

Definitions

“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 for a maximum of four persons” means any premises used for visitor accommodation for up to four guests that forms part of the primary dwelling or if accessory to the primary dwelling, does not include kitchen facilities and is not otherwise self-contained. Included in this definition are sleep outs, home-stays, farm-stays and bed and breakfast facilities. The area available for the exclusive use of the visitors (including bedrooms and en suite bathrooms) shall not exceed 50m².

“Accommodation Facility for more than four persons” means any form of residential accommodation which does not comply with the definition of a dwelling or a minor dwelling and includes accommodation facilities not complying with the foregoing definition of “Accommodation Facility for a maximum of four persons”. Also included in this definition are boarding houses, hotels, hostels, motels, camping grounds, retirement villages and rest homes for the rehabilitation and care of any group. Calculated occupancy is based on one person per single bed and two people per double bed.

“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.

“Artificial Wind Shelters” means structures with various colours of cloth used to protect crops from the wind.

“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 ground level; but does not include any fence or wall;
- (g) any guttering;
- (h) any other structure requiring building consent that will infringe daylighting and yard rules in the District Plan.

"Building and Construction Wholesalers and Retailers" means the wholesaling and/or retailing of goods for the erection or modification of buildings and other structures.

"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 1m from an outside wall, but excludes eaves less than 1m wide, pergolas or similar structure of a substantially open nature, and uncovered decks, uncovered terraces, uncovered steps and swimming pools less than 1m 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).

"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.

"Coverage" means the portion of the site that is paved or covered in hard surfaces such as driveways and buildings.

"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.

"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.

"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.

"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.

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

"Farming" means and includes agriculture, including outdoor (extensive) pig farming, 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.

"Floor Area Ratio (FAR)" means the ratio between the Gross Floor Area of all buildings on a site and the net site area.

$$\text{FAR} = \frac{\text{gross floor area}}{\text{net site area}}$$

"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 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.

“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 agricultural 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.

"Height" - in relation to buildings means the vertical distance between the ground level at any point and the highest part of the building above that point. Ground level shall be the natural ground level if existing or if not existing then the finished level of the ground as a result of subdivisional works approved by Council.

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 1m² in area and projecting more than 2m above maximum permitted height shall be included in the calculation of 'height'.

"Home Enterprise" means 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 a non-residential activity 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. Based on water usage of 220 litres / person / day, 1 household equivalent equates to 0.6m³ / day, waste water is calculated as 0.8 of the water usage equating to 0.5m³ and traffic movements are assessed as follows

Urban lots and rural lots under 4ha	10 vehicle movements per day
Rural lots over 4ha	15 vehicle movements per day

As well as average use of services, equivalence may be assessed on peak demands at the Council's discretion. A schedule of household equivalents for the various infrastructure, services or community facilities is held by the Council.

"Identified Significant Feature" means the whole of any area identified as being of ecological, heritage or landscape significance in Appendices 1, 2 or 3 of the District Plan and as shown on the Planning Maps, or a feature which has been certified by an appropriately qualified person as being of such significance to the community as to warrant its preservation in the public interest.

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

“Impermeable surface” has the same meaning as “coverage”.

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

“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) 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.

"kV" means one thousand volts.

"L10" means the noise level that may be exceeded no more than 10% of the time or for no more than six minutes in every hour

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

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

"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.

"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 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 50m² gross floor area plus an attached 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.

"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.

"Notional Boundary" - is defined in New Zealand Standard NZS 6801:2008 Measurement of Sound as a line 20m 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.

"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.

"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 and but which have become established here and are a threat peoples health, indigenous plants and animals, heritage and the economy. See the Bay of Plenty Regional Council for further details on the identification of these species.

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

"Post Harvest Facilities" include packhouses, coolstores, accessory office space, seasonal accommodation facilities and servicing (such as storage, childcare centres and catering facilities) directly associated with the post harvest operations of the kiwifruit and avocado industries.

"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 refuges, wildlife management reserves and wildlife sanctuaries under the Wildlife Act 1953 and marginal strips, steward strip areas, conservation parks, ecological areas, sanctuary areas under the Conservation Act 1981 and national parks under the National Parks Act 1980.

"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.

"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%.

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

"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, including commercial sexual services, but does not include the sale of fuel for motor vehicles, vehicle, machinery and automotive parts sales, restaurants, warehouses, 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.

"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.

“Road Hierarchy” means the following:

	Type of Road	Primary Function/Generalised Description	Definition
1	Motorway	To provide for the movement of regional or inter-regional traffic. Access limited to intersecting roads.	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 formed legal road and the land, if there is 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.

“Scrub Land” means vegetated land dominated by kanuka and manuka ie primary succession.

“Seasonal Accommodation Facilities” means accommodation facilities directly associated with the seasonal labour requirements of the kiwifruit and avocado industries and includes detached buildings (lodges, dwellings, relocatable modular structures, caravans, motor homes and house buses) and space within or attached to a post-harvest building or combination thereof.

“Secondary Shrub Land” means vegetated land dominated by broadleaved species –and which is no longer dominated by kanuka and manuka although they may still be present ie. secondary succession.

"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.

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

"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 30m of a State Highway.
- (b) occurs on a floor area not exceeding 20 square metres.
- (c) provides for the parking of at least four motor vehicles within the site 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.

“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.

“Temporary Accommodation Facility” means no more than one caravan, motor home, house truck or other form of mobile accommodation of no more than 50m², which has a current warrant of fitness and registration, and which is located on any lot for not longer than six months in any one calendar year.

“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.

“Upgrading” means structure improvement, repair and replacement of worn or technically deficient parts of similar character, size and scale.

“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.

“Versatile Soils” means soils found on flat to gently-rolling terrain that possess the following general characteristics:

- Are free draining sandy loams and
- Have rooting depth > 90 cm and
- Have a macroporosity of > 7.5% between 20–40 cm depth and
- Have a readily available water-holding capacity of > 75 mm and

- Have a < 5% gravel and < 2% boulders in topsoil and
- Are not flood prone.

Versatile Soils include land under the New Zealand Land Use Classification System categorised as being in Class 2 or 3.

“Viewshaft” means a view from a State Highway 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 (ie. where a wetland becomes land) should be determined by a person with appropriate expertise.

"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.
 - (v) signs.

For the purpose of this definition the yard shall be measured horizontally from the closest point of the building (excluding guttering for this purpose which does not form part of the building structure) to the boundary.