

## 2 DEFINITIONS

The following words and phrases where used in this plan shall, unless the context otherwise requires, have the meaning shown in this chapter.

Those terms marked \* are as interpreted or defined in the Resource Management Act 1991 or the Resource Management Amendment Act 1993.

### A

**Access management:** A CPTED design principle that promotes the use of walkways, fences, lighting, signage and landscape to clearly guide people and vehicles to and from entrances to and between public and private space.

**Access strip\*:** means a strip of land created by the registration of an easement in accordance with Section 237B for the purpose of allowing public access to or along any river, or lake, or the coast, or to any esplanade reserve, esplanade strip, other reserve, or land owned by the local authority, or land owned by the Crown (but excluding all land held for a public work except land held, administered, or managed under the Conservation Act 1987 and the Acts named in the First Schedule to that Act).

**Accessory building:** means any building or structure on a site which is incidental to and does not share a roof or wall with the principal building/s or structure/s on the site; and in relation to a site on which no building or structure stands, means a building or structure the use of which is incidental to any activity permitted on the site, excludes fences and retaining walls under 1.5 meters in height.

**Act/RMA:** means the Resource Management Act 1991 and any amendments to that Act.

**Activities:** means the use, development, redevelopment or modification of land, or buildings, or structures, or utilities for residential, commercial, educational, community, industrial, farming of crops, raising of poultry or animals, forestry, recreation or tourism purposes, including earthworks and vegetation clearance, but excluding cultivation of land and domestic gardening activities.

**Adaptive reuse:** An activity which involves no change to culturally significant fabric, changes which are substantially reversible or changes which make a minimal impact.

**Addition:** The action or process of adding something to something else.

**AEP(Annual Exceedance Probability):** means the probability of exceedance of a given occurrence, generally a storm, within a period in one year (1% AEP is equivalent to a 1 in 100 years storm event).

**Aircraft hangar dwellings** – means a single residential dwelling either substantially attached to or located within an aircraft hangar dwelling. Aircraft stored in the hangar shall be flight worthy and owned by the principle dwelling resident.

**Airport operations activities:** means activities that are related to the operation of the airport, including, but not limited to activities within or associated with flight terminals, car parking facilities, vehicle rental facilities, flight schools, aeronautical fuel and mechanical services, hangars, rotary and fixed wing aviation services, and aero clubs.

**Allotment:** means

(a) any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not

- i. the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or
- ii. a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or

(b) any parcel of land or building or part of a building that is shown or identified separately

- i. on a survey plan; or
- ii. on a licence within the meaning of Part 7A of the Land Transfer Act 1952; or

(c) any unit on a unit plan; or

(d) any parcel of land not subject to the Land Transfer Act 1952.

**Alteration:** Change in character or composition, typically in a comparatively small but significant way.

**Ancestral Land** means

1. Maori land as defined under Te Ture Whenua Maori Land Act 1993 or
2. Land returned via Treaty Settlement Claims process.

**Antenna or Aerial:** means the part of a radio communication or telecommunication apparatus used or intended for transmission or reception, including dishes, panels and aerials (i.e an array of wires, rods or tubes). They include the antenna mounting and ancillary components such as radio frequency units, amplifiers, controller boxes, or similar devices, but not any supporting mast or similar structure.

**Arborist:** means a person who, through experience and qualification, is considered by Council to hold specialist knowledge and expertise in the maintenance of trees generally or the maintenance of protected trees.

**Archaeological site:** As defined under the Heritage New Zealand Pouhere Taonga Act 2014

- means, subject to [section 42\(3\)](#),—
  - (a) any place in New Zealand, including any building or structure (or part of a building or structure), that—
    - (i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and
    - (ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and
  - (b) includes a site for which a declaration is made under [section 43\(1\)](#)

**Artificial Crop Protection Structures:** means structures built to protect crops and/or enhance growth (excluding greenhouses).

**Artist’s studio:** means a workroom used for artistic pursuits, and may include an area for the display and sale of art.

**Assessment of Environmental Effects (AEE):** means an assessment, prepared in accordance with the Fourth Schedule of the Act, of any actual or potential effects an activity may have on the environment, and the ways in which adverse effects may be avoided, remedied or mitigated.

## B

**Bed\*:** means

- a. in relation to any river—
  - i. for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks:
  - ii. in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and
- b. in relation to any lake, except a lake controlled by artificial means,—
  - i. for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin:
  - ii. in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and

- c. in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level; and
- d. in relation to the sea, the submarine areas covered by the internal waters and the territorial sea.

**Boundary:** means the surveyed lines which show the spatial extent of the site.

**Boundary adjustment:** The amendment of the location of contiguous boundaries in accordance with the provisions of this Plan on a Computer Freehold Register without creating additional allotments.

**Boutique retail activities:** means a small business, with a maximum floor area of 200m<sup>2</sup>, offering specialist products and/or services

**Building:** means any enclosed or partially enclosed structure with a roof, that is moveable or fixed to land.

**Building height (Display frontage streets):** means the height of the façade measured from the average of the street level between the two front corners of the site along each frontage. Where the level difference exceeds 0.5 metres, then the minimum height shall be measured from 0.25 metres from the highest corner, and the maximum height shall be measured from 0.25 metres above the lowest point.

**Building maintenance and minor works:** with regard to the provisions for Flood Area A and B, means activities required to restore to a good or sound condition after decay or damage with similar materials. This includes internal refurbishment and internal alteration, and excludes additions to the exterior footprint.

**Building platform:** An actual or potential area identified as being suitable for future building activity in accordance with the provisions of this Plan.

## C

**Coastal marine area\*:** means the foreshore, sea bed and coastal water, and the air space above the water:

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

**Commercial activities:** means the use of land or buildings for activities operated principally for the exchange of goods or service, e.g. retail

shops and outlets, banks, food and beverage outlets and stations, tourist facilities, visitor accommodation, cinemas, professional and administrative offices, but excludes funeral parlours.

**Commercial boating activities:** means activities involving the use of the surface of water for boating operations undertaken for hire or reward by means of any type of powered vessel or equipment designed to be used for floatation and navigation on or through the surface of water, and includes any aircraft whilst such aircraft is on the surface of the water.

**Commercial parking lot:** means a site, under private or Council ownership, laid out, developed and used, or intended to be laid out, developed and used, for the parking of vehicles for a fee.

**Commercial scale (Renewable Energy Generation):** means large scale renewable energy generation development for the primary purpose of supplying the distribution network. The generation of renewable energy can occur from solar, wind, hydro-electricity, geothermal, biomass, tidal, wave or ocean current energy sources.

**Community activities:** means any land and/or building used, or intended to be used, as a recreation facility, place of assembly, healthcare facility, day-care facility, community policing centre, educational facility or marae.

**Community Message Sign:** means a sign that is not put up for Commercial purposes and contains information on the following:

- a. The District;
- b. The District boundaries;
- c. Attractions within the District;
- d. Election information;
- e. A public health or safety message; or
- f. A government message.

**Comprehensive structure plan:** means a plan of the intended subdivision, infrastructure provisions and future activities proposed for the entire Coastal Residential zone including the following:

- The size and layout of allotments;
- The alignment and geometry of roads;
- Pedestrian access routes;
- Public reserves;
- Amenity areas and open spaces;
- Earthworks;
- Proposed building sites for dwellings;
- Details of stormwater management and disposal;

- The location and form of any access to the beach; and
- A comprehensive design guide intended to guide implementation of the subdivision, infrastructure provision and future development of the land.

**Connectivity:** The state or degree of being connected or interconnected with regard to transport, social, recreation and infrastructure systems.

**Conservation:** In relation to Chapter 9 – Cultural Heritage as defined under the *ICOMOS New Zealand Charter for The Conservation of Places of Cultural Heritage Value*, means the process of caring for a place so as to safeguard its cultural heritage value.

**Conservation plan:** means a document which identifies the heritage significance and values of a registered item or area and contains policies which guide any significant work or alteration that is to be carried out in the future use and development of that registered item or area.

**Conservation report:** In relation to Chapter 9 – Cultural Heritage means a document identifying the heritage features of a building or area and appropriate management steps.

**Conservation work:** means any public or private work, excluding production forestry, consisting of structures, or planting, designed to protect land and property from erosion, subsidence, landslip, flooding or other natural events.

**Contaminated land:** as defined under the Resource Management Act 1991 means land that has a hazardous substance in or on it that

- a. has significant adverse effects on the environment; or
- b. is reasonably likely to have significant adverse effects on the environment

**Contributory building:** Buildings which make a contribution to the streetscape when read in conjunction with Class A or B buildings.

**Council:** means the Whanganui District Council, or any committee, sub-committee or person to whom the Council's powers, duties and discretion under the Plan have been delegated lawfully pursuant to the provision of any Act.

**CPTED:** (Crime Prevention through Environmental Design) The discouragement of antisocial behaviour through design of the built environment using principles based on access management, defining public and private space, and passive surveillance.

**Critical infrastructure:** with regard to the provisions for Flood Risk Area A and B, means infrastructure necessary to provide services which, if

interrupted, would have a serious effect on the people within the Region or a wider population, and which would require immediate reinstatement.

Critical infrastructure includes infrastructure for:

- (a) electricity substations,
- (b) strategic road and rail networks (as defined in the Regional Land Transport Strategy).

For the purposes of the provisions in the Flood Areas A and B, telecommunications as defined under section 5 of the Telecommunications Act 2001 are expressly excluded from the definition of ‘critical infrastructure’.

**Cul de sac:** An enclosed local road that connects to another road at only one vehicle access point.

**Cultural Heritage Significance or Value:** As defined under the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value means possessing historical, archaeological, architectural, technological, aesthetic, scientific, spiritual, social and community esteem, traditional or other special cultural significance, associated with human activity.

## D

**Demolition:** In relation to Chapter 9 – Cultural Heritage: Defacing, destroying or dismantling of a heritage item or a component of a heritage conservation area in whole.

**Development:** means any use of land involving the erection, alteration, addition, repair, maintenance, or relocation of a building or buildings on a site.

**Display frontage street:** The display frontage streets collectively form the heart of the city. These streets have standards for continuous building facades, verandah and retail frontage, which contribute strongly to the character and vibrancy of the city centre.

Display frontage streets in the Central Commercial zone

*Guyton Street*      *both sides – St Hill Street to Wicksteed Street*

*Maria Place*      *both sides – St Hill Street to Watt Street*

*Ridgway Street*      *both sides – St Hill Street to Drews Avenue*

*Victoria Avenue*      *both sides – Taupo Quay to Guyton Street*

**Domestic Scale (Renewable Energy Generation):** means small scale renewable energy generation development for the primary purpose of using or generating electricity on a particular site (single household or business premise) with or without exporting back into the distribution network. The generation of renewable energy can occur from solar, wind,

hydro-electricity, geothermal, biomass, tidal, wave or ocean current energy sources.

**Drip line:** means the ground surrounding a protected tree that is covered by the canopy plus a 0.5 metre buffer zone. Columnar Trees' drip line shall be a third of the height of the tree either side of the centre of the tree.

**Dwelling unit:** has the same meaning as Dwelling House as defined under the Resource Management Act 1991:

means any building, whether permanent or temporary, that is occupied, in whole or in part, as a residence; and includes any structure or outdoor living area that is accessory to, and used wholly or principally for the purposes of, the residence; but does not include the land upon which the residence is sited.

## E

**Earthworks:** means any modification to land associated with development, and includes the digging, cutting, trenching, levelling, filling, blading, boring, cultivation, drilling, excavation, ripping, moving, placing, removing, replacing, thrusting or contouring of land and associated vegetation removal, and includes other activities normally associated with excavation. Apart from activities within the National Grid Yard, this excludes gardening, rural activities, quarrying or forestry activities.

**Educational facilities:** means a place of learning and instruction, at pre-school, primary, intermediate, secondary or tertiary level.

**Effect\*:** means:

- a. any positive or adverse effect, and
- b. any temporary or permanent effect, and
- c. any past, present, or future effect; and
- d. any cumulative effect which arises over time or in combination with other effects regardless of the scale, intensity, duration, or frequency of the effect, and also includes:
  - i. any potential effect of high probability, and
  - ii. any potential effect of low probability which has a high potential impact.

**Electricity lines:** All National Grid, sub-transmission and distribution lines that primarily transmit and distribute electricity.

**Entranceway features:** A physical construction designed to advertise or augment the amenity of a road entranceway into a subdivision development.

**Entrance Strip:** means a strip of land which extends from a public road to a rear site to provide a legal right of way or access to that rear site.



**Environment\*:** means:

- a. ecosystems and their constituent parts, including people and communities; and
- b. all natural and physical resources; and
- c. amenity values; and
- d. the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters.

**Esplanade Reserve\*:** means:

- a. which is either:
  - i. a local purpose reserve within the meaning of section 23 of that Act, if vested in the territorial authority under section 239; or
  - ii. a reserve vested in the Crown or a regional council under section 237D; and
- b. which is vested in the territorial authority, regional council or the Crown for a purpose or purposes set out in section 229.

**Esplanade Strip\*:** means a strip of land created by the registration of an instrument in accordance with section 232 for a purpose or purposes set out in section 229.

**Excavation:** has the same meaning as 'Earthworks'.

**Existing ground:**

In relation to Rule 11.7.3 means the level of ground when the subject allotment/s were created, and any works permitted by a Building Consent to establish building foundations.

In relation to Building Height existing ground level means the level of the ground immediately preceding any earthworks for the development of a new building platform.

- a. Means the level of ground existing when approved earthworks associated with the most recent subdivision of the land have been completed (as at the issue of the Section 224 Certificate or the previous legislative equivalent) but before cutting and filling of the land for any new building or structure has begun.
- b. Areas of cut or fill which have resulted or will result from work undertaken as part of the construction of a building or an activity shall not be used in calculation of ground level.

# F

**Financial contribution\*:** means:

- a. money; or
- b. land, including an esplanade reserve or esplanade strip (other than in relation to a subdivision consent), but excluding Maori land within the meaning of Te Ture Whenua Maori Act 1993 unless the Act provides otherwise; or
- c. A combination of money and land.

**Finished ground level:** means the level of ground, whether cut or fill, as a result of earthworks.

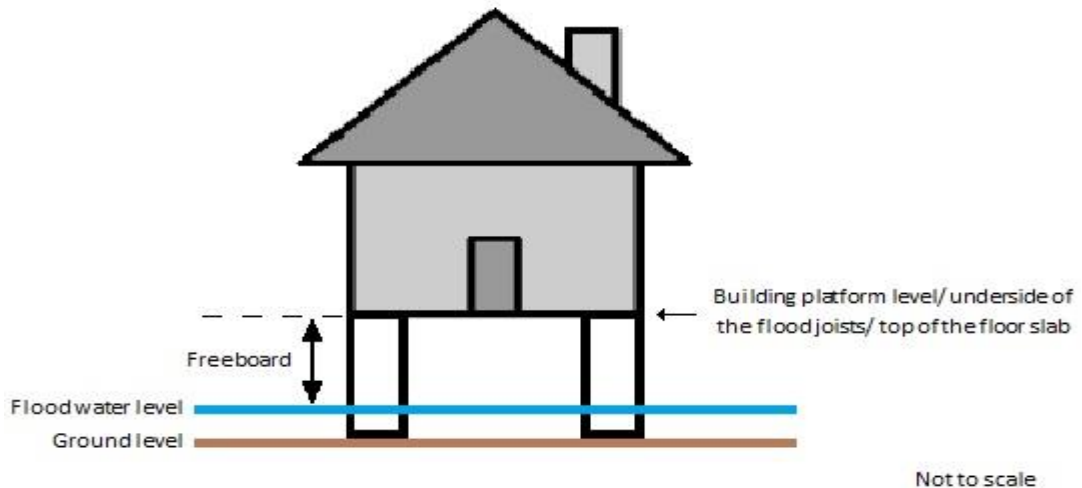
**Flood Risk Area A:** means the area between the Whanganui River or tributaries and the line marked as ‘Flood Level 100 Year Event’ on the District planning maps.

**Flood Risk Area B:** means the area between the lines marked as ‘Flood Level 200 Year Event’ and ‘Flood Level 100 Year Event’ on the District planning maps.

**Forestry:** means activities associated with all planting of trees for carbon sequestration purposes or production forestry including associated activities of tracking, earthworks, land preparation, planting, pruning, thinning, clearing understorey (indigenous and exotic species), and harvesting but excludes shelterbelts, planting for soil conservation purposes, and planting to form property boundaries, and excludes milling and other processing activities of the wood product.

Note that forestry has additional requirements in the Horizons One Plan, the National Environmental Standard for Plantation Forestry and the Forest Act 1993.

**Freeboard:** means the distance measured from the top of the estimated flood water of the 200 year flood event to the building platform level, or the underside of the flood joists or the top of the floor slab, whichever is applicable as shown below:



**Full Time Equivalent staff member (FTE):** means the number of staff working 8 hours a day for 5 days out of 7 from the site.

## G

**GIS:** means geographical information system - an electronic system of information storage, retrieval and presentation used by Council.

**Gross floor area (GFA):** means the sum of the total area of all floors in all buildings on a site measured from the exterior faces of the exterior walls or from the centre lines of walls separating two buildings. The gross floor area of a building shall not include:

- a. Uncovered stairways.
- b. Floor space in terraces (open or roofed), external balconies, breezeways, canopies or porches.
- c. Lift towers and machinery rooms on the roof having a floor area of not more than 200m<sup>2</sup>.
- d. Car parking areas.

## H

**Habitable room:** means a space used for activities normally associated with domestic living or community activities, but excludes any bathroom, laundry, toilet room, pantry, walk-in wardrobe, corridor, hallway, lobby, clothes-drying room, or other space of a specialised nature occupied neither frequently nor for extended periods.

Note that this definition is based on the Building Code definition of 'Habitable Space'.

**Hapū:** means a kinship group, clan, tribe, subtribe - section of a large kinship group and the primary political unit in traditional Iwi society. It consisted of a number of whānau (family in the broadest sense) sharing

descent from a common ancestor, usually being named after the ancestor, but sometimes from an important event in the people's history.

**Hazardous facilities:** means any activity, site, building, installation or vehicle associated, or intended to be associated, with the use, storage, handling or disposal of hazardous substances, but does not include the following:

- a. incidental use or storage of hazardous substances in domestic scale quantities;
- b. trade waste sewer and waste treatment or disposal facilities, due to the difficulty of identifying the quantity and nature of the substances involved;
- c. storage or use of hazardous consumer products for private domestic purposes, because the degree of hazard is generally below the scale of potential effects considered by the HFSP;
- d. retail outlets for the domestic usage sale of hazardous substances (eg supermarkets, hardware shops, pharmacies), because storage of hazardous substances is generally in small packages;
- e. facilities using genetically modified or new organisms;
- f. developments that are, or may be, hazardous but do not involve hazardous substances (eg mineral extraction, high voltage transmission lines, radio masts, electrical substations). These are controlled by other District Plan provisions;
- g. dust explosions;
- h. gas and oil distribution systems;
- i. fuel in motor vehicles, boats and small engines such as weed eaters, lawnmowers, chainsaws etc;
- j. the transportation, storage, and/or use in any zone of hazardous substances in association with temporary military training activities.

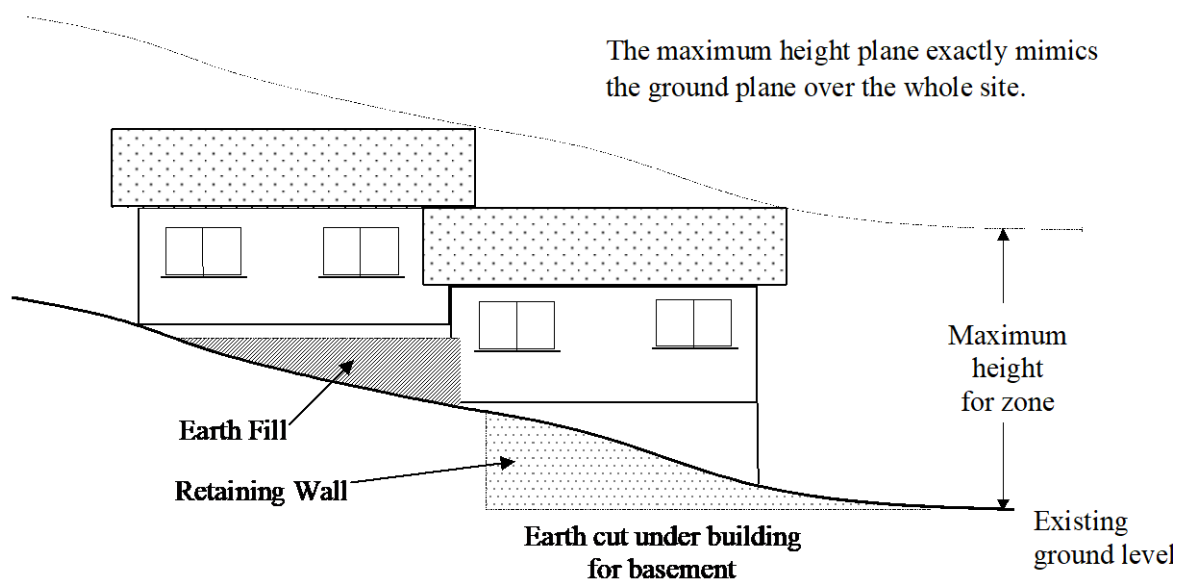
**Hazardous substance\*:** includes, but is not limited to, any substance defined in section 2 of the Hazardous Substances and New Organisms Act 1996 as a hazardous substance.

**Healthcare facilities:** means any land or building used, or intended to be used, for the provision of professional and/or associated services to care for the physical and mental well-being of people, and includes hospitals, psychiatric units, clinics, polyclinics, medical rooms, laboratories, diagnostic and radiology treatment premises, and residential units for people requiring care, attention and counselling, with or without the administration of medication, but excludes facilities used for the promotion of physical fitness or beauty.

**Height:** means in relation to a building or structure the vertical distance between the existing ground level at any point and the highest part of the building immediately above that point. (See diagram below). Excluding:

- chimneys,
- radio and television aerials,
- antennas,
- satellite dishes under 1m diameter,
- poles,
- lattice masts up to 15 metres in height
- 0.25m<sup>2</sup> cross sectional area flagpoles other decorative features and
- solar heating panels}

For the purposes of this definition, existing ground level means the level of the ground before the commencement of any earthworks for the development of the building platform. (See diagram below).



**Heritage fabric:** Any physical structure, fixture, fitting, feature, material, or finish which is associated with the heritage item. In relation to the interior of buildings, heritage fabric also includes the dimension of spaces and the relationship between spaces (floor plan). Original heritage fabric is any such physical element which was an integral part of the initial heritage item. Subsequent changes to and additions of such physical elements which contribute to the record of the historic development of the heritage item are also considered to be part of the heritage fabric. This includes the aggregate effect of material weathering and wear due to historic use.

**Historic heritage:** means those natural and physical resources that

contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:

- i. archaeological
- ii. architectural
- iii. cultural
- iv. historic
- v. scientific
- vi. technological; and

includes

- historic sites, structures, places, and areas; and
- archaeological sites; and
- sites of significance to Māori, including wāhi tapu; and
- surroundings associated with the natural and physical resources.

**Heritage item:** A landscape, place, precinct, work, monument, structure or building of historical architectural, archaeological, aesthetic, social, cultural, technical, scientific or natural heritage significance.

**Home occupation:** means a craft or small business operated typically from home in a designated area of the dwelling or ancillary building. This typically includes art/pottery studio, dressmaking, hairdressing, teaching of speech, drama, or music, and the production and sale of goods and services that have been substantially made, repaired, or restored on the site (excluding vehicle repair and vehicle sales), includes home stays and farm stays for up to five paying guests and which are clearly incidental and secondary to the use of the property for residential activities.

**Horizons Regional Council:** means Manawatu-Wanganui Regional Council

**Houseboat:** means a vessel intended for accommodation which is permanently or semi-permanently moored.

**Industrial activities:** has the same meaning as 'Manufacturing Activities'.

**Infrastructure facilities:** means any land, building, installation, device, reticulation line to support land use activities and to provide for the convenience, health and welfare of people and communities, and includes roading, bridges, water supply, liquid and solid waste collection, treatment and disposal systems, network utilities, defence facilities, open space, sports fields and other similar facilities.

**Intensive farming:** means the intensive farming of animals, birds and plants which are predominantly carried out under building cover, or non-grassed feed lots, e.g. poultry farming, rabbit farming, fitch farming, mushroom farming, intensive pig farming, but does not include glasshouses and plant nurseries.

**Inventory item:** Any heritage item, group or area identified in an Appendix relevant to Cultural Heritage Chapter 9 – Cultural Heritage.

**Issue:** means an existing or potential problem be resolved to promote the purpose of the RMA. However, issues can also be positive opportunities that if taken advantage of can assist in promoting the purpose of the RMA.

**Iwi:** means an extended Māori kinship group, tribe, nation, people, nationality, race - often refers to a collective of related hapū, descended from a common ancestor and associated with a distinct territory.

**J** **Joined multi-unit developments:** means two or more dwellings that are located on one site where each dwelling includes one or more common partition.

**K** **Kaitiakitanga\*:** means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship.

**L** **L10** is that sound level which is equalled or exceeded 10% of the total measurement time.

**L95** is that sound level which is equalled or exceeded 95% of the total measurement time.

**LAeq:** means the time-averaged sound level (or equivalent sound level) that has the same mean square sound pressure level as the time-varying sound level under consideration.

**LAFmax:** means the maximum noise level, measured in decibels, which is permitted at any time.

**Lake:** means any body of fresh water which is entirely or nearly surrounded by land.

**Landfill:** means a site identified, designed and managed for the long term use, for the permanent disposal of non-hazardous domestic and industrial wastes.

**Lifestyle Development:** means development in any rural zone where the predominant purpose for the site is rural residential living rather than rural production activities.

**Lines:**

(a) means a wire or a conductor of any other kind (including a fibre optic cable) used or intended to be used for the transmission or reception of signs, signals, impulses, writing, images, sounds, instruction, information, or intelligence of any nature by means of any electromagnetic system; and

(b) includes—

- (i) any pole, insulator, casing, fixture, tunnel, or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any of those wires or conductors; and
- (ii) any part of a line

**Liveability:** The quality of life and sense of wellbeing provided by built form, accessibility, positive social interaction, quality public spaces and a clean environment.

**Liveable streets:** Roads that are designed around the needs of people as opposed to cars, that promotes a sense of place and community interaction, and is safe for all.

**Loading bay:** means that part of a road, site or building where space has been, or is to be, provided and set aside for the sole purpose of loading and unloading of goods or other deliveries from/to vehicles.

**Low impact design/development:** An engineering approach to land development and stormwater management that recognises and provides for the value of natural systems in order to mitigate environmental impacts and enhance local amenity and ecological values.

**M**

**Maintenance:** In relation to lawfully established network utility structures means works including repair performed to preserve the efficacy of function of a structure without altering the type or intensity of use for which the structure is utilised.

**Maintenance plan:** in relation to Chapter 9 – Cultural Heritage means a document which sets out how the protective care and repair of major elements of a registered item or area, including roof, verandah, facade, window, door and external colour scheme is to be carried out in order to protect the identified cultural heritage values of the registered item or area on an ongoing basis.

**Manufacturing activities (also relating to the arts):** means any activity which involves the processing, production, assembly, packaging, testing,



repair, storage of materials, goods, products, vehicles and/or equipment (includes funeral parlours and living quarters for a caretaker).

**Marae:** For the purposes of this Plan, means the land and buildings (meeting house/ wharenui, kitchen and dining hall/ wharekai, ablutions block/ wharepaku) generally associated with gatherings and meetings and programmes of tangata whenua, hapū or whānau for religious, educational, or community purposes.

**Market activities:** means any food and beverage outlets, retail activities and artist’s studios located in a temporary structure within the Riverfront zone.

**Mast:** means any pole, tower or similar structure which is fixed to the ground and specifically designed to carry antennas or aerials to facilitate the transmission of telecommunications and radio communication signals.

**Minor dwellings (granny flats):** A self-contained unit accessory to the principal dwelling, and located on the same allotment that has a shared access way with principal dwelling.

**Minor Upgrades:** In relation to Chapter 11 – Natural Hazards means increasing the carrying capacity or efficiency of an existing network utility while the effects of that utility remain the same or similar in character, intensity and scale. Examples of minor upgrading include:

For electricity and telecommunication lines:

- (a) Adding circuits and conductor to electricity and telecommunications lines.
- (b) Reconductoring lines with higher capacity conductors.
- (c) Resagging conductors.
- (d) Bonding of conductors.
- (e) Adding longer or more efficient insulators.
- (f) Adding earthwires to electricity lines, which may contain telecommunication lines, earthpeaks and lightning rods.
- (g) Adding electrical or telecommunication fittings,
- (h) Replacement of cross arms with cross arms of an alternative design.
- (i) Support structure replacement within the existing alignment of the line or within 5m of the existing support structures being replaced.
- (j) An increase in support structure height required to achieve compliance with NZECP34:2001

(k) An increase in support structure height by no more than 15% of the base height of the support structure, and where the base height is defined as the height of the structure at the date of public notification of the Plan.

Minor upgrading shall not include an increase in the voltage of an electricity line unless the line was originally constructed to operate at the higher voltage but has been to operating at a reduced voltage.

Other infrastructure:

(l) Widening of existing roads

(m) Improvements to existing rail lines and yards.

**Minor works and maintenance:**

- Cleaning or washing with materials or techniques not detrimental to the heritage fabric.
- General maintenance and/or minor repair where minor repair means the repair of materials by patching, piecing-in, splicing and consolidating existing materials and including minor replacement of minor components such as individual bricks, cut stone, timber sections, tiles and slates where these have been damaged beyond reasonable repair or are missing. The replacement should be of the original or similar material, colour, texture, form and design as the original it replaces and the number of components replaced should be substantially less than the existing.
- Repainting and revarnishing of surfaces. The application of other finishes provided that the materials used are similar to the existing or earlier finishes.
- Activities that have an insignificant effect on the heritage fabric of the item, for example hanging planter pots, or the installation and refurbishment of services where the work does not affect significant fittings or features.
- Replanting of existing landscape features.

**MHWS:** means the mean high water springs, and marks the seaward boundary of the administrative area of Council, except where that line crosses a river.

**National Grid:** means the assets used or owned by Transpower NZ Limited. Note that this definition is the same as in the National Policy Statement on Electricity Transmission 2008.

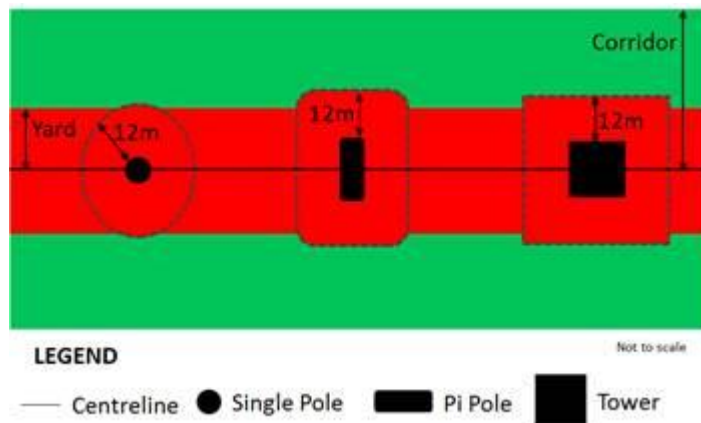


**National Grid Subdivision Corridor:** means the area measured either side of the centreline of above ground National Grid line as follows:

- 16m for the 110kV lines on pi poles
- 32m for 110kV lines on towers
- 37m for the 220kV transmission line

**National Grid Yard** means:

- the area located 12 metres in any direction from the outer edge of a National Grid support structure; and
- the area located 12 metres either side of the centreline of any overhead National Grid line.



**Natural and physical resources\*:** includes land, water, air, soil, minerals and energy, all forms of plants and animals (whether native to New Zealand or introduced) and all structures.

**Natural hazard\*:** means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire or flooding), the action of which adversely affects, or may adversely affect, human life, property, or other aspects of the environment.

**Net site area:** means the total area of the site, less the area of land used for access where the site concerned is linked to a public road via a single or shared right of way or entrance strip.

**Network utilities:** means those works undertaken by network utility operators as defined in Section 166 of the Resource Management Act 1991 and for the purpose of the district plan, also includes navigation and survey aids, beacons and meteorological activities and the soil conservation, erosion control, river control or flood protection works of regional councils.

**Noise** means unwanted sound or vibration affecting people. For the purposes of this Plan, the following sounds and vibrations are exempt from this definition provided that best practicable options are implemented to minimise noise:

- a. Vehicles being driven on a road (within the meaning of Section 2(1) of the Transport Act 1962),
- b. All reasonable noise arising from within the designated rail corridors as long as it is generated for “Railway Purposes”
- c. Crowd noise at a park, reserve or any land zoned as recreation, racecourse, conservation and amenity or showgrounds.
- d. Livestock noise and noise from mobile rural machinery in the rural zones.
- e. Non-commercial boating activities on the Whanganui River.
- f. Emergency sirens.

**Noise event** means an event that is a cumulative maximum period of up to seven hours on any day, during which time the noise generated by a temporary event exceeds the normally applying District Plan noise limits.

**Noise Sensitive Activities:** means buildings or parts of buildings used for, or able to be used for the following purposes:

- Residential activity; or
- Community activity; or
- Visitor accommodation.

**Non-habitable structures:** With regard to the provisions for Flood Area A and B, means any building or structure where people will not sleep or work.

**Non-rural activities:** means any activity that is not a Rural Activity as defined in this Plan.

**Notional Boundary:** means a line 20 metres from the exterior wall of a dwelling or the legal boundary where this is closer.



**Objective:** For the purposes of this Plan, means goals, or end states to be sought. They are expressed as broad statements of what is to be achieved and represent the resolution of the issues identified. An objective statement may satisfy more than one issue.

**Occupied structures:** means buildings or structures where people sleep or are employed in work.

**Office:** means any building or part of a building used, or intended to be used, for business, administration and professional activities.

**Official sign:** means any regulatory traffic or other sign approved by a road controlling authority or provided for under any legislation and which is

erected on a legal road. This includes signs that inform road users of an approaching traffic hazard.

**Outer Boundary:** means one or more of the legal boundaries of the ancestral land subject of a particular papakainga development.

## P

**Papakainga:** means development or activity established on ancestral land by an iwi, hapū or whānau of the Whanganui District on behalf of and for use by its members which promotes Tangata Whenua community development, and sustains the relationship of Tangata Whenua with their culture, traditions and ancestral land.

**Parking Space:** means land on a site set aside for the parking of motorised vehicles.

**Parks and open spaces:** Formal public areas of either active or passive recreation.

**Partial demolition:** Defacing, destroying or dismantling of a heritage item or a component of a heritage conservation area in part.

**Passive surveillance:** Design layouts of built forms and other structures and vegetation that enhances visibility of activities occurring in public spaces.

**Permeability:**

- a. With regard to Roads: The extent to which connections are provided between roads within the roading network.
- b. With regard to fences or boundary structures: The degree to which space is provided that is visually unobstructed from one side to the other.
- c. With regard to ground surfaces, the degree to which water is able to infiltrate through it to ground.

**Place of assembly:** means any land and/or building used in whole or in part for the assembly of people for community, social, cultural or religious purposes but excludes commercial activities (including places of entertainment such as cinemas).

**Places of entrapment:** Designs where built form creates spaces that prevents safe egress or access which encourages antisocial interaction.

**Policy:** For the purposes of this Plan, means the broad strategies to achieve the objectives. They give direction, and represent a general course of action to be taken.

**Potable water:** The same meaning as defined in the Health (Drinking Water) Amendment Act.

**Potential household units:** The number of actual or theoretical household units that could reasonably be placed on a given allotment calculated by the following:

*Potential household units equals:*

$$\text{Total allotment area} - \frac{\text{Physical and legal constraints (Easements, ROW's, hazards)}}{\text{Minimum lot size}}$$

Where the number of potential dwellings exceeds a whole number, this shall be rounded to the lowest whole number.

**Property identification sign:** means a device whose sole purpose is to identify the name of the location on which the sign is situated. This includes schools, hospitals and business names.

**Protected tree:** means any tree listed in Appendix C of the Plan.

**Private space:** Places that are not intended to be accessible to the general public without explicit invitation.

**Public space:** Places that are open and accessible to all people.

## R

**Recreation facilities:** means any land, building or other structure used for playgrounds, sports fields, swimming pools, games venues, club rooms, viewpoints, reserves and open space, parking and rest areas, vehicle parking, toilets.

**Relocated building:** means any building, which was originally built off the subject site and is proposed to be permanently repositioned onto a new site (either in sections or as a whole). Excludes Temporary Relocatable Buildings.

**Reserves and open spaces:** means an area of land or body of water, set aside for landscape conservation or recreation, and may include open space, walkways, seating, water features, gardens, plantings and maintenance of trees and other vegetation, including removal of pest plant species on that land and include ancillary facilities such as parking, toilets, play equipment, information kiosks and accessory buildings.

**Residential activities:** means the use of land, and/or buildings for domestic living purposes by people either living alone or in family or non-family groups, and includes dwelling units, accessory buildings, residential care facilities, and home occupations.

**Residential care facilities:** means a building or buildings, which provide care for people who require ongoing health care or supervision provided by paid staff in, and includes any private or public restrooms boarding school hostel or other similar places and having accommodation for five or more persons excluding staff.

**Resilient building methods:** means methods that will, where appropriate to the building and nature of the hazard, limit damage and aid recovery from a flood event. Such methods include, but are not limited to, raising floor or foundation levels, surrounding a building with flood proof materials, sealing all openings below flood levels, elevating electrical systems, and providing flood water passage.

**Retail activities:** means an activity which entails the use of a building or buildings for the direct sale of goods to the public. This definition shall not include service stations or fast food restaurants.

**Retaining wall:** For the purposes of the Landslide Stability Assessment Areas, a retaining wall means a wall retaining more than 0.6m depth of ground.

**Reticulated infrastructure:** Council owned networks of infrastructure services including for the provision of water, wastewater, and stormwater services including pipes, associated pumping stations, treatment works, swales, detention areas, and other ancillary equipment, structure or facilities.

**Reticulated water services:** Water, wastewater and stormwater reticulated infrastructure.

**Reverse sensitivity:** The conflict between incompatible land uses where a newly established activity complains about the effects on amenity (environmental qualities i.e. levels of noise) from a legally established pre-existing activity.

**Riparian Margin:** means the strip of land along the edge of a waterbody including streams, lakes and wetlands. The riparian margin starts at the mean high spring water level and extends inland 20 metres.

This definition only applies to waterbodies identified in Policy 10.3.1.

**Road:** For the purpose of this Plan “road” includes:

- i. road as defined in the Local Government Act 1974 and the Transit New Zealand Act 1981; and
- ii. all land within the legal road reserve; and
- iii. all land comprising formed and existing roads under the control of the road controlling authority.

The Status of Formed and Unformed Roads

On the District Plan Maps, all formed legal roads, and some unformed legal roads are coloured white. With regard to the application of District Plan objectives, policies and rules, the Plan provisions of the zone in which any formed or unformed legal road is located shall apply. Where a road is stopped, the Plan provisions for

the zone on which the stopped road is located shall apply. Where a formed, unformed or stopped road is bounded by different zones, the demarcation between zones is the former centre of the road.

Note: Any activities that occur within road corridors must be authorised by the owner of the road. This provides a process for the owner (in most cases New Zealand Transport Agency or Whanganui District Council) to issue what is in effect a 'licence to occupy' prior to any activity being. Network utility operators will not be required to obtain such authorisations where they comply with the enabling legislation that provides for network utility activities within road corridors.

**Road controlling authority:** The authority, body, or person having control of the road, and includes a person acting under and within the terms of a delegation or authorisation given by the controlling authority.

**Rural activities:** means the use of land, buildings and other structures for the purposes of breeding animals or growing vegetative matter, and includes forestry, horticulture, aquaculture, seed growing, viticulture, cropping and the keeping of livestock for food, wool, skins or fur, and ancillary uses which are incidental and secondary to the rural activity, including but not limited to artificial crop protection structures and agricultural airstrips

- a. Does not include rural industry.
- b. Does not include intensive farming.

**Rural industry:** means an operation that processes the output of land based operations involving animals, agriculture, forestry or horticultural crops, and includes (but is not limited to) rural transportation and agricultural contractors depots, the preliminary packaging and processing of agricultural produce, stock saleyards and sawmills.

## S

**Safe access/egress:** With regard to the provisions for Flood Area A and B, means an area that provides passage from a building to a site that is free from inundation for evacuation or access through flood waters that are no deeper than 0.5 metres and have a velocity of more than 1m/s in a 200 year flood event., or some other combination of water depth and velocity that can be shown to result in no greater risk to human life, structures or property.

**Sand dunes:** means the band of unstable, active sand systems and flat areas of wetlands, both permanent and transient, located between mean high water and fully stabilised sand characterised by forest, pasture or other development.



**Secondary flow:** The estimated surface water runoff in excess of the primary design flow of the stormwater network.

**Secondary flow path:** The path taken by stormwater runoff in excess of the primary design flow of the stormwater network.

**Segregation strips:** A piece of land, or restrictive covenant, or easement, other means by which prevent land being accessing legal road.

**Sensitive activities:** means the following activities:

- a) Residential activities
- b) Farm stays and other buildings used for visitor or tourist accommodation
- c) The accommodation or care for people including hospitals
- d) Educational facilities including childcare facilities, kohanga reo, primary, intermediate and secondary schools.

**Separation Distances of vehicle crossings:** means the distance from any edge of the vehicle crossing to the closest point of either another vehicle crossing or intersection.

**Service lane:** means any access way to provide a side or rear vehicle access to commercial/manufacturing sites.

**Service station:** means a site where the principal activity is the sale of motor vehicle fuels (including petrol, CNG, LPG and diesel) and may include ancillary and incidental activities like car wash, mechanical repair, service and inspection of motor vehicles (but excludes panel beating) and the sale of motor car accessories and other goods for the convenience of the travelling public.

**Servicing capacity:** The level of service that infrastructure is designed and constructed to provide for all intended users throughout its entire catchment.

**Shelterbelt:** means a row or rows of trees or hedges planted to partially block wind flow.

**Sightline Distance:** means the distance visible along the road that a car could be spotted, from the point 3 metres back from the channel or kerb and 1.1 metres above ground.

**Sign:** means boards, flag signs, placards, hoardings, banners or other similar devices or advertising matter, whether consisting of a specially constructed free standing device, structure, erection or apparatus, or painted, printed, written, carved, inscribed, endorsed, projected on to, placed or otherwise fixed to or displayed upon any land, building, wall, fence, rock, tree or other structure or object (including parked vehicles or

trailers where such a vehicle or trailer is parked specifically for the purpose of attracting attention), with or without illumination.

This does not include:

- a. sponsored art installations where the sponsors take up 1m<sup>2</sup> or 25% or less of the total area of the installation, whichever is lesser; or
- b. memorials and plaques on public land approved by the Public Arts Committee.

**Site:** means an area of land which is held, or is capable of being disposed of, under separate ownership of title. In relation to papakainga development, means the entire area of ancestral land included within the outer boundary. The term 'on-site' shall also take the same meaning for papakainga development.

**Site coverage:** means the portion of the net site area, expressed in percentage terms, which is covered by buildings and storage space, and includes eaves, and excluding:

- a. uncovered swimming pools
- b. eaves not exceeding 1 meter in width.
- c. Balconies, decks and terraces not exceeding 2.4 meters above ground level.

**Stormwater:** Rainwater that does not naturally percolate into the ground or evaporate.

**Structure:** means any building, equipment, device or other facility made by people and which is fixed to land whether temporary or permanent, and includes any raft or shipping container. Excluding: (other than within the National Grid Yard)

- a. Any retaining wall less than 1.5m in height measured from the lowest adjoining ground level.
- b. Any fence or wall (other than a retaining wall) less than 1.8 meters in height measured from the lowest adjoining ground level within 1 metre of a property boundary.
- c. Any pool or tank which is less than 1.0m in height measured from the lowest adjoining ground level.
- d. Play equipment and letterboxes.
- e. Motorised vehicles that can be moved under their own power.

**Subdivision:** means:

- (a) the division of an allotment

- (i) by an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of the allotment; or
- (ii) by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or
- (iii) by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or
- (iv) by the grant of a company lease or cross lease in respect of any part of the allotment; or
- (v) by the deposit of a unit plan, or an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; or

(b) an application to the Registrar-General of Land for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by section 226,—and the term subdivide land has a corresponding meaning.

**Swale/s:** A constructed watercourse shaped or graded in earth materials and stabilised with suitable vegetation or rocks for the conveyance, attenuation, and the treatment of storm water runoff.

## T

**Tangata Whenua:** means in relation to a particular place or area, the iwi or hapū that holds, or at any time has held, mana whenua in relation to that place or area.

**Taonga:** means all things that are considered to be treasures and of great value, and includes things that are intangible.

**Tavern:** means a premise used principally for providing alcohol and other refreshments to the public.

**Temporary Activities:** means any activity undertaken for a short term duration, either as an isolated event, or as a series of events, where the cumulative period of operation is less than one month in any calendar year, and where the activity is undertaken on a site, including any gala, sport event, festival or other community activity and does not result in any permanent structures.

**Temporary Construction Sign:** means a sign used to advertise the parties actively involved in the development on a site.

**Temporary Military Training Activity:** means a temporary activity undertaken for Defence Purposes. Defence Purposes are those in accordance with the Defence Act 1990. The Defence Act also enables access to Defence areas, which includes areas utilised for temporary military training activities, to be restricted.

**Temporary Relocatable Building:** means any building, not intended for permanent use on any site and is able to be moved off the site in its entirety once the activity that it was used for is completed.

**The Plan:** means the Whanganui District Plan, including maps, schedules and other material contained within.

**Tongi Tawhito:** is a local dialect term that has a translation similar to 'sites of significance'. It may be used locally in conjunction with or reference to both wāhi tapu and wāhi tūpuna.

**Tourist facilities:** means any land, building or other structure which attracts and provides for transient domestic or international visitors and includes camping grounds, games venues, viewpoints, information kiosks, parking and rest areas, vehicle parking, toilets, and visitor accommodation.

**Town Centre:** For heritage purposes, the Town Centre is the area covered by the Central Commercial zone, Arts and Commercial zone and Riverfront zone.

**Tree maintenance programme:** means a programme of works specified for up to five years that has been developed with the assistance of an approved Council Arborist or tree surgeon.

## U

**Upgrade:** means bring a structure, system, facility or installation up to date or to improve its functional characteristics, provided the upgrading itself does not give rise to any significant adverse effects, and the character, intensity and scale of any adverse effects of the upgraded structure, system, facility or installation remain the same or similar.

**Urban design:** The design of the buildings, places, spaces and networks that make up our towns and cities, and the ways people use them.

**Urupa:** means a Māori burial ground.

## V

**Vegetation clearance:** means the destruction of vegetation by any means, including cutting, burning, clearing or spraying; and excludes clearance of agricultural or horticultural crops, pasture, forest thinnings or coppicing, or any plant defined as a plant pest; or clearance of tracks for the use of foot traffic only; or any clearance for the purposes of a recognised river control scheme or any clearance for the normal maintenance of roads, railway lines and public utility networks; and includes clear felling of forest; and line clearance by bulldozer or similar machine for fences or planting.

(Note: Maintenance of roads, railway lines and public utility networks includes the trimming of adjacent vegetation; but does not include vegetation clearance for new installation, roads, or access ways).

**Vehicle:** means a vehicle as defined in the Transport Act 1962, and includes any contrivance that is equipped with wheels or revolving runners upon which it moves or is moved.

**Vehicle Crossing:** means the area of land which provides safe vehicle access to and from the road to any parking area within the site including the necessary manoeuvring area.

**Vehicle sales:** means the selling of new or used cars, caravans, trailers, boats and any motorised vehicle which can accommodate a person on board.

**Verandah:** means a permanent structure, constructed of weatherproof material, which is either cantilevered, or supported on posts or pillars, which extends from the building facade, usually on the street frontage and at first floor level, and overhangs a footpath or other similar public pedestrian access or space.

**Visitor accommodation:** means any land or building or other facility used to provide accommodation for visitors and backpackers' and includes hotels, motels, hostels and camping grounds.

## W

**Waahi Tapu:** means a place important to tangata for its ancestral significance and associated cultural and traditional values and includes ancestral places used for purposes including settlement, seasonal and permanent, cultivation and hunting sites as well as healing sites.

**Wāhi Tūpuna:** means a place important to tangata for its ancestral significance and associated cultural and traditional values and includes ancestral places used for purposes including settlement, seasonal and permanent, cultivation and hunting sites as well as healing sites.

Wāhi tūpuna are important because they provide a spiritual connection between the ancestral imprints on the land and their descendants.

Note: **Tongi Tawhito** is a local dialect term that has a translation similar to 'sites of significance'. It may be used locally in conjunction with or reference to both wāhi tapu and wāhi tūpuna.

**Wastewater:** Water that has been used and contains unwanted dissolved or suspended substances from communities.

**Wetland\*:** means or includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.

**Whānau:** means the extended family, family group, a familiar term of address to a number of people.