

SECTION 10.0**DEFINITIONS**

In the Lakes A Zone, each term has the meaning that follows. (Terms that are defined are shown in italics in **Sections 1.0 to 10.0** except for the definitions relating to *hazardous substances* which are to be found appended to **Part Fourteen** that is part of **Rule 1.1** of the Lakes A Zone (full text version).

- Access strip*** : Has the same meaning as in section 2 of the *RMA*.
- AEP*** : Means Annual Exceedence Probability. A 2% *AEP* identifies a 2% (1 in 50) chance of there being an event (e.g. a flood) of this size or larger in any given year. Also known as a 50 year return period event.
- With regard to *river AEP* flood levels, the levels include margins to cover design assumptions, estimate imprecision, and artificial interferences with flow paths. With regard to *lake* levels, the levels include margins to cover estimate imprecision, waves and local wind set-up, seiche, and the length of time *lake* levels can remain high.
- The 2% *AEP lake* flood levels are:
- Okareka** – 355.20 metres RL Moturiki datum
- Tarawera** – 299.40 metres RL Moturiki datum
- Okataina** – 314.90 metres RL Moturiki datum
- Rotokakahi** – 395.90 metres RL Moturiki datum
- Tikitapu** – 419.50 metres RL Moturiki datum
- Amenity Values*** : Has the same meaning as in section 2 of the *RMA*.
- Bed*** : Except for the purposes of defining a *waterbody*, has the same meaning as in section 2 of the *RMA*.
- Best Practicable Option*** : Has the same meaning as in section 2 of the *RMA*.
- Boat Launching Ramp*** : Means a *structure* used to launch or slip boats, and includes ancillary *structures* such as rails and cradles.

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<i>Building</i>	: Means any thing constructed, whether temporary or permanent, moveable or immovable, including but not limited to: <ul style="list-style-type: none">• Additions to <i>buildings</i>;• Tanks, containers, reservoirs or swimming pools exceeding 25,000 litres capacity;• Cable cars, cable ways and similar devices; and• Any thing that is a structural part of, or structurally attached to, a <i>building</i> including equipment, devices, tanks, masts, aerials, poles and satellite dishes; But excludes <ul style="list-style-type: none">• The interior of any <i>building</i>;• Scaffolding erected temporarily while in the course of construction or maintenance purposes;• <i>Structures</i> and <i>Lake Structures</i>;• Connections between <i>structures</i> and <i>buildings</i> by way of cables, wires, ropes and the like;• <i>Hard surfaces</i>;• Platforms, bridges, deckings and the like where they are less than 1 metre from the ground;• <i>Outdoor storage</i>;• Septic tanks and infrastructure or utility services placed below <i>ground level</i>; and• <i>Signs</i>.
<i>Building Platform</i>	: Means the area of <i>land</i> on which a <i>building</i> is built or is to be built and includes any on-site effluent disposal system (e.g. a septic tank and its disposal field). The platform does not have to be shaped but can follow the natural lie of the <i>land</i> .
<i>Buffer</i>	: Means a separation distance or an area used to mitigate or avoid adverse <i>effects</i> that arise from one place being experienced in another. Special management may be required within the buffer, such as planting or exclusion of <i>buildings</i> .
<i>Catchment</i>	: Means an area based primarily on a hydrological catchment.
<i>Cleanfill</i>	: Means inert materials such as earth, rock, concrete, brick or demolition products, but excluding asphalt and combustible and organic materials, and which are free of voids.
<i>Commercial Vehicle</i>	: Refer to <i>vehicle</i> .

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<i>Community Water Supply</i>	:	Means a publicly or privately owned drinking <i>water</i> supply which serves 25 or more people for at least 60 days per year.
<i>Conditions</i>	:	Has the same meaning as in section 2 of the <i>RMA</i> .
<i>Contaminant</i>	:	Has the same meaning as in section 2 of the <i>RMA</i> .
<i>Contaminated site</i>	:	Means ‘an area or part of a <i>site</i> ’ at which <i>hazardous substances</i> occur at concentrations above background levels and where assessment indicates that it poses, or is likely to pose, an immediate or long term hazard to human health or the environment.
<i>Controlled Activity / ies</i>	:	Has the same meaning as in section 2 of the <i>RMA</i> .
<i>Designation</i>	:	Has the same meaning as in section 166 of the <i>RMA</i> .
<i>Development</i> for the purpose of Financial Contributions (Refer Appendix 1.0 of Volume 2 of the Lakes A Zone)	:	<p>Means development or redevelopment (other than subdivision) by:</p> <ul style="list-style-type: none"> (a) constructing, erecting, or altering any one or more <i>buildings</i> or other works for the purpose of providing 3 or more new or 2 or more additional household units; or (b) constructing or carrying out works for the purpose of providing a relocatable home park; or (c) constructing, erecting, or altering any one or more <i>buildings</i>, fixed plant and machinery, or other works intended to be used solely or principally for administrative, commercial, or industrial purposes, or any combination of those purposes where the value of the construction, erection, or alteration is \$250,000 or more. <p>For the purposes of this section, the construction, erection, or alteration of any <i>buildings</i>, fixed plant and machinery, or other works shall include:</p> <ul style="list-style-type: none"> (a) the fencing, draining, excavation, filling, or reclamation of <i>land</i>, or the making of retaining walls or other works relating to that fencing, draining, excavation, filling, or reclamation; (b) the grading or levelling of <i>land</i> or the removal of rocks, stone, sand, or soil from <i>land</i>; the removal or destruction of vegetation; and (c) the arresting or elimination of erosion or flooding; <p>relating to any such construction, erection, or alteration; but shall not include the construction or alteration of any pipeline or associated pumping works on <i>land</i> that is not otherwise subject to the development.</p>

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Where it is proposed to construct, erect or alter one or more *buildings*, and plant and machinery, or other works in stages and the total proposed construction, erection, or alteration would, if carried out otherwise than in stages, constitute a development as defined in the foregoing provisions of this definition, the total construction, erection, or alteration shall constitute one development for the purposes of this *Plan*.

- Discharge*** : Has the same meaning as in section 2 of the *RMA*.
- Discretionary Activity / ies*** : Has the same meaning as in section 2 of the *RMA*.
- Disturbance*** : Means the removal, clearance, destruction, cutting, crushing, desiccation or burning of *exotic* or *indigenous vegetation*; except:
- For normal domestic-scale trimming and maintenance; and
 - The day to day maintenance of walking tracks; and
 - The collection of plant material for scientific purposes, and
 - The collection of plant material by the Tangata Whenua for maintaining traditional practices of rongoa (medicinal purposes), raranga (weaving) and mahi whakairo (carving).
- Earthworks*** : Means the disturbance of *land* surfaces by excavation or filling, but excludes normal domestic and reserve gardening activities, normal turf and pasture maintenance and renovation practices, and the maintenance of walking tracks, farm and forestry tracks, driveways and *roads*.
- Eco-unit*** : Means a biophysical unit of *land* determined by bioclimatic zone, *landform unit*, geology, elevation, and historical vegetation.
- Effect*** : Has the same meaning as in section 3 of the *RMA*.
- Environmental Property Plans*** : Means property management plans encompassing the use of production methods which protect soil and environmental values while achieving sustainable development and management. Sometimes called Environmental Plans.

Ephemeral Watercourse

- : Means a watercourse or valley that is normally dry but which has surface flowing *water* or ponding during rainfall. For the purposes of subdivision and development, it carries or ponds *water* in a 2% *AEP* storm event and for the purpose of *earthworks* and temporary stockpiling, it carries or ponds *water* in a 10% *AEP* storm event. For the avoidance of doubt, a 2% *AEP* storm event is taken as being equivalent to a 2% *AEP* flood event.

Criteria to determine a 10% *AEP* ephemeral watercourse from an ephemeral flow path:

1. If any one of the following criteria applies it shall determine that a 10% *AEP* ephemeral watercourse exists:
 - (a) The flow path is an entrenched dry gully greater than 1 metre deep.
 - (b) There is clear evidence of a channel within the valley system where overland flow occurs from time to time.
 - (c) There is clear evidence of erosion (such as gullying or headward gully erosion) associated with short term *water* flow from time to time within the valley system.
 - (d) The flow path crosses a public *road*, and the provision for *water* flow under the public *road* is equivalent to, or greater than a 900mm diameter culvert.
2. If any one of the following criteria applies it shall determine that the feature is an ephemeral flow path rather than a 10% *AEP* ephemeral watercourse:
 - (a) The valley does not show any evidence of overland flow channels, or erosion as a result of overland flow.
 - (b) The valley crosses a public *road*, and the provision for *water* flow under the public *road* is less than the equivalent waterway capacity of a 900mm diameter culvert.

10% *AEP* ephemeral watercourses and ephemeral flow paths are illustrated in the diagrams below:



Example 1

The flow path is an entrenched dry gully greater than 1 metre deep. This site would qualify as a 10% *AEP* ephemeral watercourse.

SECTION 10.0**DEFINITIONS****Example 2**

There is clear evidence of a channel within the valley system where overland flow occurs from time to time.

This site would qualify as a 10% *AEP* ephemeral watercourse.

**Example 3**

There is clear evidence of erosion (such as gullying or headward gully erosion) associated with short term *water* flow from time to time within the valley system.

This site would qualify as a 10% *AEP* ephemeral watercourse.

SECTION 10.0**DEFINITIONS****Example 4**

The presence of the actively eroding gully head associated with stormwater flow indicates that this valley would be classified as a 10% *AEP* ephemeral watercourse. Without the presence of the eroding gully system, the valley would not be considered a 10% *AEP* ephemeral watercourse.

**Example 5**

The valley does not show any evidence of overland flow channels, or erosion as a result of overland flow.

This site would not qualify as a 10% *AEP* ephemeral watercourse.

SECTION 10.0**DEFINITIONS****Example 6**

The valley does not show any evidence of overland flow channels, or erosion as a result of overland flow.

This *site* would not qualify as a 10% *AEP* ephemeral watercourse.

- Esplanade Reserve*** : Has the same meaning as in section 2 of the *RMA*.
- Esplanade Strip*** : Has the same meaning as in section 2 of the *RMA*.
- Exotic Vegetation*** : Means tree and shrub vegetation which is not *indigenous vegetation*.
- Geothermal Feature*** : Means a geomorphic structure or formation caused by past or present natural geothermal action.
- Grey Water*** : Means the domestic waste *water* from baths, showers, basins, laundries and kitchens, specifically excluding *water* closet and urinal waste (*Black water*).
- Ground Level*** : Means the natural level of ground before any *earthworks* have taken place. It also means the level of the ground after any authorised *earthworks* have been carried out before any subdivision is completed pursuant to section 224(c) of the *RMA*.

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- Groundwater Table*** : Means the surface of the watertable. For the purposes of subdivision and development:
1. Where the groundwater is influenced by a *river* or stream, either an identified winter groundwater level is used, or the *groundwater table* is established with reference to the *water* level in the *river* or stream; or
 2. Where the *groundwater* is influenced by a *lake*, the *groundwater table* is established with reference to the maximum control level for a controlled *lake*, or the 2% *AEP* flood level for an uncontrolled *lake*.
- Habitable Building*** : Means a *building* inhabited by humans, and includes a *building* that is used for temporary accommodation.
- Hard Surface*** : Means an area of *land* that is paved with an all weather impermeable surface, such as concrete, asphalt or cobblestones, or covered with a decking or platform, but excluding:
- Paved strips less than 1 metre in width;
 - Driveways less than 3.5 metres in width (for the purpose of Rule 11.0 but not for Rule 35.0);
 - Farm tracks less than 3.5 metres in width;
 - Decking or platforms less than 10 m² in area;
 - Timber decking that has gaps between the boards, where the rainwater falls through the gaps to the ground;
 - *Buildings*;
 - *Structures*;
 - *Lake Structures*
- Hard Surface Coverage*** : Means the portion of a *site* that may be paved or covered with *hard surfaces*. Any area provided for the purposes of access and including but not limited to *roads*, Maori roadways, rights-of-way, access lots, and access legs, shall be excluded from the calculation of *hard surface coverage* for any *site*.
- Hazardous Substance*** : Means any substance with hazardous properties including those substances defined as hazardous for the purpose of the Hazardous Substances and New Organisms Act (HSNO Act).
- Height*** : Means in relation to a *building* or *structure* means the vertical distance between *ground level* at any point and the highest part of the *building* or *structure* above that point.
- Helicopter Landing Area*** : Is a defined area of *land* either at *ground level* or elevated on a *structure* used or intended to be used for the take-off and landing of helicopters and includes *land* used or intended to be used for the movement and servicing of helicopters and also includes *land* used or intended to be used for the reception of passengers.

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<i>Historic Place</i> means:	:	<ul style="list-style-type: none"> (a) (i) any <i>land</i> (including an archaeological site) or; <li style="padding-left: 2em;">(ii) any <i>building</i> or structure (including part of a <i>building</i> or structure); <li style="padding-left: 2em;">(iii) any combination of <i>land</i> and a <i>building</i> or structure that forms part of the historical and cultural heritage of New Zealand; and (b) includes anything that is in or fixed to such <i>land</i>.
<i>House</i> for the purpose of Rule 29.0 means	:	The sole use of a <i>site</i> or <i>buildings</i> on a <i>site</i> by a household for living accommodation, where the people in the household live voluntarily at the <i>site</i> , and will generally refer to the <i>site</i> as their home and permanent address, or private holiday place.
<i>Household Unit</i> for the purpose of Financial Contributions (Refer Appendix 1.0 of Volume 2 of the Lakes A Zone)		Means a self-contained home or residence of a single household which contains a single kitchen facility, with a minimum floor area of 40m ² .
<i>Indigenous Plant Species</i>		Means any plant found naturally in New Zealand.
<i>Indigenous Vegetation</i>	:	Means any plant community containing indigenous species (which may include a canopy, subcanopy, understorey and ground cover as structural elements). It includes vegetation that has regenerated naturally or vegetation established with human assistance following <i>disturbance</i> or as mitigation for another activity. (Refer also to the definitions of <i>Indigenous Plant Species</i> , <i>Vegetation Unit</i> and <i>Vegetation Type</i> .)
<i>Lake</i>	:	Has the same meaning as in section 2 of the <i>RMA</i> .
<i>Lake Structures</i>	:	<p>Means any thing constructed, whether temporary or permanent, moveable or immovable, where any part intrudes into, or is placed over, the <i>waters</i> of a <i>lake</i>, or is on <i>land</i> that would be covered by <i>water</i> when the <i>lake</i> is at its 2% <i>AEP</i> flood level; and including:</p> <ul style="list-style-type: none"> • <i>Buildings</i> • <i>Structures</i> • Walls and retaining walls built of any material including rock riprap or spawls <p>But excluding</p> <ul style="list-style-type: none"> • Boats, <i>motor craft</i> and <i>vessels</i>.

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- Land*** : Has the same meaning as in section 2 of the *RMA*.
- Landform Unit*** : Means a *land* type based on geophysical characteristics. The following descriptions are based on Beadel SM, Shaw WB, Nicholls JL (March 1998): Rotorua Lakes Ecological District Natural Area Survey. Wildland Consultants Ltd Report 175 for Rotorua District Council and Environment BOP. The *Wetland* definition accords with section 2 of the *RMA*.
1. **Alluvial Fans**
Erosion debris fans below steep *slopes*.
 2. **Flats**
Pumiceous alluvial deposits bordering *lakes* and streams, predominantly level but with very low terraces or rises in places.
 3. **Flat to Undulating**
Mosaics of flattish gully or small valley floors and low rolling to moderately steep-sided rises occurring very locally.
 4. **Geothermal Areas**
Areas characterised by currently active *geothermal features*.
 5. **Gullies**
Steep-sided narrow and often long gullies occasionally intersecting flat to undulating or moderately hilly terrain.
 6. **High Terraces**
Prominent alluvial terraces, with overall gradual rises and moderately dissected in places, up to c.90 m above the low terrace or 200-300 m and 350-400 m above sea level.
 7. **Hill(s)**
Comprising both isolated and thus outstanding hills, and very considerable tracts of hill country, mainly moderately steep.
 8. **Lakes**
Bodies of open *water* varying markedly in area extent, depth, hydrology, chemistry, and *catchment* size.

SECTION 10.0**DEFINITIONS****9. Low Terraces**

Low alluvial terraces, often very local, c. 10 metres above the flats, marking higher *lake* levels.

10. Range

A north-east to south-west aligned 4 km long salient ridge, above 500 metres and culminating at Whakapoungakau Trig, 758 m above sea level. Distinctive because of the continuity of the main ridge and its clear marking of the divide between the Rotorua and Haroharo calderas.

11. Scarps

Exceedingly steep, scarps characterise the upper-most sides of many of the rhyolite domes and also border spurs.

12. Tarawera River Terrace

A low terrace bordering the Tarawera River from the *lake* outlet downstream composed of *water*-sorted volcanic debris.

13. Very Steep Slopes

Exceedingly steep faces, reaching from 2-300 m above sea level up to c.700 m.

14. Volcanic Fan

The very large fan sweeping down from the south side of Mt Tarawera to Lake Rerewhakaaitu and Lake Rotomahana.

15. Volcanic Rifts

The line of 100 metres deep, long and wide gulches cleaving the summit of Mt Tarawera, and the associated rift containing the Waimangu geothermal activity, which all opened during the 1886 eruption.

16. Undulating to Hilly

Much more extensive than the flat to undulating unit. Generally, a close pattern of small gullies and ridges and hills usually no more than 50 m above base levels. May consist of a fine series of generally narrow, often streamless, gullies and hills with broad rolling tops.

17. Undulating with Knolls

A general strongly undulating terrain is broken by frequent rocky knolls and ignimbrite tors.

SECTION 10.0**DEFINITIONS****18. Wetlands**

Has the same meaning as in section 2 of the *RMA* but does not include artificially created *wetlands*.

- Landscape Area*** : Means an area delineated on the basis of landscapes with the same or similar sensitivities to change, or ability to absorb change, without materially affecting their character.
- LIA*** : Means a Land Improvement Agreement made under sections 30 and 30A of the Soil Conservation and Rivers Control Act 1941 protecting works (including *land* retirement) on all or part of a *site*.
- Light Vehicle*** : Refer to ***vehicle***.
- Lux*** : *Lux* means the unit of illuminance. Illuminance means the luminous flux falling onto a unit area of a surface (AS/NZS 1680:2000 Interior Lighting). The *lux* unit equals “one lumen per metre squared”, where the lumen is the unit of luminous flux. In practical terms the lumen is the amount of light falling in an area of one square metre.
- Manoeuvring*** : Means on-*site movement* to ensure that no *vehicle* is required to reverse onto or off a *site* from any vehicular access point, parking space, loading bay or service area onto any *road*.
- Marae areare/atea*** : Means customarily the open space in front of the tupuna whare/ancestral meeting house upon which traditional ceremonies are carried out. It was on the *Marae areare/atea* that the tohunga/priestly experts conducted their rituals on behalf of the people. (Refer also to ***Marae***.)
- Marae*** : The *Marae* is a symbol of tribal identity. It is a place where customs and traditions are still active and practised within the hapu and iwi. The *Marae* is traditionally the open area of land in front of the tupuna whare (areare/atea). Today *Marae* can be regarded as the complex that includes whare whakairo/tupuna whare or carved meeting house, whare kai and cooking area, pataka (storehouse), whare paku (ablution blocks) in addition to the *Marae areare/atea*. The *land* occupied by the *Marae* is ancestral *land* administered by trustees appointed by the Maori Land Court. (Refer also to ***Marae areare/atea***.)
- Motor Craft*** : Means a boat or *vessel* that is driven or propelled by means other than solely by oars, paddles or the wind, and includes:
- An aircraft or helicopter while on the surface of the *water*;
 - A hovercraft or other thing deriving full or partial support in the atmosphere from the reaction of air against the surface of the *water* over which it operates;
 - A submarine or other submersible; and

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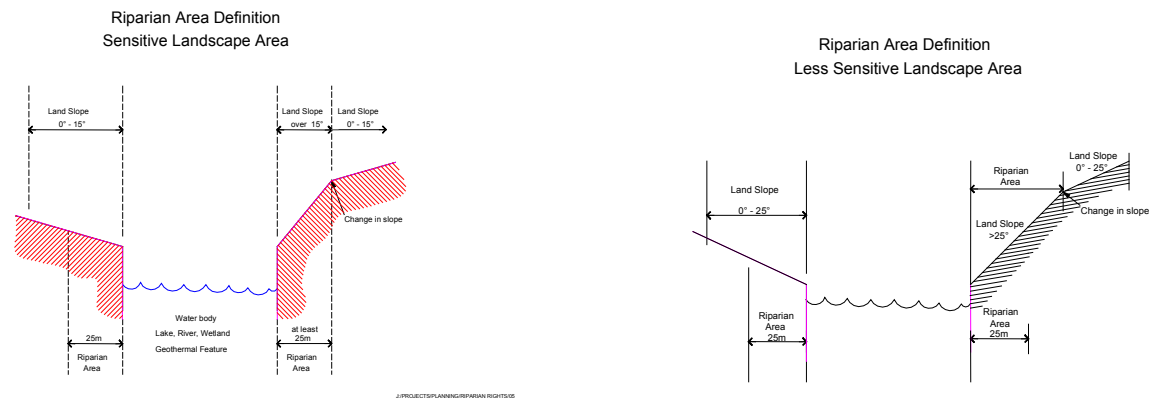
	<ul style="list-style-type: none"> • Any <i>water</i> craft powered by a motor, but excludes a <i>vessel</i>.
<i>Movement</i>	: Means one <i>vehicle</i> going in or one <i>vehicle</i> going out of a <i>site</i> . For example, 6 <i>vehicles</i> per day means 3 <i>vehicles</i> going in and 3 <i>vehicles</i> going out.
<i>Natural and physical resources</i>	: Has the same meaning as in section 2 of the <i>RMA</i> .
<i>Network Utilities</i>	: Means a Network Utility Operator as defined in section 166(a-e) of the Resource Management Act.
<i>Non-Complying Activity</i>	: Has the same meaning as in section 2 of the <i>RMA</i> .
<i>Outdoor Storage</i>	: Means storage of material other than <i>cleanfill</i> and not in, under, or on a <i>building</i> .
<i>Permitted Activity / ies</i>	: Has the same meaning as in section 2 of the <i>RMA</i> .
<i>Pest Animal</i>	: Means an organism declared to be an <i>animal pest</i> in a regional Pest Management Strategy, and includes cats and dogs.
<i>Pest Plant</i>	: Means an organism declared to be a <i>pest plant</i> in a regional Pest Management Strategy.
<i>Plan</i>	: Means the Rotorua District <i>Plan</i> .
<i>Plantation</i>	: Means the system of growing selected indigenous or exotic species of trees which are specifically planted, managed and harvested for the production of timber or wood-based products.
<i>Private Road</i>	: Has the same meaning as in section 2 of the <i>RMA</i> .
<i>Private Way</i>	: Has the same meaning as in section 2 of the <i>RMA</i> and includes rights-of-way.
<i>Prohibited Activity / ies</i>	: Has the same meaning as in section 2 of the <i>RMA</i> .
<i>Protected Natural Area (PNA)</i>	: Means an area of <i>land</i> containing natural values such as <i>indigenous vegetation</i> or <i>wetlands</i> identified on the Planning Maps and in Appendix 14 (Volume 2) of the Lakes A Zone.
<i>Private Lake Structure</i>	: Means a <i>structure</i> constructed and maintained by a person other than a local authority or the Crown, whether or not it is able or required to be used by the public.

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- Public Lake Structure** : Means a *structure* constructed and maintained by or on behalf of a local authority or the Crown for use by the general public.
- Public Reserve** : Means a reserve over which the public have general legal rights of access.
- Recommended Area for Protection (RAP)** : Means an area of privately owned *land* containing natural values such as *indigenous vegetation* or *wetlands* which are not protected by legal instruments such as a covenant and are identified in Beadel SM, Shaw WB, Nicholls JL (March 1998): Rotorua Lakes Ecological District Natural Area Survey.
- Regional Council** : Means the Bay of Plenty *Regional Council* (Environment BOP)
- Restricted Discretionary Activity / ies** : Has the same meaning as in section 77B of the *RMA*.
- Riparian Areas** : Means a horizontal distance from any *waterbody* (being a *lake*, permanent *river*, or *wetland*) or *geothermal feature*, that is measured as follows:
- A. Where a **Settlement Management Area** exists, the *land* between a *lake* and the boundary of the Settlement Management Area, but excluding any *land* within the Settlement Management Area; otherwise
 - B. Within the **Protection, Sensitive Rural and Bush Settlement Management Areas**:
 - 1. For *land* where the *slope* does not exceed 15°
25 metres from the *waterbody* or *geothermal feature*;
 - 2. For *land* where the *slope* is equal to or exceeds 15° and over:
That distance from the *waterbody* or *geothermal feature* to the first point at which the *slope* reduces to 15° or less outside the distance described in 1 above.
 - C. Within the **Less Sensitive Rural Management Area**:
 - 3. For *land* where the *slope* does not exceed 25°:
25 metres from any *waterbody* or *geothermal feature*;
 - 4. For *land* where the *slope* exceeds 25°:
That distance from the *waterbody* or *geothermal feature* to the first point at which the *slope* reduces to 25° or less outside the minimum distance described in 3.

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- River** : Has the same meaning as in section 2 of the *RMA* and includes streams.
- RMA** : Means the Resource Management Act 1991 and Amendments thereto.
- Road** : Has the same meaning as in section 2 of the *RMA* and includes *roads* within the meaning of Section 43 of the Transit New Zealand Act 1989.
- Rubbish** : Means organic and inorganic discarded solid material including garden waste.
- Seen** : Means an assessment done by using no more than normal sight correction lenses; or if photographically, by using a 50mm lens with the image printed onto an A3 page and held at arms length. The visibility of the *land* of the *site* being assessed is to be considered irrespective of vegetative cover.
- Sign** : Means any symbol, display, flag or device drawing attention by way of direction, identifying, informing or advertising and being visible from beyond the boundary of the *site*.
Signage may be free-standing or affixed to a *building* or structure or incorporated into the finish of a *building*, fence, wall or any board hoarding or similar structure that supports the *sign*. Any method of illuminating the *signs* from an internal or external light source is also included. General colour schemes used in the finish of a *building* are not included in the definition of a *sign*. The following exemptions apply to the definitions:
- Exemptions:**
- *Road* and traffic safety *signs*, traffic lights directing, controlling or warning traffic and fixed regulation and speed cameras signs for safety and navigation on and around the *lakes*, *rivers* and channels.

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- *Signs* required to be displayed by law, such as government order, rule or regulation.
- Advertising matter which is part of a shop window display.

Temporary Sign

A temporary *sign* being a temporary advertising device, announcing a campaign, drive, sale or event of a sporting, religious, commercial, cultural, charitable or educational nature and includes election *signs* and real estate *signs*.

Temporary *signs* shall not be displayed for more than six *weeks*, except that real estate *signs* may be displayed for the period that a property is available for sale or lease.

Site : Means:

- a) An area of *land* which is the smaller *land* area of either:
 - i) *Land* comprised in a single allotment held in one certificate of title; or
 - ii) *Land* comprised in a single allotment or the balance area on an approved subdivision scheme plan for which a separate certificate of title can be issued without further Council involvement.
- b) An area of *land* comprising two or more adjoining allotments held in one certificate of title that cannot be treated separately without the Council granting its consent.
- c) An area of *land* comprising two or more adjoining allotments held in two or more certificates of title where the titles are:
 - i) Subject to Section 37 of the Building Act 1991: “Construction of *building* on 2 or more allotments”; or
 - ii) Held together in such a manner that they cannot be assessed individually without the consent of the Council.

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- d) An area of Maori freehold *land* that either:
- i) Is *land* created by way of partition under Sections 297 and 301 of Te Ture Whenua Maori Act 1993 (The Maori Land Act 1993) and held in one Maori Land Court Title, or
 - ii) Is *land* defined by survey and created by way of partition into one parcel to be held by an owner who is a member of the same hapu, or owners who are members of the same hapu, or
 - iii) Is *land* defined by survey and held in a Maori Land Court Title and for which ownership can be determined, or
 - iv) Is *land* defined by survey and created by way of partition for a *site* for a dwelling under Section 296 of Te Ture Whenua Maori Act 1993 (The Maori Land Act 1993).
- e) An area of Maori Customary *Land*.
- f) Is *land* defined by survey and reserved under the Reserves Act 1977 or Te Ture Whenua Maori Act 1993 (The Maori Land Act 1993).

Notwithstanding paragraphs a-f above, where *land* has been subdivided under the cross lease or company lease systems (other than unit titles), a *site* means an area of *land* containing:

- i) *Building(s)* for residential, commercial and industrial activities with any accessory *building(s)* and *land* exclusively set aside for the occupants/users of the *building(s)*; or
- ii) Any share in the fee simple which creates a vacant part of the whole for future cross lease or company lease purposes; and

Notwithstanding paragraphs a-f above, any *land* subdivided under the Unit Titles Act 1972 (other than unit titles) a *site* shall mean either:

- i) The area of *land* containing the principal unit (or proposed unit) on the unit plan, and any identified accessories to that principal unit, or in addition to the above, the following shall apply:
- ii) The underlying certificate of title of the *land* containing the unit titles, immediately prior to subdivision.

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In addition to the above, the following shall apply:

- i) Where a *site* is crossed by a Zone boundary, the *site* is deemed to be divided into two or more *sites* by the Zone boundary; and
- ii) Where a *site* is divided by the District boundary, the area of the *site* remaining within the District shall be considered the *site*.

Site Coverage

: Means that portion of the *site* over which *buildings* may be constructed.

Any area provided for the purposes of access and including but not limited to *roads*, Maori roadways, rights-of-way, access lots, and access legs, and any eaves of a *building* that do not exceed 0.6m in width shall be excluded from the calculation of *site coverage*.

Slope

: Means the natural steepness of the *land* measured in degrees, rounded to the nearest whole degree. *Slope* is measured at right angles to contours to an accuracy no less than that achieved by a hand held clinometer or abney level, disregarding artificial features such as stock tracks, cuttings and fills.

Structures

: Means any thing constructed, whether temporary or permanent, moveable or immovable, that is not a *building* and that is above *ground level*, including but not limited to:

- Tanks, swimming pools or containers that exceed 5000 litres capacity; and
- Walls or retaining walls that exceed 0.5 metres above *ground level* in *height*;
- Fences with panels, or with boards, pickets or rails that are closer together than their widths;
- Utility services;
- Towers, pylons, poles or aerials;
- Antennas, satellite dishes, rods;
- Caravans, tents, or other intended to be habitable;
- Constructions designed for children to play on;

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but excluding

- *Hard surfaces;*
- *Lake structures;*
- *Outdoor storage;*
- *Road formations and access formations;*

Scaffolding or falsework erected temporarily while used in the course of construction or maintenance purposes.

Subsidiary Household Unit for the purpose of Financial Contributions (Refer Appendix 1.0 of Volume 2 of the Lakes A Zone) : Means a household unit, attached or detached, having a total floor area of all floors not exceeding 72 m² excluding garaging and designed to harmonise with the existing dwellinghouse.

Sunlight Control Plane : Means a surface through which no part of a *building* may protrude. It is defined by:

- Drawing sunlight control lines commencing at a *height* of 2.5 metres above and along the affected *site* boundaries; and
- Pointing the sunlight control lines into the *site* at a 28° angle above the horizontal at right angles along the affected *site* boundaries.

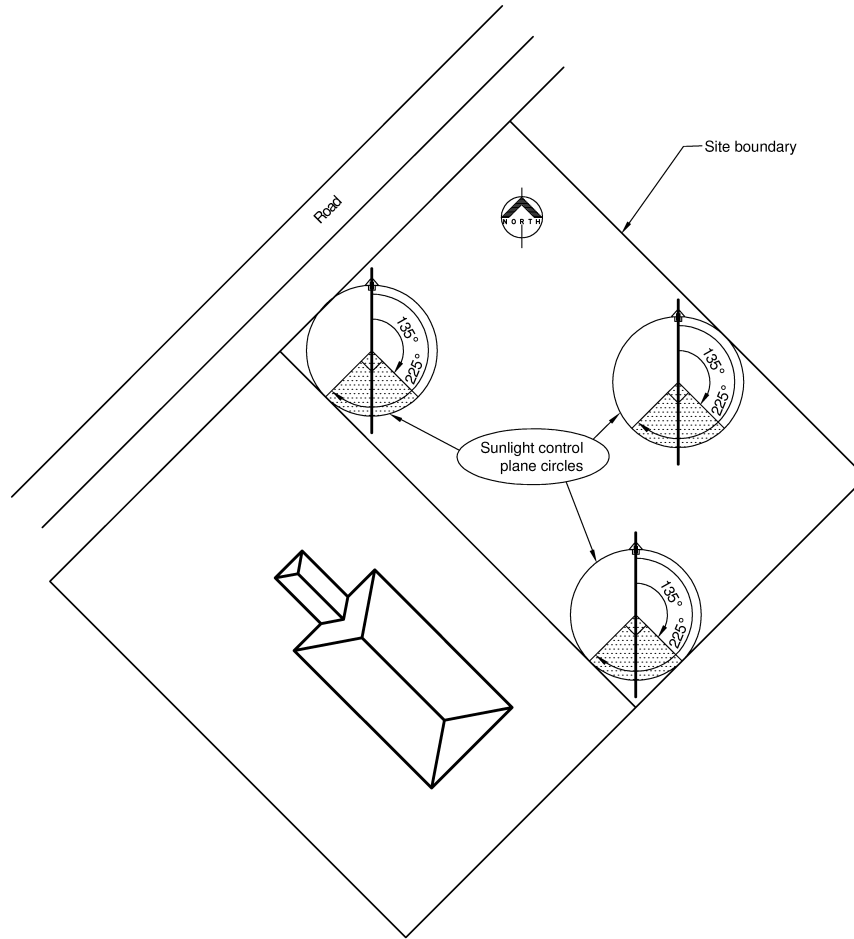
The *site* boundaries affected by the *sunlight control plane* are those that are touched by the shaded portion of the *Sunlight Control Plane Circle* (i.e. between 135° and 225° from true north).

Boundaries affected by the *Sunlight Control Plane* (refer to illustration examples below):

1. Identify true north on the site plan and orientate the *Sunlight Control Plane Circle* to the true north point.
2. Place the outside of the *Sunlight Control Plane Circle* to the inside of the *site* boundary. Move the *sunlight control plane* circle around the entire length of the *site* boundaries. The *sunlight control plane* shall apply only to the boundaries where the shaded area of the circle touches the *site* boundary.

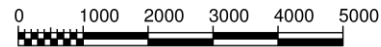
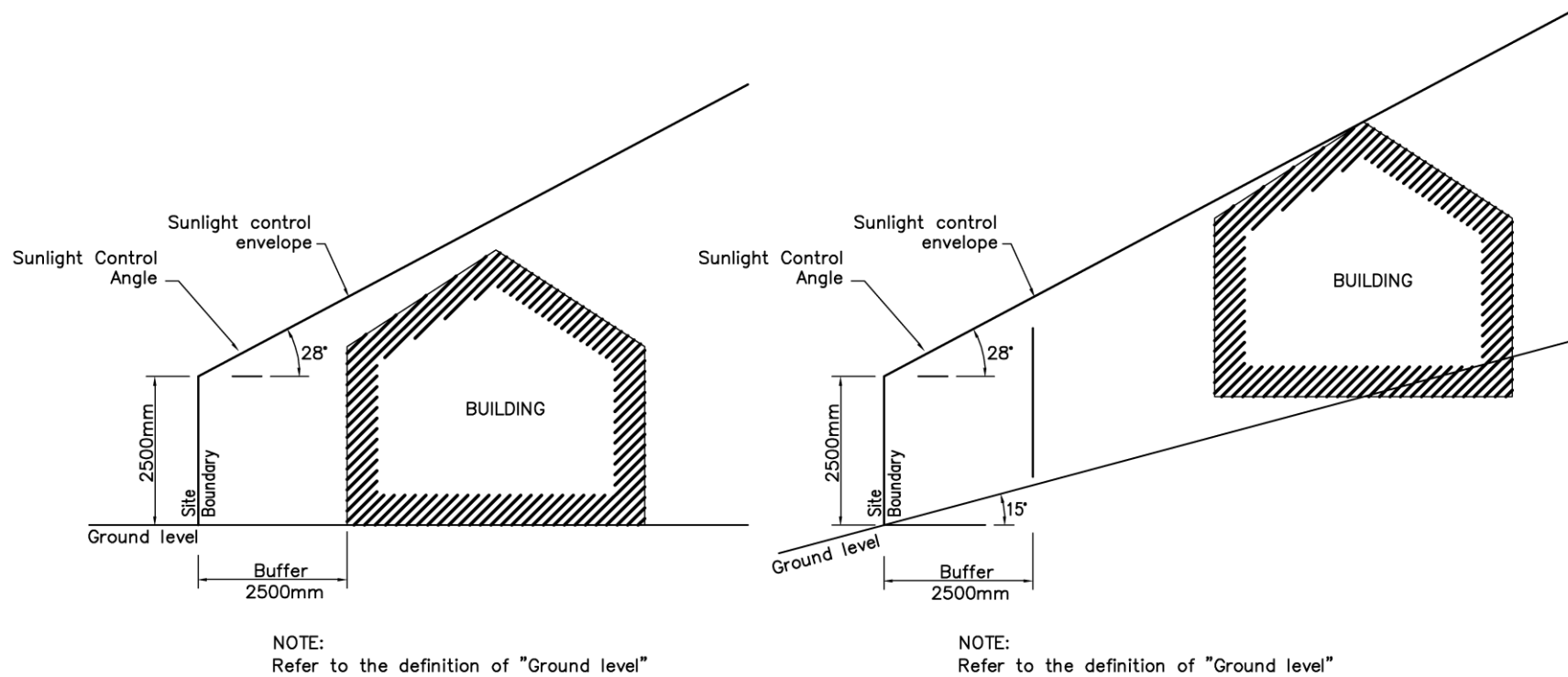
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- Tourist Accommodation*** for the purpose of: : Means *buildings* for the use of temporary or semi-permanent accommodation of paying guests, and includes motels, hotels, boarding *houses*, private hotels, camping grounds, tourist *house* licensed premises, guest *houses*, backpacker lodges, youth hostels and similar accommodation, and includes accessory facilities such as visitor, service and recreation facilities, conference facilities and restaurants for the use of guests using the accommodation facilities for overnight accommodation.
- **Financial Contributions** (Refer Appendix 1.0 of Volume 2 of the Lakes A Zone) and
 - **Tangata Whenua Structure Plan Activities** (Refer Rule 43.0)
- Traffic Generation*** : Means any *movement of light vehicles or commercial vehicles* to or from any *site*.
- Uninhabited*** : Means a general absence of people living (residing) in an area.
- Unpopulated*** : Means a general absence of the presence of people (both residing and visiting) in an area.
- Vegetation Type*** : Means a particular type of vegetation cover with a similar suite of main species comprising the canopy (the uppermost growth tier), while taking account of overall structure and relative abundance of species in other tiers (subcanopy, understorey, and ground cover). A *vegetation type* may be represented at more than one *site* and in more than one *vegetation unit*.
- Vegetation Unit*** : Means a continuous unit of vegetation that is either predominantly exotic (eg *plantation* forest, pasture) or indigenous (eg indigenous forest, scrub, fernland, rushland). A *vegetation unit* may be as small as a few square metres or may cover extensive areas extending over property boundaries. In the case of *indigenous vegetation* it may consist of one *vegetation type* (see definition of ***vegetation type***) or a suite (or any combination) of *vegetation types*.
- Vehicles*** : Mean light and commercial *vehicles* defined as follows:
- (a) ***Light Vehicle*** means:
 - (i) Cars and station wagons, with a wheel base of 3.0 metres or less;
 - (ii) Vans, utilities and light trucks up to 3.5 tonnes gross laden weight;
 - (iii) Mini buses up to 12 seat capacity.

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: (b) **Commercial Vehicle** means:

- (i) Two axle heavy trucks without a trailer, over 3.5 tonnes gross laden weight rigid trucks with or without trailers or articulated *vehicle* with three or four axles in total;
- (ii) Trucks and trailers and articulated *vehicles* with or without trailers with five or more axles in total;
- (iii) Buses, excluding mini buses.

This definition does not include commercial *vehicles* directly related to ‘residential activities’ such as household removal vehicles and house construction vehicles.

Vessel

: Means a boat that is:

- A houseboat or other boat designed or adapted for the predominant purpose of providing temporary or permanent accommodation; or
- A boat with permanent fittings enabling the discharge of sewage or grey water unless it is fitted with holding tanks for sewage and/or grey water; or
- Any boat with a hull length exceeding 20 metres.

Viewpoint

: Means a *viewpoint* identified in the Viewpoint Map and the schedule of *viewpoints* attached thereto. The assessment of any *effect* on a view shall be confined to those *effects* within any pair of viewshaft bearings as identified in the Viewpoint Map and schedule, when *seen* from the *viewpoint* that forms the origin of that pair of viewshaft bearings.

Waahi Tapu

: Means historic sites of significance to the Tangata Whenua identified in Council and/or Historic Places Trust records, identified in Tangata Whenua planning documents, or identified to applicants as a result of consultation with the Tangata Whenua.

Water

: Has the same meaning as in section 2 of the *RMA*.

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- Waterbody / ies*** : Means a *lake*, permanently flowing *river*, or *wetland*; and for the purpose of *riparian areas* means,
- The *bed* of a permanently flowing stream or *river* at bank full flow including stream bank or riverbank *wetlands*;
 - The *beds* of other *wetlands* when the watertable is at its highest annual level;
 - For *lakes* with controlled levels, the *bed*, including *lake edge wetlands*, when the *lake* is at its maximum operating level;
 - For *lakes* with uncontrolled levels, the *bed*, including *lake edge wetlands*, when the *lake* is at its 2% *AEP* high level.
- Week*** : Means a period of seven consecutive days from Monday to Sunday inclusive.
- Wetland*** : Has the same meaning as in section 2 of the *RMA* but does not include artificially created *wetlands*.