

Definitions

"Aerial" means the part of a radio communication facility or telecommunication facility used for transmission or reception including the aerial mountings but not any supporting mast or similar structure. Without limitation this definition excludes antennas, dishes and earthmats, but includes lighting rods.

"Access Lot" means a lot owned in common in undivided shares by the owners of two or more lots in a subdivision for the principal purpose of providing access from all or any of the other allotments in the subdivision and to an existing road or street where the interests in the access lot are recorded in the certificate of title for the lots having the benefit of the access lot.

"Accessory Building" means a building that is incidental or ancillary to any Permitted Activity but does not include facilities which when combined with an "Accommodation Facility" as defined hereunder would then comprise a self contained dwelling or stand alone household unit. "Buildings Accessory to" shall have a corresponding meaning.

"Accommodation Facility" means any form of residential accommodation that is accessory to a primary dwelling, forms part of a primary dwelling, or is a stand alone facility, that does not comply with the definition of dwelling, minor dwelling, or accessory building. Included within this definition is; home-stays, farm-stays, bed and breakfast, boarding houses, hotels, motels, hostels, camping grounds, retirement villages and rest homes for the rehabilitation of any care group. Occupancy is based on one person per single bed and two per double bed.

12.19

"All Terrain Park Activities" means recreational activities and includes the following incidental or ancillary activities directly associated with recreational activities or with the operation and management of the Park:

- Places of assembly, including club buildings;
- Accommodation facilities, including for Park workers;
- Education facilities;
- Infrastructure, including carparks, toilets, access tracks and signage;
- Park works depot;
- Park information/visitors building;
- Observation towers;
- Buildings accessory to the foregoing.

"Animal Saleyard" means land or buildings used for the sale of farm animals.

"Annual Plan" means as defined by the Local Government Act.

"Antenna" means any device, including any dish or panel that receives or transmits radio communication or telecommunication signals. Without limitation this includes any mounting (including any head arrangement but not the mast) and any shroud, but does not include either an earthmat or a mast.

"Artificial Crop Protection" means structures of cloth used to protect crops and/or enhance growth.

"Building/Structure" means any building, or part of a building, and in addition to its ordinary and usual meaning shall include the following:

- (a) any retaining wall or breastwork exceeding 1.5m in height;

- (b) any fence or wall exceeding 2.0m in height;
- (c) any vehicle, caravan or structure whether movable or immovable used as a place of permanent residence or business or for assembly or storage purposes;
- (d) any mast, pole or radio or television aerial which exceeds 7m in height above the point of attachment or its base support;
- (e) any permanent tent or marquee or air supported canopy;
- (f) any part of a deck, or terrace, platform or bridge which is more than 1m above natural ground level; but does not include any fence or wall;
- (g) any pool or tank exceeding 1.0m in height above natural ground level measured directly below the building/structure (including, without limitation any retention tank, swimming pool, spa pool, swirl pool, plunge pool or hot tub);
- (h) any guttering;
- (i) any other structure requiring building consent that will infringe daylighting and yard rules in the District Plan.

24.2
39.2

“Building and Construction Wholesalers and Retailers” means the wholesaling and/or retailing of goods and materials used in the construction, repair, alteration, improvement and renovation of buildings and other structures and may include home and building display centres and garden centres.

“Building Coverage” means that proportion of the net site area which may be covered by buildings. For this purpose “buildings” includes accessory buildings, overhangs and those parts of eaves that are more than 1.0m from an outside wall, but excludes eaves less than 1.0m wide, pergolas or similar structure of a substantially open nature, and uncovered decks, uncovered terraces, uncovered steps and swimming pools less than 1.0m in height.

“Cabinet” means a casing around equipment that is necessary to operate a infrastructure and network utilities.

“Candela” is the basic unit for measuring luminous intensity from a light source in a given direction.

“Commercial Services” means activities that service the community including banks, post offices, insurance offices, government agencies, dry cleaners, laundries, shoe repair, locksmiths, domestic garden appliance repair and the like but does not include motor vehicle servicing and repair.

“Commercial Sexual Service” means sexual services that –

- (a) involve physical participation by a person in sexual acts with, and for the gratification of, another person, whether those acts are a minor or major part of their business; and
- (b) are provided for payment or other reward (irrespective of whether the reward is given to the person providing the services or another person).

“Community Facilities on Maori Owned Land” means buildings and outside areas and structures used directly in association with Buildings on Maori Land used for Temporary Accommodation Facilities, Educational Facilities, Places of Assembly, health related activities, any Permitted Activities in the Rural Zone, and administration facilities, and activities directly associated with each of these foregoing uses.

“Conservation Forestry” means the planting and management of trees for water and soil conservation, shelter belts, and for recreational, aesthetic or scientific purposes but excludes production forestry.

“Construction” means any work in connection with the construction, erection, installation, carrying out, repair, maintenance, cleaning, painting, renewal, alteration, demolition, dismantling or demolition of:

- (a) Any building, erection, edifice, structure, wall, fence or chimney, whether constructed wholly or partly above or below ground;
- (b) Any road, motorway, harbour works, railway, cableway, tramway, canal, or airfield;
- (c) Any drainage, irrigation, or river control work;
- (d) Any bridge, viaduct, dam, reservoir, earthworks, pipeline, aqueduct, culvert, drive, shaft, tunnel or reclamation;
- (e) Any scaffolding or falsework.

“Council” means the Western Bay of Plenty District Council.

“Dairy” means a shop selling food and beverages and deriving the majority of its trade from the retail sale of milk, bread, and other day to day food requirements.

“Depot” means transport, tradespersons or contractors depots and includes land and buildings which are used for the receipt, delivery and transit, and storage of goods and machinery (including mail sorting distribution centres and hire centres) and as a terminal for passenger transport services and may include the care, housing or parking of commercial vehicles in association with the operation.

“Development” means any work that involves the disturbance and/or an excavation of the land surface and/or the provision of services for the purposes of compliance with Resource Consent approvals or as required to fulfill the obligations of a Permitted Activity, but excludes day to day farming activities such as fencing, cultivation, maintenance of farm tracks, and orchard activities such as shelterbelt and tree removal and root ripping.

“District” means the Western Bay of Plenty District.

“Drain” means an artificial watercourse used for land drainage purposes.

“Drip Line” means the line formed when a vertical line from the outmost extent of a trees branches or canopy meets the ground.

“Dwelling” means a self contained residential unit designed for or occupied exclusively by one household and includes apartments, semi-detached and detached houses, home units, town houses and similar forms of residential development.

24.1

“Earthworks” means the alteration of land contours on any site including, without limitation:

- (a) deposition, disturbance of land by moving, removing, placing or replacing soil by excavating, cutting, filling or backfilling
- (b) recompacting of existing ground

19.2

"Educational Facilities" means land and/or buildings used to provide regular instruction or training and includes pre-schools, schools, tertiary education institutions, work skills training centres, outdoor education centres and sports training establishments.

"Effluent Aerosols" means particles of effluent that are small enough to become airborne and carry significant distances.

"Electrical Line" means the wire, cable or conduction that transmits electricity and includes the poles, towers and pylons for supporting the lines and insulators and casings necessary for their functioning.

"Equipment Shelter" means a casing or structure located around equipment that is necessary to operate a telecommunication or radio communication network.

"Equivalent Light Vehicle Movements" means the combined number of vehicle movements equated to the effect of a number of light vehicles or cars. For example one Heavy Goods Vehicle (HGV) movement is equivalent to 2.5 light vehicle movements.

39.4

"Existing Urupa" means Maori burial places existing at 2 July 1994 and includes expansion of such places at their existing sites.

"Exploration" means any activity undertaken for the purpose of identifying mineral deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of one or more minerals; and includes any drilling, dredging, or excavations (whether surface or sub-surface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence.

"Farming" means and includes agriculture, including outdoor (extensive) pig farming (means the keeping of pigs in an extensive manner in paddocks where groundcover is maintained and where no fixed buildings are required), horticulture, floriculture, beekeeping, aquaculture, the keeping of not more than 25 poultry; and/or the keeping of not more than 12 weaned pigs when these are kept mainly within buildings or outdoors without groundcover being maintained.

"Formed Road" means legal road developed with a formed carriageway and identified on Council's RAMM database. Such a road may include activities or equipment associated with the safe and efficient movement of vehicles and pedestrians and includes footpaths, pedestrian and traffic signs, speed cameras, landscaping, traffic signals, lights, letter boxes, roadway markings and information boards. Such a road may include ancillary activities such as travellers' rest areas, heavy vehicle weigh stations.

"Fresh Surface Water" means freshwater in a river, lake (including pond), stream, and open drain but excludes wetland"

"Gross Floor Area" means the sum of the 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.

"Ground Level" means the finished level of the ground at the time of the completion of the most recent subdivision in which additional lots were created, except that where no such subdivision has occurred, ground level shall be deemed to be the existing level of the ground. Council may require a survey to determine existing ground levels.

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

“Hazardous Facility” means any activity involving hazardous substances and their sites where hazardous substances are used, stored, handled or disposed of, and any installation or vehicles parked on site that contain hazardous substances but excludes vehicles or applicators being used to apply diluted agrichemical substances in a manner consistent with their intended use.

“Hazardous Substance” means substances with one or more of the following intrinsic properties:

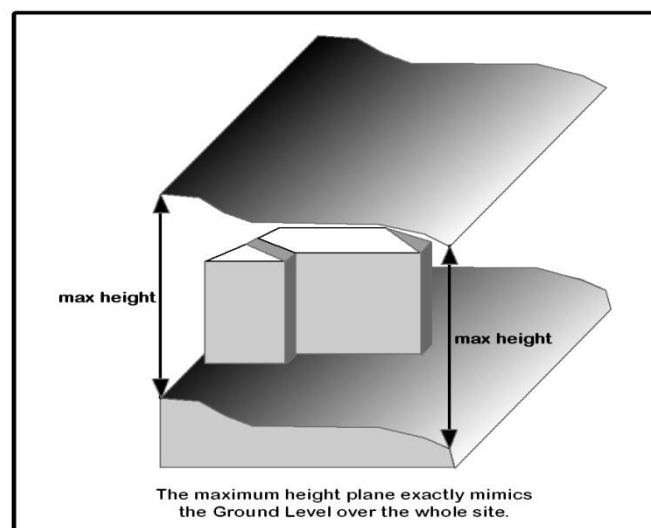
- An explosive nature;
- An oxidising nature;
- A corrosive nature;
- Flammability;
- Acute and chronic toxicity;
- Ecotoxicity with or without bioaccumulation;
- Has one or more of the above properties on contact with air or water.

“Hedge” means a fence or boundary made up of contiguous plantings of dense bushes or shrubs.

“Height” in relation to buildings means the vertical distance between the ground level at any point and the highest part of the building directly above that point (or whichever part of the building directly above that point is being measured) to be measured from the external envelope of the building.

Areas of cut or fill which have resulted or will result from work undertaken as part of the construction of a building shall be excluded from the calculation of height.

In all cases for the purpose of calculating height account shall be taken of parapets, satellite and microwave dishes. Also any chimney, flue or other projection greater than 1.0m² in area and projecting more than 2.0m above maximum permitted height shall be included in the calculation of ‘height’.



“Home Enterprise” means the use of a site for an activity which is secondary and incidental to the use of the site for residential purposes for an occupation, excluding occupations already provided as Permitted, Controlled or Discretionary Activities in the zone, which is carried out by at least one person who resides permanently on the subject site.

Provided that:

"Home Enterprise" does not include "Kennels/Catteries", "Beekeeping" or "Medical or Scientific Facilities" in the Residential Zone.

"Hotspot" means areas of high concentrations of persistent chemicals such as spills, sheep and cattle dips, spray pads or sheds, spray equipment wash down areas, bulk fuel storage, uncontrolled dumping of chemical containers, glasshouses, bio-solid sites, farm dumps, sumps, implement and fertiliser sheds and offal pits.

"Household Equivalent" means the level of infrastructure used by a typical household, applied to activities other than dwellings as a proportion or expansion of a number of households, and household equivalence has the corresponding meaning. From the 2006 census the average household in the District is 2.7 persons per occupied dwelling.

Adopted Household Equivalent

Infrastructure	Household Equivalent		
Water ¹	0.6m ³ per day		
Waste Water	0.5m ³ per day		
Transportation		Cars	HCV
- Urban lots and rural lots under 4ha	10 vehicle movements per day	9	1
- Rural lots over 4ha	15 vehicle movements per day	13.5	1.5

12.6

¹ Based on water usage of 220 litres/person/day and 2.7 persons per household, 1 household equivalent equates to 0.6m³/day, waste water is calculated as 0.85 of the water usage equating to 0.5m³.

As well as average use of services, equivalence may be assessed on peak demands at the Council's discretion.

"Identified Significant Feature" means the whole of any area identified as being of ecological, historic heritage or landscape significance in Appendices 1, 2 or 3 of the District Plan and as shown on the Planning Maps.

"Illuminance" means the level (or amount) of light measured on a plane e.g. vertical or horizontal, and is expressed in lux.

"Industry" means and includes manufacturing, processing, packaging or dismantling activities and engineering workshops (including panelbeaters and spray painters).

"Infrastructure and Network Utilities" include activities relating to:

- distribution or transmission by pipeline of natural or manufactured gas, petroleum, or geothermal energy;
- telecommunication and radio communications as defined in Section 5 of the Telecommunications Act 2001 or Section 2(1) of the Radiocommunications Act 1989;
- transformation, transmission, or distribution (including reticulation) of electricity, including lines and associated support structures;
- the distribution of water for supply/reticulation including irrigation;
- drainage or sewerage system or reticulation;
- the generation of electricity;
- construction, operation and maintenance of roads and railway lines;

- (h) construction, operation and maintenance of an airport as defined by the Airport Authorities Act 1966, including the provision of any approach control service within the meaning of the Civil Aviation Act 1990;
- (i) undertaking a project or work described as a 'network utility operation' by regulations made under the RMA;
- (j) lighthouses, navigation aids and beacons, metrological services and ancillary structures;
- (k) structures for transport on land by cycleways, rail, roads, walkways, or any other means;
- (l) any incidental activity in relation to the infrastructure or network utility including without limitation, the operation, maintenance and upgrading of the network utility.

"Integrated Transportation Assessment" (ITA) means a comprehensive review of all the potential transport impacts of a development proposal. Its purpose is to identify appropriate transport information necessary to better align land-use and multi-modal transport and to provide information on how the proposed development will function in terms of accessibility. A key feature of an ITA is the bringing together of all affected parties at the beginning of a development project to discuss and resolve issues.

"Intensive Farming Activities" means mushroom farming, intensive livestock farming (whether free range or indoors but excludes extensive pig farming) including poultry farms, piggeries, fitch farms, rabbit farms, animal feed lots and other activities which have or require:

- (a) no dependency on the qualities of the soils naturally occurring on the site, or
- (b) buildings for the housing and growth of livestock or fungi, and
- (c) excludes greenhouses and other buildings used for the growth of vegetative matter.

"Kennels/Catteries" means land and buildings used for the boarding and/or breeding of cats, dogs and other domestic pets.

"Kitchen Facilities" means a room or area equipped for the preparation and/or cooking of food; this may include but not be limited to a sink, bench top or oven/ extractor unit".

"kV" means one thousand volts.

"Lmax" means the highest noise level that is allowed to occur from a single noise event

"Leq" means the average continuous noise level.

"LTCCP" means Long Term Council Community Plan as defined in the Local Government Act 2002.

34.1

"Lot" means a parcel of land held in a separate Certificate of Title (or two or more titles required to be held in one ownership) or multiple owned Maori land not necessarily held in a separate Certificate of Title and which complies with the minimum standards for a proposed new lot as set out in Section 12 but does not include a parcel of land which has been or may be disposed of separately as a public reserve or for other public purposes or which is to be amalgamated with existing land."

“Luminaire” means a complete lighting unit consisting of a lamp or lamps together with the housing designed to distribute the light, position and protect the lamps and connect the lamps to the power supply.

“Luminance” means the physical measure of the sensation of brightness expressed in candelas per metre squared (cd/m²).

“Lux” (luminous flux) means the International System of Units (SI) unit of measure for illuminance and is equivalent to one lumen per square meter.

“MfE Contaminated Land Guidelines” means guidelines produced by the Ministry for the Environment and includes the following publications:

Contaminated Land Management Guideline No. 1 - [Reporting on contaminated sites in New Zealand](#) (October 2003);

Contaminated Land Management Guidelines No. 2 – [Hierarchy and Application in New Zealand of Environmental Guideline Values](#) (November 2003);

Contaminated Land Management Guidelines No. 3 – [Risk screening system](#) (February 2004);

Contaminated Land Management Guidelines No. 4 – [Classification and information management protocols](#) (August 2006);

Contaminated Land Management Guidelines No. 5 - [Site Investigation and Analysis of Soils](#)

“Maori Land” means Maori Land as defined by Te Ture Whenua Maori/Maori Land Act 1993.

“Mast” means any pole, tower or similar structure, which is fixed to the ground and is designed to carry aerials, antennae or other utility network apparatus and includes a mast which forms part of a radio transmission aerial system but not an earthmat.

“Maintenance” means the protective care or upkeep of a place, problematic vegetation/trees, buildings, structures and equipment, to arrest processes of decay, fatigue, structural failure, erosion, dilapidation or undue damage/interference”.

“Maximum Average” in relation to subdivision means the average of all the lots within a subdivision plan or stage.

“Mean High Water Spring (MHWS)” means the average line of spring high tide.

“Medical or Scientific Facilities” means professional facilities for medical or scientific activities and includes medical centres, consulting rooms, and diagnostic and other laboratories.

“Minerals Prospecting” means any activity undertaken for the purpose of identifying land likely to contain exploitable mineral deposits or occurrences; and involves aerial, geological, geochemical, and geophysical surveys; except that the taking of samples is restricted to by hand or hand held methods.

“Minor Dwelling” means a dwelling of not more than 60m² gross floor area plus an attached or detached garage or carport with gross floor area not exceeding 18m² (for the purpose of vehicle storage, general storage and laundry facilities). The garage area shall not be used for living accommodation.

39.3

“Minor Upgrading” In relation to existing electricity lines, “minor upgrading” means an increase in carrying capacity, efficiency or security of electricity and associated telecommunication lines, utilising the existing support structures or structures of a similar character, size and scale, and includes:

- (a) the addition of circuits and conductors;
- (b) the reconductoring of the line with higher capacity conductors;
- (c) the resagging of conductors;
- (d) the bonding of conductors;
- (e) the addition of longer or more efficient insulators;
- (f) the addition of earthwires which may contain telecommunication lines, earthpeaks and lightning rods;
- (g) the addition of electrical fittings;
- (h) tower replacement in the same location or within the existing alignment of the transmission line;
- (i) the replacement of existing cross arms with cross arms of an alternative design but of a similar dimensions and scale;
- (j) an increase in tower height required to comply with the New Zealand Electrical Code of Practice 34:2001 (NZECP 34:2001);
- (k) replacement of overhead electrical lines with another electrical line of similar character and scale;
- (l) other maintenance and replacement activities.

39.7

“Net Lot Area” or **“Net Land Area”** means that part of an existing or proposed new lot which is available for development of the principal intended use and excludes any area available solely for access or any area providing access to other lots or to more than one dwelling.

34.2

“Notional Boundary” - is defined in New Zealand Standard NZS 6801:2008 Measurement of Sound as a line 20.0m from any side of a dwelling, or the legal boundary where this is closer to the dwelling.

“Offices” means professional administrative and commercial offices and includes real estate offices, travel agents and banks.

“Official Signs” include all regulatory, traffic and official signs approved by either a road controlling authority or under any legislation and which are erected on a legal road or motorway.

“Optimised Depreciated Replacement Cost” means the current gross replacement cost less allowances for physical deterioration, and optimised for obsolescence and relevant surplus capacity.

“Park and Ride Facility” means an area including buildings that is used for transfer of people from one mode of transit to another and may include parking for private vehicles, car

pooling meeting places, public and private bus transfers and rail transfers. Also known as "Urban Transit Stations".

"Persistent Chemical Residues" means trace metals and pesticides. Of particular concern is Arsenic, Copper, Lead and DDT and its derivatives. However other trace metals such as Cadmium, Nickel, Zinc and Chromium are of interest as are Endosulphans (Total), Gamma-BHC (Lindane), Dieldrin, Hexachlorobenzene, Metolachlor.

"Pest Species" means organisms such as plants and animals that are not native to New Zealand but which have become established here and are a threat peoples health, indigenous plants and animals, heritage and the economy. See the The Regional Council for further details on the identification of these species.

"Places of Assembly" means land or buildings or structures or uses on the surface of water that involve the congregation of people for such purposes as deliberation, entertainment, cultural, recreation or similar purposes and includes places of worship, marae, halls, funeral chapels, clubrooms, taverns, restaurants, art galleries, theatres, sports fields, facilities for recreation activities and tourist facilities.

26.1
26.2

"Post Harvest Facilities" is specific to only those facilities zoned Post Harvest and includes packhouses, coolstores, accessory office space, seasonal worker accommodation and servicing (such as storage and catering facilities) directly associated with the post harvest operations of horticultural crops.

"Privateway" has the same meaning as Section 315 of the Local Government Act 2002.

"Production Forestry" means the management of land for commercial wood production including the extraction of timber therefrom but does not include the milling or processing of timber.

"Public Reserves" means all reserves held under the Reserves Act 1977, Wildlife Act 1953, Conservation Act 1981 and National Parks Act 1980 and includes all reserves, wildlife refuges, wildlife management reserves and wildlife sanctuaries, marginal strips, stewardship areas, conservation areas, ecological areas, sanctuary areas and national parks.

"Quarrying" means the excavation of materials from the earth and includes the removal of overburden and the erection and maintenance of plant, machinery and buildings and other works connected with such operations but does not include any of the foregoing where the material is for use on the same lot.

39.5
39.6

"Reflectivity" means the reflectance value of a material or colour and is determined by the amount of light they will reflect and is indicative of their likely visibility in the landscape. For example, white has a reflectance value of 100% whereas black has a reflectance value of 0%.

"Regenerating Forest" means secondary forest that has developed following earlier clearance of primary forest (see definition of Tall Forest below), and is dominated by species such as kanuka, kamahi (*Weinmannia racemosa*), rewarewa, treeferns (*Cyathea* and *Dicksonia* species) or mixtures of these and other species.

"Regional Council" means the Bay of Plenty Regional Council.

"Replacement" means improvement, repair and/or replacement of worn or technically deficient aspects provided the replacement is to a similar character, size and scale.

"Restaurants and other eating places" means any land and/or building on or in which food and/or beverages are sold to the public generally for consumption on the premises, and

may include premises licensed under the Sale of Liquor Act 1999. Part of the trade of the premises may be derived from the sale of food for consumption off the premises.

"Retailing" means any activity on land and/or within a building or part of a building whereby goods and services are sold, exposed or offered for sale to the public, but does not include the sale of fuel for motor vehicles, vehicle, machinery and automotive parts sales, restaurants, warehouses, Building and Construction Wholesalers and Retailers, or the storage, distribution or assembly of goods.

"Reticulated Infrastructure of Adequate Capacity" means an inter-connected piped, collection, distribution, and treatment system for water supply, wastewater and stormwater, and in addition for wastewater and stormwater, a disposal system where the pipes, structures and other components of the system are of sufficient size and capacity to meet the peak demands of a proposed subdivision, development or land use activity, and in general accordance with the Council's Development Code subdivision and landuse.

"Retirement Village" means buildings comprising a comprehensive integrated residential development that meets the definition of the Retirement Villages Act 2003, and that provide, or are intended to provide, residential accommodation together with services or facilities (e.g. hairdresser, cafe, medical care and similar ancillary activities), predominantly for persons in their retirement, and/or persons in their retirement and their spouses or partners, and may include a combination of: home for the aged/hospital beds, serviced apartments/units and residential units, and including any common areas, and facilities to which residents of the retirement village have access rights.

"Riparian Area or Riparian Margin" means a strip of land of varying width adjacent to the bed of a stream, river, lake or wetland, which contributes or may contribute to the maintenance and enhancement of the natural functioning, quality and character of the stream, river, lake or wetland; and the natural character of the margins of streams, rivers, lakes and wetlands. For the purposes of this plan, the definition does not include land adjacent to artificial watercourses and ephemeral flowpaths.

"RMA" means the Resource Management Act 1991 and Amendments.

"Reverse Sensitivity" means the effects of the existence of a sensitive lawfully established activity on other activities in their vicinity particularly by leading to restraints in the carrying out of those other activities.

19.4
30.1

"Road Hierarchy" means the hierarchy of roads making up the transport network which comprise the following:

Type of Road	Primary Function/Generalised Description	Definition
1	Motorway	All roads declared to be motorways.
2	Expressway	All roads managed as expressways.
3	Primary Arterial	Means those roads that form part of a network of nationally or regionally important arterial roads. Nationally important routes are managed as State Highways, whereas other primary arterial roads may be managed by territorial authorities. These routes predominantly carry through traffic, and carry the major traffic movements in and out of the District. The primary function of the road is traffic movement with access limited.
4	Secondary Arterial	Means those roads that cater for traffic movement between the major areas of the District. The primary function of the road is traffic movement. Access may be limited to ensure the safe and efficient operation of the roading network.
5	Collector	Means those roads that are principally collecting and distributing traffic to and from the arterial road network, but may act as links between two arterial roads (being Primary Arterial Roads and/or Secondary Arterial Roads). These roads also act as local main roads supplementing Secondary Arterial Roads. Local through-traffic generally makes up a high proportion of traffic flow but these roads are not intended to cater for large numbers of national, regional or district through-traffic movements because of likely effects on the adjoining road environment and amenities, and the limited physical capabilities of such roads relative to Primary Arterial Roads and Secondary Arterial Roads. Access may be controlled to ensure the safe and efficient function of the roading network.
6	Local	Means those roads that are intended to principally provide direct access to adjoining properties. Many local roads, except cul-de-sacs, also collect and distribute traffic to and from other roads within the District. Traffic flows are usually low, and these roads are intended to cater for only minimal through or extraneous traffic because of effects on the adjoining road environment and amenities, and the limited physical capabilities of such roads.
7	Service Lanes	Means any lane laid out or constructed for the purpose of providing the public with a side or rear access for vehicular traffic to any land. This can also apply to residential areas, for example with rear laneways

“Road Reserve” means:

- (a) A formed legal road and the land, if there is any, right next to it up to the legal boundary of the adjacent land.
- (b) Land which is a State Highway or motorway as defined in Section 2(1) of the Government Roding Powers Act 1989, and the land, if any, right next to it up to the legal boundary of the adjacent land.

“Rural Contractors Depot” means land and/or buildings used for the purpose of storing equipment associated with a business which wholly serves the farming industry.

“Rural Selling Place” means a retail activity in a rural location for plants and garden accessories, arts and crafts and unprocessed agricultural produce that are produced locally within the District.

“Seasonal Accommodation Facilities” is specific to Post Harvest Facilities and means accommodation facilities directly associated with the seasonal labour requirements of the horticultural industry and includes detached buildings (lodges, dwellings, relocatable modular structures, caravans, mobile homes and house buses) and space within or attached to a post harvest building or combination thereof.

19.3

“Secondary Shrub Land” means woody vegetation in which the cover of shrubs and low-growing trees in the canopy is >80% and in which shrub cover exceeds that of trees (cf forest). Shrubs are woody plants <10cm dbh. Trees are woody plants >10 cm dbh. Secondary shrubland is dominated by indigenous species such as kanuka, Manuka (*Leptospermum scoparium*), karamu (*Coprosma robusta*), and treeferns.

“SEL” means the Sound Exposure Level, the A-weighted sound pressure level which, if maintained constant for a period of one second, would convey the same sound energy to the receiver as is actually received from a given noise event. (See NZS 6801: 1991 clause 2.1 definition of A-Weighted Sound Exposure Level).

“Sensitive Site” means a site that is either a school, licensed early childhood centre, a place of worship, marae or public playground.

“Service Station” means any site used for the retail sale of fuel and lubricating oils for motor vehicles and includes the sale of kerosene, diesel fuel, petrol, CNG, LPG, tyres, batteries and other accessories normally associated with motor vehicles and the sale of convenience goods and shall include premises solely or principally for the repair and servicing of vehicles provided that the repairs undertaken on the premises shall be confined to the repair of motors, motor vehicles and domestic garden equipment and shall exclude panelbeating, spray painting and heavy engineering such as engine reboring and crankshaft grinding.

“Sewered Lot” means a lot served by a reticulated wastewater system owned and operated by or specifically approved by Council.

“Shelter Belt” means a line of vegetation in one or more rows established to provide shelter from wind.

“Sign” means any name, figure, character, outline, display, notice, placard, delineation, poster, handbill, advertising device or appliance or any other things of similar nature to attract attention for advertising or information purposes, and shall include all parts, portions, units and materials composing the same, together with the frame, background, structure and support or anchorage thereof, and shall also include any of the foregoing things when displayed on a stationary vehicle but shall exclude all traffic signs as detailed in the Fourth Schedule of the Traffic Regulations 1976.

“Spill Light” means artificial light that falls outside of the area intended to be lighted.

“Stall” means a retail outlet for the sale of produce or goods grown or manufactured on site and which:

- (a) does not have frontage to or access within 30.0m of a State Highway;
- (b) occurs on a floor area not exceeding 20.0 m²;
- (c) provides for the parking of at least one motor vehicle off the formed road and adjacent to the stall;
- (d) complies with the provisions of Section 4D relating to signs.

“Strategic Road Network” means that part of the transport network comprising secondary arterial roads, primary arterial roads, expressways and motorways.

“Structure Plan” means a plan for an urban area that identifies new areas for growth and which may also include an existing urban area. Such a plan shows proposals for infrastructure (roading, water supply, wastewater disposal, stormwater and recreation) that may be used as the basis for assessing the costs of urban development and any associated financial contributions.

26.3
26.4

“Substation” means those parts of works or electrical installations, being a building, structure, or enclosure, incorporating fittings that are used for the purposes of the control of the transformation, transmission, or distribution of electricity.

“Sustainable Transport Network” means one which recognises that the capacity of the transport network is a limited resource and that methods and techniques are required to be implemented in an integrated manner to ensure that the resource is able to meet the reasonably foreseeable needs of future generations.

“Takeaway Food Outlets” means premises where food is prepared and retailed for consumption off the premises.

“Tall Forest” means relatively large trees dominated by species such as tawa (*Beilschmiedia tawa*) and may have other tall canopy trees such as hinau (*Elaeocarpus dentatus*) and emergent rewarewa (*Knightia excelsa*) and podocarps such as rimu (*Dacrydium cupressinum*). Forest is woody vegetation in which the cover of trees and shrubs in the canopy is >80% and in which tree cover exceeds that of shrubs. Trees are woody plants >10 cm dbh. Shrubs are woody plants < 10cm dbh.

“Temporary Military Training” means an activity undertaken for defence purposes in accordance with the Defence Act 1990.

“Transport Network” means the land, air and sea networks that enable the public to travel to and from their residence, or for the movement of goods and people as they need to fulfill their daily private and business needs.

“Travel Management Plan” means a plan for the provision of the movement of people and goods to and from a proposed development or land-use activity.

29.5
36.6

“Vehicle and Machinery Sales” means any land and/or buildings in which motor vehicles, caravans, boats, trailers, and farm machinery are offered for sale, lease or hire or in which the abovementioned are stored awaiting sale.

“Viewshaft” means a view from a Strategic Road or identified public lookout to a landscape of outstanding visual quality and of significance to the District.

“Visually Permeable” means a structure which will not obscure vision or light penetration beyond the percentage identified. For example visual permeability of 70% means that the structure has gaps that are transparent and the gaps cover at least 70% of the vertical surface of the structure.

“Wall” means vertical structures made of wood, steel, brick or stone or like material which are used to enclose or screen an area.

“Western Bay of Plenty Sub Region” means the area comprising Western Bay of Plenty District and Tauranga City.

“Wetlands” 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.

For the avoidance of doubt, the term ‘wetland’ applies to both water bodies and intermittently wet areas. The term does not apply to dry land that does not support a natural ecosystem of plants and animals that are adapted to wet conditions, and that occurs within an area commonly referred to in its entirety as a wetland.

For the purposes of this District Plan, ‘wetland’ excludes:

- (a) Wetted pasture and pasture with patches of rushes;
- (b) Oxidation ponds;
- (c) Artificial waterbodies used for wastewater or stormwater treatment. This includes wetlands that have been developed primarily for effluent or stormwater treatment or disposal, but are managed to appear ‘natural’;
- (d) Artificial farm dams and detention dams;
- (e) Land drainage canals and drains;
- (f) Artificial reservoirs for firefighting, domestic or municipal water supply;
- (g) Temporary ponded rainfall over areas that would not otherwise be considered a wetland;
- (h) Artificial waterbodies that are not in the bed of a stream, river or lake; and are not degraded natural wetlands that have been modified. This includes artificial waterbodies that are managed to appear ‘natural’.

The edge of a wetland (i.e. where a wetland becomes land) should be determined by a person with appropriate expertise.

“Warehousing and Storage” means land and/or buildings used for the receipt, storage, handling and distribution of materials, articles or goods destined for a retail outlet, trader or manufacturer. Includes the direct collection of materials, articles or goods by traders but does not include a retail premise, transport depot or bulk store.

“Yard”

Front Yard means an area of land between the road boundary and a line parallel thereto, extending across the full width of the lot.

Except that:

where any building line is shown on the Planning Maps this line shall be substituted for the existing road boundary.

Rear Yard means an area of land in any lot other than a corner lot, such area of land being bounded by the rear boundary of the lot and a line extending across the full width of the lot.

Except that:

a rear yard in respect of any rear lot means a yard which, except for any portion of the lot comprised in a front yard, lies between the full length of all boundaries of the lot and a line parallel thereto.

Side Yard means an area of land which, except for any portion of the lot comprised in a front or rear yard, lies between the full length of a side boundary and a line parallel thereto.

Except that:

in respect of a corner lot every boundary not being a road frontage shall be deemed a side boundary.

All Yards

- (a) yards provided are to relate to the one site only and shall be measured from the title boundaries or the inner surveyed edge of the easement over a shared driveway;
- (b) where land for a service lane or road widening is provided, the yard requirements shall diminish accordingly;
- (c) notwithstanding the provisions in the above rules, the following activities are permitted in yards:
 - (i) open fire escapes in side or rear yards;
 - (ii) parking of vehicles;
 - (iii) barbecues and fencing not being buildings;
 - (iv) playground equipment unless it meets the definition of a building;
 - (v) signs.

For the purpose of this definition the yard shall be measured horizontally from the closest point of the building to the boundary.