

# **1 RULES INTRODUCTION**

## **1.1 DEFINITIONS**

<b>ACCESS</b>	means that area of land over which a site or lot obtains legal vehicular and/or pedestrian access to a legal road. This land may include an access leg, a private way, common land as defined on a cross-lease or company-lease, or common property as defined in Section 2 of the Unit Titles Act 1972.
<b>ACCESSORY BUILDING</b>	in relation to any site means any detached building the use of which is incidental to the principal building, use or activity on that site, and for residential activities includes a sleep out, garage or carport, garden shed, glasshouse, swimming pool, mast, shed used solely as a storage area, or other similar structure, provided that any garage or carport which is attached to or a part of any building shall be deemed to be an accessory building.
<b>ACT</b>	means the Resource Management Act 1991 and amendments.
<b>ACCESSWAY</b>	means access way as defined in Section 315 of the Local Government Act 1974.
<b>ADJOINING</b>	land shall be deemed to be adjoining other land, notwithstanding that it is separated from the other land only by a road, railway, drain, water race, river or stream.
<b>AGRICHEMICALS</b>	means substances formulated specifically for agricultural and horticultural use (including aquaculture) and including, but not limited to, herbicides and fungicides.
<b>AIRCRAFT</b>	means any machine that can derive support in the atmosphere from the reactions of the air otherwise than by reactions of the air against the surface of the earth.
<b>AIRPORT</b>	means any defined area of land or water intended or designed to be used whether wholly or partly for the landing, departure, movement or servicing of aircraft.
<b>ALL WEATHER STANDARD</b>	means a pavement which has been excavated to a sound subgrade, backfilled and compacted to properly designed drainage gradients with screened and graded aggregate and is usable by motor vehicles under all weather conditions, and includes metalled and sealed surfaces.
<b>AMENITY OR AMENITY VALUES</b>	has the same meaning as defined in Section 2 of the Act for Amenity Values.
<b>AMENITY TREE PLANTING</b>	means the planting of trees for aesthetic or amenity purposes within the immediate area of residential units, camping grounds or clusters of buildings associated with farming or other lawfully established activities (i.e. two or more of the following: animal handling sheds, implement sheds, stock yards, or other major farm buildings) but excluding shelterbelts, forestry activities, woodlots or commercial

	orchards and other tree crops.
<b>ARTERIAL ROAD</b>	Means any legal road or motorway in the District under the control of Transit New Zealand in terms of the Transit New Zealand Act, and includes all roads currently designated as State Highways and Motorways.
<b>BALCONY</b>	means a floor at other than ground level having at least one side completely open except for a balustrade of a maximum height of 1.2m above balcony floor level. The balcony may be roofed and shall have direct access to the Residential Unit it serves.
<b>BEE-KEEPING</b>	means the keeping of bees for their honey.
<b>BEVERAGE</b>	means any drink, including liquor, fit for human consumption.
<b>BOAT</b>	means any vessel, appliance or equipment used or designed to be used for flotation and navigation on or through the surface of water, other than a wetsuit or life-jacket, and includes any aircraft whilst such aircraft is on the surface of the water. Craft or boating craft shall have the same meaning. Boating activities shall mean activities involving the use of boats on the surface of water.
<b>BOUNDARY</b>	means any boundary of the net area of a site and includes any road boundary or internal boundary. Site boundary shall have the same meaning as boundary.
<b>- INTERNAL BOUNDARY</b>	means any boundary of the net area of a site other than a road boundary.
<b>- ROAD BOUNDARY</b>	means any boundary of a site abutting a legal road (other than an accessway, vehicle access leg or service lane) or contiguous to a boundary of a road designation. Frontage or road frontage shall have the same meaning as road boundary.
<b>BUILDING</b>	<p>shall have the same meaning as in the Building Act 1991, but does not include:</p> <ul style="list-style-type: none"> <li>• Fences or walls of 2m in height or less above ground level or retaining walls of 1.5m in height or less below undisturbed ground level, not used for a sign or for any purpose other than as a fence, retaining wall or wall.</li> <li>• Structures less than 10m<sup>2</sup> in area and in addition less than 2m in height above ground level.</li> <li>• Covered porches or conservatories on existing foundations of an existing residential unit less than 5m<sup>2</sup>.</li> <li>• Radio and television aerials (excluding dish antennae for receiving satellite television which are greater than 1m in diameter), less than 8m in height above ground level.</li> <li>• Masts and poles less than 8m in height above ground level.</li> </ul> <p>Building includes the construction, erection, alteration, relocation or placement on a site of a building.</p>

<b>BUILDING COVERAGE</b>	<p>means that portion of the net area of a site which is covered by buildings or parts of buildings, including overhanging or cantilevered parts of buildings, expressed as a percentage or area.</p> <p>The following shall not be included in Building Coverage:</p> <ul style="list-style-type: none"> <li>• Pergolas.</li> <li>• That part of eaves and/or spouting, fire aprons or bay or box windows projecting 600mm or less horizontally from any exterior wall.</li> <li>• Uncovered terraces or decks which are not more than 1m above ground level.</li> <li>• Uncovered swimming pools no higher than 1m above ground level.</li> <li>• Fences, walls and retaining walls.</li> </ul>
<b>BUILDING LINE RESTRICTION</b>	means a restriction imposed on a site to ensure that when new buildings are erected or existing buildings re-erected, altered or substantially rebuilt, no part of any such building shall stand within the area between the building line and the adjacent site boundary.
<b>CAMPING GROUND</b>	means camping ground as defined in the Camping Ground Regulations 1985.
<b>CAPTIVE BALLOON</b>	means a non-powered balloon for advertising purposes, which is tethered to a site or structure on a site.
<b>CARRIAGEWAY</b>	means that portion of a road devoted particularly to the use of motor vehicles.
<b>CEMENT MANUFACTURING</b>	means the manufacture of ordinary, rapid hardening, modified cement, the manufacture of calcium oxide and calcium hydrate, and associated activities such as the packaging, storage and loading of finished products within buildings, and also administrative offices, workshops, laboratories and staff facilities.
<b>COASTAL FLOOD AND EROSION PROTECTION WORK</b>	means works, structures or planting for the protection of property and people from coastal erosion or inundation from the sea; and includes areas of vegetation maintained or planted adjacent to the foreshore, embankments, access tracks, rock work, anchored trees, wire rope, iron structures and other structures.
<b>COASTAL PROTECTION POLICY AREA</b>	means the area of land, within the Rural General Zone but excluding urban (developed) or designated sites, extending 100 metres inland from the mean high water springs along the coast of the district.
<b>COMMERCIAL</b>	Means involving payment, exchange or other consideration.
<b>COMMERCIAL ACTIVITY</b>	means the use of land and buildings for the display, offering, provision, sale or hire of goods, equipment, or services, and includes shops, markets, showrooms, restaurants, takeaway food bars, professional, commercial and administrative offices, postal services, service stations, motor vehicle sales, the sale

	of liquor and associated parking areas; but excludes recreational, community and service activities, home occupations or visitor accommodation.
<b>COMMERCIAL LIVESTOCK</b>	means livestock bred, reared and/or kept on a property either primarily or partly for the purpose of commercial gain, but excludes <b>domestic livestock</b> .
<b>COMMUNITY ACTIVITY</b>	
<b>- GENERAL</b>	means the use of land and buildings for the primary purpose of health, welfare, care, safety, education, culture and/or spiritual well-being, but excludes recreational activities. A community activity includes schools, doctors surgeries and other health professionals, churches, halls, libraries, community centres, police stations, fire stations, courthouses, probation and detention centres, government and local government offices.
<b>- LIVE-IN</b>	means the use of land and buildings for the primary purpose of health, welfare, care, safety, education, cultural and/or spiritual well-being. Live-in community activities, providing living and sleeping facilities on site, either on a permanent or temporary basis, for people who require care or who require accommodation for educational purposes. Live-in community activities include hospitals, resthomes, education boarding houses, but excludes general community activities and recreational activities.
<b>COUNCIL</b>	means the Waitaki District Council or any Committee, Sub-Committee, Community Board, Commissioner or person to whom any of the Council's powers, duties or discretions under this Plan have been lawfully delegated pursuant to the provisions of the Act. District Council shall have the same meaning.
<b>COVERAGE</b>	refer building coverage.
<b>CRITICAL ZONE STANDARDS</b>	for an explanation of this term, refer Part 1, Section 8.
<b>DAY CARE FACILITY</b>	means land and/or buildings used for the care during the day of elderly persons, persons with social, intellectual or physical disabilities and/or children, other than those residing on the site.  <b>Note:</b> This definition applies to the carparking rules set out in Part III, Section 12.
<b>DAY-TIME</b>	means 0700 to 2200 hours Monday to Friday and 0800 to 1700 hours Saturday
<b>DESIGN AND APPEARANCE</b>	in relation to buildings, means the bulk and shape of the building including roof pitches, the materials of construction and the colour of exterior walls.
<b>DEVELOPMENT</b>	for the purpose of determining financial contributions, means development or re-development of the site and includes:

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	<ul style="list-style-type: none"> <li>• The construction, erection, establishment or alteration of any building, fixed plant or machinery, or any other works.</li> <li>• Any fencing, drainage, earthworks, filling or reclamation of land, or the making of any retaining walls or other works relating to that fencing, drainage, earthworks, filling or reclamation; and</li> <li>• The grading or levelling of land or the removal of rocks, stone, sand or soil from land; and</li> <li>• The removal or destruction of vegetation; and</li> <li>• The arresting or elimination of erosion or flooding; and</li> <li>• The provision for or installation of any mode of transport including any railway relating to any such construction or erection, establishment or alteration;</li> <li>• any streetscaping</li> </ul> <p>but shall not include the construction or alteration of any pipeline or associated works on land that is not otherwise subject to development.</p>
<b>DIRECT VEHICLE ACCESS</b>	where an allotment has vehicular access directly from a road over the road boundary of the site it is said to have Direct Vehicle Access to a road. Where an allotment has vehicular access indirectly to a road by way of a Vehicle Access Lot it is defined as having direct vehicle access to that Vehicle Access Lot.
<b>DISTRICT</b>	means the Waitaki District.
<b>DOMESTIC HORTICULTURE</b>	means the use of land and buildings for the primary purpose of residential activity but which the production of vegetative matter is carried out for family consumption or for hobby purposes for which little or no financial gain is derived.
<b>DOMESTIC LIVESTOCK</b>	<p>means:</p> <ul style="list-style-type: none"> <li>• No pigs or their progeny in a Residential or Township Zone and not more than 12 adult poultry on any site within a Residential or Township Zone.</li> <li>• Not more than 2 sows and their progeny up to weaner stage or not more than 5 weaned pigs; and not more than 50 adult poultry on any site within a Rural-Residential Zone; bred, reared and/or kept on a property;</li> <li>• Any number of livestock bred, reared and/or kept on a property for family consumption, or as pets, or for hobby purposes and from which little or no financial gain is derived.</li> <li>• No limitations on any site within the Rural G or Rural S Zones.</li> </ul>

<b>EARTHWORKS</b>	means the disturbance of land surfaces by the removal or depositing of material, excavation, filling or the formation of roads, banks, tracks. It does not include the digging of holes for the erection of posts or the planting of trees, or the cultivation of land normally associated with farming activities.
<b>EDUCATIONAL FACILITY</b>	means land and/or buildings used for the provisions of regular instruction or training and includes their ancillary administrative, cultural, recreational, commercial facilities and carparking associated with the educational facility.  <i>Note: This definition applies to the carparking rules set out in Part III, Section 12.</i>
<b>EFFLUENT</b>	means liquid wastes and sludges including agricultural and industrial waste waters and domestic and municipal sewage and sludges.
<b>ELDERLY PERSONS HOME</b>	means an old people's home within the meaning of the Old People's Homes Regulations 1965 and its amendments.
<b>ELDERLY PERSONS HOUSING UNIT</b>	means one or a group of residential units developed solely for the accommodation of elderly persons, and where not owned by the Crown or a local authority, is encumbered by a bond or other appropriate legal instrument which ensures that the use of the unit is limited to elderly persons.
<b>ERECTION OF A BUILDING</b>	in relation to a subdivision means the completion of all framing, firewalls, fire ceilings and fire floors, and the affixing of all roof materials.
<b>EXOTIC</b>	in relation to trees and plants means species which are not indigenous to that part of New Zealand.
<b>EXPLORATION</b>	means any activity undertaken for the purpose of identifying mineral deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of one or more minerals; and includes any drilling, dredging, or excavations (whether surface or sub-surface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence.
<b>FAMILY FLAT</b>	is included within the meaning of Residential Unit and means a self contained residential building being part of and located on the same site as a residential unit, and occupied by dependent relatives of the household living in the residential unit.
<b>FARMING ACTIVITY</b>	means the use of land and buildings for the primary purpose of the production of vegetative matter and/or commercial livestock, but excludes residential activity, home occupations, intensive farming and forestry activity.
<b>FORESTRY ACTIVITY</b>	means the use of land primarily for the purpose of planting, tending, managing and harvesting of trees for timber but excluding amenity tree planting, woodlots and shelterbelts.
<b>FORMED ROAD</b>	means a road with a carriageway constructed to an all-

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	weather standard with a minimum carriageway width of 3m.
<b>FRONTAGE</b>	means the road boundary of any site.
<b>FRONT SITE</b>	means a site having one or more frontages to a road or private road, at least one such frontage to be not less than 6m.
<b>FULL-TIME EQUIVALENT PERSON</b>	means the engagement of a person or persons in an activity on a site for an average of 8 hours per day assessed over any 14 day period.
<b>GARAGE</b>	is included within the meaning of Residential Unit, and means a building or part of a building principally used for housing motor vehicles and other ancillary miscellaneous items owned by persons living on the site.
<b>GROSS FLOOR AREA</b>	means the sum of the gross area of the several floors of all buildings on a site, measured from the exterior faces of the exterior walls, or from the centre lines of walls separating two buildings.
<b>GROUND LEVEL</b>	<p>means the actual ground level at the date of public notification of this Plan; except for land for which subdivision consent has been obtained after the notification of this Plan, for which ground level shall mean the actual finished ground level when all works associated with the subdivision of the land were completed; and excludes any excavation or fill associated with building activity.</p> <p>Ground slope shall mean the slope of the ground measured across the above ground level(s).</p>
<b>GROUP VISITS</b>	means pre-booked visits to a site by groups of people organised collectively.
<b>HANDCRAFTS</b>	means goods produced by hand, by the use of hand tools or the use of mechanical appliances where such appliances do not produce the goods in a repetitive manner according to a predetermined pattern for production run purpose. The person producing such goods must design the goods and have direct, complete and variable control over the production of every stage of the product.
<b>HAPU</b>	means sub Tribe.
<b>HARDSURFACING</b>	<p>in relation to any site means any part of that site which is impermeable and includes:</p> <ul style="list-style-type: none"> <li>• Concrete, bitumen or similar driveways, paths or other areas paved with a continuous surface or with open jointed slabs, bricks, gobi or similar blocks; or hardfill driveways that effectively put a physical barrier on the surface of any part of a site.</li> <li>• Any area used for parking, manoeuvring, access or loading of motor vehicles.</li> <li>• Any area paved either with a continuous surface or with</li> </ul>

	<p>open jointed slabs, bricks, gobi or similar blocks.</p> <p>The following shall not be included in Hardsurfacing:</p> <ul style="list-style-type: none"> <li>• Paths of less than 1m in width.</li> <li>• Shade houses, glasshouses and tunnel houses not having solid floors.</li> </ul>
<b>HAZARDOUS SUBSTANCE</b>	<p>means any substance with one or more of the following intrinsic properties:</p> <p>a     i       Explosiveness                ii       Flammability                iii       A capacity to oxidise                iv       Corrosiveness                v        Toxicity (both acute and chronic)                vi       Ecotoxicity, with or without bio-accumulation;                or          b     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 a to this definition.</p>
<b>HAZARDOUS WASTES</b>	<p>means wastes of any hazardous substance(s).</p>
<b>HEALTH CARE FACILITY</b>	<p>means land and/or buildings used for the provision of services relating to the physical and mental health of people and animals but excludes facilities used for the promotion of physical fitness or beauty such as gymnasias, weight control clinics or beauticians.</p>
<b>HEAVY VEHICLE</b>	<p>means a motor vehicle (other than a motor car that is not used, kept or available for the carriage of passengers for hire or reward) the gross laden weight of which exceeds 3500kg; but does not include a traction engine or vehicle designed solely or principally for the use of fire brigades in attendance at fires. (The Heavy Motor Vehicle Regulations 1974)</p>
<b>HEIGHT</b>	<p>in relation to a building means the vertical distance between <b>ground level</b> at any point and the highest part of the building immediately above that point.</p> <p>For the purpose of calculating height in all zones, account shall be taken of parapets, but not of:</p> <ul style="list-style-type: none"> <li>• radio and television aerials attached to a dwelling, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2.5m; and</li> <li>• chimneys or finials (not exceeding 1.1m in any direction); provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 1.5m.</li> </ul>
<b>HIGH CLASS SOILS</b>	<p>means soils that are capable of being used intensively to produce a wide variety of plants, including horticultural crops.</p>
<b>HOME OCCUPATION</b>	<p>means the use of a site for an occupation, business, trade or</p>

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	profession in addition to the use of that site for a residential activity and which is undertaken by person(s) living permanently on the site, but excludes Homestay.
<b>HOMESTAY</b>	means the use of an occupied residential unit for visitor accommodation for commercial purposes.
<b>HOSPITAL</b>	means any building in which two or more persons are maintained for the purposes of receiving any medical treatment.
<b>HOTEL</b>	<p>means any premises used or intended to be used in the course of business principally for the provision to the public of:</p> <p>a) visitor accommodation; and</p> <p>b) liquor, meals and refreshments for consumption on the premises.</p> <p><b>Note:</b> This definition applies to the carparking rules set out in Part III, Section 12.</p>
<b>IMPERMEABLE SURFACES</b>	shall have the same meaning as hardsurfacing.
<b>INDIGENOUS BUSH</b>	means trees or shrubs in which species indigenous to that part of New Zealand are greater than 3m in height and are important in terms of structural dominance and coverage. For these purposes structural dominance is when the indigenous species are in the tallest stratum and are visually conspicuous and coverage by indigenous species exceeds 20% of the total area.
<b>INDIGENOUS VEGETATION</b>	means a plant community in which species indigenous to that part of New Zealand are important in terms of coverage, structure and/or species diversity. For these purposes, coverage by indigenous species or number of indigenous species shall exceed 30% of the total area or total number of species present, where structural dominance is not attained. Where structural dominance occurs (that is indigenous species are in the tallest stratum and are visually conspicuous) coverage by indigenous species shall exceed 20% of the total area.
<b>INDUSTRIAL ACTIVITY</b>	means the use of land and buildings for the primary purpose of manufacturing, fabricating, processing, packing, or associated storage of goods.
<b>INTENSIVE FARMING</b>	<p>means:</p> <ul style="list-style-type: none"> <li>• the use of land and/or buildings for the production of commercial livestock, including birds, where the regular feed source for such livestock is substantially provided other than from grazing the site concerned; and</li> <li>• boarding of animals;</li> <li>• mushroom farming; and</li> <li>• the disposal of effluent as part of any intensive farming activity.</li> </ul>

<b>INTERNAL BOUNDARY</b>	of a site means any boundary of the net area of a site other than a road boundary.
<b>IWI</b>	means Tribe.
<b>KAIKA</b>	means a settlement.
<b>KAI TAHU</b>	means the extended family of tahu, the descendant iwi of Waitaha, Kati Mamoe and Kai Tahu.
<b>KAITIAKI</b>	means guardians.
<b>KAITIAKITANGA</b>	means the exercise of guardianship; and, in relation to a resource, includes the ethic of stewardship based on the nature of the resource itself.
<b>KITCHEN FACILITY</b>	means any space, facilities and surfaces for the storage, rinsing preparation and/or cooking of food, the washing of utensils and the disposal of waste water; including a food preparation bench, sink, oven, stove, hot-plate or separate hob, refrigerator, dish-washer and other kitchen appliances.
<b>KOIWI TANGATA</b>	means unknown Maori remains.
<b>LAKE</b>	shall have the same meaning as in the Resource Management Act 1991 and amendments.
<b>LANDFILL</b>	means a site used for the controlled deposit of solid wastes onto or into land.
<b>LAND IN THE SUBDIVISION</b>	means land which is the subject of an application for a subdivision consent.
<b>LANDSCAPING</b>	means the provision of tree and/or shrub plantings and may include any ancillary lawn, water, rocks, paved areas or amenity features, the whole of such provision being so arranged as to improve visual amenity, and/or to partially or wholly screen activities or buildings, and/or to provide protection from climate.
<b>LAUNDRY FACILITIES</b>	means facilities for the rinsing, washing and drying of clothes and household linen, and the disposal of waste water, and includes a washing machine, tub and clothes dryer.
<b>LICENSED PREMISES</b>	means any premises, or part of any premises, in which liquor may be sold pursuant to a licence; and includes any conveyance, or part of any conveyance on which liquor may be sold pursuant to the licence.
<b>LIQUID WASTE</b>	means waste water, including liquid by-products, derived from industrial, agricultural, trade or domestic premises containing residues of the processes carried out on site.
<b>LIQUOR</b>	means any fermented, distilled, or spirituous liquor (including spirits, wine, ale, beer, port, honey mead, stout, cider and perry) that is found on analysis to contain 1.15% or more alcohol by volume.

<b>LIVING AREA</b>	means any room in a residential unit other than a room used principally as a bedroom, laundry or bathroom.
<b>LOADING SPACE</b>	means a portion of a site, whether covered or not, clear of any road or service lane upon which a vehicle can stand while being loaded or unloaded.
<b>LOT</b>	for the purpose of subdivision means a lot, two or more adjoining lots to be held together in the same ownership, or any balance area, shown on a subdivision consent plan, <b>except that</b> in the case of land being subdivided under the cross lease or company lease systems or the Unit Titles Act 1972, lot shall have the same meaning as <b>site</b> .
<b>MAHIKA KAI</b>	means a place where food resources can be produced or procured.
<b>MANAWHENUA</b>	means customary authority exercised by an iwi or hapu in an identified area.
<b>MANOEUVRE AREA</b>	means that part of a site used by vehicles to move from the vehicle crossing to any parking, garage or loading space and includes all driveways and aisles, and may be part of an access strip.
<b>MANUFACTURING OF HAZARDOUS SUBSTANCES</b>	means any process that produces a substance that is hazardous under the United Nations Transportation of Dangerous Goods Code; and includes any process that includes the mixing of material or making a compound product that is hazardous under the United Nations Transportation of Dangerous Goods Code.
<b>MEETING PLACE</b>	has the same meaning as Place of Assembly.
<b>MINERAL</b>	means a naturally occurring inorganic substance beneath or at the surface of the earth, whether or not under water and includes all metallic minerals, non metallic minerals, fuel minerals, precious stones, industrial rocks and building stones and a prescribed substance within the meaning of the Atomic Energy Act 1945.
<b>MINING ACTIVITY</b>	means the use of land and buildings for the primary purpose of the extraction, winning, quarrying, excavation, taking and associated processing of minerals and any ancillary activity related to mining but does not include prospecting and exploration.
<b>MOTORISED CRAFT</b>	means any boat powered by an engine.
<b>NATURE CONSERVATION VALUES</b>	means those values associated with the natural resource of the district, particularly the intrinsic values of indigenous and aquatic flora and fauna and their associated ecosystems and habitats; and also their contribution to the natural features and landscapes of the district and to the natural character of the lakes, rivers, wetlands and their margins.
<b>NET AREA</b>	in relation to a site or lot, means the total area of the site or lot less any area subject to a designation for any purpose, and/or any area contained in the access to the site or lot,

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	and/or any strip of land less than 6m in width.
<b>NIGHT-TIME</b>	means 0001 to 0700 and 2200 to 2400 hours Monday - Friday;, 0001 to 0800 and 1700 to 2400 hours Saturday, all Sunday and public holidays.
<b>NON-PERMANENT ACCOMMODATION</b>	means residential units, caravans or tents used for holiday accommodation by members of Glider Clubs. This definition only applies to the Omarama Airfield Zone.
<b>NOISE</b>	means the sound level from an activity is measured and assessed in accordance with NZS 6801:2008 <i>Acoustics – Measurement of environmental sound</i> and NZS 6802:2008 <i>Acoustics – Environmental noise</i> .
<b><u>NOISE DESCRIPTORS</u></b>	<p>Ldn: Means the day-night average sound level or day/night level which is the A-frequency-weighted time-average sound level, in decibels (dB), over a 24-hour period obtained after the addition of 10 decibels to the sound levels measured during the night (2200 to 0700 hours).</p> <p>L<sub>Aeq</sub>(15 min): Means the A-frequency-weighted time-average sound level over 15 minutes, in decibels (dB).</p> <p>L<sub>AFmax</sub>: means the maximum A-frequency-weighted fast-time-weighted sound level, in decibels (dB), recorded in a given measuring period</p> <p>Noise Limit: Means a L<sub>Aeq</sub>(15 min) or L<sub>AFmax</sub> sound level in decibels that is not to be exceeded.</p>
<b><u>NOTIONAL BOUNDARY</u></b>	<p>A line 20 metres from any side of a dwelling building, or the legal boundary where this is closer to the dwelling building. (Definitions, NZS 6802: 2008).</p> <p>Note: “building” in this definition means a habitable building.</p>
<b>NUCLEAR POWER GENERATION</b>	means the use of equipment to cause nuclear fission for the purposes of generating electricity or any other energy source.
<b>OFFENSIVE PROCESSES</b>	<p>The following processes:</p> <ul style="list-style-type: none"> <li>• processes requiring offensive trade licenses under the Health Act 1956;</li> <li>• the manufacture and processing of chemical fertilisers;</li> <li>• meat processing or any associated processing of meat and meat by-products or co-products;</li> <li>• fish curing, cleaning, treatment, preserving and storage;</li> <li>• cement and concrete products manufacture;</li> <li>• hot-mix asphalt paving manufacture;</li> <li>• glass or fibre-glass manufacture;</li> <li>• wood-pulp manufacture and processing;</li> <li>• foundry processes, electro-plating works, melting of metals, steel manufacture and galvanising;</li> </ul>

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	<ul style="list-style-type: none"> <li>• natural gas, oil or petroleum distillation or refining;</li> <li>• manufacture of hardboard, chipboard or particle board;</li> <li>• timber treatment;</li> <li>• wool scouring;</li> <li>• motor body building and auto dismantling.</li> </ul>
<b>OFFICE</b>	<p>means any of the following:</p> <ul style="list-style-type: none"> <li>• Administrative offices where the administration of any entity, whether trading or not, and whether incorporated or not, is conducted;</li> <li>• Commercial offices such as banks, insurance agents, typing services, duplicating services and real estate agents, being places where trade (other than that involving the immediate exchange for goods or the display or production of goods) is transacted;</li> <li>• Professional offices such as the offices of accountants, solicitors, architects, surveyors and engineers.</li> </ul> <p><b>Note:</b> This definition applies to the carparking rules set out in Part III, Section 12.</p>
<b>OPEN SPACE</b>	means any land or space which is not substantially occupied by buildings and which provides benefits to the general public as an area of visual, cultural, educational, or recreational amenity values.
<b>OTHER DEVELOPMENT</b>	means a development other than a residential development, if: <ul style="list-style-type: none"> <li>i. The development is for an industrial, service, commercial, recreational, or community activity or for visitor accommodation; and</li> <li>ii. The value of the development exceeds \$200,000.</li> </ul>
<b>OUTDOOR LIVING 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 ACTIVITY</b>	means a recreation activity undertaken entirely outdoors with buildings limited to use for public shelter, toilet facilities, information and ticketing.
<b>OUTDOOR STORAGE</b>	means land used for the purpose of storing vehicles, equipment, machinery, natural and processed products and wastes, but not inside a fully enclosed building, for periods in excess of 4 weeks in any one year and includes temporary or permanent storage of any item, but excluding registered vehicles, which causes or is likely to cause adverse effects on the environment. Adequate screening means provision of screening for avoiding the visual adverse effects of the activity.
<b>PARKING AREA</b>	means that part of a site within which vehicle parking spaces required by this Plan or otherwise provided are accommodated, and includes all parking spaces, manoeuvre areas and required landscape areas.

<b>PARKING SPACE</b>	means a space on a site available at any time for accommodating one stationary motor vehicle.
<b>PLACE OF ASSEMBLY</b>	means any land or building used for public and private assembly primarily for worship, recreation, education and discussion and includes churches, church halls, sports clubrooms, pavilions, indoor sports facilities and community centres whether such building has a general ancillary licence or not. It does not include any place of entertainment or licensed premises (other than general ancillary licensed premises).  <i>Note: This definition applies to the carparking rules set out in Part III, Section 12.</i>
<b>PLACE OF ENTERTAINMENT</b>	means any theatre, amusement parlour, dance hall or other place used principally for any public meeting, performance or amusements whether a charge is made for admission thereto or not.  <i>Note: This definition applies to the carparking rules set out in Part III, Section 12</i>
<b>PRINCIPAL BUILDING</b>	means a building, buildings or part of a building accommodating the activity for which the site is primarily used.
<b>PRIVATE ROAD</b>	shall have the same meaning as defined in Section 315 of the Local Government Act 1974
<b>PRIVATE WAY</b>	shall have the same meaning as defined in Section 315 of the Local Government Act 1974.
<b>PROSPECTING</b>	means any activity undertaken for the purpose of identifying land likely to contain exploitable mineral deposits or occurrences; and includes: <ul style="list-style-type: none"> <li>• geological, geochemical, and geophysical surveys; and</li> <li>• the taking of samples by hand or hand held methods; and</li> <li>• aerial surveys.</li> </ul>
<b>PROVIDING A SERVICE</b>	includes extending, upgrading, modifying or replacing any service.
<b>PUBLIC AREA</b>	means any part(s) of a building open to the public, but excluding any service or access areas of the building.
<b>PUBLIC PLACE</b>	means every public thoroughfare, park, reserve, lake, river or place to which the public has access with or without the payment of a fee, and which is under the control of the District Council, Regional Council, Transit New Zealand or the Department of Conservation or the Crown.
<b>RADIOCOMMUNICATION FACILITY</b>	means an antenna or similar communication device formed by a rod, wire, dish or other structure by which radio, telephone or electromagnetic signals are transmitted, received or broadcast from.
<b>REAR SITE</b>	means a site which is situated generally to the rear of

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	another site, both sites having access to the same road or private road, and includes sites which have no frontage to a road or private road of 6m or more.
<b>RECESSION LINES</b>	<p>means the lines constructed from points on or above a boundary surface or a road surface, the angle of inclination of which is measured from the horizontal, at right angles to a site boundary and in towards the site. No building features shall protrude through or above the building envelope constructed by the recession lines except the following:</p> <ul style="list-style-type: none"> <li>• Chimneys, ventilation shafts, roof water tanks, lift and stair shafts and spires, poles and masts less than 9m above ground level, provided the maximum dimension thereof measured parallel to the boundary under consideration shall not exceed 3m, and provided for buildings over three (3) storeys, such features are contained within or are sited directly against the outside structural walls; and</li> <li>• In Residential or Township Zones where a single gable or hip end with a base (excluding eaves) of 7.5m or less faces a boundary and a recession line strikes no lower than half way between the eaves and ridge line, a gable or hip end may penetrate the recession lines.</li> </ul>
<b>RECREATION</b>	means activities freely chosen by an individual, which give that person enjoyment, satisfaction and a sense of well-being.
<b>RECREATIONAL ACTIVITY</b>	means the use of land and/or buildings for the primary purpose of recreation and/or entertainment and includes the sale of food and beverage for consumption on the site provided it is ancillary to the recreational activity, but excludes any recreational activity within the meaning of residential activity.
<b>RELOCATABLE</b>	means not constructed for permanent location on any particular site and readily capable of removal for relocation to another site.
<b>RELOCATION</b>	in relation to a building, means the removal and resiting of any building from any site to another site.
<b>RESERVE</b>	means a reserve in terms of the Reserves Act 1977.
<b>RESIDENTIAL ACTIVITY</b>	means the use of land and buildings by people for the purpose of permanent living accommodation, including all associated accessory buildings, recreational activities and the keeping of domestic livestock. For the purposes of this definition, residential activity shall include emergency and refuge accommodation, and residential care facilities for up to six persons and support staff but excludes visitor accommodation and the non-commercial use of holiday homes.
<b>RESIDENTIAL CARE FACILITY</b>	means a residential unit used for accommodation and care of persons in a supervised environment because of their social, intellectual or physical disabilities. This definition does not apply to any unit where the principal caregiver is a member

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	of their family.
<b>RESIDENTIAL DEVELOPMENT</b>	means: i. Two or more new residential units on a site with no existing residential units; or ii. One or more additional residential units on a site, with one or more existing residential unit.
<b>RESIDENTIAL UNIT</b>	means a residential activity which consists of a single 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.
<b>RESTAURANT</b>	means any land and/or buildings, or part of a building, in which meals are regularly supplied for sale to the general public for consumption on the premises, including such premises which a licence has been granted pursuant to the Sale of Liquor Act 1989.
<b>RETAIL SALES /RETAIL/RETAILING</b>	means the direct sale or hire to the public from any site and/or the display or offering for sale or hire to the public on any site of goods, merchandise or equipment, but excludes recreational activities.
<b>RIGHT OF WAY</b>	means an area of land over which there is registered a legal document giving rights to pass over that land to the owners and occupiers of other land.
<b>RIVER</b>	includes a stream, and shall have the same meaning as in the Resource Management Act 1991.
<b>RIVER FLOOD PROTECTION WORK</b>	means works, structures and plantings for the protection of property and people from floods; and includes areas of vegetation maintained or planted in the berm margins of flood fairways or lakes, the clearance of vegetation and debris from flood fairways, stopbanks, access tracks, rock work, anchored trees, wire rope and other structures.
<b>ROAD</b>	means road as defined in Section 315 of the Local Government Act 1974.
<b>ROAD BOUNDARY</b>	means any boundary of a site abutting a legal road (other than an accessway or service lane) or contiguous to a boundary of a road designation. Frontage or road frontage shall have the same meaning as road boundary.
<b>ROOPU KAITIAKI</b>	means Guardian Group.
<b>RURAL SELLING PLACE</b>	means any land, building or part of a building located in a rural or rural-residential zone, on or in which farm or garden produce, wine or handcrafts are offered for sale by wholesale and/or retail.
<b>SCHOOL</b>	refer Educational Facility.
<b>SERVICE</b>	for the purposes of financial contributions means:

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	<ul style="list-style-type: none"> <li>• Any water supply system</li> <li>• Any stormwater collection and disposal system</li> <li>• Any sewage collection, treatment and disposal system</li> <li>• Any trade waste collection and disposal system</li> <li>• Any energy supply system</li> <li>•</li> <li>• Any works to avoid, remedy or mitigate natural hazards</li> <li>• Any landscaping, including planting of vegetation</li> <li>• Any provisions of access to land in the subdivision (including roads, cycleways, pedestrian accessways, service lanes, private access, street lighting and associated works)</li> </ul> <p>and in each case includes any necessary or incidental works and “services” has a corresponding meaning.</p>
<b>SERVICE ACTIVITY</b>	means the use of land and buildings for the primary purpose of the transport, storage, maintenance or repair of goods.
<b>SERVICE LANE</b>	means service lane as defined in Section 315 of the Local Government Act 1974.
<b>SERVICE STATION</b>	<p>means any site where the dominant activity is the retail sale of motor vehicle fuels (including petrol, LPG, CNG, and diesel), and may also include any one or more of the following:</p> <ul style="list-style-type: none"> <li>• the sale of kerosene, alcohol based fuels, lubricating oils, tyres, batteries, vehicle spare parts and other accessories normally associated with motor vehicles;</li> <li>• mechanical repair and servicing of motor vehicles (includes motor cycles, caravans, boat motors, trailers), except that in any Residential Zone, the mechanical repairs of motor vehicles and domestic garden equipment shall not include panel beating, spray painting and heavy engineering such as engine reboring and crankshaft grinding;</li> <li>• inspection and/or certification of vehicles;</li> <li>• the sale of other merchandise and services where this is an ancillary activity to the main use of the site.</li> </ul>
<b>SETBACK</b>	means the distance between a building foundation and the boundary of its site. Where any building is required to be setback from any site boundary, no part of that building shall be closer to the site boundary than the minimum distance specified. Where any road widening is required by this Plan, the setback shall be calculated from the proposed final site boundary.
<b>SHELTERBELTS</b>	means trees or vegetation planted primarily to provide shelter for stock or for other agricultural or horticultural purposes, up to a maximum width of 15 metres but excluding amenity tree planting and forestry activities.
<b>SHOWROOM</b>	means any defined area of land or a building given over solely to the display of goods. No retailing is permitted

	unless otherwise specifically provided for in the zone in which the land or building is located.
<b>SIGN</b>	means any sign or device of whatever nature for the purpose of specific identification of any site or building, for providing directions or information, or for promoting any goods, services or forthcoming events, and which is visible from any public place or thoroughfare. Such signs may consist of a specially constructed device, structure, erection or apparatus, or may be painted, written, printed, carved, embossed, inscribed, projected onto, placed or otherwise fixed to or upon any site, wall, hoarding, pole, fence, rock, stone, tree, stationary vehicle or structure or erection of any kind whatsoever.
<b>SITE</b>	<p>means</p> <p>a) an area of land which is:</p> <ul style="list-style-type: none"> <li>i comprised in a single lot or other legally defined parcel of land and held in a single certificate of title; or</li> <li>ii comprised in a single lot or legally defined parcel of land for which a separate certificate of title could be issued without further consent of the Council;</li> <li>iii being in any case the smaller land area of i or ii; or</li> </ul> <p>b) an area of land which is comprised in two or more adjoining lots or other legally defined parcels of land, held together in one certificate of title in such a way that the lots/parcels cannot be dealt with separately without the prior consent of the Council; or</p> <p>c) an area of land which is comprised in two or more adjoining certificates of title where such titles are:</p> <ul style="list-style-type: none"> <li>i subject to a condition imposed under Section 37 of the Building Act or Section 643 of the Local Government Act 1974; or</li> <li>ii held together in such a way that they cannot be dealt with separately without the prior consent of the Council; or</li> </ul> <p>d) in the case of land not subject to the Land Transfer Act, the whole parcel of land last acquired under one instrument of conveyance;</p> <p><b>except that:</b></p> <p>a) in the case of land subdivided under the cross lease or company lease systems (other than strata titles), site shall mean an area of land containing:</p> <ul style="list-style-type: none"> <li>il a building or buildings for residential or business purposes with any accessory building(s), plus any land exclusively restricted to the users of that/those building(s); or</li> <li>ii a remaining share or shares in the fee simple creating a vacant part(s) of the whole for future cross lease or company lease purposes; and</li> </ul>

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	<p>b) in the case of land subdivided under Unit Titles Act 1972 (other than strata titles), site shall mean an area of land containing a principal unit or proposed unit on a unit plan together with its accessory units; and</p> <p>c) in the case of strata titles, site shall mean the underlying certificate of title of the entire land containing the strata titles, immediately prior to subdivision.</p> <p>In addition to the above:</p> <p>a) A site includes the airspace above the land.</p> <p>b) If any site is crossed by a zone boundary under this Plan, the site is deemed to be divided into two or more sites by that zone boundary.</p> <p>c) Where a site is situated partly within the District and partly in an adjoining District, then the part situated in the District shall be deemed to be one site.</p>
<b>SITE - FRONT</b>	means a site having one or more frontages to a road or private road, at least one such frontage to be not less than 6m.
<b>SITE - REAR</b>	means a site which is situated generally to the rear of another site, both sites having access to the same road or private road, and includes sites which have no frontage to a road or private road of 6m or less.
<b>SITE DEVELOPMENT STANDARDS</b>	for an explanation of this term, refer to Part I, Section 8.
<b>STEP-IN PLAN</b>	means a break in the continuity of an exterior wall of any building or block or line of residential units, whether of one or more storeys, by stepping the wall of the building or any unit or units a minimum specified distance measured at right angles to the long axis of the building or block or line of units.
<b>SUBDIVISION CONSENT</b>	has the meaning set out in Section 87(b) of the Act.
<b>TAOKA</b>	means treasures.
<b>TAUPARAPARA</b>	means a saying, prose.
<b>TAVERN</b>	<p>means any premises used or intended to be used in the course of business principally for the provision to the public of liquor and other refreshments.</p> <p><b>Note:</b> This definition applies to the carparking rules set out in Part III, Section 12.</p>
<b>TELECOMMUNICATION FACILITY</b>	means devices, such as aerials, dishes, antennae, wires, cables, casings, tunnels and associated equipment and support structures and equipment shelters, such as towers, masts and poles, and equipment buildings and telephone

	boxes, used for the transmitting, emission or receiving of communications.
<b>TEMPORARY MILITARY TRAINING ACTIVITY</b>	means a temporary activity undertaken for Defence Purposes. Defence Purposes are those in accordance with the Defence Act 1990. The Defence Act also enables access to Defence Areas which include areas utilised for temporary military training activities.
<b>TIKANGA</b>	means a custom.
<b>TINO RANGATIRATANGA</b>	means authority, chieftainship.
<b>TRADE WASTES</b>	shall have the same meaning as in the Local Government Act 1974.
<b>TRAVELLERS ACCOMMODATION</b>	see Visitor Accommodation.
<b>UTILITY</b>	<p>means:</p> <ul style="list-style-type: none"> <li>a) lines and necessary incidental structures and equipment for the transmission and distribution of electricity;</li> <li>b) pipes and necessary incidental structures and equipment for transmitting and distributing gas;</li> <li>c) storage facilities, pipes and structures and equipment necessary for the supply, drainage and treatment of water or sewage;</li> <li>d) water and irrigation races, drains, channels, pipes and necessary incidental structures and equipment;</li> <li>e) structures, facilities, plant and equipment for the treatment of water;</li> <li>f) structures, lines, facilities, plant, equipment and associated works for receiving, emitting and transmitting radiocommunications and telecommunications;</li> <li>g) structures, facilities, plant, equipment and associated works for monitoring and observation of weather and natural hazards;</li> <li>h) structures, facilities, plant, equipment and associated works for the protection of the community from natural hazards;</li> <li>i) structures, facilities, plant and equipment necessary for navigation by water or air.</li> </ul> <p>Utility does not include structures or facilities used for electricity generation, the manufacture and storage of gas.</p>
<b>VEGETATION CLEARANCE</b>	means the felling, clearing or modification of trees or any vegetation by cutting, crushing, cultivation, spraying or burning. Clearance of vegetation shall have the same meaning.
<b>VEHICLE ACCESS LEG</b>	in relation to a rear lot or rear site, means the strip of land, which is included in the ownership of that lot or site, and which provides the legal, physical access from the frontage

	legal road to the net area of the lot or site.
<b>VEHICLE ACCESS LOT</b>	means a lot which provides the legal or part of the legal vehicular access to one or more lots, and which is held in the same ownership or by tenancy-in-common in the same ownership as the lot(s) to which it provides legal vehicle access.
<b>VEHICLE CROSSING</b>	means the formed and constructed vehicle entry/exit from the carriageway of any road up to and including that portion of the road boundary of any site across which vehicle entry or exit is obtained to and from the site, and includes any culvert, bridge or kerbing.
<b>VEHICLE ORIENTATED COMMERCIAL ACTIVITIES</b>	means any service station, truck stop, coach park, supermarket, shopping centre, drive-in retail outlet, rural selling place, visitor accommodation, recreation and entertainment activity where the activity takes place in or on a structure or where a structure or building forms part of the public aspect of the activity.
<b>VISITOR ACCOMMODATION</b>	means the use of land and/or buildings for short-term, fee paying, living accommodation where the length of stay for any one visitor is not greater than 3 months at any one time, provided that this definition does not exclude the letting of individually-owned residential units. Visitor accommodation may include some centralised services or facilities, such as food preparation, dining and sanitary facilities, conference, bar and recreation facilities. Visitor accommodation includes such accommodation as camping grounds, hotels, motels, boarding houses, guest houses, backpackers accommodation, bunkhouses, tourist houses and lodges.
<b>WAAHI TAOKA</b>	means a treasured place/valued possession.
<b>WAAHI TAPU</b>	means a sacred place.
<b>WASTE</b>	means 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.
<b>WATERBODY</b>	shall have the same meaning as Water body in the Resource Management Act 1991.
<b>WETLAND</b>	shall have the same meaning as in the Resource Management Act 1991 being "includes permanently or intermittently wet areas, shallow water and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions".
<b>WHAKAPAPA</b>	means genealogy.

<b>WHENUA</b>	means land.
<b>WOODLOTS</b>	means a single discrete grouping of trees of no more than 3 hectares planted for productive purposes.
<b>YARD</b>	means a part of a site which is required by this Plan to be unoccupied and unobstructed by buildings from the ground upwards, except as otherwise provided by this Plan.
<b>- FRONT YARD</b>	means a yard between the street line and a line parallel thereto extending across the full width of the site.
<b>- REAR YARD</b>	means a yard between the rear boundary of the site and a line parallel thereto extending across the full width of the site. Provided that in the event of there being no rear boundary, as in a triangular section, the boundaries of the rear yard shall be the converging side boundaries of the site and the arc of a circle drawn with the apex as centre and radius of 9 metres.
<b>- SIDE YARD</b>	means a yard between a side boundary of the site and line parallel thereto, extending:  a) From the front yard to the rear yard; or b) If there be no front yard, from the front boundary of the site to the rear yard; or c) If there be no rear yard, from the front yard or boundary as the case may be to the rear boundary of the site; or d) If there be two or mote front yards, from yard to yard.

## 1.2 INFORMATION REQUIREMENTS FOR RESOURCE CONSENTS AND DESIGNATIONS

### 1.2.1 GENERAL GUIDE

The place to start is with the maps. Identify the site(s) you are interested in.

Check to see which zone the site is in. Each zone has its own rules.

Check to see what other rules may apply. There are a number of District-Wide rules with special functions which will also apply in the particular zone, eg

- Temporary Buildings and Activities ..... (Refer Rule 10)
- Heritage Rules..... (Refer Rule 11)
- Transport Rules ..... (Refer Rule 12)
- Sign Rules ..... (Refer Rule 13)
- Subdivision and Development Rules ..... (Refer Rule 14)
- Utilities Rules ..... (Refer Rule 15)
- Hazardous Substances..... (Refer Rule 16)
- Natural Hazards..... (Refer Rule 17)

Check to see if the property is affected by one or more of the following:

- |   |                 |
|---|-----------------|
| • a designation                                     | - Appendix A    |
| • a protected feature(s)                            | - Appendix B    |
| • an area of significant natural conservation value | - Appendix C    |
| • located in an area of landscape importance        | - Planning Maps |
| • Natural Hazards                                   | - Planning Maps |

**and** by checking the Planning Maps.

Where an activity may require a resource consent, a notation is provided. Permitted Activities under regional rules may have conditions that require compliance.

Check the definitions, Section Part III, Section 1.1

Check to see what consents may be required:

- Refer Category of Activities at the start of each rule.
- Refer to site development standards and critical zone standards

Check to see if consents are required from the Otago or Canterbury Regional Councils.

#### Consultation

An applicant may need to undertake consultation with parties affected by the proposal. The level of consultation depends on the effects or impacts of the proposal. The process of consultation allows people to understand the proposal and done properly can reduce the time delays and costs of resource consents.

Special consultation procedures may apply to activities which affect sites or values of significance to the Takata Whenua.

### **Steps for Determining Compliance**

The steps for determining compliance are set out as part of each Rule.

### **Information to be Submitted with an Application for a Resource Consent**

For the Council to process an application for a resource consent an applicant must provide adequate information to enable the effects of the activity to be assessed in accordance with the Act or any assessment matters set out in the District Plan. The amount of detailed information you need to provide depends on the type of resource consent.

Where the Council considers insufficient information has been supplied further information will be requested under Section 92 of the Act and the application or plan change will not be processed until the information is supplied.

Applications should be assessed with the Council staff before they are formally lodged to enable any problems or information requirements to be resolved and avoid delays by requests for additional information.

Applications should be in the same or similar format as Form 5 of the Resource Management (Forms) Regulations 1991. Copies are available from the Council.

## **1.2.2 LAND USE CONSENTS**

### **DETAILS**

The following information shall be submitted with any application for a resource consent, where applicable:

1. An assessment of any actual or potential effects that the activity may have on the environment and the ways in which those adverse effects may be avoided, remedied or mitigated;
2. The assessment shall
  - be in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment; and
  - be prepared in accordance with the assessment of effects on the environment in the Fourth Schedule to the Act;
3. In the case of applications for resource consents relating to controlled activities, or discretionary activity over which the Council has restricted the exercise of its discretion, the assessment shall only address those matters specified in the Plan over which the Council has reserved control, or to which it has restricted the right to exercise its discretion.
4. A statement specifying all other resource consents that the application 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;
5. Copies of Certificates of title for the subject sites;
6. A description of the activity for which consent is sought.

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### **General**

1. A description of the site including existing uses, buildings, topography and vegetation, including information on the extent and nature of any fill on the site, any indication of earth movement or flooding and a description of the existing natural environment (including areas of indigenous vegetation, habitat of indigenous birds and animals, and landscape features);
2. Any filling or excavation proposed, the type of fill, the volume and depth of fill and excavation, identification of those areas on the site subject to fill or excavation, the impact on utilities, or on any archaeological sites;
3. The results of any consultation undertaken with parties who may be affected by the proposal, including Takata Whenua.

### **Buildings and Structures**

1. The materials to be used on the exterior cladding of the proposed building or other structures.

### **Natural Hazards**

1. Any geological or other natural hazards to which the site may be subject, its suitability for the activity proposed, and the means by which any adverse effects of the hazards are to be avoided, remedied or mitigated.

### **Parking and Access**

1. The number of car-parks to be provided and the provision for access, loading and circulation.

### **Landscape and Visual Amenity Values**

1. Any landscaping to be provided, including areas for planting, the location and types of trees to be planted, the location of any outdoor storage areas, and how these are to be screened from view;
2. The effects on landscape values, and visual amenity, views, natural landscape patterns and natural vegetation patterns.

### **Signs**

1. Any outdoor advertising proposed, including the dimensions, height, lettering and location (freestanding or on buildings) of any signage, or any illumination proposed.

### **Noise**

1. In respect to any potential for noise generation, the type and power of any proposed machinery or equipment; its location on site or within buildings; the material of which the buildings are constructed; details of any proposed measures to reduce noise, including any insulating materials or structures; hours of operation; and the expected nature and frequency of noise events.

### **Odour, Glare and Other Emissions**

1. In respect to any potential for odour generation, the source of the odour, its frequency, intensity, duration and offensiveness and the design, management and operation of odour prevent and abatement measures to be employed;
2. In respect to any potential for glare, the nature and location of any highly reflective surfaces; the location, nature and power of lighting on the site; and means of directing its spill;

3. Any potential for other emissions from the site, such as dust, fumes and/or radio emissions.

#### **Hazardous Substances**

1. In respect to any hazardous substances to be stored or used on site, the type and volume of those substances; proposed methods of containment; including in emergencies the location on site or within buildings of any transfer, or storage points; transport arrangements on site; and routes and methods of transport to and from the site.

#### **Heritage and Notable Trees**

1. The location of any protected trees on the site or adjoining sites, and whether they are to be removed, trimmed or subject to any building or earthworks in the vicinity of the tree.

#### **Heritage Items**

1. The effect of the proposal on any listed heritage items including plans showing existing interior or exterior original features, and plans of these features should any alterations proposed be carried out.

#### **Nature Conservation**

1. The effects of the proposal on any significant nature conservation areas, including indigenous vegetation, ecosystems, the margins of waterbodies, or wetlands.

#### **Recreation**

1. The effects on recreational values and facilities, existing recreational users and the experiences of other recreational users in the vicinity.

#### **DRAWINGS**

1. In addition to the above information, any application for land use consent shall include a set of drawings illustrating the proposal. Four full-scale copies of each drawing are required, including accurate dimensions, plus one A3 reduced copy with dimensions corrected to account for the reduction.
2. The drawings must include the details set out in paragraph (a), (b), (c), (d) and (e) below, as applicable, and be dimensioned in metres.
3. A drawing showing the location of the site such that its location can be readily determined, with road names, property number, north point and any significant built or topographical features.
4. A site plan of the property (at scale of not less than 1:200 in urban areas) showing, as applicable:
  - a. site boundary lengths and other dimensions in metres.
  - b. location with distances to site boundaries, of all existing buildings which are to remain on the site, and all proposed buildings and structures (including where applicable, eaves, balconies, courts and verandahs).
  - c. proposed use of each building.
  - d. position of any easement over the site.
  - e. position, location and dimensions of every parking and loading space.
  - f. location of roads adjacent to the site and the formation status of the road and any footpaths.

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- g. location of all vehicle access points and driveways at the street boundary.
  - h. kerb lines adjacent to the site and the position of any street trees.
  - i. levels on the site boundaries and around any buildings; and, except in cases where the site is less than 1000m<sup>2</sup>, or has a uniform grade of less than 1 in 10, contours of the site.
  - j. proposed retaining walls, excavations and fill.
  - k. existing trees and proposed landscaping (particularly where this is a requirement of the rules for the zone). Dimensioned areas of the landscaping should be shown together with all existing and proposed sealed areas.
  - l. indigenous vegetation areas, streams, wetlands and heritage items.
  - m. where relevant, recession line diagrams or models.
  - n. watercourses and drainage and sewerage pipes within and adjacent to the site.
  - o. the means proposed to deal with all stormwater and sanitary drainage, and to provide for water supply.
  - p. the location of any water supply bores and effluent disposal areas on the site and on adjoining sites.
5. A floor plan of each building (at a scale of not less than 1:100) showing:
- a. use of all parts of the building, including basements, parking, lift towers, storage or service areas.
  - b. room layout of the building, if this is known, and a clear identification of the use of different rooms or parts of a floor.
  - c. materials and colours to be used on the exterior cladding.
6. Where several floors are of the same area and use, a standard floor plan may be shown.
7. Elevations of each building (at a scale not less than 1:100) showing:
- a. external appearance of the building including doors and windows.
  - b. number of floors and their proposed usage.
  - c. building heights and height in relation to any boundary.

### 1.2.3 SUBDIVISION CONSENTS

The following information shall be included with any application for a subdivision consent, where applicable:

#### DETAIL

1. An assessment of any actual or potential effects that the activity may have on the environment, and the ways in which any adverse effects may be avoided, remedied or mitigated (the details required under 1.3.2 Land Use Consents above may be relevant).
2. **Note:** Section 88(6) of the Act requires assessments to be in such detail as corresponds with the scale and significance of the actual and potential effects that the activity may have on the environment, and shall be prepared in accordance with the Fourth Schedule to the Act.
3. A statement specifying all other resource consents that the application 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.

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4. A legal description of the site, including current copies of all certificates of title.
5. A drawing showing the location of the site such that its location can be readily determined, with road names, property number, north point and any significant built or topographical features.
6. Where relevant, an assessment, including diagrams, of the significant views onto and off the development site.
7. A full description of any geological or other natural hazards to which the site may be subject, its suitability for the subdivision, and the means by which any adverse effects of the hazards are to be avoided, remedied or mitigated.

### **Plans**

1. The following plans must be supplied and must be drawn to an appropriate stated metric scale to show sufficient detail of the proposal to enable the Council to determine its effects. If the plans are larger than A3 size copies reduced to A3 must also be provided. Four full-scale copies of each plan are required, including accurate dimensions, plus the A3 reduced copy with dimensions corrected to account for the reduction. The site plans must show:
  - a. a north point accurately orientated;
  - b. a unique plan number and title describing the proposal and the site; and
  - c. record sheet numbers.
2. A site information plan detailing, where relevant, the existing situation including:
  - a. topographical information, wherever possible in terms of the Otago Datum, together with a certificate as to its origin and accuracy;
  - b. details of hazardous areas (for example, un-compacted filling or flood-prone areas);
  - c. existing buildings and buildings on adjacent sites, and their location in relation to existing and proposed boundaries.
  - d. landforms and landscape elements;
  - e. watercourses, wetlands and catchment orientation and whether or not any adjoining river has an average width of 3 metres or more;
  - f. the location and areas of any existing esplanade reserves, esplanade strips, or access strips;
  - g. all significant areas of vegetation and individual specimens;
  - h. existing street names and numbers;
  - i. the position of existing water, sewer, stormwater, electrical and telecommunication services and the position of existing water supply bores and effluent disposal fields on adjacent sites;
  - j. existing easements and covenant areas;

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- k. the formation standards of roads adjoining the subject land and the location of the carriageway, and any kerb and channel or footpath.
3. A subdivision plan and associated information, detailing, where relevant, the proposed subdivision development including:
    - a. the position of all proposed lot, and certificate of title, boundaries and their dimensions;
    - b. the areas of all new lots, including net areas;
    - c. existing indicative building positions and their location in relation to existing and proposed boundaries;
    - d. indicative vehicle access points and driveways on street edges;
    - e. location and type of all proposed trees and other vegetation, including all existing vegetation to be retained;
    - f. proposed earthworks and retaining walls, their scale and dimensions;
    - g. proposed methods of servicing the new lots with water, sewer, stormwater, electrical and telecommunication services;
    - h. any land proposed to be set aside as new road and or public open space for recreational purposes;
    - i. levels on the new lot boundaries, and except where the lots are less than 1000m<sup>2</sup> in area or has a uniform grade of less than 1 in 10, contours of each lot.
    - j. formation widths and grades of proposed roads and rights-of-way, parking bays and bus stops;
    - k. proposed easements and covenant areas;
    - l. the location and areas of new reserves to be created, including any esplanade reserves to be set aside on a survey plan under Section 231;
    - m. the location and areas of esplanade strips proposed to be created under Section 232 to meet the requirements of the District Plan;
    - n. the location of any part of the bed of a river or lake, which is required under Section 237A to be shown on a survey plan as land to be vested in the Crown; and
    - o. information to show compliance with any other District Plan rule.

#### **Further Information**

1. Further information may be required from an applicant where it is considered necessary to better understand the nature of the activity, the effect it may have on the environment, or the ways in which adverse effects may be mitigated. The Council may also commission a report, at the applicant's expense, on any matters raised in relation to the application or on any environmental assessment or effects.

2. In particular, a report may be commissioned by the Council if the application relates to:
- a natural hazard, or
  - the use or storage of a hazardous substance, or
  - a heritage item, site or structure, or
  - an activity which is likely to cause significant adverse effects on the environment which are not adequately dealt with by proposals in the application to remedy, mitigate or avoid those effects.

## 1.2.4 NOTIFICATION

Subject to the provisions of the Act, an application for a resource consent is not required to be notified in accordance with Section 93 of the Act, if:

- i. The application is for a subdivision consent which is a controlled activity.
- ii. The application relates to a controlled activity, or a discretionary activity over which the Council has restricted the exercise of its discretion, and the Plan expressly permits consideration of the application without the need to obtain the written approval of affected persons.
- iii. The application relates to a controlled activity and written approval has been obtained from every person who in the opinion of the Council may be adversely affected by the granting of the resource consent; unless in the Council's opinion it is unreasonable, in the circumstances, to require the obtaining of every such approval.
- iv. The application relates to a discretionary activity or non-complying activity and the Council is satisfied that the adverse effect on the environment of the activity for which consent is sought will be minor; and
- v. Written approval has been obtained from every person whom the Council is satisfied may be adversely affected by the granting of the resource consent; unless the Council considers it is unreasonable in the circumstances to require the obtaining of every such approval.

Notwithstanding (i) to (v) above, the Council may require any application to be notified even if this Plan expressly provides that it need not be notified, if the Council considers special circumstances exist in relation to the application.

### NOTIFICATION PROCEDURE

1. The notification process is carried out in accordance with the requirements of Section 93 of the Act. This procedure involves preparing a notice in the forms set out in the Resource Management (Forms) Regulations 1991 (Form 6) and serving copies of it on the following people:
  - a. Owners and occupiers of the site.
  - b. Persons likely to be directly affected, including adjacent owners and occupiers of land.
  - c. Local authority, iwi authorities and others as the Council considers appropriate. This category may include Heritage Protection Authorities, Ministers of the Crown, interest groups and community organisations.
2. The notice is also required to be fixed to a conspicuous place on the subject site and to be published in the newspaper.
3. The notice will give details of the application and give the closing date for submissions to be received by the Council. Submissions must be in writing and may be made by any person. They should be sent to the Council Office nominated in the notice and served on the applicant.

## 1.2.5 COSTS - APPLICATIONS AND PLAN CHANGES

The Council policy involves cost recovery in respect of applications for Resource Consents or Plan Changes. Applicants should ascertain from the Council the range and level of PROPOSED DISTRICT PLAN INCORPORATING PLAN CHANGE 2 (SHOWN AS UNDERLINE OR ~~STRIKE THROUGH~~)

those costs before making an application. Deposits will be required for all Resource Consents and Plan Change requests. In general terms the costs recovered will include:

- any public notices;
- Council officer's time;
- postage and distribution costs;
- costs for hearing time;
- costs of any independent reports required by the Council.

### **1.2.6 DESIGNATIONS AND INFORMATION TO BE SUPPLIED**

Section 166 of the Act defines those authorities who have power to become a requiring authority and provide for their works through designations in the District Plan. Section 168 of the Act sets out what information is necessary to accompany any such notice of requirement. In addition, the District Plan may specify further information to be provided. The following additional information shall be submitted with a notice of a requirement:

1. Details of the Order in Council or empowering legislation which allows the applicant to be a requiring authority, including any specified terms or conditions attached to the Order in Council.
2. A statement of how the requirement meets Part II of the Act.
3. A statement of the objectives the project or work is aiming to achieve.
4. The degree to which the requirement meets the objectives and policies of the Plan.
5. The relationship of the work to, or effect on, any relevant provisions of national or regional policy statements and regional plans.
6. Details of land ownership, acquisition and site clearance.
7. The proposed sequence and timing of the work, clearly identifying any part which may not be commenced or completed within 5 years time.
8. Proposals for the use and maintenance of those parts of the land which will not be developed for 5 years or more, in particular, identification of those buildings and structures which could continue to be used and maintained in the meantime.
9. Identification of any other designation or heritage order applying to the site, whether it has been given effect to and the effect the requirement may have on the existing designation or heritage order.



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