

# 1 Introduction and Interpretation

## 1.1 User's Guide to the District Plan

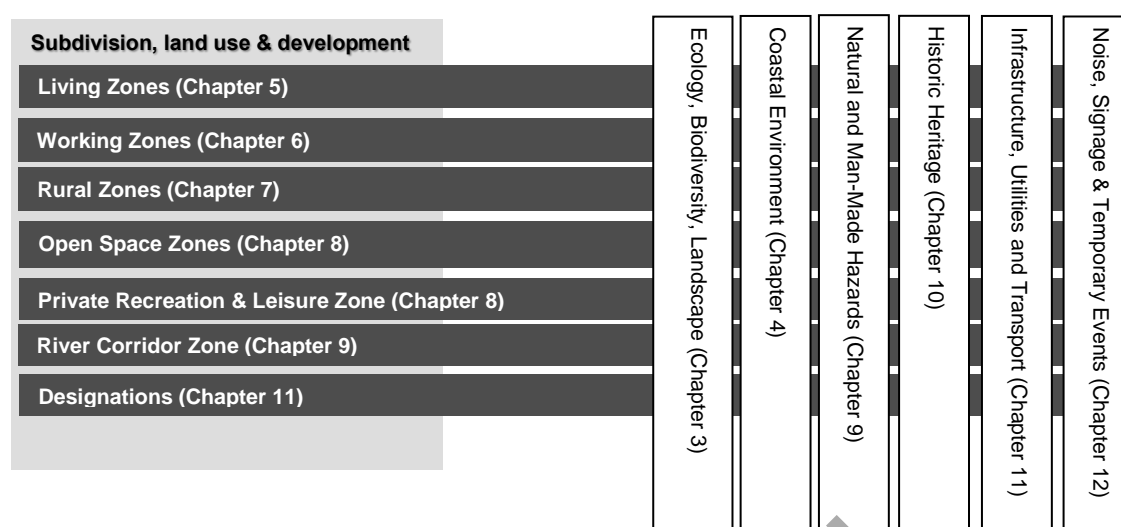
### Introduction

The following guide outlines the structure of the District Plan ("the Plan"), it will assist you in finding the information you want within the Plan. For example, you may wish to know whether or not you require a *resource consent* for a particular land use activity on a particular *site* or *property*. The guide will help you navigate the Plan to make that determination.

The Plan has been prepared in accordance with the *Council's* obligations under the Resource Management Act 1991 ("the *RMA*") and is contained within 3 volumes:

### Volume 1

1. **Chapter 1** includes definitions of key terms used within the Plan. The Plan is a legal document and so an element of formality is needed to ensure its efficient implementation. Chapter 1 also sets out the significant resource management issues (and the approach to managing these issues) that are applicable across boundaries with neighbouring local authorities. It outlines the Council's monitoring requirements and expectations, including 'state of the *environment*' monitoring, and Plan efficiency monitoring. Chapter 1 provides useful reference material on the *resource consent* process and the information requirements the *Council* expects with any consent application.
2. **Chapter 2** sets out the 18 Objectives which are the primary means by which the sustainable management purpose of the *RMA* (section 5) is to be achieved in the District.
3. **Chapter 2A** contains policies which apply District-wide rather than being specific to a particular *Zone* (such as a Rural, Living or *Working Zone*) or specific to a particular District-wide matter (such as hazards, historical heritage or *infrastructure*).
4. **Chapters 3 through 12** contain Policies, Rules and other Methods which implement the 18 Objectives. The Chapters are broadly divided into two categories: chapters about specific environments and zones (Chapters 3 through 8) and chapters that are relevant to the whole District (Chapters 9 through 12). **Figure 1.1** represents the way in which the *zone*-based and District-wide provisions are allocated to the various chapters in Volume 1.



**Figure 1.1:** Navigation of Zones and Features in Volume 1

## Volume 2

- Volume 2** contains appendices to Chapters 3 through 12 in Volume 1. These include design guides, development *structure plans* and other similar tools and are to work in conjunction with the relevant policies and other methods in Volume 1.

## Volume 3

- District Plan Maps** project the provisions of Volume 1 within a spatial context. The information displayed on the District Plan Maps is essential to understanding the nature and scale of use and *development* that may be undertaken as of right on a given *site* – and likewise to understanding the many considerations which need to be taken into account before *development* can proceed.

## Status of Activities

The Plan categorises different activities based on the nature of *effects* associated with them, and on how the activities align (or fail to align) with the Plan's Objectives and Policies. The Plan uses the following activity categories:

1. Permitted
2. Controlled
3. Restricted Discretionary
4. Discretionary
5. Non-Complying
6. Prohibited

*Permitted* and *controlled activities* cannot be refused. However the rules include standards for the former and the *Council* may impose specific *conditions* for the latter. *Restricted discretionary* and *discretionary activities* may be declined, or the *Council* may impose conditions on such applications; however these activity types differ insofar as restricted discretionary matters only allow for specified *effects* and matters associated with a given activity to be considered. For *discretionary activities*, all *effects* can be considered. A *non-complying activity* may only be

granted if the adverse environmental *effects* of the activity are minor, or if the activity is not contrary to the Plan's Objectives and Policies. *Prohibited activities* are those activities for which a consent application cannot be made.

## Determining Whether Resource Consent is Required

### Step 1 - Check District Plan Maps

When using this Plan, the starting point is to identify on the District Plan Maps the *site*, *property* or area in which the activity is to be located. The District Plan Maps are divided into Plan *Zones* and Plan Features Maps, Natural Hazards and Natural Features Maps, Transport Network Hierarchy and Kāpiti Coast Airport Aerodrome Designation Maps. The following steps should be followed:

- A. Identify the subject *property* on the District Plan Maps.
- B. Identify the *zone(s)* applying to the *property* on the Plan *Zone* Maps using the legend. In cases where a given *property* is comprised of more than one *zone*, both *zones* are applicable.
- C. Check for any notations (such as *historic heritage sites* or *ecological sites*) or *designations* applying to the *property*. These can be found on the Plan Features and Natural Features Maps. The District Plan Map reference corresponds with a schedule located in the relevant chapter in the Plan. The schedule will provide a description of the notation or *designation*, its location and the legal description of the *property* and other relevant information.
- D. Check the Natural Hazard Maps to confirm if the land is affected by any identified natural hazard. The Natural Hazard Maps illustrate *fault avoidance area*, liquefaction susceptibility and flood hazard areas.

### Step 2 - Refer to the specific zone rules and standards that apply to the activity

The next step is to determine the rules and standards that apply to the activity being considered, as follows:

#### A. Finding the relevant Chapters of the Plan

##### 1. Zones

The *zone* rules fall within different groupings: Living *Zones*; Working *Zones*; Rural *Zones* and Open Space and Private Recreation *Zones*. Using the table of contents, identify the relevant sub-chapters within the *zone* Chapter(s) (Chapters 5 - 8) that apply to the *property* being considered for your activity.

##### 2. District-wide topics

The Plan also includes Chapters for District-wide topics such as *infrastructure*, *historic heritage*, hazards, coastal environment and the natural *environment*. Where a given activity is related to a District-wide topic, these Chapters should also be referred to.

##### 3. General provisions

The general provisions in Chapter 12 should also be referred to.

- B. Identify the activity being considered in the rules and standards table. By referring to the activity rules in the rules and standards table you will identify whether the activity you are considering is permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited. It may be necessary to check the definitions in Chapter 1. Throughout the Plan, terms defined in Chapter 1 are shown in italics.

- C. Compare your proposed activity with the standards listed in the activity table for the particular activity you wish to undertake. Note whether any standards will (or are likely to) be breached by your proposal.
- D. In some cases, a standard may be different if the adjoining *zone* is different from your own. The standards in your *zone* will tell you whether this is the case, for example, *Local Centre Zone* adjoining a *Residential Zone*.

### Step 3 - Check the rules and standards for any special notation applying to the site

Check the rules and standards applying to any notation or *designation* relating to the *site* as these will affect the status for a proposed activity. If, for example, the subject *site* is subject to a *designation*, you will need to seek the prior written consent of the authority which is responsible for the *designation* before undertaking any activity that would prevent or hinder the public work or work to which the *designation* applies.

Likewise, where the subject *site* is identified on the District Plan Maps as being subject to a *natural hazard*, Chapter 9: Hazards should be referred to so as to determine whether the activity requires *resource consent*.

### Step 4 - Determine whether resource consent is required

If the activity is listed as permitted and it meets all the *permitted activity* standards for the relevant *zone* and feature rule categories, *resource consent* is not required. If the activity you propose to undertake is specified under a different activity category (controlled, discretionary, etc), or if it is listed as permitted but fails to meet the relevant *permitted activity* standard(s), you will require *resource consent* before proceeding with the activity. Seek advice or confirmation if necessary.

It should also be noted that:

1. most *subdivisions* will require a *financial contribution*. Check Chapter 12.1 to see whether you meet the standards and whether you will have to make any *financial contributions*; and
2. the provisions of Regional Plans prepared by the Greater Wellington Regional Council may also apply to many activities, and reference should therefore be made to those documents prior to carrying out activities.

Figure 1.2 below sets out the steps to determine whether consent is required for an activity diagrammatically. The *resource consent* process is specified by the Resource Management Act 1991. Information and guidance on the *resource consent* process is provided online by the Ministry for the Environment.

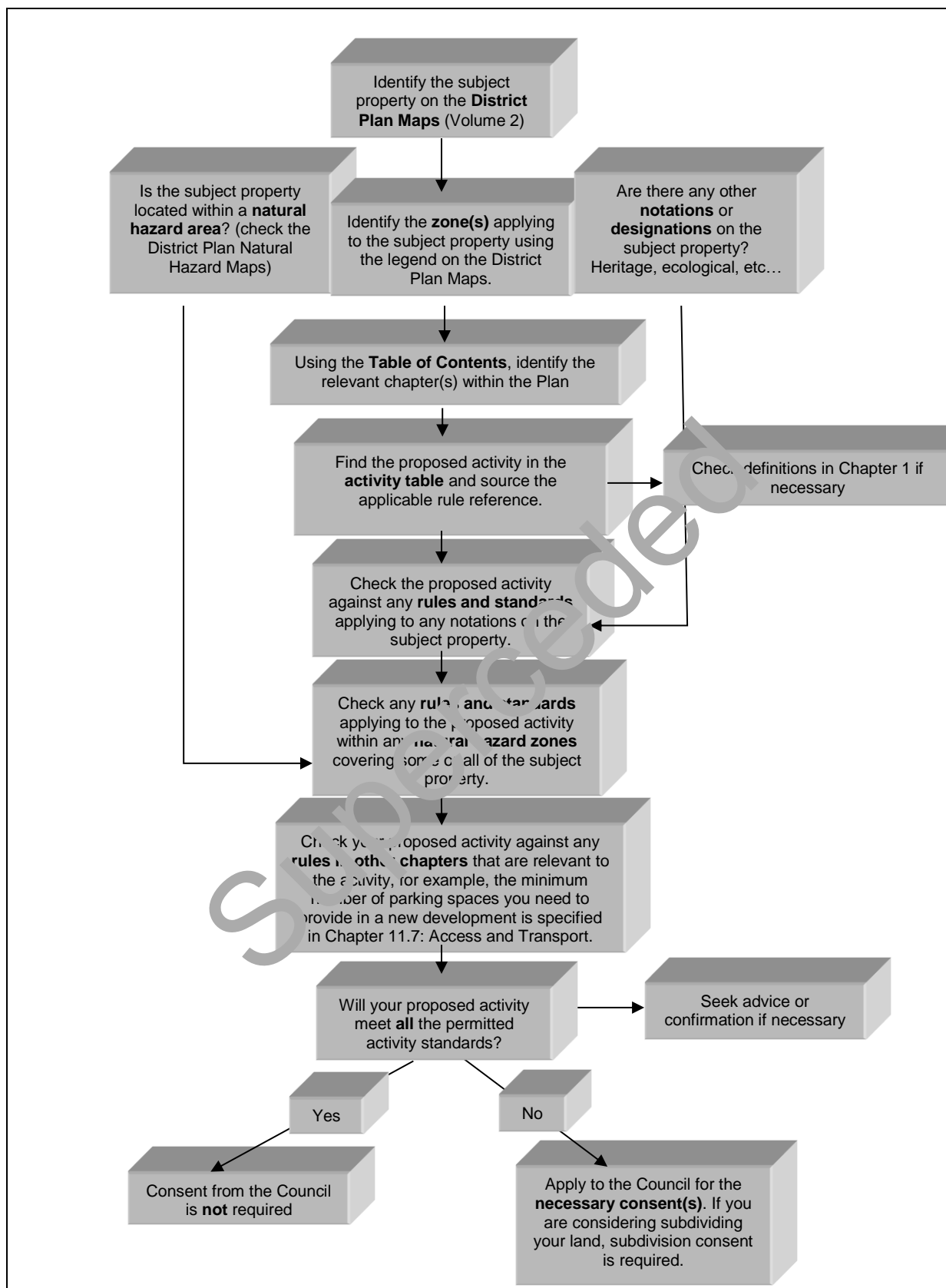


Figure 1.2: How to use this Plan

## 1.2 Information to be Submitted with an Application for Resource Consent

### 1.2.1 Requirements for information

For the *Council* to be able to process an application for a *resource consent*, an applicant must provide adequate information (in accordance with Section 88 and Schedule 4 of the *RMA* 1991) to enable the environmental *effects* of the activity to be assessed.

Applications should be in the same or similar format as Form 9 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003. Copies of this form can be obtained from *Council's offices*.

Where the *Council* considers that insufficient information has been supplied to enable an appropriate decision to be made under Section 104 of the *RMA*, the applicant will be informed and the *resource consent* will not be advanced.

Where the *Council* determines that an application is incomplete the application will be returned to the applicant within ten working days with written reasons for the determination in accordance with Section 88 of the *RMA*.

It is to an applicant's advantage to discuss their application proposals with the *Council* staff and where appropriate the Department of Conservation, the Wellington Regional Council, *tāngata whenua* and other interested groups before an application is formally lodged. This may enable any minor difficulties to be resolved in an informal way and may help to avoid unnecessary delay caused by formal requests for more information.

### 1.2.2 Land Use Consent

An application for a land use consent must include:

- A. A description of the activity for which consent is sought and its location.
- B. An assessment of any actual or potential *effects* that the activity may have on the *environment*. This includes wetlands, *indigenous vegetation* (as defined in Part 1.4 of the Plan), landscapes and natural features, cultural and *historic heritage* sites and any of the features listed in the Schedule of Historic Heritage in Chapter 10 (Schedule 10.1) and on people and communities. The application should include detail of how any adverse *effects* will be avoided, remedied or mitigated (for example through provisions such as preservation and covenants on the title).

#### NOTE:

Section 88(2)(b) of the *RMA* states that the application must include the information in relation to the activity, including an assessment of the activity's *effects* on the *environment* (AEE) as required by Schedule 4 of the *RMA*. The AEE must include such detail as corresponds with the scale and significance of the *effects* that the activity may have on the *environment*.

- C. Any information required to be included in the application by the District Plan or regulations made under the *RMA*.
- D. A statement specifying all other *resource consents* that the applicant may require from any consent authority in respect of the activity to which the application relates and whether or not the applicant has applied for such consents.

**E. SITE INFORMATION**

The following must be supplied:

1. the correct street address;
2. the legal description(s) of the *site*; and
3. a current copy of the certificate of title for the *property*, or each *property* within the *site* (no more than 3 months old).

**F. SITE PLANS**

Plans must be supplied and drawn to an appropriate metric scale to show sufficient detail of the proposal to enable *Council* to determine its *effects*. If the plans are larger than A3 size, copies reduced to A3 must also be provided.

The *site* plans must show:

1. a north point accurately orientated;
2. a unique plan number and title describing the proposal and the *site*; and
3. the date, name of the company and locality plan where appropriate.

Two plans are required (unless all of the relevant information can be shown on one plan):

1. A *site* plan detailing the existing situation including:
    - a) topography (noting significant landforms and natural features);
    - b) watercourses and catchment orientation;
    - c) all vegetation over 3 metres in *height* (including any vegetation located on or adjacent to the *legal road* or surrounding *properties*);
    - d) all certificate of title *boundaries*;
    - e) *road* frontages;
    - f) existing *buildings* (indicating those to be retained);
    - g) *buildings* on adjacent *sites*;
    - h) any existing *heritage features* (including *archaeological sites*, cultural sites, *geological features*, *ecological sites*, listed *trees* and *buildings*); and
    - i) existing high voltage electricity *transmission lines* and high pressure gas pipelines.
  2. A *site* plan detailing the proposed *development* including:
    - a) the design of *earthworks* including cut and fill volumes, depths and final levels and *original ground level* contours of the *site*;
    - b) the layout and location of proposed *structures* and *buildings* or *alterations* to existing *structures* and *buildings*;
    - c) the location of proposed activities, vehicle parking, servicing, circulation and manoeuvring, pedestrian and vehicular access;
    - d) floor plans;
    - e) a calculation of *coverage*;
    - f) all landscape designs, *site* planting details and fencing; and
    - g) if the *site* is subject to one or more hazards, a report from a suitably qualified and experienced person may be required on the extent of the existing and potential *natural hazard*. The report may be required to address the implication of the hazard on the proposed *development* or activity, and the actions required to mitigate any adverse *effect*.
- G. The applicant must provide, where relevant, elevation drawings, numbered and drawn to a metric scale of 1:100 (or as otherwise agreed) showing:
- a) the relationship of *buildings* to *original ground level* and finished ground levels;
  - b) the extent of compliance with relevant plan rules including solar access and maximum *building height*;
  - c) elevations from the street showing the relationship of proposed *structures* to *structures* on adjacent *sites*, including the location of existing private outdoor

- spaces and main living area windows (where these have outlook over the *development*); and
- d) shade diagrams for mid-winter for *medium density housing* applications.

## GG APPLICATIONS REQUIRING A TRANSPORT ASSESSMENT AND A TRAVEL PLAN

A *transport assessment* and a *travel plan* prepared by a suitably qualified person must be provided with the following applications:

1. *Major traffic activities* identified as *Restricted Discretionary Activities* in Rule 11E.3.1.
- H. Where applications involve or are likely to affect *historic heritage* items listed in the Schedule of Historic Heritage (Schedule 10.1 of this Plan) the following information will be required:

### Applications affecting *archaeological sites*

Applicants should first check with the NZ Archaeological Association filekeeper for information on recorded sites, previous surveys or additional sites and with *iwi* for information on cultural sites. Where no archaeological survey has been conducted for a particular *property/area* a survey should be done by the applicant to determine the *effects* of the proposal and provide for the avoidance, remediation and mitigation of *effects*. Applicants should note that if an *archaeological site* is to be modified, an application must be made to Heritage New Zealand Pouhere Taonga (HNZPT) for an authority to destroy, damage or modify the site.

### Applications affecting *historic heritage sites, places and areas*

Applicants should consult with HNZPT. A full description of the *historic heritage* value of the place is required. Applicants may also be required to prepare a building report or heritage inventory for the *building* or *structure* or a conservation plan for the *site* or *area*. In preparing a conservation plan, applicants should be guided by reference to the HNZPT document "Guidelines for Preparing a Conservation Plan" prepared by Greg Bowron and Jan Harris – refer HNZPT website ([www.heritage.org.nz](http://www.heritage.org.nz)).

### Assessments of *effects* on *historic heritage*

In respect of *historic heritage*, an assessment of effects shall contain:

- a) a detailed description of the proposal;
- b) an explanation of the nature of the *historic heritage* affected, i.e. *historic heritage building/place/site/area/waahi tapu* including existing plan, elevations and annotated photographs;
- c) the specific location of the *historic heritage* (preferably a map showing the location of the resource and area of impact the proposal has or is likely to have on the resource);
- d) a statement as to whether the activity will affect the whole/part of the *historic heritage*;
- e) an indication as to how adverse *effects* on *historic heritage* values will be mitigated;
- f) where it is likely a significant adverse *effect* will result, a description of any possible alternative location or methods of undertaking the activity;
- g) the preferred option for protecting the *historic heritage* values;
- h) what consultation (if any) has occurred with the relevant *iwi authority* or HNZPT; and
- i) a statement of the actual and potential *effects* of the proposal on *historic heritage* values.

Note: All applications will be considered with regard to the Objectives and the Policies in Chapter 10 – Historic Heritage.

- I. Where land use consent is required for *trimming* or *modification* of any vegetation that:
  - a) is *indigenous vegetation* within an *ecological site* listed in (Schedule 3.1); or



- b) is a *key indigenous tree species* (Schedule 3.2) or a *key indigenous tree* listed in Schedule 3.2A; or
- c) is a *rare and threatened vegetation species* listed in (Schedule 3.3); or
- d) a *notable tree* listed in (Schedule 10.1); or
- e) is in or within 20 metres of a *water body* or the coastal marine area where it not within the *urban environment*;

the application must include the following information:

- i. a plan showing the location of any vegetation intended to be trimmed or modified including the extent of the canopy of affected *trees*;
  - ii. an assessment prepared by a suitably qualified arborist or botanist describing the condition of the vegetation intended to be trimmed or modified and the impact of any proposed *modification* on other nearby protected vegetation;
  - iii. details of the intended method of *trimming* or *modification* and of the proposed method of removal of vegetation including measures proposed to prevent debris entering any waterway;
  - iv. measures proposed to mitigate any adverse *effects* of the proposed activity; and
  - v. measures proposed to minimise damage to the root systems of remaining vegetation.
- J. Any other information necessary to determine the *effects* of the proposal or which is specifically requested in the District Plan rules. This could include noise assessment, ecological assessment, visual or landscape assessment, *transport assessment* or *travel plan*.

**K. IN RESPECT OF CONTROLLED AND RESTRICTED DISCRETIONARY ACTIVITIES**

For *controlled activities* and *restricted discretionary activities*, applications will only be assessed with regard to those matters specifically identified in the District Plan rules. The information to be supplied must include an assessment of any likely *effects* on the *environment*. This can be limited to that which is necessary to address the matters under consideration.

**L. IN RESPECT OF DISCRETIONARY AND NON-COMPLYING ACTIVITIES**

For discretionary and *non-complying activities*, applications will be assessed with regard to their *effects* on the *environment* as well as the New Zealand Coastal Policy Statement, National Policy Statements, Regional Policy Statement and any relevant objectives, policies, rules or standards. The information to be supplied must include an assessment of compliance with these matters.

### 1.2.3 Subdivision Consents

An application for a *subdivision* consent shall include:

- A. An assessment of any actual or potential *effects* that the activity may have on the *environment*, including *wetlands*, significant *indigenous vegetation* (as defined in Chapter 1.4 of the Plan), land form features, cultural and heritage sites and on any of the features listed in the Schedule of Historic Heritage (Schedule 10.1 of the Plan) and on people and communities and how any adverse *effects* will be avoided, remedied or mitigated through provisions such as preservation and covenants on the title.

NOTE: Section 88 of the *RMA* states that the application must include the information in relation to the activity, including an assessment of the activity's *effects* on the *environment* (AEE) as required by Schedule 4 of the *RMA*. The AEE must include such detail as corresponds with the scale and significance of the *effects* that the activity may have on the *environment*.

- B. Any information required to be included in the application by the District Plan or the regulations made under the *RMA*.
- C. A statement specifying all other *resource consents* that the applicant may require from any consent authority in respect of the activity to which the application relates, and whether or not the applicant has applied for such consents.

#### D. SITE INFORMATION

The following information must be supplied:

1. a legal description of the *site*;
2. current copies of all certificates of title (no more than 3 months old); and
3. where relevant, an assessment, including diagrams, of the significant views onto and off the *development site*.

#### E. SITE PLANS

Plans must be supplied and must be drawn to an appropriate stated metric scale to show sufficient detail of the proposal to enable *Council* to determine its *effects*. If the plans are larger than A3 size, copies reduced to A3 must also be provided.

The *site* plans must show:

1. a north point accurately orientated;
2. a unique plan number and title describing the proposal and the *site*; and
3. the date, name of the company and locality plan.

Two plans are required (unless all of the relevant information can be adequately shown on one plan):

1. A plan detailing the existing situation including:
  - a) topographical information, in terms of MSL Datum, together with a certificate as to its origin and accuracy;
  - b) the design of *earthworks*, including cut and fill volume, depths and final levels and contours of the *site*;
  - c) details of hazardous areas (for example uncompacted filling or flood prone areas or areas subject to earthquake or geological hazards);
  - d) if the *site* has been identified as being subject to one or more hazards, a report from a suitably qualified and experienced person may be required on the extent of the existing and potential *natural hazard*. The report may be required to address the implication of the hazard on the proposed *development* or activity, and the actions required to mitigate any adverse effect;
  - e) existing *buildings* and *structures* and *buildings* and *structures* on adjacent *sites*;
  - f) landforms and landscape elements;
  - g) location of watercourses, drainage channels and water table with comment on their condition, including identification of areas known to be subject to inundation, subsidence, slippage or erosion. Measures to be taken to overcome any of these limiting factors must be elaborated on (a flood free *building* area must be provided);
  - h) the location and areas of any existing *esplanade reserves*, *esplanade strips* or *access strips*;
  - i) all vegetation over 3 metres in *height*, including individual specimens;
  - j) existing street names and numbers;
  - k) existing easements and covenant areas;
  - l) any existing *heritage features* (including *archaeological sites*, cultural sites), *geological features*, *ecological sites* listed in Schedule 3.1, *key indigenous tree species* listed in Schedule 3.2 or *key indigenous tree* listed in Schedule 3.2A, *rare and threatened vegetation species* listed in Schedule 3.3, *notable trees* or *buildings* or sites listed in Schedule 10.1); and
  - m) existing high voltage electricity *transmission lines* and high pressure gas pipelines.

2. A plan detailing the proposed *subdivision* including:
    - a) the position of all proposed *lots* and certificate of title *boundaries*;
    - b) the areas of all new *lots*;
    - c) indicative *building* positions and indicative *vehicle access* points and *driveways* on street edges;
    - d) location and type of all proposed *trees* and other vegetation, including all existing vegetation to be retained; and
    - e) a report from a suitably qualified and experienced person to demonstrate that:
      - i. a water supply of sufficient quality and quantity can be provided for the activities proposed for the *subdivision* and that there will be no adverse *effects* on other users and the water resource itself or on *natural and physical resources*; and
      - ii. the disposal of *wastes* generated by the activity proposed for the *subdivision* will have no adverse *effects* on ground or surface water quality, and that there will be no adverse *effects* on consumptive water users or on *natural and physical resources*.
    - f) for *lots* in the Rural Water Collection area to be used for *plantation forestry*, information detailing proposed species and the extent of planted areas together with an assessment of the impact on long-term water resources;
    - g) three names of any new *road* shall be provided for consideration for the approval of *Council*;
    - h) all applications for *subdivisions* fronting a *Strategic Arterial Route* shall be accompanied by evidence of consultation with the New Zealand Transport Agency (NZTA) confirming compliance with NZTA's requirements;
    - i) the *legal road* or road reserve proposed to be set aside as new *road*, including all areas of public *open space* intended for recreational purposes, together with drawing sufficient to describe the plan and three dimensional qualities of typical and unique or special areas of the *development*;
    - j) formation widths and grades of proposed *roads* and rights of way, parking bays, bus stops and speed control devices;
    - k) proposed easement and covenant areas;
    - l) the location and widths of new reserves to be created, including any *esplanade reserves* to be set aside on the survey plan under Section 231 of the *RMA*;
    - m) the location and areas of *esplanade strips* proposed to be created under Section 232 of the *RMA* to meet the requirements of the District Plan;
    - n) the location and areas of any land below mean high water springs of the sea, or of any part of the bed of a river or lake, which is required under Section 237A of the *RMA* are to be shown on a survey plan as land to be vested in the Crown;
    - o) information to show compliance with any other District Plan rules and standards; and
    - p) plans and details which demonstrate how the *subdivision* and *development* will meet the Council's Subdivision and Development Principles and Requirements 2012.
- F. For residential *subdivision*, the applicant may be required to provide an annotated print from the most recent acceptable aerial photograph.
- G. Where an item listed in the Schedule of Historic Heritage (Schedule 10.1) will be affected as a result of or is the subject of a *subdivision* consent application, the information in Part 1.2.2. [H] may be required.
- H. Applications for *subdivision* in the Living and *Working Zones* shall include an assessment of environmental *effects* on upstream and downstream stormwater flows and levels. This shall include a report from a suitably qualified person covering stormwater disposal and inundation issues, including a catchment plan and calculations. The level of detail provided shall reflect the scale of the proposed *development*.

### 1.2.4 Subdivision consent in the Ngarara Zone, excluding the Waimeha North Neighbourhood Development Area.

The application for a subdivision consent must include the following information:

- A. All information required in Section 1.2.3
- B. For sites adjoining or containing part of an Ecological Site (specifically K066 or K133), an ecological assessment prepared by a suitability qualified and experienced ecologist that determines:
  - a. the precise extent of Kawakahia wetland (K066) and Ngā Manu Bush (K133) Ecological sites and the potential effect of development on their ecological health, values and sustainability;
  - b. whether the minimum required open space wetland buffer required by the Ngārara Structure Plan (20 and 50 metres) is sufficient to avoid or mitigate effects on the ecological health and protection of indigenous flora and fauna from subdivision and/or development activities; and
  - c. whether other additional measures are necessary to avoid or mitigate effects.
- C. An Environmental Management Plan (EMP), to be prepared in consultation with Council, that includes the following matters:
  - a. the identification and protection of threatened wetland plant, bird and fish species;
  - b. the design and management of wetland systems to ensure ecological health is maintained;
  - c. the design and management of watercourses to ensure corridors are maintained for movement of freshwater fish;
  - d. the integration of waterways with stormwater management systems to ensure water quality is maintained and ecological values are protected;
  - e. integrated planting for shelter, screening and public open space;
  - f. timeframes to complete any works required; and
  - g. monitoring and reporting to Council on the achievement of the EMP's intended outcomes, including a timeframe for monitoring and reporting.
- D. Integrated Transport Assessment to identify:
  - a. whether or not traffic effects on the local and regional road networks are manageable; and
  - b. what measures are necessary to avoid, remedy or mitigate these effects to an acceptable level.
- E. Ownership arrangements and covenants to apply on an ongoing basis to public and private areas.

### 1.2.5 Land use consents in the Ngarara Zone excluding the Waimeha North Neighbourhood Development Area.

The application for a land use consent must include the following information:

- A. All information required in Section 1.2.2
- B. A Master Plan for the site, detailing:
  - Roading and access arrangements;
  - Infrastructure servicing (waste water, water, power and telecommunications);
  - Stormwater management systems;
  - Proposed land uses and activities and their specific location;
  - Development controls for residential and non-residential activities; and
  - Any open spaces within the site.
- C. A Landscape Concept Plan for the subdivision and/or development containing form, character, activities and typical materials
- D. An Earthworks Plan, showing cut and fill, and vegetation to be retained or removed

- E. For sites adjoining or containing part of an Ecological Site (specifically K066 or K133), an ecological assessment prepared by a suitably qualified and experienced ecologist that determines:
- the precise extent of Kawakahia wetland (K066) and Ngā Manu Bush (K133) Ecological sites and the potential effect of development on their ecological health, values and sustainability;
  - whether the minimum required open space wetland buffer required by the Ngārara Structure Plan (20 and 50 metres) is sufficient to avoid or mitigate effects on the ecological health and protection of indigenous flora and fauna from subdivision and/or development activities; and
  - whether other additional measures are necessary to avoid or mitigate effects.
- F. An Environmental Management Plan (EMP), to be prepared in consultation with Council, that includes the following matters:
- the identification and protection of threatened wetland plant, bird and fish species;
  - the design and management of wetland systems to ensure ecological health is maintained;
  - the design and management of watercourses to ensure corridors are maintained for movement of freshwater fish;
  - the integration of waterways with stormwater management systems to ensure water quality is maintained and ecological values are protected;
  - integrated planting for shelter, screening and public open space;
  - timeframes to complete any works required; and
  - monitoring and reporting to Council on the achievement of the EMP's intended outcomes, including a timeframe for monitoring and reporting.
- G. Integrated Transport Assessment to identify:
- whether or not traffic effects on the local and regional road networks are manageable; and
  - what measures are necessary to avoid, remedy or mitigate these effects to an acceptable level.
- H. Stormwater Assessment confirming that the proposed development will comply with the Subdivision and Development Principles and Requirements 2012
- I. Ownership arrangements and covenants to apply on an ongoing basis to public and private areas

## 1.3 Structure Plans

*Structure plans* comprise one or more maps, plans or diagrammatic representations of the proposed layout, features, character and links for areas being developed or redeveloped. The maps or plans do not define individual *lot boundaries* or the physical form of *buildings* and *structures*. The maps, plans or representations are supported by text explaining the background to the issues which initiated the *structure plan* and the management approaches to be used to deal with those issues. A new *structure plan* can only be introduced into the District Plan via the plan change process as outlined in Schedule 1 of the *RMA*.

The process for determining what to include in the *structure plan* starts with an analysis of the *site*. Typically this commences with a *site* visit prior to consideration of *structure plan* design issues. A sieve mapping process is used to identify and display constraints and opportunities. This includes considering the:

1. landform and topography;
2. geology (as relevant);
3. vegetation and Ecology;
4. hydrology/natural drainage systems;
5. *historic heritage* including *waahi tapu* and *archaeological sites*;
6. solar access and shading;
7. *amenity values* and special characteristics;
8. connectivity opportunities;
9. existing physical resources; and
10. existing *infrastructure*.

This must include the *site* and the neighbouring *properties*. The assessment of existing physical and cultural features will largely determine the type, location and density of *buildings*.

Features that are represented in, and managed through, a *structure plan*, include:

1. the type and location of land use that will be provided for, including *development* type, density and staging;
2. multi-modal transport links and connectivity, including *roads*, cycleways, bridleways and walkways networks, and public transport routes;
3. the location, type, scale and staging of *infrastructure* required to service an area, including stormwater, water and sewerage;
4. landscape character and amenity;
5. *natural hazards*;
6. the provision of *community facilities* and reserves;
7. the protection of sites, features or values (cultural, ecological, historical or amenity related);
8. areas of contamination and the rehabilitation standards required; and
9. protection, safety and access requirements of existing *Network Utility infrastructure*, including consideration of potential *reverse sensitivity effects*.

## 1.4 Definitions

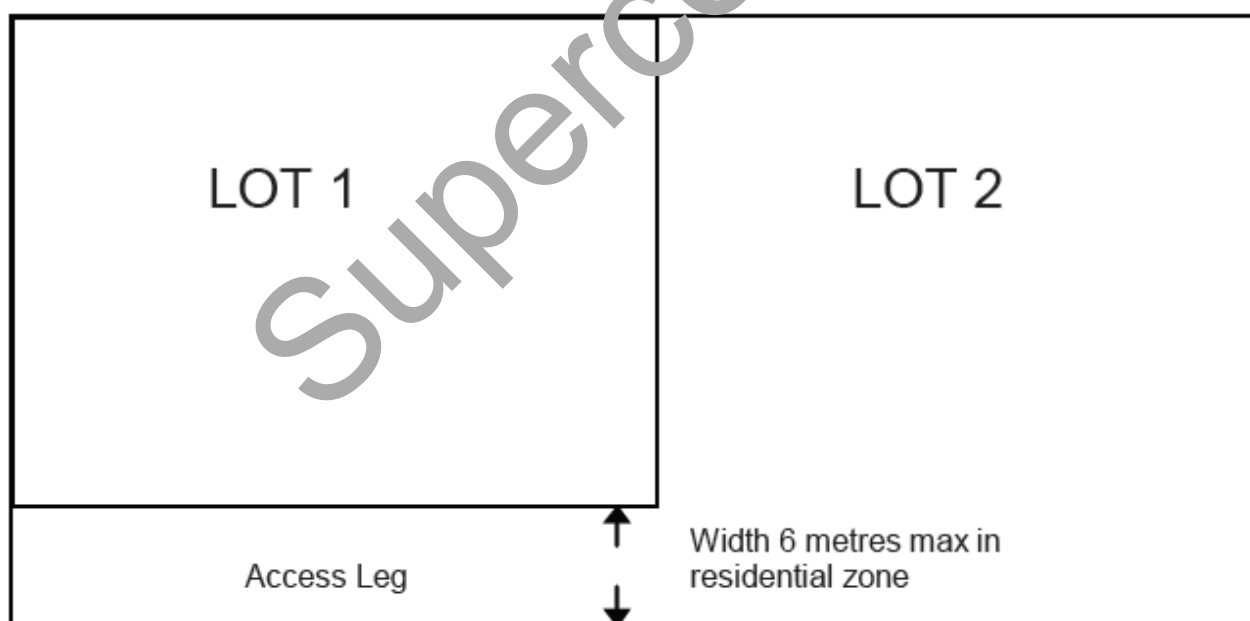
**1% AEP or 1% Annual Exceedance Probability flood event** means a flood event that has a one in one hundred (1%) chance of being equalled or exceeded in any one year. The flood categories (except *residual ponding areas* and *residual overflow paths*) on the District Plan Maps are a representation of this event.

**2% AEP or 2% Annual Exceedance Probability flood event** means a flood event that has a one in fifty (2%) chance of being equalled or exceeded in any one year. This is not mapped in the District Plan.

**85 Percentile Speed** means the speed found by surveying the speeds of passing vehicles and establishing the speed value of which 85% of the traffic travels at an equal or slower speed.

**Accessory Building** means any detached *building* on a *property*, the use of which is incidental to the *permitted activities* and consented activities occurring on that *property*. It does not include a *residential building*. It does include but is not limited to garages, carports, tool sheds, playrooms, recreation rooms, glasshouses, *sleep outs* and *buildings* used for permitted and consented *home occupations*. For the avoidance of doubt *minor flats* shall not be regarded as *accessory buildings*.

**Access Leg** means that part of a rear *lot* that provides access to a public road e.g. a *driveway* to a rear *lot* as shown in the diagram below. In the *Living Zones*, the *access leg* does not include land exceeding 6m in width.



**Access Strip** means the same as in the Resource Management Act 1991.

**Active Fault** means a fault that has ruptured within the last 125,000 years, and with a history indicating that it is likely to rupture again.

**Active Retail Frontage** and **Active Frontage** means *building* facades where the ground floor level features display windows which allow views of the activities occurring in the premises. In order to allow views into the premises a specified percentage of the window space between 1 metre and 2 metres above the street level shall be transparent or see-

through and allow unobstructed views into the main retail space. The use of blinds, shutters, frosted glass or curtains during normal business hours will not provide an *active retail frontage* or *active frontage*. Interior security screens may be used after normal retail hours (exterior screens/shutters are not suitable for frontages to pedestrian areas). *Active retail frontages* are associated with *retail activities*, whereas *active frontages* are associated with non-retail activities such as *commercial activities*.

**Addition** means an extension or increase in floor area, number of stories, or *height* of a *building* or *structure*. It includes the construction of new floors, walls, ceilings, and roofs, but does not include *alterations*, or *repair and maintenance*.

**Aerial(s)** means a *structure* made of rod or wire, dishes or panels that transmits or receives signals as part of an *Amateur Radio Configuration*.

**Aerodrome** means any defined area of land or water intended or designed to be used either wholly or partly for the landing, departure, and surface movement of aircraft where 10 or more flight movements take place in any calendar month (this requirement does not apply to flight movements associated with *farming activities*), or where maximum LAFmax sound levels at any rural dwelling or *living zone property boundary* exceed LAFmax 90 dB for daytime and LAFmax 70 dB at night time in accordance with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas; and includes any *buildings*, installations, and equipment on or adjacent to any such area used in connection with the aerodrome or its administration. For the avoidance of doubt, an aerodrome includes helicopter landing areas (sometimes referred to as heliports).

**Air Noise Boundary** means the outer edge of the area as identified as such on the District Plan Maps.

**Aircraft Operations** means the engine run-up, taxiing, take-off or landing at an airport of an aircraft, and “operate” has a corresponding meaning.

**Airport Noise Effects Advisory Overlay** means the outer edge of the area shown as such on the District Plan Maps and which encompasses land that is subject to higher than usual levels of aircraft noise.

**Airport Road** means *carriageways*, footpaths and berms within the *Airport Zone*.

**Alteration** means any changes to the fabric or characteristics of a *building* including (but not limited to) the removal and replacement of walls, windows, ceilings, floors or roofs, either internally or externally. It does not include *additions*, or *repair and maintenance*.

**Amenity Values** means the same as in the Resource Management Act 1991.

**Amateur Radio Configuration** means the *masts*, *aerials* (including rods, wires and tubes) and associated supporting *structures* which are owned and operated by licensed amateur radio operators.

**Ancillary** means an activity or *development* that provides support to, and is subsidiary to the primary activity or *development* on the *site*.

**Animal** means any animate being, other than that of the human species, and for the avoidance of doubt includes bees, fish, insects, cage birds, and *poultry*.

**Antenna(s)** means antenna as defined in the Resource Management (National Environmental Standard for Telecommunications Facilities) Regulations 2008



An antenna does not include:

1. devices used in *amateur radio configurations* (refer to the definition of *aerial*);
2. devices only used for television reception; and
3. any other device less than 1.5m<sup>2</sup> in area.

Note: The mountings of any *antenna* and any radiofrequency equipment or similar device shall not be included in the measurement of area or diameter of each *antenna*, provided that the radiofrequency unit or similar device is smaller in area or diameter than the *antenna* itself.

Any *antenna* only need meet the area or diameter measurement, as appropriate to the type of *antenna*. The measurement of each individual *antenna* is not a cumulative measurement.

**Archaeological site** means the same as in the Heritage New Zealand Pouhere Taonga Act 2014.

**Atua** means deity; god; child of Ranginui and Papatūānuku.

**Automotive and Marine Supplier** means a business primarily engaged in selling automotive vehicles, marine craft, and associated parts and accessories for such vehicles and craft.

**Aviary** means a fixed, permanent *structure* designed for the keeping of cage birds and excludes any *structure* used to house *poultry*.

**Aviation Activity(ies)** means any activity undertaken in the Airport *Zone* which is directly related to the use of the land for aviation purposes. This includes the physical *infrastructure* of the Kapiti Coast Airport (such as runways, terminal and control towers) and the storage, maintenance and use of aircraft.

**Aviation Heritage** means any *ancillary aviation activity* undertaken within the Aviation and Heritage Precinct of the Airport *Zone* and includes any aviation and aerospace museum together with workshops and storage for the assembly and restoration of items for display, outdoor static display, picnic and playground facilities, *retailing ancillary* to the museum's display material; community service and cultural facilities and activities.

**Bathroom** means room and room or part of a room which together provide personal ablution and sanitary facilities including a bath or shower, wash basin and toilet.

**Beach or the Beach** means the area between the vegetated dunes or hard protection *structures* and mean high water springs, (generally indicated on the ground as the high tide mark). This is the usually dry sand area which is not formed into dunes. For the avoidance of doubt, the beach is not equivalent to the Beach Residential *Zone*.

**Biodiversity Offsets** means measurable positive outcomes resulting from actions designed to compensate for significant residual adverse biodiversity impacts arising from an activity after appropriate avoidance, minimisation, remediation and mitigation measures have been taken. The goal of *biodiversity offsets* is to achieve no net loss and preferably a net gain of biodiversity on the ground. The principles to be applied when proposing and considering *biodiversity offsets* are provided in Schedule 3.7 of this Plan (Biodiversity offsetting).

**Bird Management Plan** means a plan that sets out how a grower manages bird populations while also managing adverse *effects* (including noise) on the surrounding *environment* adopting integrated bird scaring and management strategies.

**Block Length** means the distance along any *legal road* between two consecutive intersections. Length shall be measured from the centre point of each intersection along the centre line of the *legal road* connecting the two centre points. For the purposes of this definition, no cul-de-sac, private *road*, crescent or access way shall be considered a *legal road* for the purposes of identifying an intersection.

**Boarding House** means a *building* in which board is provided (including women's refuges and halfway houses), or a *building* which is not operated as a licensed hotel in which board and lodging is provided or is intended to be provided for reward or payment. This definition does not include family homes where foster parents receive payment for children in their care (which are included in the definition of *residential activities*). A *boarding house* is a type of *shared and group accommodation*.

**Boundary** means the perimeter of an area of land capable of being disposed of separately, including a legal or cross lease *boundary*.

**Boundary Adjustment** means the *subdivision* of a *lot* where the following requirements are met:

1. the number of existing certificates of title will not be increased;
2. each of the adjusted *lots* shall be of generally the same *areas* as the *lots* prior to the *boundary adjustment*; and
3. the adjustment of *boundaries* is for the rationalisation of existing *boundaries* to improve the practicality of existing *lots*.

**Building** means any temporary or permanent or moveable or immovable *structure*; and includes any *structure* intended for use or occupation by people or animals or machinery or chattels but does not include any of the following:

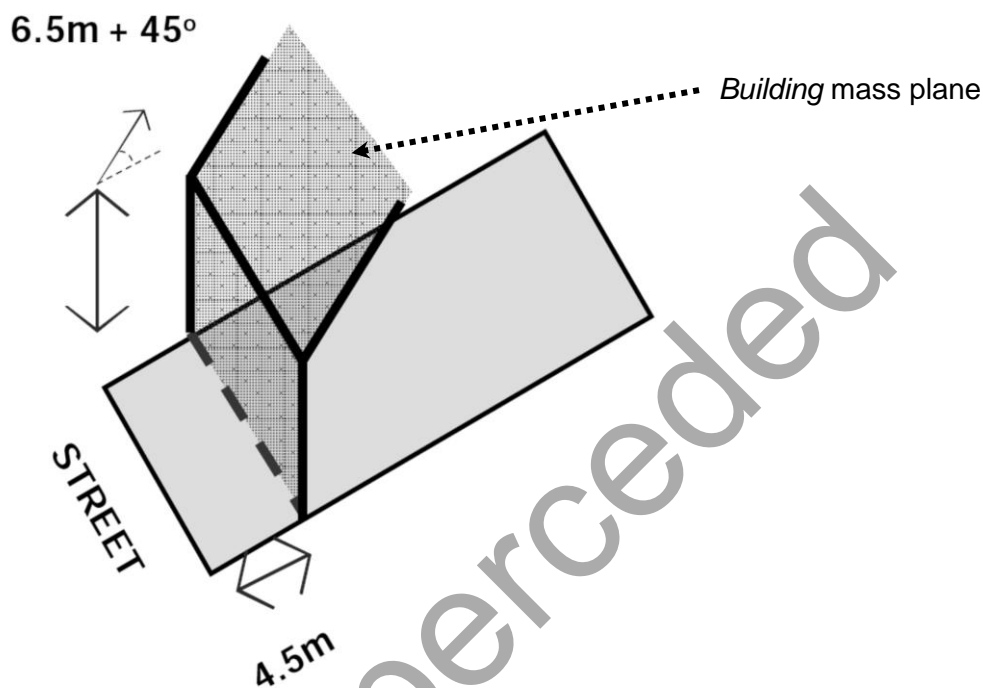
1. a fence or wall of 2 metres or less in *height* above *original ground level*, and tennis court fences of any *height* above ground level, where the fence is not used for advertising or for any purpose other than a fence or a wall;
- 1A. retaining walls of 1.5m or less in *height*;
2. a fence for the containment of stock;
3. residential chimneys and television aerials associated with a *residential building*, not exceeding 1.5 metres above the permitted *height* rule and *height* envelope rule for the *zone* in which the *building* is located;
4. small-scale detached *structures* (including temporary *structures*) not exceeding 2.4 metres in *height* and not exceeding 8m<sup>2</sup> in *gross floor area* where they are located at least 1 metre from any adjoining *property boundary*;
5. underground water tanks, and any aboveground water tank that is less than 30,000 litres in volume that is set back at least 1 metre from any side and rear *boundary* and complies with the permitted *height*, *height envelope* and front and coastal *yard* standards for *buildings* for the *zone* in which it is located;
6. patios and decks (including their handrails) with a finished floor level not exceeding 1 metre in *height* above ground level and at least 1 metre from any adjoining *property boundary*;
7. any mobile machinery, vehicle, trailer, tent, caravan or boat, whether fixed or movable unless it is used for *residential activities*, *business activities* or storage purposes;
8. any scaffolding or falsework erected temporarily for maintenance and construction purposes;
9. any *road*, *driveway*, footpath, boardwalk or other paved surface;
10. domestic swimming pools not exceeding 1.2 metres above *original ground level*;
11. fire hose drying towers not exceeding 15 metres in *height* on New Zealand Fire Service *property*;
12. *network utilities*; and

13. *amateur radio configurations.*

**Building Floor Level** in relation to flood inundation means the underside of floor joists for wooden *structures* or for concrete slabs it means 150 millimetres below the finished top of the slab.

**Building Importance Category(ies) (BIC)** means the *building importance categories* set out in Table 9.2 in Chapter 9 of this Plan.

**Building Mass Plane** is the relationship between the *height* of the *building* and the street front *boundary*.



**Building Supplier** means a business and associated premises primarily used for the display and sale of goods and materials used in the construction, repair, alteration and renovation of *buildings*, including plumbing, electrical and *landscaping*.

**Business Activity(ies)** means *retail activities*, *commercial activities* or *industrial activities*. Business activities are focused within specific *centres* and *zones* within the District.

**Cabinet(s)** means a box-shaped *structure* which houses radio and telecommunication equipment, electrical equipment, equipment associated with the continued operation of *network utilities* and includes single transformer and associated switching gear distributing electricity at a voltage up to, and including, 100kV.

**Carpark(s)** includes an area of land available for the parking of vehicles off-street. It is available for use by visitors to or occupants of a *property* and is accessory to the principal use of the *property*.

1. This excludes vehicle parking as an activity, for example car yards, parking *buildings* and depots. These are activities in their own right and are covered by the relevant rules and standards.
2. Refer to Chapter 11.7, for technical information on the design and layout requirements for car parks.

**Carriageway** includes the portion of the *legal road* which is useable by vehicles. It includes traffic lanes and any metal shoulder, or parking lanes, but not footpaths or grass verges.

**Centres Routes** – means the same as in the *transport network hierarchy* and Schedule 11.2.

**Centres** and **Centres Zone(s)** means the part of the District comprising the *District Centre Zone*, *Outer Business Centre Zone*, *Town Centre Zone* and *Local Centre Zone* and shown as such of the District Plan Maps. For the avoidance of doubt, this includes the *Paraparaumu Sub-Regional Centre*.

**Civil Aviation Rules** means rules made under the Civil Aviation Act 1990.

**Cleaner Production** means the use of techniques to reduce the amount of raw materials or energy used in the production process and the amount of *wastes* generated in the production process. These techniques may include the use of recyclable materials or renewable resources, the use of fewer *hazardous substances* or the reduction in quantity used, and carbon accounting.

**Cluster (Clustered)** means a group of *buildings* in close proximity to each other whether they are on the same property or adjoining *properties*.

**Coastal Environment** means the ‘coastal environment’ area mapped in the District Plan Maps.

**Coastal Process(es)** means dynamic natural, physical and ecological relationships and events, that are characteristically coastal in their occurrence, nature and *effects*, that act to shape a coastline, its landforms and features – such as, *beaches*, wave cut platforms – and including processes of: wave formation, breaking and dissipation; swash run-up; nearshore currents; sediment transport, erosion and deposition.

**Comparison Goods** means higher order goods which are usually expensive, non-perishable or specialty goods which are bought infrequently. Comparison goods include furniture, jewellery, clothing and electrical equipment.

**Commercial Activity(ies)** means any activity involving commercial transactions, or providing commercial or administrative services, and includes non-school activities, *offices*, and banks; but excludes *residential activities* and premises or activities involving *retail activities* and *industrial activities*.

**Commercial Helicopter Operations** means the same as ‘*Aerodrome*’ with respect to helicopter operations.

**Commercial Scale** in relation to *renewable electricity generation activities* means energy projects established with the primary intent of supplying electricity directly into the distribution network or *National Grid*. This definition does not include any *transmission lines* required to link the project to the point of entry into the distribution network or *National Grid*.

**Commercial Service(s)** within the Waikanae North Development *Zone* means household, personal, finance, insurance, real estate, travel, repair, post, courier, health, veterinary, and other such similar services but not including general or professional *office* activities above ground floor.

**Community Facility(ies)** means: the use of land and *buildings* by the public for the purposes of welfare, care, safety and culture. *Community Facilities* include:

1. multi-purpose community halls;
2. places of worship;
3. civic *offices*;
4. community centres;
5. community libraries;
6. display of information to the public;
7. community museums;
8. community galleries;
9. courthouses;
10. emergency service facilities;
11. hospitals;
12. marae and other cultural facilities;
13. public toilets; and
14. plunket rooms and rooms where information, counselling advice or similar assistance conducive to welfare is provided.

For the avoidance of doubt, any *offices* and storage areas required to operate the facility form part of the *community facility* but the *community facility* does not include any other retail, *industrial* or *commercial activities* unless specifically provided for in the District Plan. A *community facility* does not include probation or detention centres or prisons.

**Community Facilities Signs** mean any sign pertaining to a *community facility*.

**Community Purpose Event/Charity Event Signs** mean any sign pertaining to a *temporary event* or an event that:

1. is for general public admission; and
2. occurs for 3 consecutive days or less in duration; and
3. occurs no more than once in any three month period; and
4. is held within licensed premises; and
5. the purpose of the event is to:
  - a) fundraise for a recognised charity; or
  - b) accommodate the proceedings of a publicly notified meeting or hearing.

**Community (or Neighbourhood) Scale** (in relation to renewable energy generation) means *renewable electricity generation activities* established with the primary intent of supplying electricity to a whole community or to a defined neighbourhood within an urban area whether or not it is connected to the distribution network.

**Conditions** means the same as in the Resource Management Act 1991.

**Contaminant** means the same as in the Resource Management Act 1991.

**Contaminated Land** means the same as in the Resource Management Act 1991.

**Controlled Activity** means the same as in the Resource Management Act 1991.

**Convenience Goods** means lower order and usually inexpensive goods that vary little in price, quality or other features that are frequently purchased and often include perishable goods.

**Council** means the Kapiti Coast District Council.

**Coverage** means the percentage area of a *property* occupied by *buildings*, where the *building* area is measured by the total area of the footprint of the *buildings* on the ground (i.e. excluding eaves) and the property area excludes any right of ways or *access legs*.

**Covered Outdoor Living Area** means a roofed area attached to a *residential building* used for private recreation and living space to provide a high level of amenity for residents. At least 50% of the combined area of all elevations of the area (from the floor of the deck to the eaves level of the attached *building*) should be open to the elements.

**Crossing Point** means a length of the *road boundary* available for the ingress or egress of vehicles from the *property*.

**Cross Lease** means the same as in the Resource Management Act 1991.

**Curtilage** within the Airport *Zone* means the area of land held within an individual lease.

**Demolition** means to damage and demolish a *building* or *structure*.

**Department Store** means an activity within one *building*, engaged in *retailing* a wide variety of goods, other than food or groceries, but the variety is such that no predominant activity can be determined. *Department Stores* have predominant retail sales in at least four of the following six product groups:

1. clothing;
2. furniture;
3. kitchenware, china, glassware and other housewares;
4. textile goods;
5. electrical, electronic and gas appliances; and
6. perfumes, cosmetics and toiletries.

The products primary to these headings, as well as other products, are normally sold by or displayed in separate departments or sections supervised by managers (with specialised product knowledge) within the store, and, generally merchandising, advertising, customer service, accounting and budgetary control functions are undertaken on a departmentalised basis.

For the avoidance of doubt, within the Airport Mixed Use Precinct this definition excludes those activities falling within the definition of *Large Format Retail* or *trade supply retail*.

**Designation** means the same as in the Resource Management Act 1991.

**Destruction** means to cause substantial harm or damage to a *place* or *area of significance to Māori* or a historic site (including *archaeological sites*). It may be caused by activities including *earthworks*, tunnelling, disposal, cutting, construction works, induced vibration, removal of *structures*, reclamation or drainage, subsidence, gravel, water or soil extraction, dredging, diverting, taking or damming water and discharge of *contaminants*.

**Development** means (except in relation to the Airport Mixed Use Precinct) the construction of, *addition* to or *alteration* of *buildings*; the erection of fences/walls and detached *structures*; *network utilities*; *earthworks* or the construction of earth retaining *structures*; and any construction of artificial surfaces or platforms e.g. *roads*, decks or patios, *driveways*.

**Development (within the Airport Mixed Use Precinct)** means, for the purposes of Chapter 6 of this Plan, the total *gross floor area* of any *residential* or *business activity development* within the Airport Mixed Use Precinct provided that any *Retailing* or *Retail Outlets* shall be restricted to the following activities:

1. *aviation activities* and aviation service activities;
2. one hotel/motel activity;
3. *industrial activities*;
4. *trade / wholesale*;
5. *commercial activity* (including logistics or distribution uses) and *retail activity* provided that *retail activity* shall be limited to:
  - a) *retail activity ancillary* to industrial or warehousing activities within the Precinct;
  - b) *large format retail* activity;
  - c) *home improvement retail* activity;
  - d) *automotive and marine supplier* activity;
  - e) *small-scale convenience retail* activity;
  - f) *small-scale commercial services* activity;
  - g) *retail activity* permitted by the definition of *Service station*; and includes any *buildings* used for any such activities; and
  - h) *retail* of farm machinery and equipment.

**Discretionary Activity(ies)** means the same as in the Resource Management Act 1991.

**Distributed (Fault Complexity)** means areas where fault rupture reformation is distributed over a relatively broad, but defined, geographic width (e.g. tens to hundreds of metres wide), typically as multiple fault traces or folds. The location of 'Distributed' Fault Avoidance Areas are identified on the District Plan Maps.

**District Centre Zone** means the part of the *Paraparaumu Sub-Regional Centre* that comprises *District Centre Zone Precincts A, B and C* as shown on the District Plan Maps and the District Centre Zone Structure Plan in Appendix 1.7.

**Domestic Scale** in relation to *renewable electricity generation activities* means small scale renewable energy generation *development* for the purpose of using electricity on a particular *site* (single household or business premises), with or without exporting back into the distribution network.

**Dripline** means the area beneath the canopy of a *tree*, measured at ground level from any part of the surface of the trunk, with a radius of 5 metres or to the outermost extent of the spread of its branches, whichever is the greater.

**Driveway** means the same as *crossing point*.

**Drive-through Restaurant** means any land and *buildings* with a drive-through service on or in which food and beverages are prepared, served and sold to the public for consumption on or off the premises and may include an *ancillary* cafe and playground area.

**Earthworks** means any alteration to the land contour or disturbance of land including the deposition of cleanfill and the excavation and backfilling or recompaction of existing natural ground.

*Earthworks* does not include any of the following:

1. cultivation of soil for the establishment of crops and pasture;
2. the harvesting of crops;
3. domestic gardening;
4. *extractive industries*;
5. the removal or replacement of underground fuel storage tanks; and
6. "earthworks" as defined in and regulated by the *NESPF*.

Unless otherwise stated in the Plan, the limits on *earthworks* in the standards apply to any *earthworks* within any 5 year period except in relation to *overflow paths*, *ponding areas* and the *river corridor*.

Note 1: *Earthworks* on land within the Coastal Marine Area and the beds of lakes and rivers is the responsibility of the Wellington Regional Council and is not covered in this District Plan.

Note 2: The *resource consent* requirements for the removal or replacement of underground fuel storage tanks falls under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011, and the relevant regional plans.

Note 3: *Earthworks* associated with *plantation forestry* within *Outstanding Natural Features and Landscapes*, *historic heritage* features, and *Ecological Sites* are not managed under the NESPF and therefore must comply with the provisions of this Plan.

**Ecological Site(s)** means ecological features or areas which have been mapped on the District Plan Maps with the description and significance of the sites included in Schedule 3. 1

**Educational Facility(ies)** means land or *buildings* used to provide regular instruction, teaching, learning or training and includes preschools, schools, tertiary education institutions, work skills training centres, and facilities for the care of children under the age of five, such as daycare facilities.

**Effect** means the same as in section 3 of the Resource Management Act 1991.

**Entertainment Activity(ies)** means premises providing public or private entertainment and includes cinemas, theatres and licensed premises.

**Environment** means the same as in the Resource Management Act 1991.

**Esplanade Reserve** means the same as in the Resource Management Act 1991.

**Esplanade Strip** means the same as in the Resource Management Act 1991.

**Existing Urban Area** means the spatial area that includes the District's *centres*, industrial and service areas, and suburban areas existing at the date of notification of this Plan. These areas are identified on the District Plan Maps as comprising one (or more) of the following zoning classifications:

1. Airport Zone;
2. Civic and Community Zone;
3. District Centre Zone;
4. Industrial/Service Zone;
5. Local Centre Zone;
6. Outer Business Centre Zone;
7. Residential and Beach Residential Zones; and
8. Town Centre Zone.

**External sound insulation level (DnT,w + Ctr)** means the standardised level difference (outdoor to indoor) and is a measure of the airborne sound insulation provided by the external *building* envelope (including windows, walls, ceilings and floors where appropriate) described using DnT,w + Ctr as defined in the following Standards:

1. ISO717-1:2013 Acoustics – Rating of Sound Insulation in Buildings And Of Building Elements – Part 1: Airborne sound insulation; and



## 2. ISO 16283-1:2014 Acoustics – Field Acoustics - Measurement Of Sound Insulation In Buildings And Of Building Elements.

The term “*external sound insulation level*” is used in this Plan primarily as a calculated value to demonstrate compliance with the stated minimum standard of acoustic isolation against sounds arising from outside the *building*. If field testing of built *structures* is employed to verify predictions, these tests shall be carried out using ISO 140-5:1998 Acoustics - Measurement of Sound Insulation In Buildings and of Building Elements Part 5: Field Measurements of Airborne Sound Insulation of Facade Elements and Facades.

**Extractive Industry(ies)** means any activity where open or surface excavation of rock or other material deposits including gravel, rock, soil, clay, sand or peat is undertaken and removed from the *site*, and may include:

1. blasting;
2. processing minerals by crushing, screening, washing, or blending;
3. storing and distributing mineral products;
4. removing and depositing overburden; and
5. recycling or reusing aggregation from *demolition waste* such as concrete, masonry, or asphalt.

The removal of soil (including topsoil, sand and peat) from the *site* which is less than 100m<sup>3</sup> in volume within any 10 year period is not included within the definition of *extractive industries*. Refer to the definition of *earthworks* and *permitted activity* standards for *earthworks* within Chapter 3 Natural Environment for more detail.

**Farming** means land based activity, having as its primary purpose the production of livestock or vegetative matter including agriculture, horticulture and viticulture. For the purposes of this Plan, *farming* does not include the processing of farm produce beyond cutting, cleaning, grading, chilling, freezing, packaging and storage of produce grown on the land or *plantation forestry*.

**Farming and Agricultural Supplier** means a business primarily engaged in selling goods for consumption or use in the business operations of primary producers or in animal husbandry.

**Farm Track(s)** means any way, or formations or access tracks located on private land, the use of which is restricted to the owner of the land, or such other persons who may be authorised by the owner to use them and which are suitable for conventional or special purpose vehicles. *Farm tracks* shall be *ancillary* to activities defined as *Farming*.

**Fault Avoidance Area (FAA)** means a buffer area either side of a known *active fault* trace and are identified on the District Plan Maps.

**Fault Complexity** means the width and distribution of the deformed land around the fault trace. The *fault complexity* categories are *well-defined*, *well-defined extension*, *distributed*, *uncertain-poorly constrained*, and *uncertain-constrained*. The location of areas within these *fault complexity* categories is identified on the District Plan Maps.

**Fill Control Area** means the areas identified as such on the District Plan Maps and further described in Table 9.1 *Flood hazard categories*.

**Financial Contribution(s)** means the same as in section 108(9) of the Resource Management Act 1991.

**Fixed Plant** means any swimming pool pump, heat pump, ventilation fan, air extract or exhaust unit or stationary motor.

**Flood Hazard Category(ies)** means the areas based on the 1% AEP extent shown on the District Plan Maps. The *flood hazard categories* are *river corridor, stream corridor, flood storage area, fill control area, over flow path, residual overflow path, ponding, residual ponding area* and *shallow surface flow*. The purpose of the *flood hazard categories* is to describe the varying hazard *risk* across the floodplain. The *flood hazard categories* have been determined by taking the following into account:

1. The depth and speed of flood waters;
2. The threat to life;
3. The difficulty and danger of evacuating people and their property; and
4. The potential for damage to property and social disruption.

There are two types of flood hazard identified in the Natural Hazard Maps:

1. Direct Flood Risk

The direct flood hazard affects areas that are those subject to 1% AEP flooding. This includes affects areas that are not protected from flooding by flood protection *structures* (such as stopbanks or floodwalls) built to the 1% AEP standard. A direct flood *risk* can also occur where existing structural protection built to less than the 1% AEP standard, is vulnerable and likely to fail in a 1% AEP.

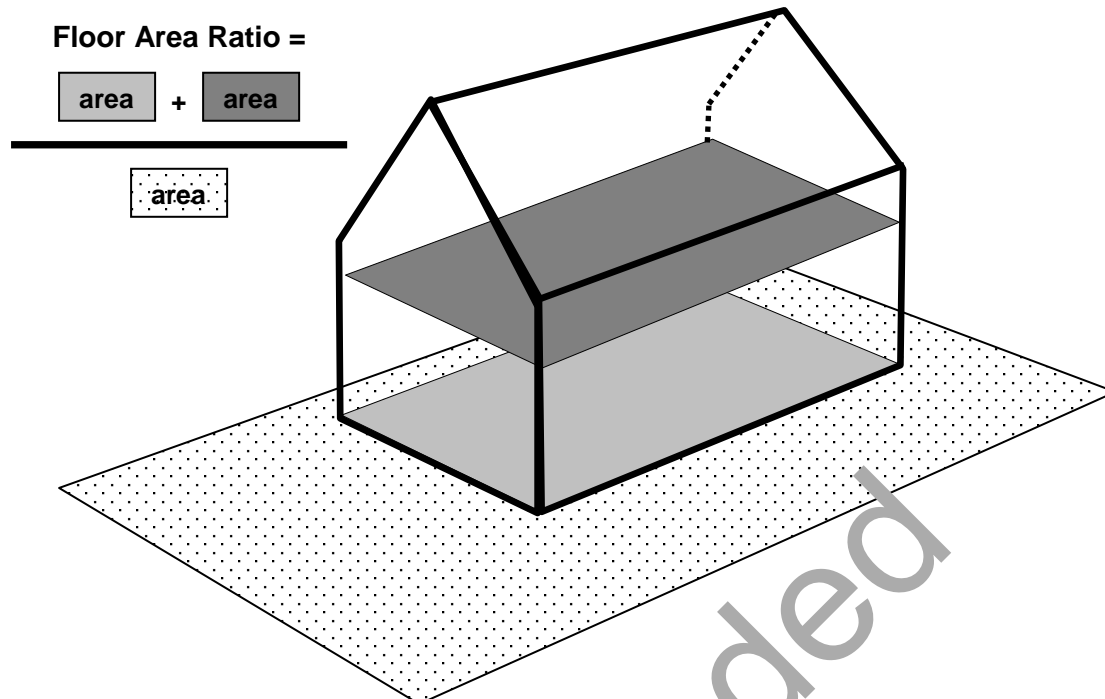
2. Residual Flood Risk

The residual flood risk is the additional or 'left over' risk due to possible breaching and overtopping of flood protection *structures* (such as stopbanks or flood works) built to the 1% AEP standard when a greater than design standard flood occurs.

Note: When "as-built" information is provided to the Council related to a flood hazard category the information will be included in the "latest flood hazard" maps on the Council's GIS system which are used to assess developments in addition to the District Plan maps.

**Flood Storage Area(s)** means the defined areas on the District Plan Maps within which ponding of flood waters is expected to occur in significant flood events and which are necessary for the management of the associated flood *risk*. These are further described in Table 9.1 *Flood hazard categories*.

**Floor Area Ratio** means the relationship derived from dividing the total *gross floor area* ("GFA") by the total *property area* ("PA"); expressed as a ratio (GFA : PA).

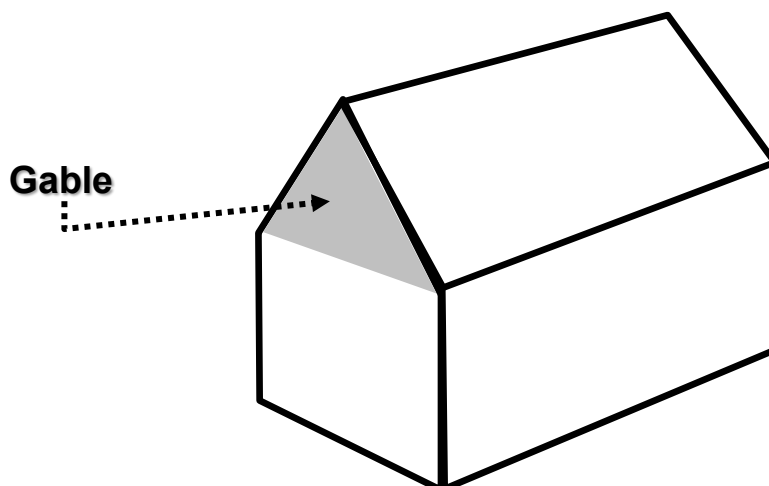


**Food and Beverage Outlet(s)** means land and *buildings* used for the sale of food or beverages to the general public prepared for immediate consumption. It includes restaurants, taverns, bars, cafes and takeaway restaurants, and excludes *supermarkets* and *drive-through restaurants*.

**Forestry track** has the same meaning as "forestry track" as defined in the *NESPF*.

**Formed Vehicle Access** means hard surfaced, stable access from the formed *road* across the berm and or footpath to a *property*, this includes any vehicle crossing (cut down kerb) or other *structures* in the *legal road*.

**Gable** means the triangular section of a wall at the end of a pitched roof, occupying the space between the two slopes of the roof.



**Garden and Landscaping Supply(ies)** means a business primarily engaged in selling goods for permanent exterior installation or planting and includes: landscaping suppliers; and suppliers of bark, compost, firewood, and paving and domestic paving aggregates.

**General Residential Area(s)** means land in the Residential Zone which is not subject to a specific precinct, area or other locality specific rule or standard.

**Geological Feature** means a *geological feature* that has significant *heritage values*, is described in Schedule 3.6 and is identified on the District Plan Maps.

**Greywater** means *wastewater* generated from domestic activities, such as clothes washing machines, showers, bathtubs, and hand washing. It excludes toilets, laundry sinks and *kitchen wastewater*.

**Greywater Re-use System** means a device that disperses *greywater* for outdoor irrigation purposes in a manner that does not endanger public health.

**Gross Floor Area** means the sum of the gross area of all floors of all *buildings* on a *property*, measured from the exterior faces of the exterior walls or from the centre lines of walls separating two *buildings*. *Gross floor area* also includes covered yards and areas covered by a roof but not enclosed by walls. The *gross floor area* of a *building* shall not include:

1. uncovered stairways;
2. floor space in terraces (open or roofed), external balconies, breezeways or porches;
3. roof carparking, lift towers and machinery rooms on the roof having a floor area of not more than 200m<sup>2</sup>;
4. car parking areas; and
5. floor space of interior balconies and mezzanines not used by the public.

**Habitable Building(s)** means a *building* used, or able to be used, for activities normally associated with *residential activities* and contains one or more *habitable rooms*.

**Habitable Room(s)** means a space within a building that is commonly associated with *residential activities*, teaching or hospital recovery, but excludes any *bathroom*, laundry, toilet, pantry, walk-in wardrobe, corridor, hallway, lobby, clothes-drying room, or other space of a specialised nature occupied neither frequently nor for extended periods of time.

**Hapū** means sub-tribe.

**Hazardous Substance(s)** include, unless expressly provided otherwise by regulation, any substances:-

1. with one or more of the following intrinsic properties:
  - a) explosiveness;
  - b) flammability;
  - c) a capacity to oxidise;
  - d) corrosiveness;
  - e) toxicity (including chronic toxicity);
  - f) eco-toxicity, with or without bioaccumulation; or
2. which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in paragraph (1) of this definition.

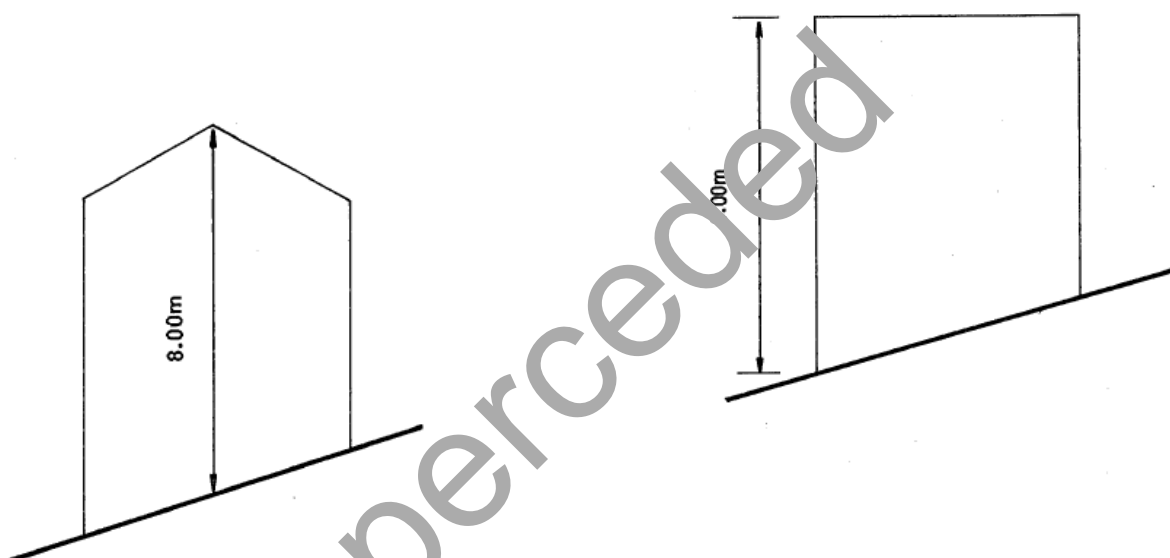
**Heavy Trade Vehicle** means a motor vehicle that:

1. is of Vehicle Class MD3, MD4, ME, NB, NC, TC or TD (as defined by the New Zealand Transport Agency); or
2. has a gross vehicle mass that exceeds 3500 kg

**Height** in relation to any *building* means the lesser of either:

1. the vertical distance between the topmost point of the *building* and the *original ground level* immediately below that point; or
2. the vertical distance between the topmost point of the *building* and the lowest point of the *building* immediately below that point.

In the measurement of *height*, the following shall be excluded: chimneys, ventilator shafts, water tanks, stairways or elevators, *aerials*, telecommunication *antennas*, steeples, turrets and such other finials and similar parts of the *building* that are only decorative fixtures, provided that the maximum dimension thereof parallel to any *boundary* of the *property* shall not exceed 3 metres.

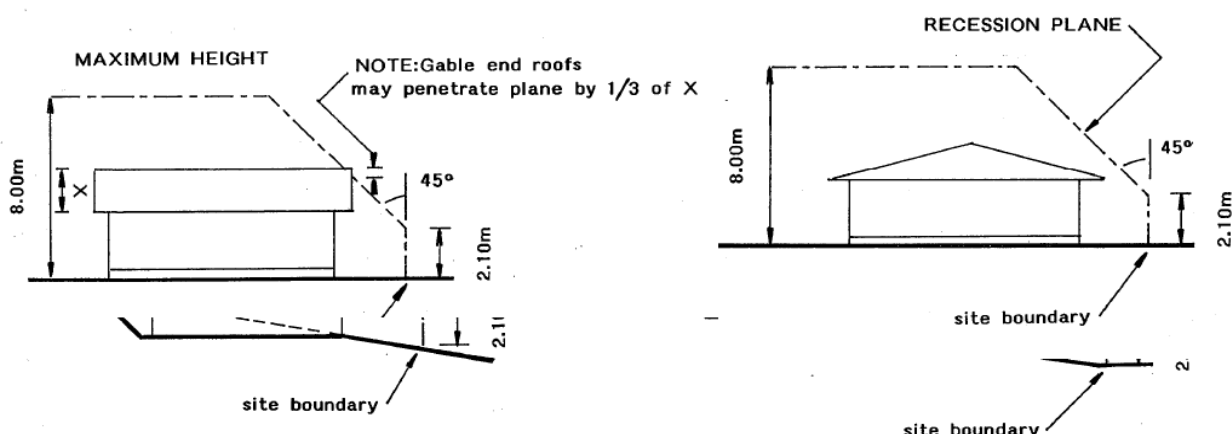


**Height** in relation to any object that is not a *building* or *sign* means the vertical distance between the topmost point of the object and a point at *original ground level* immediately below.

**Height** in relation to any *sign* means the measurement from the *original ground level* of where the *sign* is to be located to the topmost part of the *sign* immediately above that point, unless specifically stated otherwise in an activity standard pertaining to *signs*.

**Height Envelope** means an envelope extending at an angle into the *property* from a point above the *original ground level* at the *boundary* (including restrictive covenant areas of *cross lease properties*). A *building* must fit within this envelope for all of the *boundaries* of the *property*. Notwithstanding the definition of “*building*”, for the purposes of measuring the *height envelope* the term *building* excludes residential chimneys, electricity transmission towers, masts, radio, television and telecommunication *antenna* and *aerials*.

Where there is a right-of-way or an *access strip/leg* adjoining the *lot boundary*, the *height envelope* shall be measured from a point 2.1 metres above a point midway across the right-of-way or *access strip/leg*.



**Historic Heritage** means the same as in the Resource Management Act 1991.

**Historic Heritage Feature(s)** means any item listed in the schedule of *historic heritage* (Schedule 10.1) in Chapter 10.

**Hoarding(s)** means the same as in the Kapiti Coast District Council Public Places Bylaw 2010 and includes: a board, including any frame or other supporting device whether fixed to the ground or attached to a vehicle or trailer, for displaying posters or notices announcing future events or for advertising or election purposes, *not* excluding sandwich boards.

**Homestay** means the commercial use of an existing residential unit for bed and breakfast accommodation, of no more than five guests.

**Home Improvement Retail** means the sale of building materials and home improvement goods for domestic use, including for example; timber plumbing, paint, electrical, tiling, floor coverings and garden supplies.

**Home Occupation(s)** means an occupation, business, trade, craft or profession performed entirely within a *residential building* or *accessory building* by a member of the *household unit* residing permanently on the *property* which occupation, business, trade, craft or profession is a secondary and lesser use of the *property* after the primary *residential activities*.

*Home occupation* shall not include any activity involving any panel beating, spray painting, motor vehicle repairs, fibre glassing, *heavy trade vehicles*, sheet metal work, wrecking of motor vehicles, bottle or scrap metal storage, rubbish collection service (except that empty, clean drums may be stored in a suitably screened area), wrought iron work or manufacture, motor body building, fish processing, breeding or boarding of dogs or cats, *visitor accommodation* or any process which involves repetitive use of power tools, drills or hammering or any *business activity*, trade, craft or profession which creates a *nuisance effect* at or beyond the *boundary* of the *property* on which the activity is occurring, and does not include *temporary residential rental accommodation*.

**Household** means every *household* unit whether of one or more persons.

**Household 2007 Summer Average Water Use** means the amount of water used in the 2007 in summer months averaged between November and April per person and assuming a 3 person *household*. This means that the household 2007 summer average water use is 1560 litres per *household* per day.

**Household Unit** means all or part of a *residential building* that is capable of, or is being used as a self-contained unit for a *residential activity*. For the purposes of this definition:

1. one *household unit* has one *kitchen* and at least one *bathroom*. If two *kitchens* and more than one *bathroom* are present, there will be two *household units*, except where a second *kitchen* is associated with and required for a *home occupation* being carried out on the *lot*, this shall be deemed one *household unit*;
2. a *household unit* may consist of one *primary residential building* and any *accessory buildings*;
3. a *minor flat* is *ancillary* to a *household unit*; and
4. a *building* used for emergency or refuge accommodation shall be deemed to be one *household unit* so long as the above requirements are met.

Note: For further clarification refer to the definitions of *residential activity*, *residential building* and *minor flat*.

**Household Unit Equivalent or One “HUE”** means:

1. *residential activities*: One *household unit* except for one-bedroom units, including 1 bedroom *minor flats*, which is ½ a *HUE*; or
2. non-residential *development* (retail, commercial, industrial, service, community land uses): 500m<sup>2</sup> of *building gross floor area* (GFA).

For the avoidance of doubt, a 2 bedroom or greater *minor flat* or *panakāinga* unit will be 1 *HUE*.

**Hydraulic Neutrality** means a nil increase in the peak stormwater runoff discharged from new *subdivision*, new *buildings* or new land use activities undertaken on the *property*.

**Identified Growth Area(s)** means the areas shown on the District Plan Maps as Ngarara Zone, Waikanae North Development Zone, and Future Urban Development Zone.

**Ihakara Street Extension** means the extension of Ihakara Street to the intersection of Hurley Road and Kapiti Road via an underpass beneath the Kapiti Expressway.

**Indigenous Vegetation** means vegetation or plant species, including *trees*, which are native to the Kapiti Coast District. *Indigenous Vegetation* does not include “indigenous vegetation” as defined in and regulated by the NESPF.

**Industrial Activity(ies)** means any activity where people use materials and physical effort to:

1. extract or convert natural resources;
2. produce goods or energy from natural or converted resources;
3. repair goods; and
4. store goods (ensuing from an industrial process).

For the avoidance of doubt, this definition excludes activities falling within the definition of *extractive industries*, and includes activities such as light industry and manufacturing, fabricating, processing, and the servicing and repair of goods whether by machinery or hand.

**Industrial/Service Zone** is the part of the District shown as such on the District Plan Maps.

**Infill** means *subdivision* or *development* of a *property* of less than 3,000m<sup>2</sup> in area.

**Infrastructure** means the same as in the Resource Management Act 1991.

**In-stream Hydro Generation** means the generation of electricity using the natural run of the river, in which the water diversion is less than 1.5m<sup>3</sup>/second and which allows fish, water and materials to bypass the hydro generation intake and continue down the original in-stream path.

**Intensive Farming (Activity(ies))** means the commercial raising and keeping of pigs, poultry, dairy and beef cattle and other animals in feed lots, barns or similar enclosures or *buildings* for more than 6 months in any calendar year and being sustained on supplementary feed while so confined.

**Iwi** means tribe.

**Iwi Authority** means the same as in the Resource Management Act 1991.

**Kaimoana** means food from the sea.

**Kaitiaki** means a person or agent who cares for *taonga*; may be spiritual or physical. Guardian, steward, but the meaning of *kaitiaki* in practical application may vary between different *hapū* and *iwi*.

**Kaitiakitanga** means the same as in the Resource Management Act 1991.

**Kawanatanga** means governorship, government.

**Key Indigenous Tree(s)** means a *tree* or group of *trees* listed in Schedule 3.2A.

**Key Indigenous Tree Species** means significant locally *indigenous vegetation* as identified in Schedule 3. 2.

**Kitchen** means a room, rooms or part of a room capable of use for food preparation and cooking which contains a sink and an oven or hob.

**Kohanga Reo** means a Maori language preschool.

**LAE** means the “Sound Exposure Level” and means the same as Section 3 of NZS6802:2008 Acoustics – Environmental Noise.

**Land Disturbance(s) (in relation to historic heritage features)** means the disturbance and damage of land by any means including *earthworks*, tree planting or removal, blading, trenching, side-cutting, surface excavation, explosives, overburden and spoil disposal, reclamation, drainage, ground levelling, works associated with the construction or removal of *buildings*, earth dams, permanent inundation and the construction, maintenance, realignment or widening of *roads* or tracks.

**Landscaping** means live planting of *trees*, shrubs and ground cover for amenity purposes and may include provision of physical features such as paving, walls, art and seating.

**Large Format Retail** means a *retail activity* of at least 500m<sup>2</sup> in *gross floor area*. Within the Airport Mixed Use Precinct, *large format retail* is restricted to the following activities defined by Australian and New Zealand Standard Industrial Classification (ANZSIC 2006):

1. manchester and other textile goods;
2. floor coverings;
3. furniture;
4. domestic hardware;
5. houseware; and



6. hardware and building supplies.

**Legal Road** means the same as *Road*.

**Line(s)** means the same as in section 5 of the Telecommunications Act 2001 and Section 2 of the Electricity Act 1992.

**Liquefaction** means the process by which water saturated sediment temporarily loses strength because of strong shaking caused by seismic activity.

**Limited Access Road(s) (LAR)** means any *road* or part of a *road* which has been declared a "*limited access road*" under the Government Rounding Powers Act 1989.

**Living Zone(s)** means the part of the District comprising the Residential *Zone*, Beach Residential *Zone*, Ngārara *Zone* and Precincts 1, 2, 4 and 5 of the Waikanae North Development *Zone* and shown as such on the District Plan Maps.

**Loading** in relation to a vehicle includes the fuelling and loading of it, and the adjustment or covering or tying of its load, and the loading, unloading or adjustment of any part of its load and "load", in relation to a vehicle, has a corresponding meaning.

**Local Centre and Local Centre Zone(s)** means the *Local Centre Zone* as identified in the District Plan Maps.

**Local Convenience Retail Outlet(s)** means a small scale *shop* or dairy providing day-to-day convenience retail products to serve a local neighbourhood. *Local convenience retail outlets* do not include *supermarkets*, *large format retail* activities, clothing outlets, *trade / wholesale activities*, *yard based retail*, *restaurants*, *pubs*, *cafes*, *commercial offices*, *home occupations*, or *service stations*.

**Lot(s)** means the same as "allotment" in the Resource Management Act 1991.

**Mātaítai** shall have the same meaning as "maataitai" and "mahinga mātaítai" in the Resource Management Act 1991.

**Main Airport Terminal Building** means the principal *building* in the Airport Core used for the handling of baggage and freight and the embarkation and disembarkation of passengers and aircrew, and for *ancillary* retail, *office* and eating facilities.

**Maori Land** means the same as within the Te Ture Whenua Maori Act 1993.

**Major Community Connector Routes** means the same as in the *Transport Network Hierarchy*.

**Major Traffic Activity(ies)** means any activity which generates or attracts vehicle movements per day (*vpd*) in excess of the permitted activity standards.

**Manaakitanga** means the practice of caring for others.

**Mana** means prestige, power, authority.

**Mana Atua** means authority derived from the gods.

**Mana Whenua** means the same as in the Resource Management Act 1991.

**Management of Contaminated Land** means the various methods and / or procedures used to control access and limit the exposure of people, environmental receptors or physical assets to a *hazardous substance*.

**Management Plan** means, for the purpose of a *temporary event(s)* or activities, a plan that shall set out the following:

1. the name and address of the Event Organiser;
2. the location of the event;
3. the location, size and detail of signs (may require written approval from *Council's* Roading Engineer or NZTA);
4. the plan is to identify all potential noise sources and the means by which noise levels will be controlled to reasonable levels;
5. shall identify affected *residential buildings* or *noise sensitive activities* located in the area and indicate a description of the method(s) for informing occupants of these *buildings* at least 10 working days prior to the event that noise will be experienced at levels in excess of the normally applying District Plan noise limits; and
6. the plan shall describe the proposed procedures for responding promptly to any noise complaints received including describing a method for recording the complaint, together with a description of the action taken to avoid or mitigate the nuisance.

**Mast(s)** includes any *pole*, tower or similar *structure* which is fixed to the ground specifically designed to carry *antenna* or *aerials* to facilitate the transmission of telecommunication and radio communication signals.

**Mauri** means life principle present in all things.

**Medium Density Housing** refers to any housing type (detached, semi-detached, or terraced) falling within a gross average density range of 350m<sup>2</sup> – 250m<sup>2</sup> per unit with a minimum *development* area of 200m<sup>2</sup> and capable of containing an 8 metre diameter circle, involving four or more units. It does not include conventional '*infill*' where a *household unit* is placed on a single *lot* with an existing *household unit*.

**Meteorological Mast** means a *mast* and supporting sensors for the purpose of wind resource measurement. This includes guy wires and various meteorological instruments to be erected at varying heights including:

1. anemometers to measure the average wind speed, wind gust speeds, turbulence intensity and wind shear;
2. wind vanes to measure wind direction; and
3. other meteorological instruments to measure temperature, air pressure, humidity and rainfall.

A building consent may be required.

**Minor Flat** means a *building* used for small-scale self-contained *residential activities* which is *ancillary* to a *household unit*. In order to be self-contained a *minor flat* must contain a *kitchen* and *bathroom*. A *minor flat* has a gross floor area which is no greater than 54m<sup>2</sup> in the *Living Zones* (excluding decks and *covered outdoor living areas*), and 60m<sup>2</sup> in the *Rural Zones* (excluding decks and *covered outdoor living areas*).

**Minor Upgrading** means an increase in the carrying capacity, efficiency or security of electricity and telecommunication lines, which utilise the existing or replacement support *structures*, and includes:

1. the re-conductoring of the line with higher capacity conductors;
2. the re-sagging of conductors;
3. the addition of longer and more efficient insulators;

4. a support *structure* placement within a similar location as the support *structure* that is to be replaced;
5. the addition of earthwire, which may contain telecommunication lines, earthpeaks and lightning rods;
6. the addition of electrical or telecommunication fittings;
7. support *structure* replacement in the same location or within the existing alignment of the *transmission line* corridor;
8. the replacement of existing cross arms, including with cross arms of an alternative design of a similar scale; or
9. an increase in support *structure height* to achieve compliance with the clearance distances specified in NZECP34:2001; and
10. the addition of overhead lines to provide individual service connects to a *site* (including any connection to a building within that *site*) from an existing overhead network, provided no more than one new support *structure* is required.

Minor upgrading shall not include:

1. increasing the carrying capacity of existing structures;
2. any increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage;
3. any increase in any individual wire, cable, or other similar conductor to a diameter that exceeds 35 millimetres;
4. the bundling together of any wire, cable, or other similar conductor so that the bundle exceeds 30 millimetres in diameter; or
5. the addition of any new circuits, lines or utility structures

Note: The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 applies to the existing *national grid*, and applies to all *transmission lines* that were operational or able to be operated, on 14 January 2010.

**Modification** of vegetation means the felling, removal, damage or destruction of the vegetation including the following activities within the vegetation drip line:

1. work that involves compaction, sealing or removal of soil; or
  2. drilling or excavation; or
  3. discharge of toxic substances,
- but excludes any *trimming* authorised as a *permitted activity* under this Plan.

**National Grid** means the same as in the National Policy Statement on Electricity Transmission 2008.

**National Grid Subdivision Corridor** (shown in green in Diagram 1 below) means the area measured either side of the centreline of above ground *National Grid transmission lines* as follows:

1. 37m for a 220kV *transmission line*.

Note: The *National Grid Subdivision Corridor* and *National Grid Yard* does not apply to underground cables or any *transmission lines* (or sections of line) that are designated. The measurement of setback distances from *National Grid* line shall be taken from the centre line of the electricity *transmission line* and the outer edge of any support *structure*. The centre line at any point is a straight line between the centre points of the two support *structures* at each end of the span.

**National Grid Yard** (shown in red in Diagram 1 below) means:

1. the area located 12 metres in any direction from the outer edge of a electricity transmission *National Grid* support *structure* foundation and;

2. the area located 12 metres either side of the centreline of an overhead *National Grid* line on towers.

Diagram 1: *National Grid Subdivision Corridor and National Grid Yard*



**Natural and Physical Resources** means the same as in the Resource Management Act 1991.

**Natural Character** means the degree of naturalness of land and vegetation. Areas of high *natural character* in the *coastal environment* are mapped in the District Plan Maps. The degree or level of *natural character* within an area depends on:

1. the extent to which natural elements, patterns and processes occur; and
2. the nature and extent of *modifications* to the ecosystems and landscape/seascape.

The highest degree of *natural character* (greatest naturalness) occurs where there is least *modification*. The *effects* of different types of *modification* upon the *natural character* of an area vary with the context.

**Natural Hazard(s)** means the same as in the Resource Management Act 1991.

**Neighbourhood Development Area (NDA)** means the Ngārara *Zone* development areas identified in the Ngārara *Zone* Structure Plan in Appendices 5.7 and 5.8.

**Neighbourhood Development Plan (NDP)** means a specific plan that relates to *development* of a *Neighbourhood Development Area* identified in the Ngārara *Zone* Structure Plan in Appendices 5.7 and 5.8.

**NESPF** means the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

**Network Utility Operator** means the same as in section 166 of the Resource Management Act 1991.

**Network Utility** means any service provided by a *network utility operator* as defined under Section 166 of the Resource Management Act 1991 and includes:

1. distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel or geothermal energy;
2. telecommunication as defined in section 5 of the Telecommunications Act 2001; or radio communications as defined in section 2(1) of the Radio Communications Act 1989;
3. the provision, operation and maintenance of works for the conveyance of electricity, as defined in section 2 of the Electricity Act 1992;

4. the distribution of water for supply including irrigation;
5. sewerage or drainage system, including pumping stations and open drains;
6. construction, operation and maintenance of railway lines and roads;
7. the operation of an airport as defined by the Airport Authorities Act 1966;
8. the provision of any approach control service within the meaning of the Civil Aviation Act 1990; or
9. undertaking a project or work described as a “network utility operation” by regulations made under the Resource Management Act 1991;

and includes the following, which may (or may not) be provided by a *network utility operator*:

1. light houses, navigation aids, beacons, signal and trig stations and *natural hazard* emergency warning devices;
2. meteorological services; and
3. all associated *buildings* and *structures*.

**No Net Loss:** means, in relation to indigenous biodiversity, no overall reduction in biodiversity as measured by type, amount and condition.

**Noa** means free from *tapu* or any other restriction.

**Noise Corridor** means the notation on District Plan Maps which demarcates an area adjacent to State Highway 1 and the rail corridor within which the acoustic insulation requirements of Rule 12D.1.14 in Chapter 12 apply.

**Noise Emission Level** means noise measured and assessed in accordance with NZS6801:2008 Acoustics-Measurement of Environmental Sound, and NZS6802:2008 Acoustics-Environmental Noise.

**Noise Event** means a noise event 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 Activity(ies)** means:

1. *Buildings* used for residential activities and includes:
  - a) *boarding houses*;
  - b) homes for elderly persons;
  - c) retirement villages;
  - d) in-house aged-care facilities; and
  - e) *buildings* used as temporary accommodation in residentially zoned areas, including hotels, motels, and camping grounds;
2. *marae buildings*;
3. spaces within *buildings* used for overnight patient medical care; and
4. teaching areas and sleeping rooms in *buildings* used as *educational facilities* including tertiary institutions and schools, and premises licensed under the Education (Early Childhood Services) Regulations 2008 and playgrounds which are part of such facilities and located within 20m of *buildings* used for teaching purposes.

For the avoidance of doubt *Noise Sensitive Activities* do not include:

1. residential accommodation in *buildings* which predominantly have other uses such as commercial or industrial premises;
2. garages and *ancillary buildings* not containing any *habitable room(s)*; and
3. premises and facilities which are not yet built, other than premises and facilities for which a *building* consent has been obtained which has not yet lapsed.

**Non-Complying Activity(ies)** means the same as in the Resource Management Act 1991.

**Non-Industrial Activity(ies)** means activities which do not fall within the meaning of an *industrial activity* as defined in this Plan.

**Non-Potable Uses** means uses of water which do not require treatment to Ministry of Health drinking water standards. This includes outdoor uses and some indoor uses, where there is no risk of this source being ingested, such as toilet flushing. Non-potable water sources include untreated rainwater, *greywater* and bore water.

**Non-Residential Activity(ies)** means an activity on any *site, property* or in any *building* in the *Living Zones* that is not a *residential activity*. For the avoidance of doubt, non-residential activities include *community facilities, retail, commercial, service or industrial activities*, and any other activity excluded from the definition of *residential activity*.

**Non-Residential Building** means a *building* used for the purpose of *non-residential activities*.

**Notable Tree(s)** means any tree listed as a *notable tree* in the Schedule of *Historic Heritage* (Schedule 10.1) and includes the area within the *dripline*. For a group of trees it includes the land between the trees not within the *dripline*.

**Notional Boundary(ies)** means a line 20 metres from the side of a *residential building*, or the legal *boundary* where this line is closer to the *residential building*. "Notional boundary(ies)" relevant to *plantation forestry* activities carried out under the *NESPF* means a line 20 metres from the side of a *building*; or the legal *boundary*, where it is closer to the *building*.

**Nuisance Effect(s)** means adverse *effects* from any types of pollution, or *contaminants* which are temporary or intermittent in nature including but not limited to:

1. dust;
2. offensive or objectionable odour;
3. spray residues;
4. light;
5. noise;
6. contaminated fluids;
7. thermal pollution (extreme heat); and
8. smoke.

**Obstacle Limitation Surfaces** means an airspace *designation* which limits the *height* of *buildings* and vegetation in order to retain a safe operation area for flights associated with the Kāpiti Coast Airport.

**Offensive Odour** means an odour which can be detected and defined as intrusive by the olfactory systems of a panel of four healthy observers, including two *Council* officers and two independent persons.

**Offensive Trade(s)** includes any *trade, business* or manufacturer undertaking the following:

1. blood or offal treating;
2. bone boiling or crushing;
3. dag crushing;
4. fellmongering;
5. fish cleaning and curing;
6. flax pulping;
7. flock manufacturing or teasing of textile materials for any purpose;

8. gut scraping and treating;
9. solid waste disposal;
10. storage, drying or preserving of bones, hides, hoofs or skins;
11. tallow melting;
12. tanning;
13. wood pulping; and
14. wool scouring.

**Office(s)** means an activity including associated *buildings* or part of a *building* where people are engaged in the administration of an organisation whether trading or non-trading, and includes but is not restricted to professional *offices* and professional services where otherwise not defined as *retailing*. An *office* may be *ancillary* to another activity.

**One-bedroom Household Unit** means a *household unit* (including a studio apartment) that has not more than two rooms excluding a *kitchen*, laundry, *bathroom*, toilet or any other room used solely as an entranceway, passageway or garage.

**Office Furniture, Equipment and Systems Suppliers** means a business primarily engaged in selling goods for *office*-type use or consumption, and includes suppliers of computers, copiers, printers, *office* furniture and other related equipment.

**Open Space(s)** means any area of outdoor *open space* and includes public and private parks, sportsgrounds, waterways, gardens, scenic reserves, conservation areas, playgrounds, cemeteries and utility and other reserves. In general, *open spaces* are recognised as areas in which people can move through without fear of challenge, though there may be a level of restriction on what they can do in those areas. For the purposes of this definition, *open space* does not include *outdoor living courts*.

**Open Space Zone(s)** mean the areas shown on the District Plan Maps as being zoned Open Space (Recreation), Open Space (Local Parks), Open Space (Conservation & Scenic) Zones and Precinct 3 of the Waikanae North Development Zone. For the avoidance of doubt, *Open Space Zones* do not include the Private Recreation and Leisure Zone.

**Original Ground Level** means the level, measured above sea level of land on any *site* prior to *modification* by *earthworks* in relation to the proposed activity. Note: For the avoidance of doubt, *original ground level* may have been lawfully established via a land use consent for *earthworks*.

**Outdoor (Extensive) Pig Farming** means pig *farming* where all stock is in paddocks with groundcover maintained and only relocatable shelters are used.

**Outdoor Living Court** means an outdoor area (whether covered in grass or not) used for private recreation and living space to provide a high level of amenity for residents. An *outdoor living court* may be covered but may not be enclosed (as this would be defined as a *building*). An *outdoor living court* does not include vehicle parking area, *driveways*, service and delivery areas, rubbish bin storage, areas for rainwater tanks, effluent drainage areas and other utility areas or group *residential building* communal *open space*.

**Outdoor Storage** means any area of land used for storing goods, machinery, vehicles and other equipment outside of a *building* for a period longer than 1 month.

**Outer Control Boundary** means the boundary shown as such on the District Plan Maps and which encompasses land that is subject to planning controls for *noise sensitive activities*. The Outer Control Boundary is derived from the predicted future noise contours of 58 dBA Ldn for general *aircraft operations* and 53 dBA Ldn for helicopter operations.

**Outstanding Natural Feature(s) and Landscapes** means natural features and landscapes which have been identified as being exceptional or out of the ordinary and having natural components that dominant over the influence of human activity. The features and landscapes are identified on the District Plan Maps and their landscape values are identified in Schedule 3.4.

**Overflow Path** means the areas identified as such on the District Plan Maps and further described in Table 9.1 *Flood hazard categories*.

**Papakāinga and Papakāinga Housing** means communal housing, which occurs on *Māori land*, often based around a marae and providing housing for members of an extended family.

**Paraparaumu Sub-Regional Centre** means the *District Centre Zone* and the Outer Business Centre *Zone* at Kapiti Road and the Ihakara Street East and West Precincts as identified in the District Plan Maps.

**Partial Demolition** means to permanently remove, deconstruct or demolish a part of any *building* or *structure*. Partial demolition is distinct from *alteration*, which seeks to replace materials. *Partial demolition* may include façade retention which normally involves the *demolition* of the rear or a substantial part of a *building* or *structure* and the retention of the front or main façade and the construction of a new *building* or *structure* behind the preserved façade.

**Permitted Activity(ies)** means the same as in the Resource Management Act 1991.

**Place(s) of Recreation** means, in relation to Chapter 12, any *site* located within any *Open Space Zone* or the Private Recreation and Leisure *Zone* as defined on the District Plan Maps, or a *site* where a public swimming pool or public sports facility is located in any *zone*.

**Places or Areas of Significance to Māori** means *places and areas of significance to Māori*, including *iwi*, *hapū* and *whānau*, including any *waahi tapu* or *waahi tapu* area registered under the Heritage New Zealand Pouhere Taonga Act 2014. It may include any *archaeological site* of significance to Māori.

**Plantation Forestry** has the same meaning as “plantation forest” or “plantation forestry” as defined in the NESF.

**Plantation Reserve** means an area of land to be covered in trees and other landscaping as a means of providing mitigation between potentially conflicting land use activities, or as a method to improve terrestrial or aquatic ecological values. *Plantation reserves* may also include ancillary passive recreation facilities, such as footpaths, boardwalks, lighting, benches and other street furniture.

**Pole(s)** means the same as in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 and includes *pole(s)* required for the provision of telecommunication lines.

**Ponding** means the areas identified as such on the District Plan Maps and further described in Table 9.1 *Flood hazard categories*.

**Poster(s)** means the same as *signs*.

**Potable Public Water Supply** refers to the treated public reticulated water supply provided by *Council*. This supply is treated to meet Ministry of Health Drinking Water standards.



**Potable Water** means the same as in the Drinking Water Standards for New Zealand 2005 (revised 2008).

**Potentially Contaminated Land** means land that by virtue of its historical use and the types of activities previously undertaken upon it may be *contaminated land*. It includes land used for any of the uses identified in the Ministry for the Environment's hazardous activities and industries list (HAIL) or land that is classified on the Wellington Regional Council's Selected Land Use Register (SLUR) as having a verified or unverified history of any of the land uses identified on the HAIL.

**Poultry** includes fowls, ducks, geese, turkeys, parrots, canaries and pigeons.

**Precinct A** means the part of the *District Centre Zone* located within District Centre Zone Structure Plan (Appendix 6.7) comprising Precinct A1 and Precinct A2 shown on the District Plan Maps.

**Precinct B** means the part of the *District Centre* and *Open Space* zones located within District Centre Zone Structure Plan (Appendix 6.7) comprising *Precinct B* shown on the District Plan Maps.

**Precinct C** means the part of the *District Centre Zone* located within District Centre Zone Structure Plan (Appendix 6.7) comprising *Precinct C* shown on the District Plan Maps.

**Primary Production Activity(ies)** means the same as *farming* with the addition of *plantation forestry* and *extractive industries*. Primary production extracts or harvests products from the earth including raw materials and basic foods. *Primary production activities* include agriculture (both subsistence and commercial), horticulture, mining, forestry, *farming*, grazing, hunting and gathering, fishing, and quarrying.

**Primary Residential Building** means the largest *residential building* on a *property*.  
Note: For further clarification refer to the definition of *residential building*.

**Productive Potential** (of land) means the suitability of the land to carry out agricultural and horticultural activities.

**Prohibited Activity(ies)** means the same as in the Resource Management Act 1991.

**Property** means:

1. an area of land which:
  - a) is comprised of one *lot* in one certificate of title; or
  - b) is one or more contiguous *lots* held together, in such a way that the *lots* cannot be dealt with separately without prior consent of the *Council*; or
  - c) is contained in a single *lot* on an approved survey plan of *subdivision* for which a separate certificate of title could be issued without further consent of the *Council*; or
  - d) is to be amalgamated into one *lot* as part of the *resource consent* process; or
  - e) is composed of two or more contiguous *lots* held in two or more certificates of title where such titles are:
    - i. subject to a condition imposed under section 37 or 75 of the Building Act 2004; or
    - ii. held together in such a way that they cannot be dealt with separately without the prior consent of the *Council* (ie. under now repealed legislation such as the Local Government Act 1974 or Building Act); or

- f) complies with one of the clauses above as well as being adjacent to, and partly made up of, an interest in any airspace above or subsoil below a *road*, held in such a way that it cannot be dealt with separately without prior approval of the *Council*.
2. Clause 1 does not apply to land subdivided under the Unit Titles Act 1972, the *cross lease* system or stratum *subdivision*, where '*property*' shall be deemed to be the whole of the land subject to the unit development, *cross lease* or stratum *subdivision*.

**Protective Canopy(ies)** means a *structure* partly enclosed with impermeable material to provide protection to crops, but does not include artificial crop protection *structures*.

**Radiocommunications** means the same as defined in section 2(1) of the Radiocommunications Act 1989.

**Rāhui** means temporary prohibition; a set of restrictions or controls; a conservation measure.

**Rare and Threatened Vegetation Species** means nationally and regionally rare and threatened *indigenous vegetation* identified in Schedule 3.3 and habitats of indigenous rare and threatened species.

**Recessive** in relation to colours and materials means that the colour or material is earth toned and not visually prominent (with a reflective value of 60% or less) when viewed from a distance. For paint this includes colours on the British Paint Standard 5252 A01 to C40 inclusive. Unpainted natural materials such as wood and stone are also included.

**Recreation Activity(ies)** means premises providing active recreation pursuits and includes sports ground, stadium, gymnasium or hall.

**Registered Drinking-water Supply(ies)** means the same as in the Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007.

**Regionally Significant Infrastructure** includes:

1. pipelines for the distribution or transmission of natural or manufactured gas or petroleum;
2. telecommunications facilities, as defined in section 5 of the Telecommunications Act 2001;
3. radio communications facilities, as defined in section 2(1) of the Radio Communications Act 1989;
4. the national grid, as defined in the National Policy Statement on Electricity Transmission 2008;
5. facilities for the generation and transmission of electricity where it is supplied to the network, as defined by the Electricity Industry Act 2010;
6. the local authority water supply network and water treatment plants;
7. the local authority *wastewater* and stormwater networks, systems and *wastewater* treatment plants;
8. the Strategic Transport Network, as defined in the Wellington Regional Land Transport Strategy 2010-2040; and
9. the Kapiti Coast Airport.

**Regular market(s)** are temporary markets where goods or services are offered for sale, and usually consist of several merchandise stalls grouped together. *Regular markets* occur on the same *site* throughout the year no more frequently than once per week.

Note: for further clarification refer to the definition for *temporary event*.

**Relocatable Building** means any *building*, generally of timber framing, but excludes any *structures* that have cast in situ concrete walls, concrete block walls, brick and stone walls (including brick veneer). It includes *structures* certified by a qualified structural engineer to be of a specific design which would enable at least the greater part of the *building* to be relocated if required.

**Relocation** means to physically shift the location of a *building* within a *property* or to another *property*. *Relocation* may include raising a *building* or *structure*.

**Remediation of Contaminated and Potentially Contaminated Land** means the process of removing, dispersing, destroying, or reducing the concentrations of *hazardous substances* to such low levels as to be considered acceptable for the intended land use.

**Renewable Electricity Generation Activity(ies)** means the same as under the National Policy Statement for Renewable Electricity Generation.

**Repair and Maintenance** means, in relation to *historic heritage features*, making good any decayed or damaged fabric to a documented earlier form.

It includes:

1. the use of retrieved heritage fabric, original materials and new materials, only where the use of new materials is necessary to provide significantly better performance as part of the repaired area;
2. general maintenance and regular protective care, such as cleaning or preparing and repainting already painted surfaces; and
3. general grounds maintenance and pruning where the *historic heritage* feature is a park or garden.

It excludes:

1. the establishment of new paths, *drive ways*, fencing or garden *structures*;
2. the removal of mature specimen *trees* that are in a healthy condition; and
3. *partial demolition*.

**Requiring Authority** means:

1. a Minister of the Crown;
2. a local authority; or
3. a network utility operator approved as a requiring authority under section 167 of the RMA.

**Residential Activity(ies)** means the use of premises for any domestic or related residential purpose by persons living in the premises alone or in family or non-family groups, including emergency and refuge accommodation (whether any person is subject to care, supervision or not), and *temporary residential rental accommodation*, but does not include *home occupations*, *visitor accommodation*, or *business activities*.

**Residential Building** means a *building*, part of a *building*, or residence (whether temporary or permanent), including a *minor flat* or mobile home (e.g. caravan, motor home, house truck and campervan) that is capable of, or is, being used for the purposes of *residential activities* and includes *kitchen* and *bathroom* facilities. Note: For further clarification refer to the definitions of *minor flat* and *residential activity*.

**Residual Overflow Path** means the areas identified as such on the District Plan Maps and further described in Table 9.1 *Flood hazard categories*.

**Residual Ponding Area(s)** means the areas identified as such on the District Plan Maps and further described in Table 9.1 *Flood hazard categories*.

**Resource Consent** means the same as in the Resource Management Act 1991.

**Restricted Discretionary Activity(ies)** means the same as in the Resource Management Act 1991.

**Retailing, Retail Activity(ies) or Retail Outlets** means the use of land or *buildings* where goods and services are offered or exposed to the general public for sale, hire or utilisation, and includes but is not limited to *food and beverage outlets, drive-through restaurants, trade supply retail, yard based retail activity and service stations*.

**Retail Floor Space** means the floor space used for *retail activities* and excludes the floor space used for *ancillary* non-retail purposes (for example *office space, storage, areas not accessible to the public etc*).

**Retirement Accommodation** means premises (including any land and associated *buildings*) within a complex of premises for occupation as residences predominantly by persons who are retired and any spouses or partners of such persons.

**Reverse Sensitivity** means the susceptibility of an existing lawfully established activity to objection or complaint from new activities in the vicinity that are sensitive to adverse environmental *effects* that may be generated by the lawfully established activity, creating the potential for the lawful operation of the existing activity to be constrained or compromised.

**Risk** means a combination of the probability of a *natural hazard* and the consequences that would result from an event of a given magnitude. Commonly expressed by the formula: *risk = hazard x vulnerability*.

**River Corridor** means the *River Corridor Zone* as identified in the District Plan Maps and the *River Corridor flood hazard category* as identified in the District Plan Maps and further described in Table 9.1 *Flood hazard categories*.

**RMA** means the Resource Management Act 1991.

**Road** means the whole of any land which is within a district and which is laid out by the *Council* as a *road* or *street*, or is defined as a *State Highway* which is vested in the *Council* or NZTA as a *road* or *street*, or as otherwise defined by section 315 of the Local Government Act 1974 and includes footpaths, berms, bridges and culverts.

**Road Boundary** means the legal *boundary* between the *property* and the *legal road*.

**Road Hierarchy** means a mapped hierarchy of *roads* within the district. See *transport network hierarchy* (Schedule 11.2).

**Roadside Stall or Shop** means a *building* or part of a *building* where market garden or orchard produce grown on the *property* is displayed for sale.

**Rohe** means a territory which defines that area within which a *tāngata whenua* group claims traditional association and mana whenua.

**Runanga** means *iwi* representative and administrative body.

**Rural Residential Development or Lot** means a plot of land suitable for a *residential building*, for occupation by people who wish to live in the country and enjoy a rural environment, but do not wish to be involved with management responsibility for a substantial area of land and the *development* is not intended to be for *primary production activities*.

**Scheduled Historic Building or Structure** means any item listed in Schedule 10.1 Schedule of Historic Heritage, under the heading 'Historic Places, including *buildings* and *structures*'.

**Scheduled Historic Site** means any item listed in Schedule 10.1 Schedule of Historic Heritage, under the heading 'Historic Places, including sites'.

**Scheduled Historic Area** means any area listed in Schedule 10.1 Schedule of Historic Heritage, under the heading 'Historic Areas, including historic precincts and streets'.

**Seismic Hazard** means ground shaking, liquefaction or fault rupture caused by the release of energy during an earthquake.

**Sensitive Activity(ies)** means activities which are more sensitive to noise, dust, spray residue, odour or visual effects of nearby activities. This includes *residential activities*, *visitor accommodation*, *educational facilities* and medical facilities.

**Service Station** means a business engaged in fuelling motor vehicles, selling petroleum products (including diesel, oil, kerosene, liquid petroleum gas and natural gas) and other accessories normally associated with motor vehicles, and includes truck stops. In addition, a *service station* may include *ancillary* retail sales, washing of vehicles, mechanical repairs and servicing of motor vehicles provided that the repairs undertaken on the premises shall be confined to the mechanical repair of motor vehicles (other than heavy diesel fuel vehicles) and domestic garden equipment and shall exclude panel beating, spray painting and heavy engineering such as engine reboring and crankshaft grinding, and provided further that the area devoted to retail sales (other than for motor vehicles parts, accessories, or goods associated with motor vehicles) does not exceed 150m<sup>2</sup> of *gross floor area*.

**Setting** means the area of land associated with an item listed within the Schedule of Historic Heritage. For a *building* or *structure*, *setting* is commonly up to 20 metres from the item or the adjoining *lot* (whichever is the lesser).

**Shallow Surface Flow Areas** means the areas identified as such on the District Plan Maps and further described in Table 9.1 Flood hazard categories.

**Shared and Group Accommodation** means *residential activities* where residents share facilities on the same *property*. Shared facilities may include (but are not limited to) *kitchens*, *bathrooms*, *laundries*, *outdoor living courts* and internal living rooms. Sharing accessways, *driveways*, parking areas, letter boxes and other service areas are not considered to be sufficient sharing of facilities for the purposes of this definition. This definition includes *boarding houses* but does not include *visitor accommodation*, *supported living accommodation*, *temporary residential rental accommodation*, or family living and flatting arrangements.

**Shelter Belt** means vegetation made up of one or more rows and planted in such a manner as to provide shelter and protection from the wind on adjoining land. *Shelter belts* are typically planted around the edges of fields. Vegetation becomes a shelterbelt when it is more than 20 metres in length and which is capable of attaining a *height* of more than 6 metres above ground level. *Shelter Belt* does not include "shelter belts" as defined in and regulated by the *NESPF*.

**Shop(s)** means any activity which entails the use of a *building* or *buildings* for the direct sale of goods to the public.

**Sign** means anything visible from a public place (including from *roads* or *state highways*) which is intended to attract the attention of people passing by for the purpose of directing, identifying, informing or advertising. It includes any frame, board or other supporting *structure*, disseminating device or associated illumination of any *sign*. It includes flags or banners which do not contain any text or graphics but are positioned to attract the attention of passer-bys. The *sign* may be manufactured, painted, written, drawn, projected or disseminated, inflated or carved, in an aerial display, free-standing, or projecting from or attached to a *building* or other *structure*, vehicle or object. A *sign* may include advertising by sound so as to be discernible from a public place.

Note: A *sign* that has more than 3 sides or surface areas shall be considered a *three dimensional sign*.

The above definition of *sign* does not include:

1. the use of corporate colours painted on *buildings* as a means of identifying a premise, unless subject to a design guide or design standards;
2. *signs* that may be erected under the Resource Management Act and Regulations for the purpose of public notification; and
3. any text, symbols or graphics painted on or attached to any vehicle or trailer with a current registration and warrant of fitness, provided that it is not parked for the primary purpose of directing attention to any site, business, premise, person, company, activity, political/topical issue or vehicle sale.

In determining the area of a *sign*, in accordance with the activity standards for *signs* in Chapter 12 of this Plan, the following shall apply:

1. in relation to 2-sided/double sided or 3-sided *signs*; the area of the *sign* is the combined total surface area of all sides/surfaces of the sign;
2. flags and banners that have lettering on one side only (with the other side of the material being plain/blank) shall be regarded as a single-sided *sign*;
3. flags and banners that have lettering on both sides of the flag/banner or contain no text shall be regarded as a 2-sided/double sided *sign*; and
4. where the lettering, symbols or graphics are to be located on a surface such as a building, wall, fence or similar, the *sign* area is calculated by measuring the rectangular area which encloses all letters, symbols or graphics that make up the *sign*.

### **Significant Indigenous Vegetation, and Significant Habitats of Indigenous Fauna**

means that which meets the criteria identified in Policy 3.7 or is scheduled in Schedules 3.2, 3.2A or 3.3.

**Site** is used as a generic term in the District Plan to refer to a subject *site*. It means an area of land that is the subject of an application for *resource consent* or building consent, or an area of land where a specific *development* or activity is located or is proposed to be located. It may comprise one or more *lots*, or a part of one or more *lots*.

**Sleep Out** means an *accessory building* typically used for sleeping accommodation purposes which may include a *bathroom* but does not contain a *kitchen*.

**Small-scale Commercial Services** means a commercial service within the “Airport Mixed-Use Precinct” of the Airport *Zone* with a publicly accessible area not exceeding 150m<sup>2</sup> and limited to household, personal, finance, insurance, real estate, travel, repair, post, courier, health, veterinary and other such similar services.

**Small-scale Convenience Retail** means an activity within the “Airport Mixed Use Precinct” or the “Airport Core Precinct” of the Airport Zone for *retailing*, provided that the publicly accessible display and *retail floor space* for each small scale *retail activity* does not exceed 150m<sup>2</sup>. *Food and beverage outlets* and *drive-through restaurants* are included in this definition provided the publicly accessible area for each individual activity shall not exceed 200m<sup>2</sup>.

**Soft Engineering** means works such as *beach* nourishment and dune rebuilding that use non-structural materials (e.g. sand, gravel, native plants) to mimic natural features that can act to mitigate the impacts from *natural hazards*.

**Space Extensive Retailing** means *retail activities* in the ‘Ōtaki South Precinct’ which are limited to *retailing* of:

1. building supplies and equipment;
2. garden supplies;
3. vehicles including marine and agricultural;
4. plumbing supplies and equipment;
5. automotive supplies and parts; and
6. rural farm equipment and supplies (including animal health).

*Space Extensive Retailing* does not include any of the following activities even when combined with “*space extensive retailing*” as identified above:

1. any activity selling a range of general goods that does not form part of *Space Extensive Retailing*;
2. any activity involving *retailing* of groceries, indoor furniture, fabric goods, giftware, art or electronics (e.g. electronics includes TVs, phones, stereos, cameras, computers and portable electronic devices);
3. *Department Stores*; and
4. any activity selling clothing (other than safety apparel).

**Special Amenity Landscapes (SAL)** means areas of land that are distinctive, widely recognised and highly valued by the community for their contribution to the amenity and quality of the environment of the district. The landscapes are identified on the District Plan Maps and their landscape values are identified in Schedule 3.5.

**State Highway** means the same as in the Land Transport Management Act 2003.

**Strategic Arterial Routes** – means the same as in the *transport network hierarchy* maps and Schedule 11.2.

**Stream Corridor** means the areas identified as such on the District Plan Maps and further described in Table 9.1 *Flood hazard categories*.

**Structure(s)** means the same as in the Resource Management Act 1991.

**Structure Plan** means a framework to guide the *development* or redevelopment of a particular area by defining the future *development* and land use patterns, areas of *open space*, the layout and nature of *infrastructure* (including transportation links), and other key features for managing the *effects of development*. The contents of *structure plans* are as set out in Section 1.3 Structure Plans.

**Subdivision (of land) and Subdivide** means the same as in the Resource Management Act 1991, and includes *boundary adjustments*.

**Sunlight** means direct light from the rays of the sun and does not include light reflected from objects or diffuse general daylight. *Sunlight* is the absence of shadow from *buildings* and vegetation when viewed in full sun (not cloudy conditions). The ability of an area to be capable of receiving *sunlight* can be shown through the use of shadow diagrams calibrated to the local azimuth (latitude and time of year specific path of the sun) angle.

**Supermarket** means a *retail outlet* of more than 1,000m<sup>2</sup> *gross floor area* within a single *building* that sells a comprehensive range of food, beverage and other disposable goods including fresh meat and produce; chilled, frozen, packaged, canned and bottled foodstuffs and beverages; and general housekeeping and personal goods, whether or not the selling is organised on a self-service basis.

**Supported Living Accommodation** means accommodation where live-in health or pastoral care/support is provided on-site. This definition does not include *visitor accommodation*, *boarding houses*, *shared and group accommodation* or family homes where foster parents receive payment for children in their care.

**Surroundings Associated with the Natural and Physical Resources** means an area of land (including land covered by water) surrounding a place, site or area of heritage significance which is essential for retaining and interpreting its heritage significance. It can apply either to land which is integral to the heritage significance of items or an area which includes buildings, sites, trees, and *places or areas of significance to Māori*. The term surroundings is adopted to include curtilage and *setting*.

**Survey Monuments** include trig stations and beacons.

**Tāngata Whenua** in relation to a particular area, means the *iwi* or *hapū* that holds *mana whenua* over that area.

**Taonga** means treasure, property. *Taonga* are prized and protected as sacred possessions of the tribe.

**Taonga Raranga** means plants which produce material highly prized for use in weaving (such as pingao or flax).

**Tapu** means sacred, restricted.

**Tauranga Waka** means canoe landing sites.

**Temporary Event** means an event for general public admission (either ticketed or non-ticketed) and includes events such as festivals, concerts, galas, exhibitions and markets (but excludes *regular markets*). A *temporary event* includes *structures* and construction associated with the event, but excludes permanently licensed premises.

**Temporary Military Training** means an activity which is of a temporary nature and is undertaken by the New Zealand Defence Force in order to train military personnel in keeping with the purposes of the Defence Act 1990. Access to an area used for such training purposes may be restricted for the duration of that exercise.

**Temporary Residential Rental Accommodation** means use (whether intermittently or in an ongoing manner) of a *residential building* to accommodate visitors, offered at a daily (or similarly specified time) tariff. For the avoidance of doubt, *temporary residential rental accommodation* includes baches and holiday homes, but does not include *visitor accommodation*. Except where otherwise specified by rules and standards, *temporary residential rental accommodation* is a *residential activity*.



**Territorial Local Authority** means a city council or a district council.

**Three Dimensional Sign** means a type of *sign* and means the display of an image, model of a logo, or the thing being advertised in a form that is not a flat surface but is defined by its contours. A *three dimensional sign* has length, breadth and depth or appears to have length, breadth and depth. A *three-dimensional sign* also includes signs that have more than 3 sides or surface areas.

**Tikanga Māori** means Māori customary values and practices.

**Tino Rangatiratanga** means chieftainship, chiefly authority, full authority.

**Town Centre and Town Centre Zone** means the *Town Centre Zone* as identified in the District Plan Maps.

**Trade Supply Retail** means a business and associated premises engaged in sales to businesses and institutional customers and may also include sales to the general public, and consists only of suppliers of goods in one or more of the following categories:

1. *automotive and marine suppliers*;
2. building suppliers;
3. catering equipment suppliers;
4. farming and agricultural suppliers;
5. garden and landscaping suppliers;
6. plumbing supplies and equipment;
7. hire services (except hire or loan of books, video, DVD and other
8. similar home entertainment items);
9. industrial clothing and safety equipment suppliers; and
10. office furniture, equipment and systems suppliers.

**Trade / Wholesale** means an activity within the Airport Mixed Use Precinct used primarily for the sale or resale of new or used goods to businesses or to institutional (including Government) users. Wholesaling, including the sale of building materials and home improvement goods, including plumbing, paint, electrical, tiling, floor coverings, and garden supplies.

**Transmission Line** means the same as in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations, 2009.

**Transport Assessment(s)** means a detailed consideration of the proposed *effects* of a *development* or activity on the *transport network*, including the proposed methods/incentives to avoid, mitigate or remedy any adverse *effects*.

**Transport Network Hierarchy** see *transport network hierarchy* maps and Schedule 11.2.

**Transport Network** means all parts of the District used as a means of transport (e.g. *roads* as well as the Cycling Walking Bridleway network).

**Transportation Noise Effect Route** means the existing alignment of *State Highway 1* through the district, and includes any future route(s) identified within the Plan as an alternative route for this highway.

**Travel Plan** means a plan that includes:

1. details of employees/workers/suppliers/contractors/visitors travel methods to and from the subject *site*;

2. details of *site* accesses;
3. hours of operation including details of any peaks/busy periods;
4. methods/incentives to reduce impacts of travel (including provision of cycle parking); and
5. details about methods of monitoring including any proposed *resource consent conditions*.

**Tree(s)** means a woody plant 3 metres or greater in *height* includes a Tree Fern, but excludes a vine with a stem diameter less than 50 mm.

**Trimming** of vegetation means:

1. pruning of vegetation and *trees* including the removal of broken branches, deadwood or diseased vegetation; and
2. selective branch removal to increase light and air movement or to improve *tree* health;
3. but excludes *modification*.

**Uncertain-Constrained (Fault Complexity)** means areas where the location of fault rupture is uncertain because evidence of the fault rupture has been either buried or eroded by natural processes but where the location of fault rupture can be defined as being with a geographic extent ( $\leq 300$  metres). The location of 'Uncertain-Constrained' Fault Avoidance Areas are identified on the District Plan Maps.

**Uncertain-Poorly Constrained (Fault Complexity)** means the location of fault rupture deformation is uncertain and cannot be constrained to be within a zone less than 300 metres wide, usually because evidence of deformation has been either buried or eroded away, or the features used to define the fault's location are widely spaced or very broad in nature. The location of 'Uncertain-Poorly Constrained' Fault Avoidance Areas are identified on the District Plan Maps.

**Urban Environment (in relation to trees)** means the same as Urban Environment Allotment in section 76 (4C) of the Resource Management Act 1991.

Note: For the avoidance of doubt Urban Environment excludes Paekakariki, Peka Peka, Te Horo and any other *lots* not meeting the definition of Urban Environment Allotment contained within the RMA.

**Urupā** means (Māori) burial ground.

**Vehicle access** means the same as *formed vehicle access*.

**Vehicle Movements and Vehicle Movements per day (vpd)** means a movement of a vehicle between a *road* or *state highway* and any *site*, with the number of *vehicle movements per day (vpd)* being calculated over a 24 hour period as follows:

1. 1 car moving to and from a *site* comprises two *vehicle movements*;
2. 1 truck moving to and from a *site* comprises six *vehicle movements*; and
3. 1 truck and trailer moving to and from a *site* comprises ten *vehicle movements*.

**Vehicle Yard** means is the storage or sale of vehicles from a *property* but does not include a *carpark* (see definition for *carpark* above) and shall include but not be limited to depots, truck stops, car sale yards and rental car lots.

**Visitor Accommodation** means residential accommodation for six or more travellers, offered at a daily (or similarly specified time) tariff and includes hotels, motels, bed and

breakfasts, camping grounds and motor camps, but does not include any *temporary residential rental accommodation*.

**Vulnerability** means the exposure or susceptibility of a *development, building*, business or community to the *effects* from a *natural hazard* event.

**Waahi Tapu** means a site or an area which is sacred or spiritually meaningful to *tāngata whenua*. *Waahi tapu* may be associated with creation stories of *tāngata whenua*, a particular event (such as a battle or ceremony); it may be where the *whenua* (placenta) was returned to the earth, or where a certain type of valued resource was found.

**Waahi Tapu and Other Places and Areas of Significance to Māori** means any *Waahi tapu*, place or area listed in Schedule 10.1 Schedule of Historic Heritage, under the heading '*Waahi tapu and Other Places and Areas of Significance to Māori*'.

**Waste(s)** includes any *contaminant*, whether liquid, solid, gaseous or radioactive, which is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an adverse *effect* on the environment and which includes all unwanted and economically unusable by-products at any given place and time and any other matter which may be discharged, accidentally or otherwise, to the environment.

**Wastewater** means any water that has been adversely affected in quality by human activity and consists of liquid *waste* discharged by domestic residences, commercial properties, or industrial processes. It does not include natural runoff and surface water.

**Water Body** means the same as in the Resource Management Act 1991, and **Water Bodies** shall have a corresponding meaning.

**Water Saving Device(s)** means a range of water demand management tools which reduce reliance on *potable public water supply* and ensure that household water use from *potable public water supply* does not exceed 1000 litres per day.

**Well-Defined and Well-Defined Extension (Fault Complexity)** means fault rupture deformation is well defined and of limited geographic width (e.g. metres to tens of metres wide), including areas where fault rupture deformation has been either buried or eroded over short distances but its position is tightly constrained by the presence of nearby distinct fault features. The locations of 'Well-Defined and Well-Defined Extension' Fault Avoidance Areas are identified on the District Plan Maps.

**Wetland(s)** means the same as in the Resource Management Act 1991.

**Whakapapa** means genealogy.

**Whenua** means land; placenta.

**Wholesaler** means a business engaged in the storage and distribution of goods to businesses (including *retail activities*) and institutional customers.

**Wind Farm** means the land, building, substation, turbines, *structures, earthworks, access tracks and roads* associated with the generation of electricity by wind force and the operation and maintenance of the *wind farm*. It does not include:

1. small scale turbines of less than 5kW; and
2. any *transmission lines* required to connect the *wind farm* to the point of entry into the electricity network.

**Working Zone(s)** means the part of the District comprising the *Centre Zones*, *Industrial/Service Zone*, Civic and Community Zone, Waikanae North Development Zone Precinct 6 – Mixed Use and Airport Zone and are shown as such on the District Plan Maps.

**Yard** means a part of a *property* which is required by this Plan to be unoccupied and unobstructed by *buildings* from the ground upwards, except as otherwise provided by this Plan.

1. coastal yard means a *yard* between the seaward title boundary or the toe of the foredune, seaward edge of the vegetation line or foreshore protection works where these are within the title and a line parallel extending across the full width of the lot;
2. front yard means a *yard* between the front *boundary* of the *property* and a line parallel and extending across the full width of the *property*;
3. rear yard means a *yard* between the rear *boundary* of the *property* and a line extending parallel thereto extending across the full width of the *property*;
4. side yard means a *yard* between a side *boundary* of the *property* and a line parallel, extending:
  - a) from the front *yard* to the rear *yard*;
  - b) if there is no front *yard*, from the front *boundary* of the *property* to the rear *yard*; and
  - c) if there is no rear *yard*, from the front *yard* or *boundary* as the case may be to the rear *boundary* of the *property*.

**Yard Based Retail** means any *retail activity* with the primary function of the supply of goods, for sale or hire, from a yard area and includes building supplies (DIY or *Trade*), *garden and landscaping supplies*, automotive and marine yards, water supply tanks, *farming* and agricultural supplies and heavy machinery or plant. More than 50% of the area devoted to sales or display must be located in covered or uncovered external *yard* as distinct from within a secure and weatherproofed building where *trade*, business and general public customers are able to view items for sale and load, pick up or retrieve the goods, but does not include *site access* and parking.

**Zone** means an area for which rules and standards set out in the Plan apply across the stated *zone*. The District Plan Maps show the extent of the *zones*. A *zone* comprises geographic parts of the District which are of similar character and are indicative of the activities that occur within that part of the District.

## 1.5 Cross Boundary Issues

The *RMA* allows the Plan to state the process to be used to deal with issues which cross territorial boundaries (Section 75(2)(f)).

The District has boundaries with Horowhenua, Masterton, Carterton and South Wairarapa District Councils, Upper Hutt and Porirua City Councils and the Wellington Regional Council with respect to the seaward side of mean high water springs.

Other than the coast, shared environmental boundaries include those between land and fresh water and between land and air.

Cross-boundary issues refer to situations in which activities take place on or near a territorial boundary (for example, a rural *subdivision*) or where the *effects* of an activity are largely in the territory of an adjacent *territorial local authority* (for example, the *effects* resulting from traffic generation, noise or stormwater run-off in an adjoining authority). Particular cross-boundary issues are likely to include:

1. land use activities and development strategies which may give rise to adverse environmental *effects* in a neighbouring jurisdiction;

2. roading and transportation matters (e.g. traffic generation) which start in one jurisdiction and cross over into other jurisdictions;
3. *resource consent* matters primarily the concern of the Regional Council which may concern sites in two or more *territorial local authority* districts;
4. monitoring of *resource consents* including ecological connections, both between districts and between the Regional Council and the *Council*;
5. specific Regional Council issues such as air emissions and activities that occur on the seaward side of the line of mean high water springs;
6. noise;
7. water quality from run-off and stormwater discharge;
8. *natural hazards*;
9. *hazardous substances* and contaminated sites; and
10. economic vitality of *centres*.

In considering these issues, *Council* will be guided by the contents of the Regional Policy Statement and any Regional Plan and the objectives and policies of this Plan.

*Council* will consider proposed changes to District and Regional Plans arising in the District of any adjacent local authority which affect the Kāpiti Coast. In appropriate cases, submissions will be prepared and lodged with that local authority in relation to such changes.

Where *Council* receives an application for a land use consent which is to be notified and the activity may give rise to adverse environmental effects in a neighbouring jurisdiction, affected landowners in that jurisdiction and the appropriate local authority will be notified.

*Council* will, where appropriate, participate in joint hearings with other *territorial local authorities* as is provided for by Section 102 of the RMA.

## 1.6 Monitoring

### Introduction

Under section 35 of the RMA the *Council* is required to gather information, monitor and maintain records on resource management matters.

Monitoring and review of the District Plan is carried out in accordance with Sections 35 and 75 of the RMA to ensure that *Council* is promoting the sustainable management of *natural and physical resources*. Information from monitoring:

1. enables *Council* to carry out its functions under the RMA;
2. identifies where appropriate action should be taken to ensure compliance with the intent of the RMA;
3. allows *Council* to consider refinements to the contents of the Plan; and
4. enables the community to be informed about how the Plan's provisions are performing.

The monitoring programme of the *Council* has three components:

1. compliance monitoring;
2. state of the environment monitoring; and
3. monitoring the efficiency and effectiveness of the provisions of the Plan.

### Compliance Monitoring

Compliance monitoring involves:

1. checking whether provisions of the Plan are being complied with;
2. regularly reviewing compliance with *conditions of resource consents*;
3. determining whether environmental effects as a result of the exercise of a consent are at anticipated levels and not causing unexpected problems; and

4. noting whether permitted activities are creating adverse environmental *effects*.

**State of the Environment**

Section 35(2) of the *RMA* places a duty on *territorial local authorities* to monitor the state of the *environment* in their district.

**Review of the Efficiency and Effectiveness of the Plan**

The *RMA* requires the *Council* to monitor the efficiency and effectiveness of the Plan (Section 35(2)(b)).

**Reporting**

A report will be compiled and made available to the public at intervals of not more than five years in accordance with Section 35(2)(b) of the *RMA*.

Superceded