

P Meaning of Words

P1 Introduction

This chapter defines the meaning of words used in this plan. In most cases words used in the plan have their ordinary dictionary meaning. The words defined below are given a special or extended meaning.

P2 General Rules of Interpretation

- (a) Any term that is not defined in this section takes its common meaning from the *Concise Oxford Dictionary* (9th edition).
- (b) Lists of items (for example, subparagraphs within policy statements) are to be read conjunctively, unless otherwise stated.
- (c) Singular includes plural and vice versa.
- (d) Headings do not affect the interpretation of the plan.
- (e) Cross-references are not necessarily exhaustive.
- (f) References to New Zealand or overseas standards include amendments.
- (g) Words defined in the Resource Management Act 1991 have the same meaning in this plan.
- (h) Specific provisions override general provisions.

P3 Defined Terms

These defined terms have legal effect but are not operative.

A

Gross land area

Gross land area

Means the area of all the land within a particular stage of the Horotiu Industrial Park. Specifically;

- Stage 1 – 26ha gross land area;
- Stage 2 – 30ha gross land area;
- Stage 3 – 84ha gross land area.

Access allotment

Access allotment

Means an allotment used only for access to, and provision of services, to other allotments.

Accessory building

Accessory building

Means a building, the use of which is incidental to the use of the principal land use or building on that site. A garage that is integrated into and forms part of a dwelling is not an accessory building.

Addition

Addition

(for heritage items listed in [Appendix C1](#)) Means an external extension to a structure or building which increases its size and volume, including the construction of new floors, walls, ceilings and

roofs.

Additional allotment

Additional allotment

Means an allotment created by a subdivision. The number of additional allotments can be calculated by the following formula:

Number of allotments created by a subdivision, minus the number of allotments in the land being subdivided prior to the subdivision.

Advanced Research and Technology

Advanced Research and Technology

Means in relation to the Waikato Innovation Park activities involved in the research, development, manufacture and commercial application of advanced technology including, but not limited to agritechology, applied physical processes, biotechnology, chemical processes, food technology, laser physics, information technology, energy technology, transportation technology, manufacturing technology, medical technology, materials technology, telecommunications, soils/water/air resources, coastal resources, community values, infrastructure management, leisure issues and safety/security.

Aerial

Aerial

Means an antenna or similar communication device formed by a rod, wire, panel or dish by which radio, telephone or electromagnetic signals are transmitted or received. It includes aerials associated with network utilities including radio and telecommunication facilities.

Aggregate Extraction Policy Area

Aggregate Extraction Policy Area

Means land identified on the Planning Map that contains:

- (a) an operating extractive industry that was lawfully established and the means by which it was lawfully established has not expired or lapsed; or
- (b) a known source of aggregates (including sand) for which aggregate extraction is authorised by a resource consent that has not expired or lapsed.

Agricultural and Horticultural Research Activities

Agricultural and Horticultural Research Activities

Means biotechnology; bioengineering; reproductive technologies; biological pest control; weed and pest management strategies; vaccine development; soil, plant and fibre analyses, fertiliser and pesticide formulation and application; animal and plant health and disease control; control of fungal and plant toxins; processing of animal and horticultural products and by-products; research abattoirs; waste management systems; animal behaviour and welfare; farm sustainability; grazing, confined animal farming.

Agricultural Research Centre

Agricultural Research Centre

Means the sites shown on the Planning Maps of: Livestock Improvement Corporation Agricultural Research Centre; ~~AgResearch Whatawhata Agricultural Research Centre~~ AgResearch Ruakura Agricultural Research Centre; ~~Dexcel DairyNZ Agricultural Research Centre~~ and subject to Schedule

25C.

Allotment

Has its meaning in the Resource Management Act 1991.

Alterations

(for heritage items listed in Appendix C1) Means any changes to the fabric or characteristics of a building and includes the removal and replacement of external walls, windows, ceilings, floors or roofs. It does not include repair or maintenance as defined elsewhere.

Alteration in the Remediation Policy Area

Alteration in the Remediation Policy Area

Means a change or modification to an existing structure but does not include any extension of the footprint or disturbance of ground or any alteration that will change a non-residential building to a residential building.

B

Blast

Blast

Means the detonation of a single explosive charge or a series of connected explosive charges within a regular array of blast-holes. The detonation of a group of regularly-spaced explosive charges within a period of less than ten seconds is counted as one blast.

Boundary

Boundary

Means:

- (a) in relation to fee simple titles, the site boundary.
- (b) in relation to cross-lease titles, the boundary of any restrictive covenant area.
- (c) in relation to unit titles, the boundary of the accessory unit associated with the principal unit.

Boundary adjustment

Boundary adjustment

Means a subdivision of adjoining certificates of title that produces the same number of certificates of title, each with an area, shape, location and access substantially the same as before the boundary adjustment occurred.

Boundary relocation under the former district plan

Boundary relocation under the former district plan

Means a subdivision consent granted under the former district plan, rule 9S2.2(a), which produced no additional allotments. Note - this definition is referred to only in rules 25.5 and 26.5. See explanation 29.13.

Boundary relocation

Boundary relocation

Means a subdivision of a maximum of five viable certificates of title forming a continuous landholding in the same ownership that relocates common boundaries within the land being subdivided and that

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produces the same number of certificates of title as existed before the boundary relocation occurred.

Building

Building

Has its meaning in the Building Act 2004, excluding:

- (a) a pergola, not roofed or enclosed, less than 3 metres in height, or
 - (aa) a swimming pool, ornamental pool, deck,
or other structure not roofed or enclosed,
less than 1.5 metre in height, or
- (b) a fence, or a wall other than a retaining wall, less than 2 metres in height, or
- (c) a retaining wall or retaining structure less than 1.5 metres in height, provided that where a fence or non-retaining wall is placed at the top of the retaining wall, the combined height is less than 2 metres.
- (d) tanks with a total capacity of not more than 35,000 litres, provided that no part of any tank protrudes more than 1 metre above natural ground level.

Building coverage

Building coverage

Means the proportion of the net site area that is covered by all buildings on a site, and includes any part of overhangs or eaves in excess of 0.75 metres in width, and required car parking spaces.

Building platform

Building platform

Means land that is suitable, economical and practical, having regard to soil conditions, gradient, access, natural hazards, amenity, health and safety, for a dwelling and living court to be built and inhabited according to commonly accepted standards.

Builtsmart expansion area

Builtsmart expansion area

means the land contained in Lot 10 DP 875, Lot 1 SP South Auckland 39041, Lot 9 DP 875, Lot 1 Deposited Plan 33424, Lot 7-8 Deposited Plan 875, and Section 1 Survey Office Plan 53946 (or any future legal description). The Builtsmart expansion area is also shown in the following figure.



C

Catchment Management Plan

Catchment Management Plan

Means a document prepared by Council which defines areas where stormwater is to be specially managed (due to urban growth, resource consent requirements or hazards) and describes how stormwater and other natural and physical resources are to be managed in that area.

Clean fill

Clean fill

Means material that when discharged to the environment will have no adverse effect on people or the environment. This includes natural materials such as clay, soil and rock, and other inert materials such as broken concrete and brick, or mixtures of any of the above, and excludes:

- (a) material that has combustible, putrescible or degradable components, and
- (b) materials likely to create leachate by biological or chemical breakdown, and
- (c) products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices, and

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- (d) materials such as medical and veterinary waste, asbestos, or radioactive substances that may present a risk to human health, and
- (e) materials contaminated with hazardous substances or pathogens, and
- (f) hazardous substances.

Community Activity

Community activity

Means the use of land and buildings which provides for individual or community health, welfare, care, safety, recreational, cultural, ceremonial, spiritual, art and craft purpose.

Coal Mine Policy Area

Coal Mine Policy Area

Means land identified on the Planning Map where coal mining is currently occurring; is authorised by a resource consent or by an “existing privilege” under the Crown Minerals Act 1991 to occur in future; or is likely to occur in future, subject to all necessary resource consents being obtained.

Commercial activity

Commercial activity

Means activities involving the sale, distribution, or supply of goods and services, and government and community activities whether or not customers visit the site, excluding industrial activities and farming.

Community Activity (Te Kauwhata Lakeside Precinct)

Community Activity (Te Kauwhata Lakeside Precinct)

Community activity relates to Te Kauwhata Lakeside Precinct referred to in Parts 21E and 23C of this plan.

Community activity means the use of land and buildings which provides for individual or community health, welfare, care, safety, recreational, cultural, ceremonial, spiritual, and art and craft purpose. It includes any preschool or educational facility, place of worship, community hall or centre or recreational facility.

Community facilities in Tamahere Village Business Zone

Community facilities in Tamahere Village Business Zone

Means land or building used for community activities, generally established on a not for profit basis, which includes but is not limited to library, council offices, police station, public toilets or public rooms that do not include the holding of a Liquor Licence under the Sale of Liquor Act 1989.

Comprehensive Land Development Consent (CLDC)

Comprehensive Land Development Consent (CLDC)

Comprehensive Land Development Consent relates to Te Kauwhata Lakeside Precinct referred to in Parts 21E, 23C and 25H of this plan.

A Comprehensive Land Development Consent is a bundle of land use consents that apply to an area of land of 5ha or more which provides for staged integrated development within the Te Kauwhata Lakeside Precinct Plan Area. The Comprehensive Land Development Consent can cover a range of

zoning including Living, Business and Rural.

A CLDC includes the provision of earthworks, roading network, wastewater infrastructure including treatment plants, pipelines and associated wetlands, stormwater infrastructure, network utilities and other infrastructure, open space, ecological restoration, works in the flood plain, landscaping and planting, community facilities, walkways and cycleways and associated land decontamination.

A Comprehensive Land Development Consent may be applied for concurrently with a Comprehensive Subdivision or separately.

Comprehensive residential development

Comprehensive residential development

Means an integrated development, including residential units, open space, access and other activities listed in [Appendix E: Comprehensive Residential Development Guidelines](#).

Comprehensive Subdivision Consent (CS)

Comprehensive Subdivision Consent (CS)

Comprehensive Subdivision Consent relates to the Te Kauwhata Lakeside Precinct Plan referred to in Parts 21E Living Zone Rules, 23C Business Zone Rules and 25H Rural Zone Rules of this plan.

A Comprehensive Subdivision is a subdivision of 5ha or more which provides for staged, integrated development within the Te Kauwhata Lakeside Precinct Plan Area. The Comprehensive Subdivision can cover a range of zonings including Living, Business and Rural.

A Comprehensive Subdivision Consent includes the provision of sites for roading, walking and cycling trails, sites for open space and community facilities, dedicated sites for wastewater and stormwater infrastructure and development sites for housing, business and other activities provided for within the relevant zone/structure plan. It also includes sites for associated infrastructure.

A Comprehensive Subdivision Consent may be applied for concurrently with a Comprehensive Land Development Consent or separately.

Concept layout plan

Concept layout plan

Means the concept layout plan for Waikato Innovation Park shown in [Schedule 25BA](#).

Comprehensive Subdivision Consent (CS)

Conservation covenant area

Conservation covenant area

Means land that is part of land being subdivided that:

- is entirely on one allotment, and
- contains significant indigenous vegetation or habitat, and
- is required to be fenced to exclude farm animals as a condition of subdivision consent, and
- is required to be subject to a registered covenant that addresses stock exclusion, grazing management and pest control, for the long term conservation of the indigenous vegetation or

habitat as a condition of subdivision consent.

Conservation allotment

Conservation allotment

Means an allotment created by subdivision of land containing significant indigenous vegetation or habitat. A conservation allotment is in addition to the entitlements in the ordinary Rural and Coastal Zone subdivision rules.

Conservation Policy Area

Conservation Policy Area

Means an area shown on the Planning Map containing significant indigenous vegetation or habitat.

Construction noise

Construction noise

Means noise arising from any work in connection with the construction, erection, installation, carrying out, repair, maintenance, cleaning, painting, renewal, removal, alteration, dismantling, or demolition of any building, network utility, bridge, viaduct, dam, reservoir, earthworks, pipeline, aqueduct, culvert, drive, shaft, tunnel or reclamation. Construction noise also means noise arising from exploration and prospecting activities of a duration of no longer than 2 months per site in any 12 month period.

Contaminated land

Contaminated land

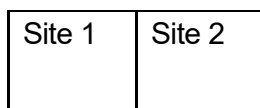
Means an area of land on which hazardous substances occur at concentrations above background levels and where assessment indicates the substance poses, or is likely to pose an immediate or long-term risk to human health or the environment.

Contiguous

Contiguous

Means abutting or touching at some point along a boundary.

E.g.



Continuous landholding

Continuous landholding

Continuous landholding means a series of adjoining certificates of title, including titles that are only separated by a road.

Correctional facility

Correctional facility

Means a facility where people are detained in the justice system. It includes a prison, detention centre, youth detention centre and secure unit.

D

Defined Growth Areas

Defined Growth Areas

Means identified areas where non-rural growth can be accommodated in accordance with district plan provisions. This includes existing Business, Industrial and Living Zone areas in towns and villages, Pa Zones, Country Living zones and other areas where a level of development is specifically provided for, such as Hampton Downs Motorsport Park. New growth areas will be identified as required over time through processes such as structure plans development and subsequent changes to the district plan.

Dependent persons dwelling

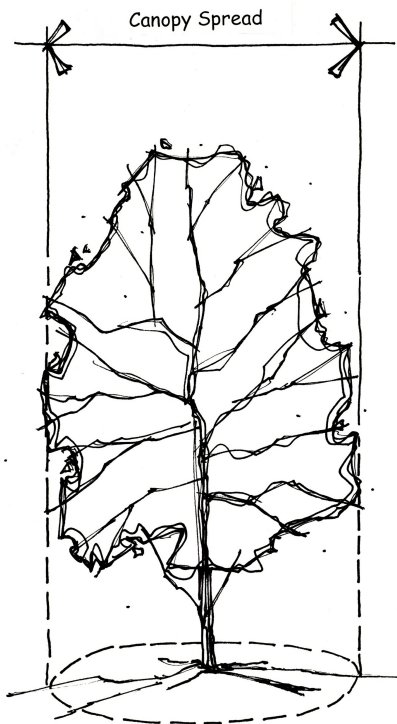
Dependent persons dwelling

Means a dwelling with a gross floor area that does not exceed 70 square metres, built for occupation by a dependent relative of the occupiers of the principal dwelling on the same site and that is ancillary to, and held in the same certificate of title as, the principal dwelling already in existence on the site.

Dripline

Dripline

Means the ground beneath the foliage of a tree.



Dwelling

Dwelling

Means a building for the occupation of a single household unit containing only one kitchen and may

include an additional kitchenette. It includes a dependent person's dwelling.

E

Earthworks

Earthworks

Means modification of land surfaces by blading, contouring, ripping, moving, removing, placing or replacing soil or earth, or by excavation, or by cutting or filling operations, and excludes the cultivation of land, the digging of holes for the erection of posts, the construction of fence lines, or the planting of trees, landscaped area and gardens, and the stockpiling of coal.

Educational facility

Educational facility

Means premises where groups of people are given tuition and training on a formal basis and includes childcare facilities, schools, tertiary education institutions and specialised training facilities, and their ancillary administrative, cultural and health facilities.

Energy corridor

Energy corridor

Means an energy corridor or future energy corridor shown on the [Planning Map](#).

Energy efficiency

Energy efficiency

Means a change to energy use that results in an increase in net benefits per unit of energy.

Environmental Protection Policy Area

Environmental Protection Policy Area

Means an area of land shown on the planning map that is an ecologically sensitive area as described in an ecological report or subject to flooding as described in the Catchment Management Plan. The purpose of the Policy Area is to avoid the flood hazard, encourage the protection and enhancement of ecosystems and ecological corridors, and protect the habitats of plants, birds and other wildlife

Equivalent Car Movements/Day

Equivalent Car Movements/Day

Means

1 Light Vehicle to and from the property = 2 equivalent car movements, where in "Light Vehicle" is a motor vehicle with a gross laden weight not exceeding 3500 kg.

1 Single Unit Heavy Vehicle to and from the property = 6 equivalent car movements, where in "Single-Unit Heavy Vehicle" is a motor vehicle comprised of a single unit having a gross laden weight exceeding 3500 kg.

1 Multi Unit Heavy Vehicle to and from property = 10 equivalent car movements, where in "Multi-Unit Heavy Vehicle" is a motor vehicle comprised of more than one unit, having a gross laden weight exceeding 3500 kg.

(¹) Note that this definition only applies to Appendix A of this Plan

Extractive Industry

Extractive Industry

Means taking, winning or extracting by whatever means, the naturally occurring minerals (including but not limited to coal, rock, sand, and gravel) and peat from under or on the land surface. The term includes the processing by such means as screening, crushing, or chemical separation of minerals at or near the site, where the minerals have been taken, won or excavated. The term also includes the removal, stockpiling and filling of overburden sourced from the same site. It includes all activities and structures associated with underground coal gasification, including pilot and commercial plants and the distribution of gas so produced. It excludes prospecting and exploration activities.

F

Farming

Farming

Means an agricultural activity having as its primary purpose the production for human or animal consumption any livestock or crop, using the in situ soil, water and air as the medium for production, but excludes intensive farming activity and production forestry.

Farming noise

Farming noise

Includes noise from agricultural vehicles, agricultural machinery or equipment, suitably muffled to mitigate noise, farm animals including farm dogs.

Flood Risk Area

Flood Risk Area

Means the land shown on the [Planning Map](#), and other land that is subject to more than minor flood hazards.

Forestry

Forestry

See [production forestry](#).

Forestry Mineral Extraction

Forestry Mineral Extraction

Means the taking, winning, or extracting of minerals contained within [Schedule 25G](#) as identified in [Figure 25G\(1\)](#) (Maramarua), [Figure 25G\(2\)](#) (McCorquindale) and [Figure 25G\(3\)](#) (Aramiro) and on the [planning map](#). Mineral extraction is limited to rock, gravel and sand. The material won is to be used exclusively within the forest from which it was extracted, and solely for roading associated with production forestry.

G

Gross floor area (GFA)

Gross floor area

Means the sum of gross area of all floors of a building, measured either from the exterior faces of the exterior walls, or from the centre line of walls separating two tenancies, as the circumstances may require.

Gross Land Area

Means the area of all the land within a particular stage of the Horotiu Industrial Park. Specifically:

- Stage 1 - 26ha gross land area;

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- Stage 2 - 30ha gross land area;
- Stage 3 - 84ha gross land area.

Gross Leasable Floor Area (GLFA)

Gross Leasable Floor Area (GLFA) Tamahere Village Business Zone

Means the total sum of any floor areas (within the external walls for buildings or boundary for outdoor areas) designed or used for individual tenant occupancy but excludes:

- common lift wells and stairwells, including landing areas,
- common corridors and halls (other than food court areas),
- common toilets and bathrooms,
- any parking areas required by the plan.

H

Habitable room

Habitable room

Means any room in a dwelling, or a commercial or community building, apart from a room used solely for the purposes of an entrance, passageway, toilet, bathroom, laundry, garage or storeroom.

Hapuu

Hapuu

Means collections of whanau groups living together in close location to one another who extend from a common ancestor.

Hazardous substance

Hazardous substance

Includes a substance defined in section 2 of the Hazardous Substances and New Organisms Act 1996, and substances with high biological oxygen demand.

Hazardous waste

Hazardous waste

Means any waste that contains hazardous substances at sufficient concentrations to exceed the minimum degrees of hazard specified by Hazardous Substances (Minimum Degrees of Hazard) Regulations 2001 under the Hazardous Substances and New Organism Act 1996; or that meets the definition for infectious substances included in the Land Transport Rule: Dangerous Goods 1999 and NZS5433: 1999 – Transport of Dangerous Goods on Land; or that meets the definition for radioactive material included in the Radiation Protection Act 1965 and Regulations 1982.

Health facility

Health facility

Means a facility for the care and welfare of people and includes, but is not limited to, non-residential day hospitals, medical practitioners, dentists, optometrists, acupuncturists, osteopaths, and persons involved in alternative forms of medicine.

Heavy Vehicle

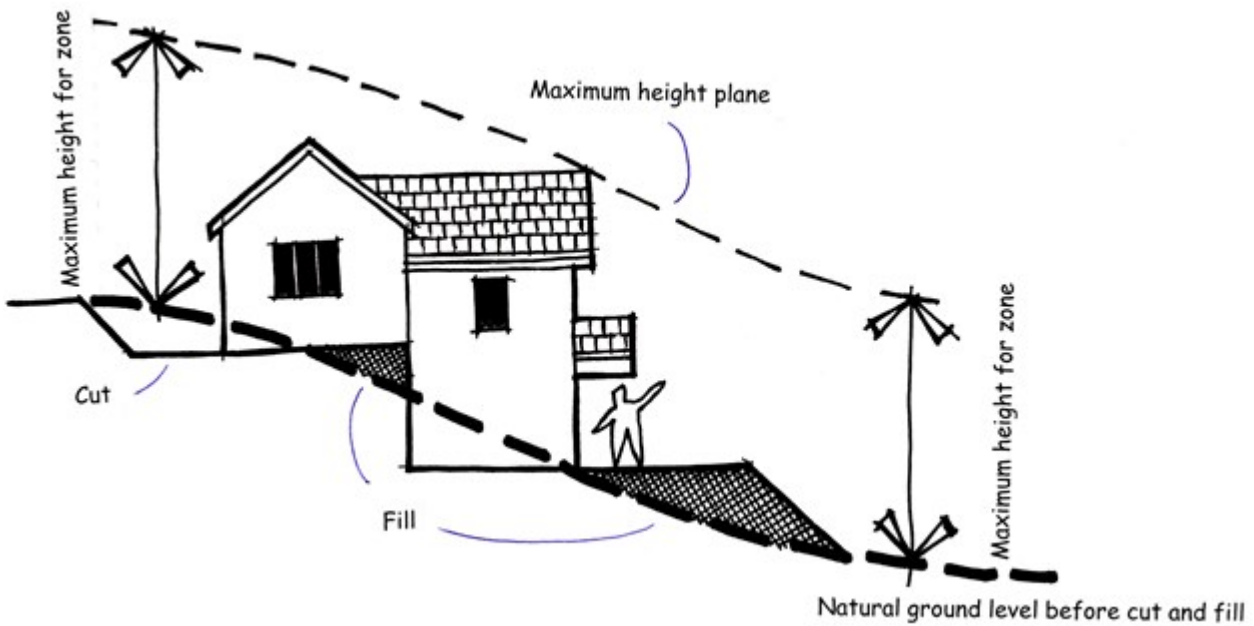
Heavy vehicle

Is defined as a “Single Unit Heavy Vehicle” (being a motor vehicle comprised of a single unit having a gross laden weight exceeding 3500kg) or a “Multi-Unit Heavy Vehicle” being a motor vehicle comprised of more than one unit, having a gross laden weight exceeding 3500kg).

Height

Height

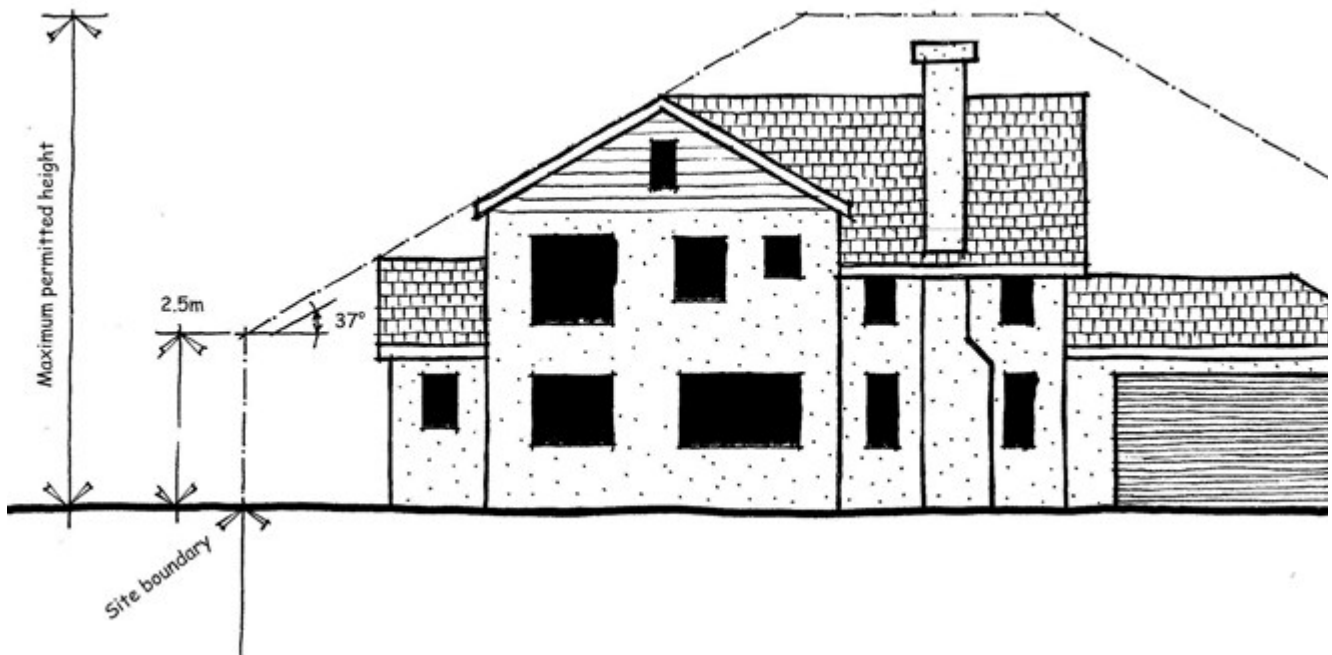
Means, in relation to a structure, the vertical distance between any part of the structure and natural ground level immediately below that part of the structure. In determining the height of any building, no account shall be taken of chimneys (not exceeding 1 metre in width) or finials, provided these do not exceed the maximum height for the zone by more than 2 metres. See also “[sign height](#).”



Height control plane

Height control plane

Means a surface through which no part of a building other than chimneys, flues and similar projections not exceeding 2 metres in height and 1 square metre in area may protrude. It is defined by drawing height control lines from all points on the boundaries of an allotment or unit site area. Such lines commence at a specified vertical distance above the natural ground level at the boundary, point into the site at right angles to the boundary, and rise at an angle of 37 degrees.



Heritage item

Heritage item

Means a heritage item listed in [Appendix C](#) (Historic Heritage), or shown on the [Planning Map](#).

High quality soil

High quality soil

Means land classified as Land Use Capability Class I, II or IIIe, on the New Zealand Land Inventory Worksheets (as amended in the 1986 Second Edition) legend, provided land classified as Class IIIe is further described as containing well and moderately drained soil, in accordance with Milne, J. D. G.; Clayden, B.; Singleton, P. L.; Wilson, A. D. 1995 Soil description handbook (revised edition press). Manaaki Whenua Press, Lincoln, New Zealand.

Historic heritage

Historic heritage

Has its meaning in the Resource Management Act 1991.

Home occupation

Home occupation

Means an occupation, or trade/craft, or profession, not including panel beating or car wrecking, where the principal use of the site is for residential activities and the principal operator of the home occupation is a permanent resident on site. The generated effects are not significantly different from those of other permitted activities in the zone.

Home-stay

Home-stay

Means accommodation provided to travellers where the travellers stay in a home with the permanent occupants of the household.

Household

Household

Means the inhabitants of a dwelling and is limited to people who interact on a daily domestic basis regardless of whether they are related. Household includes family occupancy, including extended families, or groups of people occupying a dwelling in a domestic situation on a permanent basis and not on a short-term itinerant basis.

Household unit

Household unit

Means any building or group of buildings, or part of any building or group of buildings, used or intended to be used solely or principally for residential purposes, and occupied or intended to be occupied exclusively as the home or residence of not more than one household.

Huntly South Assessment Area 1 and 2

Huntly South Assessment Area 1 and 2

Means the areas defined on the [Planning Map](#) and in Appendix O.

I

Indicative road

Indicative road

Means any area identified on the [Planning Maps](#) as as an indicative road. It shall not include any area identified on the Planning Maps as an indicative road where a resource consent has been granted for activities within that area and that resource consent has authorised an alternative roading layout,

such that the need for the indicative road has become redundant.

Indigenous vegetation

Indigenous vegetation

Means vegetation that occurs naturally in New Zealand or arrived in New Zealand without human assistance. For the purposes of this plan, domestic or ornamental / landscaping planting, or planted shelterbelts, comprised of indigenous species are not included.

Industrial activity

Industrial Activity

Means the use of land and/or buildings for the processing, manufacturing, fabricating, packing or bulk storage of goods, whether in a building or outdoors, servicing and repair activities, rural industries, electricity generation (excluding wind energy facilities) and stockpiling of coal but excludes farming and temporary events.

Informal recreation

Informal recreation

Means any activity whose primary aim is the enjoyment of leisure of a primarily non-competitive casual nature. It includes amenity and conservation plantings, children's play areas, shelters, public toilets and other buildings necessary for the maintenance of the park.

Intensive farming activity

Intensive farming activity

Means the commercial raising and keeping of plants or animals, which is dependent on a high input of food or fertiliser throughout the year from beyond the site and are permanently contained in buildings or outdoor enclosures, and includes boarding kennels or catteries but do not include the rearing of calves, the wintering of farm animals in sheds, or the stabling of horses.

Iwi

Iwi

Means a greater number of whanau groups or collections of hapuu who have common ancestry.

J

Joint Management Agreement

Joint Management Agreement

Means the legally binding Joint Management Agreement signed between Waikato District Council and Waikato-Tainui on 23 March 2010 which formalises their relationship at both governance and management levels in working together to achieve the overarching purpose of the 2009 Deed of Settlement.

K

Kaitiaki

Kaitiaki

Means those persons and spiritual beings that safeguard taonga. It is not a role of ownership, but one of custodianship.

Kaitiakitanga

Kaitiakitanga

Means the act of practising, safeguarding, protecting and caring for resources by kaitiaki.

Kawa

Kawa

Means protocols, rules or customs, a way of doing things – usually in relation to formal protocols, for example a powhiri (formal welcome) or similar.

Kitchen

Means any space, facility or surface for the storage, preparation and/or cooking of food, the washing of kitchenware, the disposal of wastewater, a food preparation bench, sink, oven, stove, hotplate or separate hob, refrigerator, dishwasher or other kitchen appliances. A small scullery or utility room accessed only from the kitchen is included as part of one kitchen. This definition excludes a microwave or an outside kitchen.

Kitchenette

Kitchenette

Means a space which may contain a sink and does not meet the definition of a kitchen and is restricted to the purposes of tea and coffee making, drinks bar and the rinsing of utensils and does not include fixed food preparation facilities. A kitchenette shall be secondary to the main kitchen, and shall not enable part of the dwelling to be used independently as separate household unit.

L

L10

L10

Means the L¹⁰ exceedance level, in A-frequency-weighted decibels, which is equalled or exceeded 10 per cent of the total measurement time. Exceedance level has its meaning in NZS 6801:1991 clause 2.2.

Leq

Leq

Means the time average sound level determined under NZS 6801: 1999.

Landscape Policy Area

Landscape Policy Area

Means the outstanding natural features and landscapes shown as Landscape Policy Areas on the [Planning Map](#).

Landscape Restoration Policy Area

Landscape Restoration Policy Area

Means an area shown on the planning map where existing native vegetation is to be complemented by additional landscape restoration planting. The purpose of the Policy Area is to promote stabilisation of steep slopes, encourage ecological and habitat linkages and enhance landscape amenity particularly in and near coastal areas and on visually prominent landforms.

Large Format Retail in Tamahere Village Zone

Large Format Retail in Tamahere Village Zone

Means buildings, or individual leases enclosed within the buildings, used for retail or storage of goods

with a GLFA greater than 350m².

Limited Access Road

Limited Access Road

The following roads in the district to which sections 88-98 of the Government Roading Powers Act 1989 apply:

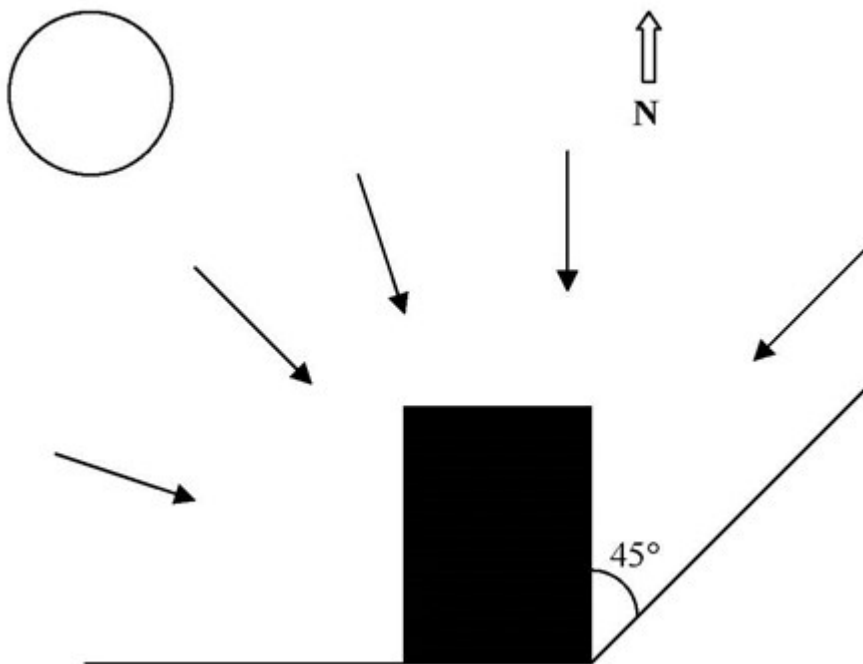
- (a) State Highway 1 except those parts within Huntly and Ngaruawahia town boundaries (restricted speed areas) and in Taupiri between Mangawara bridge and Kainui Road;
- (b) State Highways 2 and 26; and
- (c) State Highway 23 from the Hamilton City boundary to the Okete Stream bridge south abutment.

Living court

Living court

An area of outdoor space directly related to the living area of a household unit, and for the household's exclusive use. It does not include parking, manoeuvring areas and buildings, but does include swimming pools, pergolas and similar open-framed structures.

Note: The diagram as shown in this definition applies to the Te Kauwhata Structure Plan area only.



L_{max}

L_{max}

Means the maximum noise level recorded during the particular measurement period. L_{max} is generally used to assess the potential sleep disturbance of individual events.

Lorenzen Bay Structure Plan Area

Lorenzen Bay Structure Plan Area

Means the area shown on the [Planning Map](#).

Lux

Lux

Lux is the unit of illuminance. Illuminance means the luminous flux falling onto a unit area of a surface NZS6703: 1983 Code of Practice for Interior Lighting Design. 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 number of rays of light falling in an area of one square metre.

M

Maatauranga Maaori

Maatauranga Maaori

Means Maaori knowledge (traditional or contemporary) – the body of knowledge originating from Maaori ancestors, including the Maaori world view and perspectives, Maaori creativity and cultural practices. These may be developed over time, but are generally based on common principles passed down by ancestors.

Mineral

Mineral

Mineral means a naturally occurring inorganic substance beneath or at the surface of the earth, whether or not under water; and includes all metallic minerals, non-metallic minerals, fuel minerals – including coal – precious stones, industrial rocks and building stone, and a prescribed substance within the meaning of the Atomic Energy Act 1945.

Minor addition

Minor addition

Means one or more additions to a habitable room an existing dwelling or building which when calculated together do not involve an increase in the existing gross floor area of the dwelling or building by greater than 15 percent.

Minor upgrading of electricity and telecommunications lines

Minor upgrading of electricity and telecommunications lines

Means modification of electricity and associated telecommunication lines, utilising the existing support structures or structures of the same scale and similar character, and comprises: the resagging of conductors; the addition of longer or more efficient insulators; the addition of earthwires which may contain telecommunication lines, earthpeaks and lightning rods; the addition of electrical fittings; tower replacement in the same location as existing towers; strengthening of towers and foundations, and earthworks for this purpose; and the replacement of existing cross arms with cross arms of an alternative design.

Mitigation Management Plan

Mitigation Management Plan

Means an environmental management plan that sets out the intended mitigation measures to be undertaken within 12 months of forestry mineral extraction being commenced. The mitigation management plan shall be submitted to Council 3 months prior to extraction commencement and shall include:

- (a) site layout for both existing and proposed extraction activities;
- (b) date of extraction commencement;
- (c) hours of operation;

- (d) the measures to achieve screen planting at a minimum height of 3m within 5 years. Where trees which provide screen planting exist at the time of commencement of excavation, such trees must be replanted following harvest to achieve a minimum height of 3m within 5 years of harvesting; and
- (e) the measures to rehabilitate the excavated area to a stable form in a staged manner.

Mixed Use Policy Area

Mixed Use Policy Area

Means an area shown on the [planning map](#), which is to be developed in accordance with a Mixed Use Policy Area Comprehensive Development Plan for a mix of activities, including business, medium density residential, community facilities, travellers accommodation and other activities that are suitable for the area and cater for the growth of the locality.

Mixed Use Policy Area Comprehensive Development Plan

Mixed Use Policy Area Comprehensive Development Plan

Means a plan, to be formulated by a developer in conjunction with the Council, for the development of a site in the Mixed Use Policy Area that sets out the intended pattern of development in general accordance with the Mixed Use Policy Area Concept Plan contained in [Schedule 23B](#) and enables full implementation of the concept plan; showing where appropriate:

- lot size, access, building locations
- ecological features to be protected, restored or enhanced
- existing and future utilities and connections
- existing and indicative roads and their connections
- provision for public access to Whangamarino Wetlands
- existing and indicative public reserves and open space, including linkages with other reserves and open space
- integration with other sites within the policy area
- connectivity to Main Street
- location and type of activities including residential and travellers accommodation
- community facilities

N

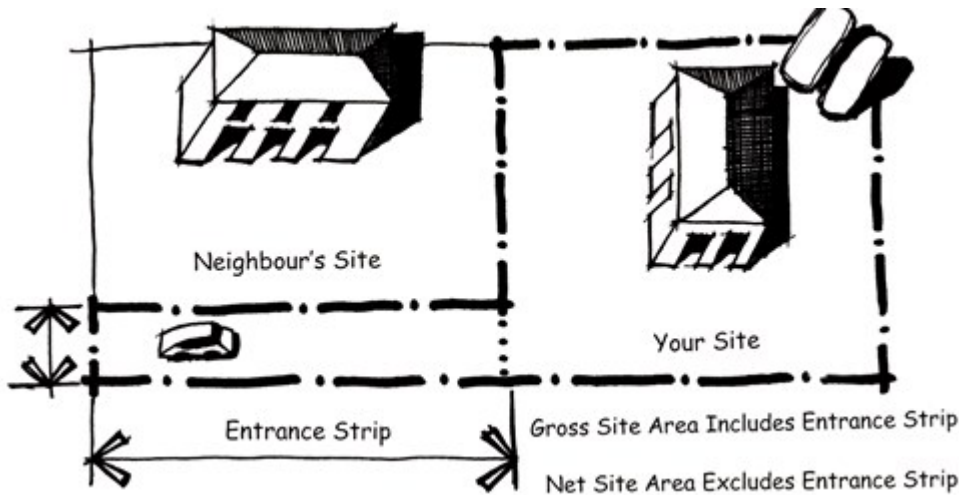
Neighbourhood block

Neighbourhood block

Means contiguous residential development bounded on all sides by an alternative land use such as a road, reserve or a zone boundary.

Net site area

Net site area



Means the area of a site, or an allotment in the context of a subdivision, excluding:

- (a) any access strip less than 6 metres wide, and
- (b) any land subject to a right of way to any other allotment.

Network utility

Network utility

Means activities undertaken by a network utility operator, being:

- (a) distribution or transmission by pipeline of gas, petroleum or geothermal energy
- (b) telecommunication as defined in section 5 of the Telecommunications Act 2001
- (c) radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989
- (d) transformation, transmission or distribution of electricity
- (e) distribution of water for supply including irrigation
- (f) drainage or sewerage reticulation
- (g) construction and operation of roads and railways
- (h) operation of an airport or an approach control service
- (i) construction and operation of lighthouses, navigation aids and beacons, meteorological facilities and ancillary structures
- (j) stopbanks and erosion protection works.

Noise

Noise

Means noise levels as measured in accordance with NZS6801:1999 Acoustics Measurement of Environmental Sound and assessed in accordance with NZS6802:1991 Assessment of Environmental Sound. Noise from vehicles being operated on a road shall not be controlled using rules in this plan, except where specifically provided for.

Notional boundary

Notional boundary

Means a line 20 metres from any side of a dwelling or the legal boundary where this is closer to the dwelling.

NZS

NZS

Means a New Zealand Standard.

O

Office activity in Tamahere Village Business Zone

Office activity in Tamahere Village Business Zone

Means premises used for an administrative or a professional activity where people work primarily sitting at desks, for example accounting or legal services and utilises an area no greater than 250m².

P

Papakaainga housing

Papakaainga housing

Means housing on land in the papakaainga policy area or in a specific area identified in the district plan rules, which is for extended family and whanau of the landowners. It includes kaumatua flats.

Parent certificate of title

Parent certificate of title

Means the original allotment held in a single certificate of title prior to subdivision occurring.

Peak Hour

Means the highest hourly traffic flow in a 24 hour period on either Great South Road immediately adjacent to the Horotiu Industrial Park; or the nearest intersections on Great South Road to the Horotiu Industrial Park.

This definition only applies to the Horotiu Industrial Park.

Policy area

Policy area

Includes the following areas, as shown on the planning map: aggregate extraction policy area; Agriculture Research Centres and Campus; airport noise control boundary; battlefield view shafts; coalmine policy area; drains; gully area; Hauraki Gulf catchment area; heritage items; heritage precinct; housing restriction area; Huntly East mine subsidence area; Huntly South assessment area 1 and 2; indicative roads; landscape policy area; notable trees; obstacle limitation surface (Te Kowhai airfield); papakaainga policy area, proposed Waikato expressway; Raglan navigation beacon height restriction area; ridgeline policy area; river stability; Whaanga Coast policy area; Tamahere commercial area; town centres; urban expansion area; urupa; verandah frontages; walkways/cycleways/bridleways; environmental protection; mixed use; contamination.

Precautionary approach

Precautionary approach

Means where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

Prison

Prison

Means a corrections prison, or police jail, established under the Corrections Act 2004.

Private access

Private access

Means an access route to properties where there is no public right of way.

Produce stall

Produce stall

Means any land, building or part of any building that is used for the sale of farm and garden produce grown or produced on the site on which the produce stall is sited. It includes the use of a trailer, handcart, barrow or similar structure, whether temporary or permanent. Weighing and packaging is part of the activity of a produce stall.

Production forestry

Production forestry

Means the use of land for the planting, tending and harvesting of trees for commercial gain, including the location and operation of mobile sawmill facilities on a site for no longer than 3 months in any 12-month period, but excludes any other saw milling or timber processing.

Productive rural activities

Productive rural activities

Means those activities that use rural resources for economic gain and which cannot be carried out easily or appropriately in an urban setting. They include energy generation, access to and extraction of mineral resources including extractive industry, soil-based production and the processing of primary products.

Public place

Public place

Means, in relation to views, land to which the public ordinarily have rights of access, including roads, public tracks on the Conservation Estate, recreation reserves, and coastal foreshore.

Pump shed

Pump shed

Means a building that does not exceed 15 square metres gross floor area, the principal purpose of which is to contain equipment to pump water.

Q

R

Raglan

Raglan

Means, where referred to in Living Zone building and subdivision rules, all parts of the Living Zone within 10km of Bow Street.

Rangitahi Peninsula Comprehensive Development Plan

Rangitahi Peninsula Comprehensive Development Plan

Means a plan, to be formulated by a developer in conjunction with the Council, for the development of the Rangitahi Peninsula Structure Plan Area that sets out the intended pattern of development and enables full implementation of the Structure Plan. The Comprehensive Development Plan may be formulated and lodged in stages on a Development Precinct by Development Precinct basis. Any Comprehensive Development Plan including staging is to demonstrate how full implementation of

Waikato District Plan - Waikato Section

the structure plan will be achieved. The Comprehensive Development Plan shall include:

- urban design guidelines
- lot size, access, building locations
- development densities
- ecological features to be protected, restored or enhanced
- existing and future utilities and connections
- existing and indicative roads and their connections
- provision for public access to the Rangitahi coastal area
- indicative public reserves and open space, including linkages between reserves and open space
- connectivity to other development areas
- location and type of activities including residential, travellers' accommodation and Rangitahi commercial
- community facilities
- a secondary legal access route suitable to cater for the relevant stage of development. A metalled access route protected by easement is sufficient for this purpose
- identification of historic heritage sites including registration of sites with NZAA.

Rear allotment

Rear allotment

Means an allotment whose building platform is separated, either partially or fully, from the road where it has frontage by the building platform of another allotment.

Refuse landfill

Refuse landfill

Means a waste disposal site used for the controlled deposit of solid wastes onto or into land excluding tailings dams and waste rock stacks.

Rangitahi Commercial Activity

Rangitahi Commercial Activity

Means any or any combination of the following activities:

- the sale, distribution or supply of goods and services
- healthcare facilities
- repair services
- sports and recreation equipment manufacture and sales

Remediation of contaminated land

Remediation of contaminated land

Means removing, dispersing, destroying, reducing, mitigating or containing the contamination of any land, or eliminating or reducing any hazard arising from the contamination of any land (including by preventing the entry of persons or animals on the land).

Rangitahi Peninsula Structure Plan Area

Rangitahi Peninsula Structure Plan

Means the area shown on Planning Map 43.

Remediation Plan

Remediation Plan

Remediation plan: means a plan prepared for the remediation of contaminated land, that achieves, as a minimum, the standards set out in Ministry for the Environment's Contaminated Land Management Guideline #1: Reporting on Contaminated Sites in New Zealand, and specifying:

- How any adverse effects on the surrounding environment resulting from earth moving or removal and any potential discharges from the site will be managed (e.g. sediment and stormwater control, site covering and dust control),
- Where soil is to be removed from the site, the appropriate tracking and safe transport to land that is authorised and/or consented to take this material,
- The standard of remediation on completion,
- The potential for recontamination to occur, where the land may become contaminated due to the presence of contamination on adjacent land or sites,
- Compliance with any relevant Regional Council requirements,
- The extent to which the proposal meets the Ministry for the Environment's Contaminated Land Management Guidelines 1 to 5, any relevant Ministry for the Environment industry-specific contaminated land guidelines, any relevant Ministry of Health guidelines for management of hazardous substances, and the Department of Labour's Health and Safety Guidelines on the Cleanup of Contaminated Sites.
- Any potential long-term or cumulative effects of discharges from the site.

Note:

For the avoidance of doubt, a Remediation Plan is not required to address the actual or potential adverse effects of contaminants in soil on human health as this matter is addressed by the Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

Remediation Policy Area

Remediation Policy Area

Means an area of land shown on the planning map that is contaminated or potentially contaminated. (The area at Te Kauwhata is described in a report available by Tonkin and Taylor Ltd (2009) "Ground contamination report Te Kauwhata rezoning.")

Repair

Repair

(for heritage items listed in [Appendix C1](#)) Means making good decayed or damaged material, and includes works involving stabilisation, restoration, preservation and conservation.

Residential activity

Residential activity

Means the use of land and buildings by people for living accommodation in a household unit, where the occupants will generally refer to the site as their home and permanent address. For the purpose of this definition, residential activity (irrespective of the length of stay) includes: accommodation offered to travellers for a daily tariff in association with a permanent resident; or emergency and refuge accommodation; or accommodation for supervision staff and residents, where residents are

subject to care or supervision (e.g. homes for people with disabilities, and homes for the elderly). Residential activity includes home detention (as defined in the Criminal Justice Act 1985), but not prisons or other places where residents are subject to detention.

Restaurants in Tamahere Village Zone

Restaurants in Tamahere Village Zone

Means premises, including cafes, where food is prepared and sold principally for consumption on the premises, whether or not the premises are licensed under the Sale of Liquor Act 1989.

Restoration

Restoration

(for heritage items listed in [Appendix C1](#)) Means returning a place as nearly as possible to a known earlier state by reassembly, reinstatement and/or the removal of extraneous additions.

Retail activity in Tamahere Village Zone

Retail activity in Tamahere Village Zone

Means the use of land or buildings where goods and services, including travel or real estate agencies, are offered to the general public for sale, hire or utilisation but excludes offices, drive through services and activities where the principal business is the sale of liquor.

Ridgeline policy area

Ridgeline policy area

Means the land shown on the [planning map](#), being land within 20 metres horizontally of the line of a prominent ridgeline within the mapped area.

Road hierarchy

Road hierarchy

Means the categories of roads set out in [Appendix A](#) (Traffic).

Roading Network

Roading Network

Means the connection of transport corridors made up of national routes, regional arterial roads, arterial roads, collector roads and local roads that accommodates both local and through traffic.

Rural industry

Rural industry

Means an industry that involves the direct handling or processing to the first stage of manufacture of raw produce harvested from farming, rural contractors depots, intensive farming or any other land related agricultural activity, but excludes waste disposal, extractive industries, and electricity generation.

S

Sensitive activity

Sensitive activity

Means any residential activity including temporary accommodation, and any childcare, hospital and educational activity.

Service court

Service court

An area of outdoor space for the exclusive use of the household unit for domestic requirements such as garbage storage and clothes line, but excluding any space required for a living court, parking, manoeuvring, or buildings.

Services

Services

Means water supply, sewage disposal, stormwater drainage, telecommunications, electricity connections and other services to properties.

Servicing of boats

Servicing of boats

Means loading and unloading of cargo, fuel and stores, and daily boat maintenance, excluding major refits.

Setback

Setback

Means a separation between 2 points, measured horizontally, unless a rule otherwise requires.

Settlement Act

Settlement Act

Means the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.

Sign

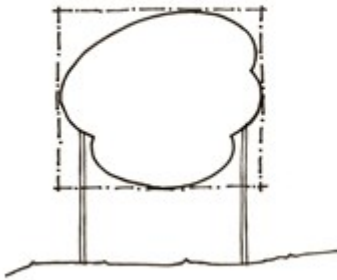
Means a display or device intended to attract attention and includes those affixed to, painted on or incorporated within the design of buildings. It includes any structure that supports the sign.

Sign area means the area of the sign visible from one direction, and in the case of an irregular shaped sign, means the area of a rectangle that could enclose the sign, see diagram.

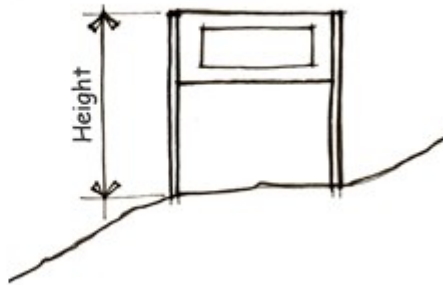
Sign height means the vertical distance between any part of the sign and its supports, and natural ground level immediately below that part of the structure, see diagram.

Sign area

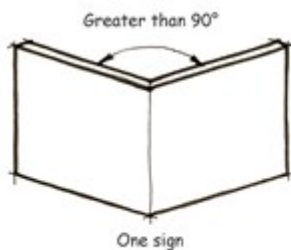
Sign Dimensions are calculated by measuring the rectangular area which encloses the uneven shaped sign.



Sign height



Multi plane signs: each plane of a multi plane sign will be counted as a separate sign if the angle between the planes is less than 90 degrees, see diagram. A structure comprising a single plane with a sign on either side will be counted as one sign.



Advertising sign: Means any sign except a road information sign erected by a public authority, traffic sign or a health and safety sign required by law. Election signage is not covered by this definition, as it is specifically provided for in the Public Places Bylaw.

Health and safety sign: Means any sign that is solely for the purposes of warning people of health or safety hazards in the immediate vicinity and is on display only for the duration of the relevant hazards.

Site

Site

Means:

- (a) any area of land comprised in one certificate of title, or
- (b) any allotment; or
- (c) any two or more allotments or certificates of title linked pursuant to s75 of the Building Act 2004; or s220 of the Resource Management Act. in the case of land developed under the Unit Titles Act 2010, the area comprised in a principal unit or accessory unit excluding any common property; or
- (d) in the case of land developed under the cross-lease system, the area comprised in a cross-lease

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exclusive use area excluding any common property.

Site of significance to Maaori

Site of significance to Maaori

Includes an urupa shown on the [Planning Map](#).

Speed Environment

Speed Environment

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Means the speed that the 85th percentile driver will adopt. Even though a section of road may have a number of horizontal curves with a range of design speeds, there is only one speed environment.

Subdivision

Subdivision

Has its meaning in the Resource Management Act 1991.

T

Transport depot

Means a bus or railway station, truck parking or servicing site, or depot for the handling or transfer of materials or vehicles.

Tainui Hapuu

Tainui Hapuu

Tainui Hapuu is a confederation of twelve interrelated hapuu, Ngaati Ruaaruhe, Ngaati Koata, Ngaati Karu, Ngaati Paetoka, Ngaati Pukoro, Ngaati Tahau, Ngaati Hounuku, Ngaati te Kore, Ngaati Te Ikaunahi, Ngaati Kahu, and Ngaati Tira. These hapuu are tangata whenua of the lands to the north and south of the Whaingaroa harbour entrance. Ngaati Te Ikaunahi is the Tainui hapuu having mana and kaitiakitanga responsibilities for the Rangitahi Peninsula lands and waterways west of the Oporu River.

Tamahere Commercial Area

Tamahere Commercial Area

Means the land shown on the [Planning Map](#).

Tamahere Stormwater Catchment Management Area

Tamahere Stormwater Catchment Management Area

Means an area that has been identified on [Planning Map](#) where stormwater is to be managed to achieve the most effective stormwater management solution, and for which council holds some information that will enable land owners to take into account the entire catchment area when assessing site specific stormwater management issues.

Tamahere Village Business Zone

Tamahere Village Business Zone

Means the area of land within the Tamahere Village shown as Business Zone on the [Planning Map](#).

Te Kauwhata Structure Plan area

Te Kauwhata Structure Plan area

Means the area shown on the [Planning Map](#).

Temporary event

Temporary event

Means a social, cultural or recreational event that has a duration of less 72 hours, including entertainment events, carnivals, festivals, fairs, markets, and exhibitions, and associated temporary buildings and car parks.

Tikanga

Tikanga

Means lore, custom, practice or commonsense thoughts that are based on the Maaori belief system. The application of Tikanga is diverse and can vary depending upon when and where an event takes place. Tikanga provides a framework for rules that govern the care and respect for customary practices in the spiritual or physical world.

Transport depot

Transport depot

Means a bus or railway station, truck parking or servicing site, or depot for the handling or transfer of materials or vehicles.

Travellers accommodation

Travellers accommodation

Means land and buildings for transient residential accommodation for a person, family or group of persons under a single tariff, where the occupiers will not generally refer to it as their home or permanent address. It may include some centralised services or facilities such as food preparation, dining and sanitary facilities and conference and recreation facilities for the use of only those living on the site. It includes hotels, motels, camping grounds and tourist cabins, studios and apartments. Accommodation in association with a permanent resident is excluded.

U

Utility allotment

Utility allotment

Means an allotment used exclusively for the purposes of a network utility, or a reserve, or to provide services to other allotments.

V

Vegetation clearance

Vegetation clearance

Includes the burning, cutting, crushing, spraying and removal of all forms of vegetation including indigenous and exotic plants. It does not include that relating to routine cultivation or grazing, pruning or waste thinning operations or canopy damage resulting from forest harvest activities. In relation to indigenous vegetation and habitat clearance rules, it does not include clearing areas where indigenous species make up less than 50% of the vegetation canopy.

Vehicle movement

Vehicle movement

Means the single passage of any vehicle between a road and a site.

Note: a Heavy Vehicle Movement relates to a vehicle that exceeds 3500kg (refer Heavy Motor Vehicle Regulations 1974)

Viable certificate of title

Viable certificate of title

In the Rural and Coastal zones, means a certificate of title of sufficient size, shape and location to accommodate a suitable building platform and dwelling as a permitted activity under rule [25.77](#) (or controlled activity under rule [26.76](#) in the Coastal zone). This excludes a stopped road, paper road, road severance allotment or allotment less than 5,000m² in size. Where more than one certificate of

title applies to land, this does not allow additional subdivision to occur.

Village Green

Village Green

Means the area of land within the Tamahere Village shown as Village Green on the [Planning Map](#).

Vision and Strategy

Vision and Strategy

Means the Vision and Strategy for the Waikato River set out in Schedule 2 of the Settlement Act.

W

Waikato Innovation Park

Waikato Innovation Park

Means the land shown on [Planning Map](#) and the [Concept Layout Plan](#).

Waikato River and its catchment

Waikato River and its catchment

The body of water known as the Waikato River flowing continuously or intermittently from the Huka Falls to the mouth of the Waikato River shown as located within the areas marked “A” and “B” on SO plan 409144, and

- (a) All tributaries, streams and watercourses flowing into the part of the Waikato River described in subparagraph (i), to the extent to which they are within the areas marked “A” and “B” on SO plan 409144, and
- (b) Lakes and wetlands within the areas marked “A” and “B” on SO plan 409144, and
- (c) The beds and banks of the water bodies described in subparagraphs (i) to (iii).

Note: For the avoidance of doubt, this definition is an excerpt from the Settlement Act and the area contained within SO plan 409144 is administered by a number of territorial authorities. Waikato District Council only administers that part of SO plan 409144 that is within Waikato District.

Waikato River sites of significance

Waikato River sites of significance

Means the parcels of land that have been identified in Part 8 of the Schedule to the 2009 Deed of Settlement between the Crown and Waikato-Tainui as being culturally significant to Waikato-Tainui Iwi.

Waste

Waste

Means any matter, whether liquid, gas or solid, which is discharged, unwanted or discarded by the current generator or owner as having little or no economic value, and which may include materials that can be reused, recycled or recovered. It does not include rubbish from households or commercial activities temporarily stored at a site or dwelling awaiting collection.

Whaanga Coast Policy Area

Whaanga Coast Policy Area

Means the area shown on the [Planning Map](#), for special management of landscape and coastal values.

Whanau

Whanau

Means family, extended family, family group, a familiar term of address to a number of people - in the modern context the term is sometimes used to include friends who may not have any kinship ties to other members.

Wind Energy Facility

Wind Energy Facility

Means buildings, turbines and structures used to generate electricity from the wind, and ancillary structures. It includes electricity lines of less than 110kV.

Wind Measurement System

Wind Measurement System

Means masts, supporting sensors such as anemometers and wind vanes for the purpose of wind resource measurement.

X, Y, Z