

**DEFINITIONS**

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## DEFINITIONS

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<b>Act:</b>	Means the Resource Management Act 1991 and its amendments.
<b>Accessory Building:</b>	Means any building or structure which is detached from, and the use of which is ancillary to a permitted activity or approved building on a site.
<b>Allotment:</b>	Has the same meaning as that given by the Resource Management Act 1991.
<b>Amenity Tree Planting:</b>	Means the planting and tending of trees to provide shelter, landscaping or screening around buildings, roads or public open space, or for the mitigation of a natural hazard.
<b>Amenity Values:</b>	Has the same meaning as that given within the Resource Management Act 1991.
<b>Approved Building:</b>	Means any building associated with a permitted activity or approved as part of a resource consent.
<b>Building:</b> (Updated May 2009)	<p>Has the same meaning as that given by the Building Act 1991 but excluding the following:</p> <p>Any dam that retains not more than 3 metres depth, and not more than 20,000 cubic metres volume of water, and any stopbank or culvert:</p> <p>Any mast, pole, or telecommunication aerial excluding dish aerial, that does not exceed 2 metres in height above the point of its attachment or base support:</p> <p>Any retaining wall that retains not more than 1.5 metres in depth of ground and that does not support any surcharge or any load additional to the load of that ground, such as the load of vehicles on the road:</p> <p>Any wall (other than a retaining wall), fence (other than a fence as described in section 2 of the Fencing of Swimming Pools Act 1987), and hoarding of a height not exceeding 2 metres above the supporting ground:</p> <p>Any tank or pool and any structural support thereof (excluding a swimming pool as defined in section 2 of the Fencing of Swimming Pools Act 1987), including any tank or pool that is part of any other building for which building consent is required, - (i) Not exceeding 25,000 litres capacity and supported directly by the ground: or (ii) Not exceeding 2,000 litres capacity and supported not more than 2 metres above the supporting ground:</p>

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Any tent or marquee not exceeding 30 square metres in floor area and remaining in use for not more than 1 month:

Any platform, bridge, or the like from which it is not possible for a person to fall more than 1 metre:

Any detached building which does not protrude through the height controls and the height in relation to boundary controls for the particular Zone, and does not exceed 10 square metres in floor area, and does not contain sleeping accommodation:

Building work in connection with the closing in of an existing veranda, patio, or the like so as to provide an enclosed porch, conservatory or the like with a floor area not exceeding 5 square metres.

### **Bulk Oil Storage Structures**

Means structures used for receiving, storing, and distributing petroleum products and includes tanks and ancillary equipment such as pipelines, gantry systems and fire management and utility services but excludes service stations.

### **Community Facilities:**

Means any building or facilities or part thereof intended to be used principally by members of the local community for the assembly of people for recreation, entertainment, worship, cultural and spiritual instruction and deliberation but does not include any entertainment facilities or restaurants.

### **Community Infrastructure:** (Updated: 2 July 2011)

As defined in the Local Government Act 2002, means land, or development assets on land, owned or controlled by the territorial authority to provide public amenities; and includes land that the territorial authority will acquire for the purpose.

### **Conservation:**

Has the same meaning as that given by the Conservation Act 1987. (Page 37)

### **Conservation Activities:**

Means activities that are primarily concerned with the maintenance and/or enhancement of habitats and indigenous flora and fauna and the provision of appropriate public access to them.

### **Coverage:**

Means that portion of a site which may be covered by buildings, including accessory buildings.

### **District Road:**

Means a road or street which is maintained by the District Council.

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### **Dwelling:**

Means any building, whether permanent or temporary, that is occupied, in whole or in part, as a residence; and includes the following:

- accommodation where lodging is provided, or intended to be provided for reward or payment, for not more than 6 guests on a site; and
- any structure or outdoor living area that is accessory to and used wholly or principally for the purposes of the residence.

It also includes accessory buildings. Also refer to dwelling in the definition of Port Noise Sensitive Activity.

(Updated April 2007)

### **Earthworks:**

(Updated November 2010)

Means the excavation or depositing of earth, rock or soil or the filling of land with any material and includes:

- quarrying
- prospecting
- land contouring
- road or vehicle accessway construction

But does not include:

- The cultivation of land to establish plants
- Digging of holes for posts, water storage tanks up to 30,000 litres, troughs, pump sheds and fences;
- Earthworks carried out to establish effluent disposal systems;
- Earthworks associated with the construction of any approved building;
- Earthworks associated with the maintenance of existing drains, tracks, fencelines and roading infrastructure;
- Earthworks associated with minor bridges and culverts consented by the Regional Council;
- Earthworks associated with the maintenance, refurbishment or replacement of existing, lawfully established buildings and structures provided that the effect of the earthworks is not to increase the extent of any existing uphill batter vertical cut height or increase an existing downhill vertical spill of side casting which are already greater than the standard for a permitted activity;
- Benching for new fencelines in Rural Amenity Landscapes.
- Earthworks for the benching for new fencelines within Outstanding Natural Landscapes and Coastal Natural Character Landscapes and Coastal Natural Character Landscapes where the maximum width does not exceed 3m, the maximum cut is under 1m, and earthworks are revegetated within 3 month.

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- Earthworks ancillary to and contained within the boundaries of Existing Forestry.

<b>Ecological Corridor:</b>	Means an effective passage allowing the natural movement of organisms between natural habitats and in some instances providing further habitat.
<b>Ecosystem:</b>	Means a system in which there is interdependence upon and interaction between living organisms and their immediate physical, chemical and biological environment.
<b>Emergency Service Facilities:</b>	Means those facilities of authorities which are responsible for safety and welfare of the people and property in the community and includes fire stations, ambulance stations and police stations.
<b>Existing Building Cluster:</b> (Updated November 2010)	Means either a homestead/dwelling in existence at 11 September 2008; or farm accessory buildings in existence at 11 September 2008 and which include at least two of the following – animal handling shed, implement shed, hay barn or other major farm building.
<b>Existing Forestry:</b> (Updated November 2010)	Means the tending, maintenance and harvesting of forest commercially planted as at 11 September 2008 and replanted within 5 years of the harvesting being completed. Existing forestry shall include any earthworks ancillary thereto and wholly contained within the existing forestry boundaries, but shall not include earthworks for the purpose of new forestry tracks within an area shown on the Planning Maps as an Outstanding or Coastal Natural Character Landscape.
<b>Factory Farming:</b>	Means a farming activity, which does not rely on the fertility of the soil, water and climate where it is located and which is carried out substantially within structures. It includes activities such as husbandry of pigs, poultry and rabbits or other animals and the growing of plants within glasshouses and shade-houses and aquaculture, which involves the land-based propagation and cultivation of aquatic plants and animals.
<b>Family Flats</b>	Means a residential activity, which consists of a single self contained household unit, whether of one or more persons, which is ancillary to a residential unit and/or dwelling.
<b>Farm Accessory Building:</b> (Updated November 2010)	Means any separate building the use of which is incidental and ancillary to the primary use of the site for farming activities. A farm accessory building shall not include a dwelling.

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- Farming:** Means the raising of crops or animals on land where the principal productive processes are based on the natural characteristics of the soils, and climate of or available to the site. It includes horticultural activities, plant nurseries, and tree planting ancillary to that activity. It does not include the erection of dwellings, buildings, structures, earthworks, factory farming, woodlot forestry or forestry.
- Financial Contribution:**  
(Updated: 2 July 2011) As defined in the Resource Management Act 1991, means a contribution of money; or land, including an esplanade strip (other than in relation to a subdivision consent), but excluding Maori land within the meaning of Te Ture Whenua Maori Act 1991 unless that Act provides otherwise; or a combination of money and land.
- Forestry:**  
(Updated November 2010) Means the planting, tending, maintenance, and harvesting of trees but does not include:
- Existing forestry for the purposes of the interpretation of the rules in the Plan;
  - Shelterbelts;
  - Amenity tree planting;
  - Milling or processing of timber except in the case of portable sawmill operations.
- Gross Floor Area (GFA):** Means that total sum of any floor area (within the external walls) excluding:
- lift wells and stairwells, including landing areas;
  - toilets and bathrooms;
  - any parking areas.
- Habitable Room:** Means a room within which people may be expected to spend significant parts of their daily lives, and includes any room fulfilling the functions of a bedroom, lounge, dining room, study, family room, dormitory or hospital ward.
- Hazardous substance:** Are substances:
- a) with one or more of the following intrinsic properties:
- explosiveness;
  - flammability;
  - a capacity to oxidise;
  - corrosiveness;
  - toxicity (both acute and chronic);
  - eco-toxity, with or without bio-accumulation;
- or
- b) which on contact with air or water (other than air or

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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 (a) of the definition.

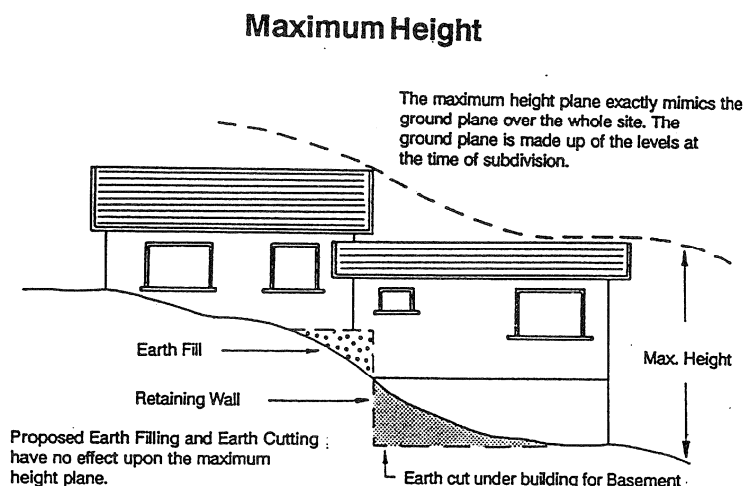
**Health Care Facilities:** Means land and buildings used for the provision of services relating to the physical and mental health of people and/or animals and includes medical centres, hospitals, convalescent homes, clinics, gymnasia and veterinary hospitals. Also refer to health care services in the definition of Port Noise Sensitive Activity.

(Updated April 2007)

**Health Impact Assessment:** The process of identifying, assessing and mitigating the effects that activities may have on the health of people in the area.

**Height:**  
(Updated May 2009)

In relation to a building means the vertical distance between the ground level at any point and the highest part of the building directly above that point (see diagram). When determining height, no account shall be taken of aerials, antennas, chimneys, finials or other structures not exceeding 2 metres in height above the point of its attachment and 1 square metre in area on any one side. In addition, the maximum height of radiocommunication support structures is exclusive of any mast cap, lightning rod, antenna mount or similar fixture.



**Heli-landing Area**  
(Updated November 2010)

Means an area of land, building or structure used for the landing and takeoff of helicopters which is not in conjunction with;

- (a) emergency landings;
- (b) medical emergencies;
- (c) search and rescue operations;
- (d) fire-fighting, police or civil defence purposes;



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- (e) advertised community events;
- (f) the construction or maintenance of utilities, the construction of buildings, farming, or forestry. In that part of the Rural Zone located within 450m of any Rural-residential, Small Settlement, Papakainga, Akaroa Hillslopes, Residential, Residential Conservation, or Town Centre Zone.

*(An 'advertised community event' shall be defined as a community related activity providing educational activities for schoolchildren, fundraising activities such as arts and crafts shows, fairs, and A&P shows. The Council shall be advised of any such event involving heli-landing no less than 7 days prior to the event.)*

- Home Enterprise:** Means an occupation, craft or profession which is:
- established on the same site as a dwelling; and
  - is carried out entirely within a building; and
  - is carried out predominantly by persons living permanently on the site; and
  - does not involve any exterior display or storage of material or give any other exterior indication that the building is used for other than normal domestic or farm purposes (except for signage as provided for in the Plan); and
- includes a health care service or industry or service which meets the criteria set out above.
- Industry:** Means the use of land and/or buildings for the primary purpose of manufacturing, fabricating, processing, repairing, packaging or storage of goods and includes engineering workshops, panelbeaters and spray painters.
- Improved Pasture**  
(Updated January 2008)
- Means an area of pasture where;
- a) exotic species are visually the predominant vegetation cover; and
  - b) the area has been modified or enhanced by being subjected to either cultivation, irrigation, over-sowing, top-dressing, or direct drilling and
  - c) has been subjected to routine pasture maintenance or improvement since 1 June 1987.
- Indigenous vegetation:**  
(Updated January 2008)
- Means a plant community in which locally indigenous species are important in terms of coverage, structure and/or species diversity.
- Iwi:** Tribe or people.
- Kiatiakitanga:** Has the same meaning as that given by the Resource Management Act.

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<b>Kohanga Reo:</b>	Means the teaching and care of pre-school children in accordance with tikanga Maori (Maori custom).
<b>Kura Kaupapa:</b>	Means primary schooling designed for children from kohanga reo undertaken in accordance with tikanga Maori.
<b>Liquid Waste:</b>	Waste water, including liquid by-product from industrial, agricultural, trade or domestic premises containing residues of the processes carried out on site.
<b>Mahinga Kai:</b>	Food supplies.
<b>Mana Whenua:</b>	Has the same meaning as that given by the Resource Management Act.
<b>Manakitanga:</b>	Hospitality.
<b>Marae:</b>	Means a traditional meeting place for Maori and includes any meeting-house, dining hall and cooking area, as well as the marae ātea (sacred space in front of the meeting-house).
<b>Mechanical Ventilation</b>	means a mechanical system or systems designed, installed, and operating so that a habitable room, or habitable rooms (with windows and doors closed), are ventilated with outdoor air in accordance with the Building Code under the Building Act 1991. (Updated April 2007)
<b>Natural Water System:</b>	Means any part of a natural drainage system, including any aquifer, stream, river, wetland or estuary.
<b>Net Site Area:</b>	Means the total area of the site less any area used for access.
<b>Network Infrastructure:</b> (Updated: 2 July 2011)	As defined in the Local Government Act 2002, means the provision of roads and other transport, water, wastewater, and stormwater collection and management.
<b>Network Utility Operation:</b>	Has the same meaning as that given by the Resource Management Act 1991.
<b>Network Utility Operator:</b>	Has the same meaning as that given by the Resource Management Act 1991.
<b>Office:</b>	Means the operation of professional, commercial and administration offices and includes banks and facilities for the receipt, processing and dispatch of mail and related documents.

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<b>Outdoor Amenity Space:</b>	Means an area of open space required by this Plan to be provided for the exclusive use of the occupants of the residential unit to which the space is allocated.
<b>Outdoor Recreation:</b>	Means the use of land or bodies of water for outdoor recreation purposes based substantially on the natural resources of the area and undertaken outdoors, with ancillary buildings limited to use for shelter, refreshment, information, equipment storage and toilet facilities.
<b>Outstanding Natural Features and Landscapes:</b>	Means elements of the landscape or areas of land which have been identified in accordance with specific criteria as worthy of particular protection because they are striking or special by reason of their relative excellence within the context of Banks Peninsula, the protection of which would accord with the purpose of the Act and section 6(b).
<b>Pa:</b>	Fortified village.
<b>Papakaianga Housing:</b>	Means the provision of residential units on sites within the Papakaianga Zone for Maori who are tangata whenua.
<b>Papatuanuku:</b>	Mother Earth.
<b>Place of Assembly:</b>	Means the use of any building and/or structure principally for the public assembly of people for recreation, education, worship, culture or deliberation and includes churches and church halls, schools, day care facilities, sports clubrooms and facilities, pavilions, community halls and libraries. Also refer to the places of assembly in the definition of Port Noise Sensitive Activity. (Updated April 2007)
<b>Pole Structure:</b> (Updated November 2010)	Means a structure where the cross section dimension of any of its individual constituent members does not exceed 300mm.
<b>Port Noise Sensitive Activity</b>	means any one or more of the following activities located in the Port Influences Overlay Area shown on Maps S1 and S2: <ol style="list-style-type: none"><li>1 Dwelling, residential unit, or family flat, a habitable accessory building, or a residential activity;</li><li>2 Elderly persons housing complex;</li><li>3 Places of Assembly that involve buildings or land to be used for education facilities or day care facilities;</li><li>4 Health Care Services that involve hospitals or convalescent homes, or any other healthcare services that contain sleeping facilities for any</li></ol>

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person;

For the purposes of this definition **Day Care facility** means land and/or buildings used for the care during the day of elderly persons, persons with disabilities, and children, other than those residing on the site.

For the purposes of this definition **Educational facility** means the use of land and/or buildings for the provision of regular instruction or training and includes their ancillary administrative, boarding/residential accommodation, religious, sporting, cultural and communal facilities, and also includes pre-schools.

(Updated April 2007)

- Potable Water:** Drinking water which complies with the Drinking Water Standards for New Zealand 1995 or any substitution or amendment of this standard.
- Public Car-Parking:** Means an area of land or a building providing parking for the use of the public and shall not include any parking space as required by the rules of this Plan.
- Public Health:** Is the science and art of preventing disease, prolonging life and promoting health through the organised efforts of society.
- Quarrying:** Means the excavation of sand, gravel or rock from the ground for the purposes of providing construction materials and includes the removal of overburden and processing to produce aggregates of sand, gravel and rock only, the storage of this material, and the erection and maintenance of plant, machinery and buildings and other works connected with such operations.
- Radiocommunication Facility:** Means any transmitting/receiving devices such as aerials, dishes, antenna, cables, lines, wires and associated equipment/apparatus, as well as support structures such as towers, masts and poles and ancillary buildings, and as defined in the Telecommunications Act 1987 and its amendments.  
(Updated May 2009)
- Relocatable Building:** Means any building which has been substantially constructed on a site and is moved either in its entirety or in parts to a new site.
- Replacement Dwelling** means the construction of a dwelling that is to replace an existing dwelling. (Updated April 2007)
- Reserve:** Has the same meaning as that given by the Reserves Act 1977.
- Residential Units:** Means a residential activity which consists of a single

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self contained household unit, whether of one or more persons, and includes accessory buildings and a family flat. Where more than one kitchen and/or laundry facility is provided on the site, other than a kitchen and/or laundry facility in a family flat, there shall be deemed to be more than one residential unit.

**Retail Premises:** Means the use of land and/or buildings from which goods, merchandise, equipment or services are sold, displayed or offered for sale or direct hire to the public and includes mail receipt, sorting, processing and delivery functions ancillary to the principal use of the retail premises, but does not include service stations.

**Ridge:** Means the longitudinal crest of raised ground separating two watercourses and which is defined by contour lines on an NZMS topographical map.

**River:** Means a continually or intermittently flowing body of fresh water; and includes a stream and modified water course; but does not include any artificial water course (including an irrigation canal, water supply, race, canal for the supply of water for electricity power generation and farm drainage canal).

**Runanga:** Local representative Maori Groups.

**Rural Industry and Services:** Means industries which are engaged primarily in the processing or manufacture of products derived from the resources of the Rural Zone, which provide goods and services predominantly used by activities located within the Rural Zone. This includes any yards, pens or buildings for the accommodation of animals which are not ancillary to a farming activity, abattoirs, agricultural contractors yards, wineries, tourism, horticultural and other processing facilities and stockyards which do not form part of a farming operation but does not include portable operations servicing the rural area (such as portable sawmills).

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**Service Station:** means any site where the dominant activity is the retail sale of motor vehicle fuels, including petrol, LPG, CNG and diesel and may include any one or more of the following:

- the sale of kerosene, alcohol based fuels, lubricating oils, tyres, batteries, vehicle spare parts and other accessories normally associated with motor vehicles;
- mechanical repair and servicing of motor vehicles, including motor cycles, caravans and motors;
- inspection and certification of vehicles;
- the sale of other merchandise where this is an ancillary activity to the main use of the site.

but shall not include any industrial activity.

**Sign:** Means any sign or device of whatever nature for the purpose of specific identification of any site or building, or providing directions or information, or promoting any goods, services or forthcoming events and which is visible from any public place. Such a sign may be either manufactured, painted, written, printed, carved, embossed, inscribed, inflated, projected onto or otherwise fixed to any building, hoarding, pole, tree, stone, stationary vehicle (having the express purpose of directing attention to any site or building) or any other structure, and includes captive balloons greater than 50cm in diameter. In addition, any exterior wall of a building painted in colours so as to appear part of a sign displayed upon it shall be regarded as a sign for all that part of the wall painted in such fashion.

**Sign Area** means the area of any sign within a continuous perimeter enclosing the extreme limits of any lettering and/or emblems, logos, etc together with any material forming an integral part of the display used to differentiate such a sign from the background against which it is placed. When referring to sign area, signs can be double sided.

**Street Sign** means a sign whose specific purpose is to identify streets, roads, tracks, private right-of-ways, accessways and thoroughfares for motorists and pedestrians.

**Traffic Safety Signs** means a sign erected by the roading authority, namely Transit New Zealand or the Banks Peninsula District Council, to provide for traffic safety and motorist information.

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### Significant Indigenous Vegetation:

(Updated November 2010)

Means indigenous (native) trees, forest, scrub, tussock grassland, coastal vegetation, wetland and saltmarsh and other indigenous vegetation in any of the following forms:

- a) Indigenous trees, forest and scrub
- Any old-growth podocarp/hardwood forest or beech forest which contains *Dacrycarpus dacrydioides* (kahikatea), *Podocarpus totara* (totara), *P. hallii* (totara) *Prumnopitys taxifolia* (matai), *Prumnopitys ferruginea* (miro), *Libocedrus bidwillii* or *Nothofagus* spp trees; or any mature individual trees of these species.
  - A contiguous area of 0.5ha or more of regenerating podocarp/hardwood forest or beech forest or mixed hardwood forest dominated by native trees e.g. *Melicactus ramiflorus* (mahoe), *Pseudopanax arboreus* (fivefinger), *Pittosporum eugenioides* (lemonwood), *Fuchsia excorticata* (fuchsia), *Hoheria angustifolia* (lacebark), *Plagianthus regius* (ribbonwood), *Pennantia corymbosa* (kaikomako), *Sophora microphylla* (kowhai), *Hedycarya arborea* (pigeonwood), *Myoporum laetum* (ngaio).
  - Mature and regenerating kanuka forest (*Kunzea ericoides*) in the Port Hill Ecological District with any individual kanuka plant more than 4m tall and occupying a contiguous area of 0.25 hectares or more.<sup>57</sup>
  - Mature and regenerating kanuka forest (*Kunzea ericoides*) in Herbert, Akaroa or Ellesmere Ecological Districts, with any individual kanuka plant more than 6m tall and occupying a contiguous area of 0.5 hectares or more.
  - Lower altitude mixed scrub – contiguous area of 0.5ha or more in which mature specimens of any of the following genera: *Olearia*, *Hebe*, *Pseudopanax*, *Fuchsia*, *Griselinia*, *Pseudowintera* and *Coprosma* form the dominant cover.
  - Subalpine mixed scrub with generally continuous canopy of native species in which mature specimens of any of the following

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<sup>57</sup> The height reached by mature kanuka varies across the Peninsula depending on rainfall, aspect, soil type and exposure. In drier areas, significant mature kanuka vegetation may only reach 4m. This is used as the threshold height in the Port Hills Ecological District to ensure that the values of the small patches of kanuka in these drier areas are recognised. However, a 6m threshold and 0.5 hectare area is appropriate for the wetter Ecological Districts. It is acknowledged that this means that large amounts of tall kanuka in the wetter areas will be recognised as significant.

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genera: *Dracophyllum*, *Olearia*, *Hebe*, form the dominant cover.

- Lower altitude small-leaved shrubland dominated by small-leaved *Coprosma* species, *Muehlenbeckia complexa*, *Helichrysum lanceolatum*, *Melicytus alpinus*, *Carmichaella australis* and/or *Discaria toumatou* (matagouri) occupying a contiguous area of 0.1 hectares or more and where canopy cover of all native shrub species exceeds 15%.
  - Communities of boulder fields, bluffs and talus slopes (i.e. rock), that have rock cover that is over 40% and 30% or more indigenous vegetation cover that is made up of mosses and lichens and/or any of the following species: *Sophora prostrata*, *Podocarpus hallii*, *Phormium tenax*, *P cookianum*, *Carmichaella australis*, *Muehlenbeckia complexa*, *Melicytus alpinus*, *Corokia cotoneaster*, *Fuchsia excorticata*, *F perscandens*, *F excorticata* X *perscandens*, *Hebe strictissima*, *H salicifolia*, *Coprosma spp.*<sup>58</sup>
  - Mixture of significant indigenous vegetation types described above, occupying an area of 0.5ha or more.<sup>58</sup>
- b) Indigenous tussock grassland
- Tall tussockland and/or tall tussock shrubland in which native snow tussock (*Chionochloa*) and/or *Dracophyllum* accounts for 15%.<sup>59</sup>
  - A contiguous area of short tussockland in which native fescue/hard tussock (*Festuca novae-zelandiae*) and native inter-tussock species accounts for 20% or more of canopy cover.<sup>60</sup>
  - A contiguous area of over 1.0 hectare of short tussockland in which native silver tussock (*Poa cita*) and native inter-tussock species account for 30% or more of canopy cover.

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<sup>58</sup> Succession from open shrublands to closed forest cover is occurring on the BP so that the types described in a(i) to a(vii) often merge into each other and can change depending on local environmental conditions and land management practices.

<sup>59</sup> Threshold recognises that this vegetation is very unusual on BP and rarely occurs at densities over 15%.

<sup>60</sup> The % cover thresholds that are used for short tussock grasslands recognise that native plant cover between the tussocks (inter-tussock) can be an important component of the vegetation type. Silver and fescue tussock can be difficult to distinguish, often form mixes, and vary in density in different parts of the Peninsula due to environmental factors and pastoral management regimes. Fescue tussock is much less common than silver tussock.



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- c) Indigenous coastal vegetation
- Coastal dunes, interdunes, and foreshore communities, including those with *Desmoschoenus spirals* (pingao)
  - Coastal shrubland communities, such as those at Okains Bay, Lake Forsyth/Wairewa, Birdlings Flat and on the Kaitorete Barrier/Spit, and those providing habitat and the yellow-eyed penguin.
- d) Indigenous wetland vegetation
- Naturally occurring freshwater marsh, fen, swamp, flush and aquatic vegetation, including closely associated riparian vegetation, in which native species of the following genera are present: *Typha* (raupo), *Cortaderia* (toetoe), *Phormium* (flax), *Carex* (sedges), *Eleocharis* (spike rush), *Potamogeton* (pond weed), *Sphagnum* (sphagnum moss), *Isolepis*, *Schoenus*.
  - Saltmarsh vegetation in which any of the following native species are present: *Zostera* (seagrass), *Plagianthus divaricatus* (saltmarsh ribbonwood), *Juncus kraussii* (sea rush), *Apodasmia similis* (jointed rush), *Selliera radicans*, *Samolus repens* (sea primrose), *Sarcocornia quinqueflora* (glasswort), *Mimulus repens* (native musk), *Puccinellia distans* (saltmarsh grass), *Schoenoplectus spp*
- e) Threatened indigenous plant species  
An area of vegetation which provides a habitat of threatened indigenous plant species found within the Banks Peninsula District as listed in Appendix III or the latest version of the national threatened species listing.

**'Silent File' Area:** Means an area of land identified on the Planning maps which contains a site or sites of cultural, spiritual and/or traditional significance to Maori.

**Site:** Means, as appropriate to the circumstances:

- an area of land which is contained in a single certificate of title; or
- an area of land which is made up of two or more allotments held together in one certificate of title, so that they are treated as one area of land; or
- an area of land comprising one or more allotments which contain a proposed or existing development.

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<b>Structure:</b>	Means any building, equipment, device or other facility made by people and which is fixed to land; and includes any raft, houseboat or other floating structure but excludes fences and stockyards up to 1.8m high.
<b>Subdivision:</b>	Has the meaning specified in section 218 of the Resource Management Act 1991.
<b>Surface Water Body:</b>	Means water contained in any naturally occurring lake, wetland, creek, stream or river.
<b>Tangata Whenua:</b>	Has the same meaning as given by the Resource Management Act.
<b>Taonga:</b>	Treasured possessions, includes both tangible and intangible treasures.
<b>Tauranga Waka:</b>	Has the same meaning as given by the Resource Management Act.
<b>Te Pataka a Te Rakaihautu:</b>	Banks Peninsula.
<b>Telecommunication Facility:</b> (Updated May 2009)	Means any telecommunication line, telephone exchange, telephone booth, telephone cabinet or pay phone, or any other structure, facility or apparatus intended for the purpose of effecting telecommunication, and as defined in the Telecommunications Act 1987 and its amendments.
<b>Telecommunication Line:</b> (Updated May 2009)	Means a wire or wires or a conductor of any other kind (including a fibre optic cable) used or intended to be used for telecommunication and includes any pole, insulator, casing, minor fixture, tunnel or other equipment or material used or intended to be used for supporting, enclosing, surrounding or protecting any such wire or conductor; and also includes any part of a line, and as defined in the Telecommunications Act 1987 and its amendments.
<b>Temporary Military Training Activity:</b>	Means a temporary activity undertaken for the purposes of the Defence Act 1990. (Note: that Act enables the restriction of access to 'defence areas' which includes areas used for temporary military training activities.)
<b>Tikanga Maori:</b>	As defined in the Resource Management Act.
<b>Turangawaewae:</b>	Place of belonging.

## DEFINITIONS

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<b>Tuua:</b>	Sacred Alters.
<b>Urupa:</b>	Means Maori burial ground.
<b>Utility:</b>	Any structure, network or facility established or operated by, or activity undertaken by a network utility operator as defined at section 166 of the Act.
<b>Utility Allotment (unstaffed)</b>	means an allotment created for the sole purpose of accommodating an existing or proposed utility, and which: <ul style="list-style-type: none"><li>· does not provide any permanent or temporary accommodation other than during construction or upgrading of the utility; and</li><li>· has no connections to a Council reticulated water supply, or sewage or stormwater disposal system.</li></ul>
<b>Vegetation Clearance</b>	Means the felling or clearing of significant indigenous vegetation by means, including but not limited to, cutting, crushing, cultivation, chemical application or burning. Clearance of vegetation shall have the same meaning.
<b>Visitor Facility:</b>	Means the use of any premises in which lodging, refreshment or entertainment is provided for reward or payment for more than 6 persons and includes any service or amenity ancillary to such a facility.
<b>Waahi Tapu:</b>	Places of sacred and extreme importance.
<b>Waahi Tapuketia:</b>	Buried treasures.
<b>Water Body:</b>	Has the same meaning as that given by the Resource Management Act 1991.
<b>Wetland:</b>	Has the same meaning as that given by section 2 of the Resource Management Act.
<b>Whakapapa:</b>	Genealogical collection.

## DEFINITIONS

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**Yard:** Means the distance between any part of a building (unless specified elsewhere in the Plan) and any site boundary, within which no buildings or parts of buildings other than eaves no more than 600 mm wide may be erected from the ground upwards. In the case of a site subject to a road widening setback, the yard control is to be the distance from the proposed legal road boundary as if the proposed road widening had occurred.

**Front Yard** refers to the yard measured from the front boundary of a site parallel to this boundary along the full width of the site. On a site with more than one road frontage, the site boundaries adjacent to the roads will be front yards and all other yards will be side yards.

**Side Yard** refers to the yard measured from the side boundaries of a site parallel to those boundaries along the length of the site (except any area within front or rear yards).

**Rear Yard** refers to the yard measured from the rear boundary of a site with a line parallel to that boundary for the full width of the site. For rear sites there shall be one rear yard (which shall be nominated) and all other yards shall be side yards.

**Protection Yard** shall be applied to any part of a site, which abuts the margin of any Surface Water Body (including any river, stream, lake or wetland).