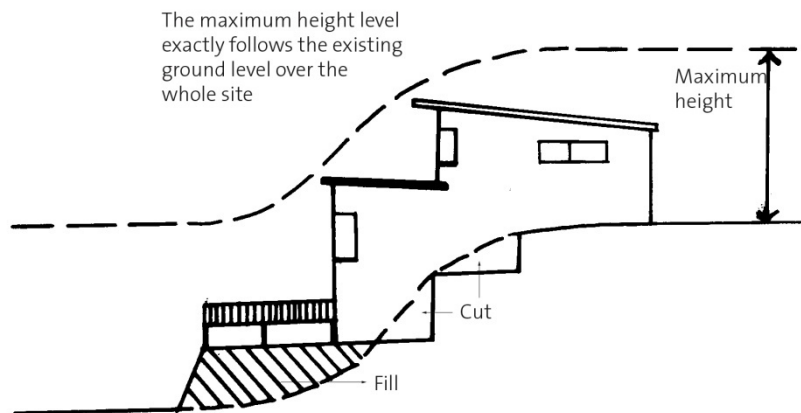
- a) Substances with one of more of the following intrinsic properties
 - an explosive nature
 - an oxidising nature
 - a corrosive nature
 - flammability
 - acute and chronic toxicity
 - ecotoxicity with or without bioaccumulation.
- b) Substances which in contact with air or water (other than air and water where the temperature or pressure has been artificially increased or decreased) generate a substance with any or more of the properties specified in paragraph a) of this definition
- c) Substances that, when discharged to surface or ground waters, have the potential to deplete oxygen as a result of the microbial decomposition of organic materials (for example, milk or other food stuffs)
- d) Radioactive substances except smoke detectors.

Healthcare Facilities – premises used:

- By one or more health care providers for the purposes of carrying on his/her profession; or
- As a medical laboratory

But does not include a healthcare institution in which there is on-site resident healthcare staff and overnight accommodation of patients, nor does it include a veterinary clinic.

Height – in relation to a building, the vertical distance between the ground level at any point and the highest part of the structure at that point, but excludes any structure attached to the building that does not exceed 0.5m in any horizontal dimension, and does not exceed the permitted height by more than 1.5m.



Note: Proposed cutting or filling has no effect on the maximum height level permitted

Helicopter landing area – means a site used for more than four (4) helicopter movements (landing or departure) within any 28-day period, excluding helicopter movements associated with primary production activities within the site.

Heritage Curtilage - the land (including land covered by water) surrounding a listed heritage item or area that is essential for retaining and interpreting its significance. It can apply to either land integral to the heritage item, or a precinct that includes buildings, relics, areas and their settings.

Homestay – the use of one self contained dwelling for visitor accommodation per Certificate of Title.

Indigenous Vegetation – means flora naturally occurring in the Wairarapa, or belonging naturally to the Wairarapa.

Industry – means premises used for manufacturing, fabricating or processing, substances or material into new products, and includes the servicing and repair of goods, vehicles and machinery whether by machine or hand, and the parking or storage of all materials, products and machinery; with

- **Primary Industry** meaning industry listed in Appendix 4 Schedule of Primary Industries (Potentially Offensive, Noxious or Hazardous Industries); and
- **Secondary Industry** meaning any other industry.

Intensive Farming – the commercial raising and keeping of plants, animals or other living organism in buildings, or in closely fenced outdoor enclosures where the stocking density precludes the maintenance of pasture or ground cover, and which is substantially provided for by food or fertiliser from off the site. This includes, but is not limited to intensive pig farming, poultry farms, and mushroom farms, but excludes horticulture undertaken in greenhouses, milking sheds, woolsheds and aquaculture.

Lamp lumens – the initial total amount of light produced by a light source just after it has stabilised but before depreciation (loss of operational efficiency) has started.

Landscaping – the visual improvement of an area through designed planting, paving, garden seating and other such enhancement.

Large lot – in terms of the Jellicoe Residential Character Area, this means a lot identified on the Jellicoe Residential Area Structure Plan as a “large lot”.

Loading space – a defined area of an allotment that has access to a road or service lane for the exclusive use of transferring goods from a vehicle to an activity or vice versa; excludes parking, landscaping or other similar required areas.

Lot – means an allotment defined in Section 218 of the Resource Management Act 1991.

- **Front Lot** – means a lot which directly abuts a street for the full length of one boundary;
- **Rear Lot** – means a lot situated to the rear of another site and which does not directly abut a street for any boundary except for the accessway.

Mahinga Maataitai – means the area from which food reserves from the sea are gathered.

Meteorological Structure – means a mast or pole structure and any support structures, on which anemometres and other meteorological devices or sensors are attached.

Minor Dwelling – means any building with at least one habitable room regardless of whether kitchen facilities are provided or not.

Motorised Outdoor Recreation Activity – means any activity involving a motor driven vehicle on land and/or water and includes motorbikes, off-roaders, all-terrain vehicles, jetboats and jetskis, in which the use of the vehicle is operated for profit or are organised activities with their own dedicated tracks and facilities.

Municipal Wastewater Treatment Plant - A municipal Wastewater Treatment Plant is a facility designed to treat municipal wastewater by reducing contaminants from wastewater and household sewage, both runoff (effluents) and domestic. It includes physical, chemical and biological processes for reducing contaminants. Its objective is to produce environmentally safe fluid waste stream (or treated effluent) and a solid waste (or treated sludge) suitable for disposal or re-use.

Network Utility – means any utility which is part a network and includes electrical lines, water, sewage and stormwater reticulation, streetlighting, telecommunication facilities, radiocommunications facilities, gas, roads, railway lines, airports, lighthouses, navigation aids and beacons, meteorological services and associated support structures.

Nighttime hours – Unless otherwise specified, 1 hour after sunset to 1 hour before sunrise.

Noise Emission Level - means a level of sound measured in accordance with NZS 6801: 1999 “Acoustics - Measurement of Sound” and assessed in accordance with NZS 6802: 1991 “Assessment of Environmental Sound” except as expressly provided for in this Plan. Where NZS 6802:1991 does not

include assessment of the type of noise in question, one of the following appropriate Standards may be used;

- (i) NZS 6805: 1992 Airport Noise Management and Land Use Planning.
- (ii) NZS 6807:1998 Noise Management and Land Use Planning for Helicopter Landing Areas.
- (iii) NZS 6808:1998 Acoustics – The Assessment and Measurement of Sound From Wind Turbine Generators.
- (iv) NZS 6803:1999 Acoustics – Construction Noise.

In addition:

- a) The assessment of the activity shall not be made in isolation. The assessment shall be made with all other uses and activities in the area in normal operation and the cumulative effect taken into account. Assessment using “permitted baseline” tests will need to be based on realistic estimates of permitted and consented activity levels. The anticipated environmental outcomes of this Plan do not include scenarios where noise emissions would increase up to the full utilisation of all available noise limits in the Plan.
- b) Measurement time intervals shall be selected in accordance with paragraph 5.1 of NZS 6802: 1991 "*Assessment of Environmental Sound*", and the duration of measurement shall be sufficient to be representative of the range and variability of the sound environment. The number of measurements taken shall be representative of the variation in the sound or sounds under investigation. The number of measurements will often need to be more than three. Where measurements are made at night they shall not be averaged for comparison with nighttime limits but each measurement compared separately. The measured levels for other time periods shall be averaged to derive a single figure according to the constraints detailed in NZS 6802: 1991 "*Assessment of Environmental Sound*" paragraph 4.5.2 and assessed in accordance with that paragraph.
- c) In circumstances where the noise from any activity has special audible characteristics such as tonality or impulsiveness, the L10 limits shall be reduced arithmetically by 5dB for comparison with the measured L10 descriptor of the noise. No relevant performance standard L10 descriptor shall be reduced overall by more than 5dB.
- d) The following activities and specific noise sources are not controlled by noise rules in this Plan, unless the rule states to the contrary:
 - Vehicles driven on a road (within the meaning of s.2(1) of the Land Transport Act 1998) or vehicular movements on any sites which are in keeping with residential activity;
 - Temporary events (for example, outdoor entertainment events, see definition);
 - High energy impulsive sounds such as gunfire, blasting and warning devices (except within rules controlling audible bird scaring devices);
 - The sounds from any emergency fire siren operated by the NZ Fire Service at any fire station in the district;
 - The operation of trains; and

- The operation of airborne aircraft including helicopters, except in relation to the use of aerodromes and landing areas.
- e) Where in noise rules in this Plan, the noise emission limit applies “at any point within any site other than the site from which the noise is generated” then neither shall the noise standard apply at or within the boundaries of any other site included in the parcel of land that incorporates the site from which the noise is generated, provided that:
- All sites in the parcel of land are held under the same ownership or under the same management; and
 - To be considered part of the parcel of land each site shall remain contiguous with at least one other site in the parcel that is under the same ownership.

Noise sensitive activities – means activities which involve habitation, or which require concentration of people and includes residential activities, residential units, residential institutions, visitor accommodation, papakainga, marae, wharenuī, places of assembly, hospitals, health care facilities and education facilities (other than airport staff and aviation training facilities).

Notable tree – means a tree that has been identified and assessed as a tree of significant value for botanical and/or for historic, cultural, spiritual, landmark or other community reasons, and is listed in the Schedule of Notable Trees in this Plan.

Notional Boundary - A line 20 metres from the wall of a habitable building used for residential purposes. If the site boundary is closer than 20 metres to the building at any point, the site boundary is to be treated as the notional boundary at that point.

Official Signs – means any sign for public safety erected in fulfilment of legislative responsibilities to provide advice, warnings or education for the purpose of people’s wellbeing and safety. These signs include, but are not limited to fire risk signs, health and safety obligations and hazardous substances.

Official Traffic Sign – means any sign erected or approved by a road controlling authority (as defined in Section 2(1) of the Land Transport Act 1998) for the purposes of regulating, warning, or informing road users (including pedestrians) of road conditions, locations, activities, traffic control, or other such information relative to the use of the road, including tourist and essential service facilities. This definition also includes other road controlling devices, such as traffic lights, railway crossing lights and barrier arms.

Outdoor Sports Lighting – Artificial lighting required only for the purposes of illumination of an area where outdoor recreation activities will occur at night.

Outstanding Landscape Area – an area considered significant due to outstanding natural landscape attributes, listed in the Schedule of Outstanding Landscape Areas and identified on the Planning Maps.

Oxidation Pond - A man-made (anthropogenic) body of water in which waste is consumed by bacteria, or a pond that contains partially treated wastewater which is then left to grow algae and bacteria which decompose the rest of the waste.

Papakainga housing – means use and development of multiple residential units and other buildings to enable whanau and extended family to live on any Maori land (as defined by Section 129 of the Te Ture Whenua Maori Act 1993).

Parking area – that part of an allotment or building within which vehicle parking is accommodated, including all manoeuvring areas.

Parking space – an area formed, marked and set aside for vehicle parking to meet the parking requirements of this Plan.

Pedestrian Precinct – An area within the Commercial Zone, as identified on the planning maps, which is managed to facilitate the efficient movement of predominantly pedestrian flows.

Place of Assembly - any facility or land and buildings for the general assembly of people engaged in deliberation, education, worship or entertainment and includes, but is not exclusive to indoor recreation facilities, theatre, cinemas, halls, conference facilities, churches and education facilities.

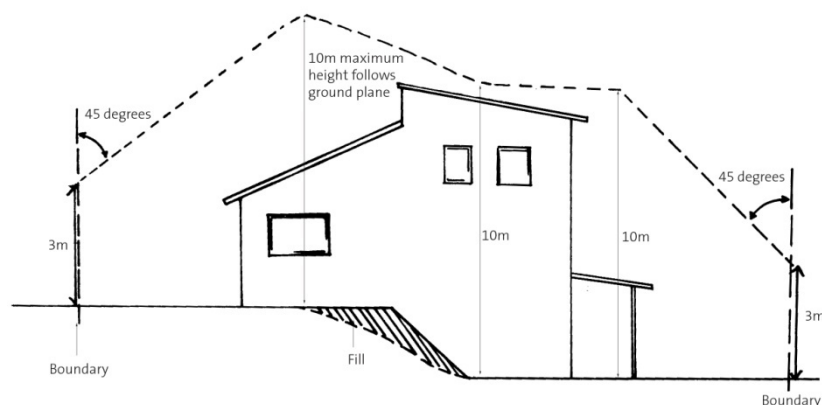
Plantation Forestry - The commercial production of trees for wood products and includes woodlots, large scale plantations, a mix of pastoral and forest uses, and firewood lots, provided any area is contiguous planting over 1ha, but does not include shelter belts and trees planted for horticultural purposes.

Premises – means house or buildings with its grounds and appurtenances.

Primary Production – the use of land and accessory buildings (e.g. greenhouses) for the raising, growing and breeding of animals or vegetative matter and crops, including horticulture, plantation forestry, agriculture, viticulture, floriculture, racing stables, and outdoor (extensive) pig farming, as well as winemaking, flower packing, and other primary processing activities, but excludes top soil stripping, intensive farming activities, and mineral extraction and processing.

Principal Building – refers to the main building associated with the primary use of a site, but not any ancillary buildings such as sheds, garages, or other accessory structures.

Recession Plane – means a plane extending at an angle into the site from a point above the actual ground level at the boundary. A building must fit within this envelope for all of the boundaries of the site. Notwithstanding the definition of “building”, for the purposes of measuring the height envelope the term building excludes residential chimneys, and television and telecommunication aerials.



Recreation Activity – Any activity where there is the passive or active pursuit of leisure, which can be competitive or non-competitive, casual or organised but does not include buildings and structures.

Recreation Facility – Any reserves, buildings or structures (temporary or permanent), required to enable active or passive recreation; and includes gymnasiums, grandstands, stadiums, clubrooms, viewing platforms, night lighting, and sealed courts.

Redevelopment – further development including extensions to existing structures, erection of new structures, development of more than one activity on an allotment, or new development to change the land use.

Relocated building – The movement of an existing used building to a new Certificate of Title.

Residential activities – The use of land and buildings by people for the purpose of living accommodation (up to 5 residents if subject to permanent on-site care or supervision) and includes associated accessory buildings (including elderly relative accommodation) but not long-term hospital or medical care facilities, or visitor accommodation (other than homestays), or serviced residential units.

Residential business – means an occupation, craft or profession undertaken within premises that are primarily used for residential purposes, but excludes any retailing of products not assembled or manufactured on the site.

Residential unit – a self-contained residential accommodation unit to be used exclusively by one household unit and includes residential units within multi-unit and retirement village developments.

Retail activity – the use of land or premises for the sale or hire of goods to the general public.

Retirement Villa – any residential unit development within the site of the Greytown Villas Character Area, with design features particularly suited to the needs of retirees, but does not include advanced residential health care facilities. A retirement villa may be a single or multi-unit.

Roading Hierarchy – the classification of roads according to the function, location and traffic carrying capacity (Refer to [Appendix 5](#) for classifications).

Sign – any text, graphics or lighting effect designed or intended to attract attention, whether placed on or attached to any land or building or incorporated in the design of any building which is visible from any public space. This includes any materials used on the sign, as well as any additional structure, support, frame or anchorage.

Significant Natural Area – an area considered significant due to ecological attributes, listed in the Schedule of Significant Natural Areas and identified on the Planning Maps.

Site – means any area of land comprised wholly in one Certificate of Title, or the titles of an activity if it occurs over more than one title.

Sites of Historic Value – sites considered significant due to heritage attributes, listed in the Schedule of Historic Heritage Sites, and identified on the Planning Maps.

Skylight – the lighting of the night sky caused by light directed near horizontally and into the sky either directly (from light sources that project light above the horizontal) or indirectly (reflected from a surface).

Standard refers to the requirements for permitted activities to meet acceptable levels of environmental effect, and includes conditions and terms. *Development standards* relate to the effects of physical aspects of land uses, such as buildings and roading, while *performance standards* relate to the effects of the operational aspects of activities, such as noise and light.

Street Tree: Any tree located within legal road reserve.

Structure Plan – a framework to guide the development or redevelopment of a particular area by defining the future development and land use patterns, areas of open space, layout and nature of infrastructure (including transportation links), and other key features for managing the effects of development.

A Structure Plan may include reference to the following matters:

- (i) Provision of linkages to services, including sewerage, water supply, electricity, telecommunications and stormwater systems;
- (ii) Provision of internal roads, and linkages to external public roads;
- (iii) Provision of public open space, pedestrian access and cycleways;
- (iv) Significant natural features, historic heritage, waahi tapu and archaeological sites, and proposed environmental enhancement areas;
- (v) Natural hazards, geotechnical issues and contamination issues.

Temporary Activity - means an activity in any zone that is of a non-repetitive, transient nature and includes entertainment, cultural and sporting events.

Townhouse Lot – in terms of the Jellicoe Residential Character Area, this means a lot identified on the Jellicoe Residential Area Structure Plan subdivided for the purpose of a one bedroom residential unit.

Visitor Accommodation – means the use of land or buildings for short-term living accommodation, and which may include some ancillary services and facilities such as dining hall, restaurant, conference and meeting rooms and recreational facilities for the use of guests and visitors.

Vehicle crossing – that part of the road reserve that has been formed or otherwise constructed to enable vehicle access between an allotment and a public road.

Vehicle Oriented Activities – a commercial activity in which the majority of business is derived from customers driving onto the site, such as service stations, vehicle and equipment hire centres or sales, and bulky goods retailing activities.

Wetland – has the same meaning as in the Resource Management Act 1991, but excludes wet pasture and artificially created waterbodies.

Wind Energy Facility – means the land, buildings, substations, turbines, structures, underground cabling, earthworks, access tracks and roads associated with the generation of electricity by wind force and the operation of the wind energy facility. It does not include:

- Small scale turbines of less than 5kW.
- Any cabling required to link the wind energy facility to the point of entry into the electricity network, whether transmission or distribution in nature.

All other definitions are as defined in the Act.

