

3 DEFINITIONS

Note: Any words included under this section shall have the meaning as defined here throughout this Plan unless specifically stated otherwise in the text of the Plan. Where the definition of a word is identified as being from the Resource Management Act 1991 (or any other Act), these words have been included in a Glossary.

THE ACT

The Resource Management Act 1991 and any amendments thereto.

ACCESS LOT

A lot owned in common in undivided shares by the owners of two or more adjacent lots for the principal purpose of providing road frontage and/or access to those lots, where their interests in the access lot are recorded in the Certificates of Title for those adjacent lots.

ACCESSORY BUILDING(S)

Garages, carports, sheds and similar non-habitable structures ordinarily associated with and accessory to a single residential unit/dwelling on a site.

ACCESS STRIP (as defined in s2 of the Act including any amendments) refer to **Glossary**

ACOUSTIC INSULATION

Insulation is fitted in the building that complies with national standards such that the noise level inside the building is reduced to Ldn 40 dBA.

ACTIVITIES ANCILLARY TO FARMING OR PLANTATION FORESTRY ACTIVITIES

Processing and packaging facilities for farming, forestry and any rural industry that is dependent primarily on the direct handling of raw produce, or that primarily supplies services to farming, horticulture, or forestry. Includes premises used for the manufacture of dairy products, abattoirs, timber processing, stock yards and sale yards, cool stores and pack houses and rural contractor depots

ADJOINING

In addition to land that is physically contiguous with another site, land shall be deemed to be adjoining other land, notwithstanding that it is separated from the other land by a road, railway, drain, watercourse, river or stream.

AGRICHEMICAL

Any substance, whether inorganic or organic, manufactured or naturally occurring, modified or in its original state, that is used in any agriculture, horticulture, plantation forestry activities, management of public areas, or related activity, to eradicate, or control flora and fauna.

AIRPORT (as defined in s2 of the Act including any amendments) refer to **Glossary**.

ALLOTMENT (as defined in s218 of the Act including any amendments) refer to **Glossary**.

AMENITY VALUE (as defined in s2 of the Act including any amendments) refer to **Glossary**.

ARCHAEOLOGICAL SITE (as defined in the Heritage New Zealand Pouhere Taonga Act 2014 including any amendments) refer to **Glossary**.

ARTIFICIAL CROP PROTECTION

Structures with cloth material used to protect crops.

BED (as defined in s2 of the Act including any amendments) refer to **Glossary**.

BIO ENERGY

Energy derived from biomass (recently living organisms such as wood, wood waste, manure, straw or their metabolic by-products, such as tallow from cows, other by-products of agricultural processes and landfill gas) used to generate heat or electricity or to produce fuel.

BLADE (OR TOWER) GLINT

Reflection of sunlight off a rotor blade when the sun strikes a rotor blade or the tower at a particular orientation.

BOARDING KENNEL [Definition has been relocated – see KENNEL]

BOUNDARY

- (a) in relation to fee simple titles, the site boundary.
- (b) in relation to cross-lease titles, the boundary of any restrictive covenant area within which any building, accessory buildings and land is exclusively restricted to the users of those buildings and land.

BUILDING

Any structure or part of a structure, whether temporary or permanent, movable or immovable, which would require a building consent under the Building Act 2004, including additions to buildings. Notwithstanding the provisions of Schedule 1 of the Building Act 2004, buildings also include:

- (a) any fence or boundary retaining wall or combination thereof exceeding 2m in height measured from the lowest adjacent ground level, and any retaining wall more than 1.5m above ground level provided that this does not apply to fences in the Rural Production, General Coastal, Rural Living or Coastal Living Zones used for the purposes of stock enclosure;
- (b) any pool more than 1m in height or tank more than 2.7m in height above ground level (including a retention tank, swimming pool and spa pool);
- (c) any vehicle, caravan, shipping container or structure whether moveable or immovable, used as a place of residence or business or for assembly or storage purposes but excludes temporary buildings associated with the construction of a building provided they do not exceed a height of 3m or an area of 15m²;
- (d) any veranda, bridge or other construction over a public place or any tunnel or excavation beneath a public place;
- (e) any lighting pole, flagpole, mast, pole, aerial or telecommunications structure which exceeds 6m in height;
- (f) any permanent tent or marquee or air-supported canopy;
- (g) any part of a deck or terrace which is more than 1m above ground level;
- (h) any stand alone satellite dishes exceeding 1m in height above the ground level on which it stands.

Excluded from this definition are Crop Support Structures no greater than 6m in height and located 3m from the boundary

BUILDING COVERAGE

The proportion of the gross site area of a site which is covered by all buildings including any part of overhangs/eaves more than 600mm from an outside wall or supporting structure. This definition excludes pergolas, or similar open roofed structures, uncovered decks less than 1m in height, uncovered terraces, uncovered steps and swimming pools less than 1m in height.

CATTERY

An establishment where cats are bred or accommodated on a paying basis and includes the accommodation building, exercise areas, reception and parking areas and any ancillary buildings or facilities.

CLEARED LAND

Means the total area of land from which indigenous flora (vegetation) has been removed since 1 February 2005 (being the baseline date currently set in the District Plan for determining the amount of allowable clearance).

COASTAL MARINE AREA (as defined in s2 of the Act including any amendments) refer to **Glossary**.

COMMUNITY FACILITY

Means any place or premises administered by an organisation or public body for the purposes of public welfare, arts and culture. It includes libraries, art galleries, places for craft displays, museums, preschool facilities, kohanga reo, social and welfare offices, citizens' advice bureau, police stations, courts and public conveniences but does not include hospitals, medical facilities or places of assembly or entertainment.

COMMUNITY INFORMATION SIGN

A sign which is limited to the display of information for non-profit community associations/groups.

COMMUNITY SCALE RENEWABLE ENERGY

Generation of electricity from renewable resources where installed generation capacity does not exceed four megawatts [4MW] or, where there is a National Policy Statement [NPS] in place the capacity provided for in that NPS and excludes offshore wind, tidal and wave generation.

CONSOLIDATED SIGN

A sign which identifies or advertises at least three different businesses, activities, or events (or a combination thereof) within a single permanent structure no greater than 6m² in total area.

CONTAMINANT (as defined in s2 of the Act including any amendments) refer to **Glossary**.

CONTAMINATED SITE

Means a site which contains contaminants at concentrations above background levels, and where assessment indicates an immediate or long term hazard to human health or to the environment.

COUNCIL

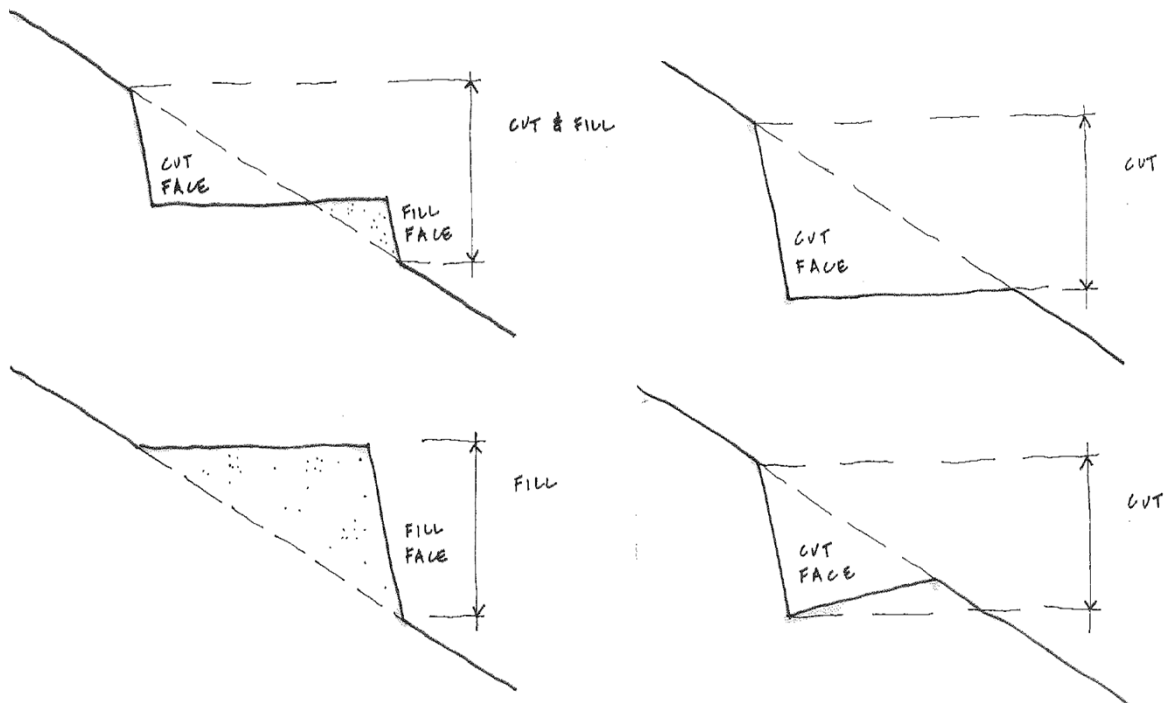
The Far North District Council.

CROSSING

In relation to vehicle access means the formed and properly constructed vehicle access from the carriage way of any road up to and including that portion of the road boundary of the site across which vehicle access is permitted by this Plan and includes any culvert, bridge or kerbing.

CUT/FILL FACE

Means the sloping or vertical exposed face resulting from earthworks (filling and/or excavation) but excludes any face of a height greater than 1.5 metres but no greater than 3 metres which is to be retained by a properly engineered retaining wall and for which a building consent has been issued.

HEIGHT OF CUT/FILL

dBA [Definition has been relocated – see NOISE LIMIT]

DESIGN

The external appearance of any building, structure, landform or any development, and includes materials used, dimension and colour.

DISCHARGE

Includes emit, deposit and allow to escape.

DISCHARGE POINT

In relation to an effluent disposal field, the point at which the effluent field is closest to a surface water body.

DISTRIBUTED GENERATION

Electricity generation that produces electricity for use at the point of location, or supplies electricity to other consumers through a local lines distribution network.

DISTRICT WIDE RULE

Includes district wide standards and means a rule other than a zone rule relating to the matters set out in:

- Chapter 4 - Standard Provisions;*
- Chapter 12 - Natural and Physical Resources of the District;*
- Chapter 13 - Subdivision;*
- Chapter 14 - Financial Contributions;*
- Chapter 15 - Transportation;*
- Chapter 16 - Signs and Lighting;* and
- Chapter 17 - Designations and Utilities.*

DOMESTIC SCALE RENEWABLE ENERGY

Small scale renewable energy development providing energy supply capacity to no more than a single household or business premises. Generally involves using micro electricity technologies to generate electricity to meet on site needs or to convert energy resources into local energy services (such as hot water or space heating).

DOMESTIC VEHICLE

A vehicle, trailer or caravan used for domestic as opposed to commercial purposes.

ENERGY CONSERVATION

A reduction in overall energy use.

ENERGY EFFICIENCY

A change to energy use that results in an increase in net benefits per unit of energy used.

ENERGY GENERATING STRUCTURE

The generation device including any associated supporting structures.

ENERGY GENERATION DEVICE

The device which converts the natural resource into an energy form suitable for application (e.g. a wind turbine producing electricity or a solar panel producing hot water).

ENVIRONMENT (as defined in s2 of the Act including any amendments) refer to **Glossary**.

ESPLANADE AREA

The collective term for esplanade reserves, esplanade strips and access strips (as defined in s2 of the Act including any amendments) refer to **Glossary**.

ESPLANADE RESERVE (as defined in s2 of the Act including any amendments) refer to **Glossary**.

ESPLANADE STRIP (as defined in s2 of the Act including any amendments) refer to **Glossary**.

EXCAVATION

Digging out material from the ground, but does not include normal gardening activities, digging of post holes or trenching for drains, dam maintenance, normal rural practices or excavation for building foundations (other than work carried out to establish a building platform) or septic tanks and associated drainage fields unless the context of the Plan requires otherwise (refer also to Council's Bylaws).

EXISTING SITE [see collective definition for SITE]

FACTORY FARMING

The rearing and/or breeding of animals for commercial purposes which is not dependent on the soil characteristics of the site on which it is located and/or which is mainly under building cover, and/or which is dependent on the importation of energy or materials onto the site to sustain its viability, and includes such activities as poultry, pig and rabbit farming and dog breeding. This definition does not include the keeping of animals or any of the above activities on a non-commercial basis as an accessory use and does not include activities such as calf feeding which occur for a limited time only and are part of normal pastoral farming activities.

FARMING

Any agricultural or horticultural activity having as its primary purpose the commercial production of any livestock or vegetative matter for human or animal consumption. The production of livestock or vegetative matter utilises the in situ production capacity of the soil, water and air as a medium for production. Farming includes:

- (a) all types of livestock breeding, cropping, grazing, aquaculture;
- (b) horticulture, including covered cropping as in greenhouses;
- (c) apiaries;
- (d) normal rural practices including associated building and structures
- (e) crop support structures and artificial crop protection;
- (f) airstrips;

But excludes:

- (i) plantation forestry activities and factory farming

FILLING

Placing material on the ground, but does not include normal gardening activities, filling associated with the digging of post holes or trenching for drains, dam maintenance, earthworks as defined in the National Environmental Standards for Plantation Forestry (NES PF) or filling associated with building foundations (other than work carried out to establish a building platform) or septic tanks and associated drainage fields, or normal rural practices, unless the context of the Plan requires otherwise (refer also to **Council's Bylaws**).

FINANCIAL CONTRIBUTIONS (as defined in s108(9) of the Act) refer to **Glossary**.

FLOOR AREA**A. GROSS FLOOR AREA**

The sum of all floor spaces 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, or in the absence of walls, from the exterior edge of the floor. The area includes all floors of all buildings on the site, and includes:

- (a) elevator shafts, stairwells and lobbies;
- (b) interior roof space providing headroom of 2.4m or more whether or not a floor has been laid;
- (c) floor spaces in interior balconies and mezzanines;
- (d) floor space in terraces (open or roofed), external balconies, breezeways or porches if more than 50% of the perimeter is enclosed, except that a parapet not higher than 1.2m or a railing not less than 50% open and not higher than 1.4m shall not constitute an enclosure. (A 'breezeway' is a roofed outdoor area);
- (e) all other floor space not specifically excluded.

The gross floor area of a building shall **not** include:

- (i) uncovered steps;
- (ii) required off-street parking and/or loading spaces (including manoeuvring areas, access aisles and access ramps);
- (iii) vehicular unloading/loading areas and machinery rooms.

B. NET FLOOR AREA

Means the sum of the floor spaces of all buildings on the site measured to the outside of the exterior faces of each building **less** the floor area allocated to:

- lift wells and machine rooms,
- stairwells,
- toilet rooms,
- boiler and heating rooms,
- bank vaults, and
- basements not used for residential, shopping, office or industrial purposes or to areas allocated to meet car parking requirements.

C. NET GROUND FLOOR AREA

Means the sum of **all ground floor** areas of any building including any accessory buildings, each measured to the outside of the exterior faces of the building; provided that it shall exclude the floor area allocated to:

- car parking,
- lift wells and machine rooms,
- stairwells,
- toilet rooms,
- boiler and heating rooms,
- bank vaults, and
- basements not used for residential, shopping, office or industrial purposes

FRONTAGE

That part of any site immediately adjoining any road.

GENETICALLY MODIFIED ORGANISM FIELD TRIALS (TESTS)

In relation to a genetically modified organism (GMO), the carrying on of outdoor trials, on the effects of the organism under conditions similar to those of the environment into which the organism is likely to be released, but from which the organism, or any heritable material arising from it, could be retrieved or destroyed at the end of the trials.

GENETICALLY MODIFIED ORGANISM RELEASE

To allow the organism to move within New Zealand free of any restrictions other than those imposed in accordance with the Biosecurity Act 1993 or the Conservation Act 1987.

A release may be without conditions under s34 of the Hazardous Substances and New Organisms Act 1996, (HSNO) or subject to conditions under s38A of the HSNO Act.

GENETICALLY MODIFIED ORGANISMS (GMOs)

Unless expressly provided otherwise by regulations, any organism in which any of the genes or other genetic material:

- (a) have been modified by in vitro techniques; or
- (b) are inherited or otherwise derived, through any number of replications, from any genes or other genetic material which has been modified by in vitro techniques.

For the absence of doubt, this does not apply to genetically modified (GM) products that are not viable (and are thus no longer GMOs), or products that are dominantly non-GM but contain non-viable GM ingredients (such as processed foods).

GENETICALLY MODIFIED VETERINARY VACCINE

A veterinary vaccine that is a genetically modified organism as defined in this Plan.

GROUND LEVEL

Ground level shall be taken as the level of the ground resulting from completion of all works authorised by the most recent subdivision resource consent. i.e. at the time of section 224(c) certification for the subdivision, but before excavation for new buildings or infrastructure on the land has commenced.

GROSS BUSINESS AREA

- a) the gross floor area of any building measured from the outside faces of the exterior walls; plus
- b) the area of any part of the site used solely or principally for the storage, sale, display or servicing of goods or the provision of services on the site but not including permanently designated vehicle parking, manoeuvring, loading and landscaped areas.

The "gross business area" will exclude the area of network infrastructure including pipes, lines and installations, roads, water supply, wastewater, and stormwater collection and management systems, but will include the area of buildings occupied by network service providers, including offices, workshops, warehouses and any outside areas used for carrying out their normal business

GROSS SITE AREA [relocated - see SITE AREA]**HAZARDOUS FACILITY**

A hazardous facility means any activity involving hazardous substances and their sites where hazardous substances are used, stored, handled or disposed of, and any installations or vehicles parked on site that contain hazardous substances.

Hazardous facility does not include:

- (a) the incidental use and storage of hazardous substances in minimal domestic quantities;
- (b) fuel in motor vehicles, boats and small engines;
- (c) retail outlets for the domestic scale usage of hazardous substances (i.e. supermarkets, hardware shops, pharmacies, home/garden centres);
- (d) gas and oil pipelines;
- (e) trade waste sewers.

HAZARDOUS SUBSTANCE

Hazardous substance has the same meaning as in section 2 of the Hazardous Substances and New Organisms Act 1996 and regulations made under that Act, including Hazardous Substances (Minimum Degrees of Hazard) Regulations 2001 or its equivalent regulation or regulations.

HEALTH AND SAFETY SIGN

Includes signs established for the purpose of public safety, identifying the location and risks associated with both natural and man-made hazards, including, but not limited to, those required under legislation, for example the Health and Safety in Employment Act 1992 and Hazardous Substances and New Organisms Act 1996.

HEIGHT

In relation to a building, means one of the following;

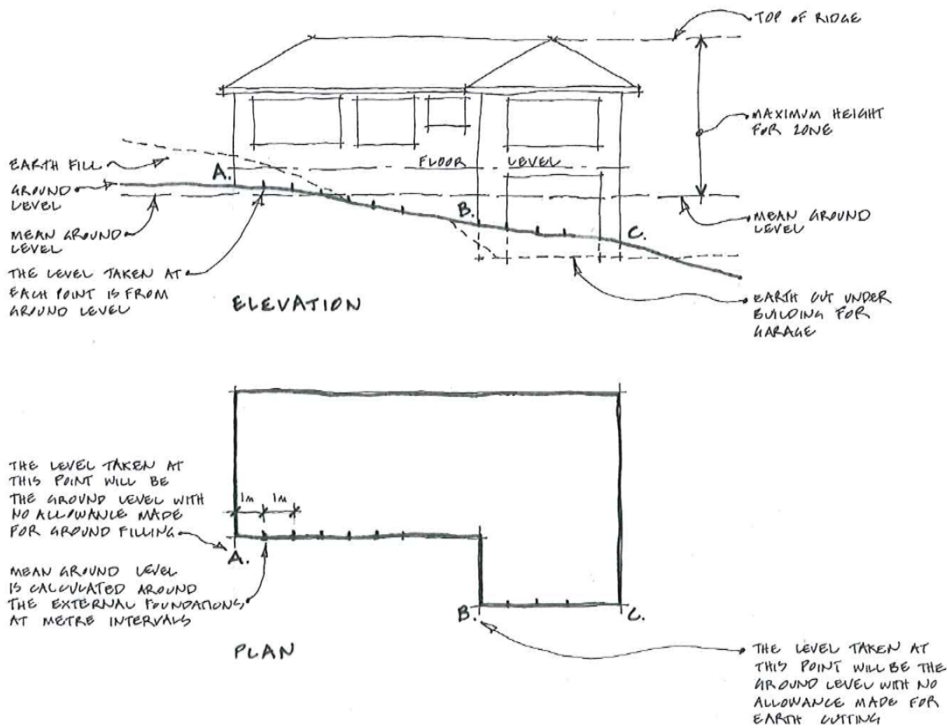
- (a) the vertical distance between the highest part of the building and the mean ground level being the sum of ground levels (refer to definition of "ground level" to ascertain when this is measured) measured at one metre intervals around the perimeter of a building divided by the number of measurements made. [Otherwise known as **Mean Ground Level Method** – see Diagram below].
- (b) the vertical distance between ground level (refer to definition of "ground level" to ascertain where this is measured) at any point and the highest part of the building immediately above that point. [Otherwise known as the **Rolling Height Method** because the height limit follows the ground contour – see Diagram below]

For the purpose of calculating height, account shall not be taken of:

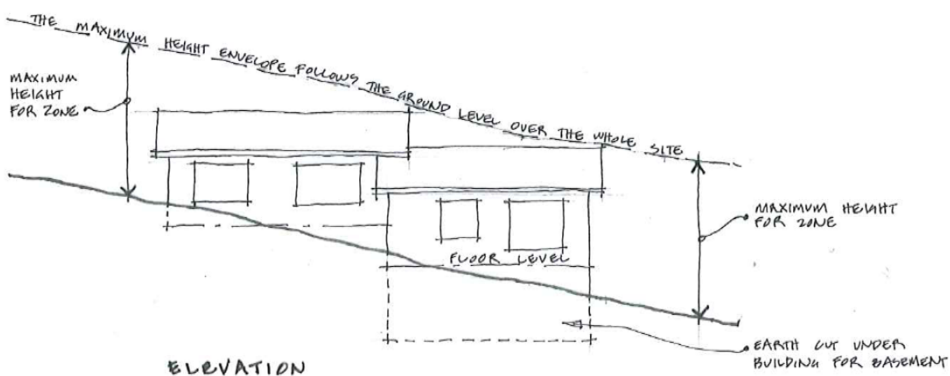
- (i) radio or television aerials;
- (ii) chimneys, steeples, turrets, spires or towers provided that the maximum height normally permitted by the rules for the area is not exceeded by more than 2m height (and not exceeding 1.1m in any horizontal direction);
- (iii) finials;
- (iv) telecommunications or radio communication antennas not exceeding 1.2m in any horizontal direction or 3m in any vertical direction, where the maximum height normally permitted by the rules in the particular zone is exceeded by not more than 1.5m, or where the maximum height of an existing building or structure is exceeded by no more than 1.5m.

Height Diagram:

(A.) MEAN GROUND LEVEL:



(B.) ROLLING HEIGHT METHOD:



Council reserves the right to require confirmation from a Licensed Cadastral Surveyor that a proposal complies with District Plan rules for height.

The definition of Ground Level above provides the baseline for measurement.

HELICOPTER LANDING AREA

Helicopter landing area means any defined area of land intended or designed to be used, whether wholly or partly, for the landing, departure, movement, or servicing of helicopters, but does not include area used for landing and take-off as part of intermittent use for rural production activities.

HERITAGE RESOURCE

Includes Historic Buildings, Sites and Objects, Sites of Cultural Significance to Maori, Archaeological Sites and Notable Trees.

HYDRO POWER

The use of flowing and falling water to produce electrical energy or mechanical work.

IMPERMEABLE SURFACE

In relation to any site means any building or surface on or over the land which creates a barrier to water penetration into the ground. This definition includes but is not restricted to:

- (a) decks (including decks less than 1m in height above the ground) excluding open slatted decks where there are gaps between the boards;
- (b) pools, but does not include pools designed to operate as a detention pond;
- (c) any surfaced area used for parking, manoeuvring, access or loading of motor vehicles, including areas covered with aggregate;
- (d) areas that are paved with concrete, asphalt, open jointed slabs, bricks, gobi or materials with similar properties to those listed;
- (e) roof coverage area on plan;

But excludes:

- i. Water storage tanks occupying up to a maximum cumulative area of 20m²; and
- ii. Paths and paving less than 1m wide, provided they are separated from other Impermeable Surfaces by a minimum of 1m.

For the purpose of calculating impermeable surfaces, account shall not be taken of any additional areas that are overlapped by another form of impermeable surfaces.

In the case of jointly owned access lots that contain impermeable surfaces within their boundaries, the total area of these impermeable surfaces are to be divided equally and considered as parts of the various sites served by the access lot for the purpose of determining compliance with the relevant stormwater management rules.

INDIGENOUS FAUNA

Animals which belong naturally in the ecological locality. It does not include animals naturalised in New Zealand with human intervention.

INDIGENOUS FLORA

Plants which belong naturally in the ecological locality. It includes manuka and kanuka, but does not include plants naturalised in New Zealand with human intervention or varieties and cultivars of indigenous plants (and the term indigenous vegetation has the same meaning).

INDIGENOUS WETLAND

An indigenous wetland is any naturally occurring wetland of 50m² or more (with a minimum width of 5m) which is permanently or seasonally wet (in that the water table is at or near the ground surface during high water table conditions) and which is dominated by indigenous wetland plant species including all or some of the following:

- (a) raupo;
- (b) flax;
- (c) sedge associations;
- (d) kahikatea;
- (e) cabbage tree;
- (f) manuka/kanuka on peatlands;
- (g) mangrove and saltmarsh;
- (h) kuta.

For the purposes of this Plan, indigenous wetlands that have been created for conservation purposes, as a requirement of a resource consent, are included within the definition of "indigenous wetlands". The definition excludes wetlands created and subsequently maintained principally for or in connection with:

- (a) effluent treatment and disposal systems; or
- (b) stormwater management; or
- (c) water storage; or
- (d) other artificial wetlands, water courses or open drains.

The definition also excludes:

- (a) trees with a pasture understorey; or
- (b) exotic rush/pasture communities; or
- (c) land which has been modified to the extent that it is no longer ecologically viable.

INDUSTRIAL OR TRADE PREMISES (as defined in s2 of the Act including any amendments) refer to **Glossary**.

INDUSTRIAL OR TRADE PROCESS (as defined in s2 of the Act including any amendments) refer to **Glossary**.

IN-STREAM HYDRO GENERATION

The generation of electricity using the natural run of the river, in which the water diversion is very small and allows fish, water and material to bypass the hydro generator intake and continue down the original in-stream path.

INTERNAL SITE BOUNDARY

Any boundary of a site other than a road boundary, but excludes easement boundaries.

IWI AUTHORITY (as defined in s2 of the Act including any amendments) refer to **Glossary**.

KENNEL

An establishment where dogs are bred or trained or accommodated on a paying basis and includes the accommodation buildings, exercise areas, reception and parking areas and any ancillary buildings or facilities.

KILOWATT (kW)

A measure of power equal to 1000 Watts.

L₁₀ or L₁₀ [relocated - see NOISE LIMIT]

L_{max} [relocated - see NOISE LIMIT]

LAKE

A permanent body of fresh water 5 or more hectares in area which is entirely or nearly surrounded by land.

LAND (as defined in s2 of the Act including any amendments) refer to **Glossary**.

LANDSCAPING

The planned planting of trees, shrubs and plants, screening, alteration of landform and erection of structures (excluding buildings and signs) with the purpose of enhancing visual appearance and giving a natural balance to built form. Landscaping may include grassed areas, earth mounding and fencing, and “landscaped” has a corresponding meaning. In so far as landscaping is for amenity purposes it does not include car parking or driveways.

LIMITED ACCESS ROAD

Limited Access Roads (LARs) are declared under the Government Roading Powers Act 1989 or created under the Public Works Act as a means of controlling access between roads and properties. Each parcel of land adjoining a State Highway, which is a limited access road that does not have a reasonable legal alternative access to some other road, is entitled to at least one crossing place where vehicles are permitted to enter or leave the road. LARs are not a road for the purposes of subdivision unless the Minister of Transport agrees in a particular instance upon a recommendation from Transit New Zealand that it can be used as such. LARs also include all Strategic Roads and urban portions of Arterial Roads (those parts within speed restriction signs). Refer **15.1.6C ACCESS**.

LOT

Has the same meaning as allotment (*as defined in s2 of the Act including any amendments*) refer to **Glossary**.

LUX

Is a unit of measurement of illumination. As an example recommended lighting levels are:

- 150–200 lux for general household activity – for example, vacuuming or washing
- 300–500 lux for focussed activity – for example, reading or studying, working on a car
- 750 lux or more for concentrated activity – for example, fine detail sewing.

MANOEUVRING SPACE

That part of a site used by vehicles to move from the vehicle crossing to any parking or loading space and includes all driveways and aisles and may be part of an access strip. Parking areas and loading areas may be served in whole or in part by a common manoeuvring area.

MAORI RESERVE

A Maori reserve constituted under s439 of the former Maori Affairs Act 1953 or s338 or s340 of Te Ture Whenua Maori Act 1993.

MARINE ENERGY

Energy derived from the ocean’s waves, tides, currents or temperature and salinity differences in the water.

MARITIME EXEMPTION AREA

Means an area identified on the Plan maps exempt from the setback provisions to enable development that is functionally related to the coastal marine area. Maritime Exemption Areas are provided along parts of the coastal marine area where riparian margins are not required.

MEGAWATT (MW)

A measure of power equal to 1,000,000 Watts.

METEOROLOGICAL ACTIVITIES

Means the establishment, operation, maintenance and upgrade of facilities and installations or equipment to measure, collect and distribute meteorological information. This includes telecommunication, radio and satellite links associated with such activities.

MINING (*as defined in s2 of Crown Minerals Act 1991 including any amendments*) refer to **Glossary**.

MINOR RESIDENTIAL UNIT

Means a residential unit that:

- (i) is not more than 65m² GFA, plus an attached garage or carport with GFA not exceeding 18m² (for the purpose of vehicle storage, general storage and laundry facilities). The garage area shall not be used for living accommodation;
- (ii) is subsidiary to the principal dwelling on the site; and
- (iii) is located and retained within the same Certificate of Title as the principal dwelling on the site.

MONITORING MAST

Means masts, and supporting sensors for the purpose of wind resource measurement. This includes guy wires and various meteorological instruments to be erected at varying heights, including:

- (a) anemometers to measure the average wind speed, wind gusts speeds, turbulence intensity and wind shear;
- (b) wind vanes to measure wind direction; and
- (c) other meteorological instruments to measure temperature, air pressure, humidity and rainfall.

A Building Consent may be required.

NATIONAL GRID

Means the assets used or owned by Transpower New Zealand Ltd.

NATIONAL GRID CORRIDOR

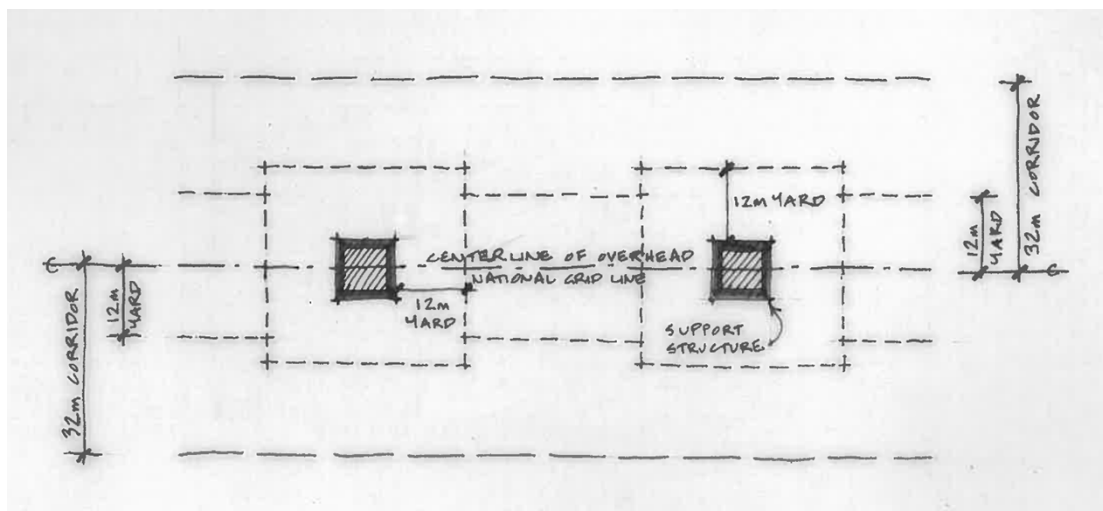
Means the area measured 32 metres either side of the centreline of an above ground electricity transmission line that is part of the National Grid.

NATIONAL GRID YARD

Means the area located 12 metres in any direction from the outer edge of a National Grid support structure and the area located 12 metres either side of the centreline of an overhead National Grid line.

Note: the measurement of setback distances from National Grid electricity lines shall be taken from the centre line of the National Grid line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.

CORRIDOR AND YARD SETBACK DIAGRAM



Note: The National Grid Corridor and National Grid Yard do not apply to underground cables or any transmission lines (or sections of line) that are designated.

NET SITE AREA [relocated - see SITE AREA]

NOISE LIMIT

Means a L_{10} or L_{max} sound level in A-frequency weighted decibels [dBA]: *Noise limits specified in the Plan are based on the following measurement parameters as defined in NZS 6801:1999 [Appendix A]:*

dBA

Means the basic unit to measure sound. A-frequency weighted sound pressure level in decibels relative to a reference sound pressure of 20 micropascals.

 L_{10}

Means the L_{10} exceedance level in A-frequency weighted decibels, which is equalled or exceeded 10% of the total measurement time.

 L_{max}

Means the maximum A-frequency weighted sound level (dBA L_{max}) during a stated time period.

NOISE SENSITIVE ACTIVITIES

Includes residential use, hospitals, homes for the aged, places of assembly for cultural, entertainment, recreation, leisure, education or similar purposes, conference centres, public halls, theatres, motels, hotels, cinemas, display galleries and museums, and other similar uses and activities.

NORMAL RURAL PRACTICES

Means the maintenance of rural tracks, maintenance of dams, digging of holes, establishment and maintenance of fences and fencelines, land cultivation, clearing of drains and obtaining roading material for farming or plantation forestry activities use on or servicing the same farm or forest production unit in which the extraction is located.

Unless specifically provided for in **Rule 12.3.6.1.2** normal rural practices are generally exempt from the rules applying to excavation and filling.

All plantation forestry activities are managed under the National Environmental Standards for Plantation Forestry (NES PF) including excavation and filling.

NOTIONAL BOUNDARY

Means a line 20m from any side of a dwelling or the legal boundary where this is closer to the dwelling.

OFFICIAL SIGN

All traffic signs approved by a road controlling authority which is erected on a legal road.

OUTDOOR STORAGE AREA

Any land, not otherwise covered by a fully enclosed building, used for the long term storage of vehicles, equipment, machinery, natural or processed products.

OUTSTANDING LANDSCAPE

As shown on the **Resource Maps**.

OUTSTANDING LANDSCAPE FEATURE

As listed in **Appendix 1B** of **Part 4** of the Plan and shown on the **Resource Maps**.

OUTSTANDING NATURAL FEATURE

A site of outstanding natural and geological significance as described in **Appendix 1A** of **Part 4** of the Plan and as shown on the **Resource Maps**.

PAPAKAINGA HOUSING

The use of Maori multiple owned land, Maori ancestral land or land within the meaning of Te Ture Whenua Maori Act 1993 by a (the) shareholder(s) for (a) dwelling place(s).

PERMITTED ACTIVITY

A permitted activity does not require a resource consent. An activity must comply, in all respects, with the rules specified within the Plan (permitted activity provisions). If an activity does comply it can be undertaken as of right.

PEST PLANT

Any plant that is identified as a pest plant in the “*National Pest Plant Accord (August 2001)*”, any Northland Regional Pest Management Strategy or in the leaflet produced jointly by the Department of Conservation and the Northland Regional Council titled “*Environmental Weeds Delightful But Destructive*” (1984).

PLACES OF ASSEMBLY

Means land and/or buildings used for the public and/or private assembly of people for worship, educational, recreational, social, ceremonial, cultural, and spiritual activities including churches, church halls, church yards, and Marae.

PLAN

This District Plan including all operative Plan Changes unless the context otherwise requires.

PLANTATION FORESTRY ACTIVITIES

plantation forest or plantation forestry means a forest deliberately established for commercial purposes, being—

- (a) at least 1 ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted; and
- (b) includes all associated forestry infrastructure; but
- (c) does not include—
 - (i) a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 m; or
 - (ii) forest species in urban areas; or
 - (iii) nurseries and seed orchards; or
 - (iv) trees grown for fruit or nuts; or
 - (v) long-term ecological restoration planting of forest species; or
 - (vi) willows and poplars space planted for soil conservation purposes

POINT STRIP

A strip of land generally not more than 0.2m wide, created along the side or end of a road, where the presence of the formation of that road provides a benefit to other owners who have the potential to subdivide or develop that land, and who should contribute a fair and reasonable share in the costs of construction and, where applicable, land value.

PROHIBITED ACTIVITY

Activities in this category are expressly prohibited by the Plan. No consent can be applied for or granted. A Plan Change is needed to amend prohibited activity status. Any person may make an application for a Plan Change.

QUARRY or QUARRYING

The excavation, crushing, screening and stockpiling of gravel, limestone rock, sand, shingle, stone and other material from the earth and includes any works, machinery and plant used in conjunction with the operation but excludes forest quarrying as defined in the National Environmental Standards for Plantation Forestry (NES PF)..

RADIOCOMMUNICATION (as defined in s2 of the Telecommunications Act 1987 and including any amendments) refer to **Glossary**.

RADIOCOMMUNICATION OR TELECOMMUNICATION FACILITIES

Includes any line, mast, pole, aerial, tower, antenna dish, fixed radio station, radio apparatus or other structure, facility or apparatus intended for, associated with, or ancillary to, effecting radiocommunication or telecommunication.

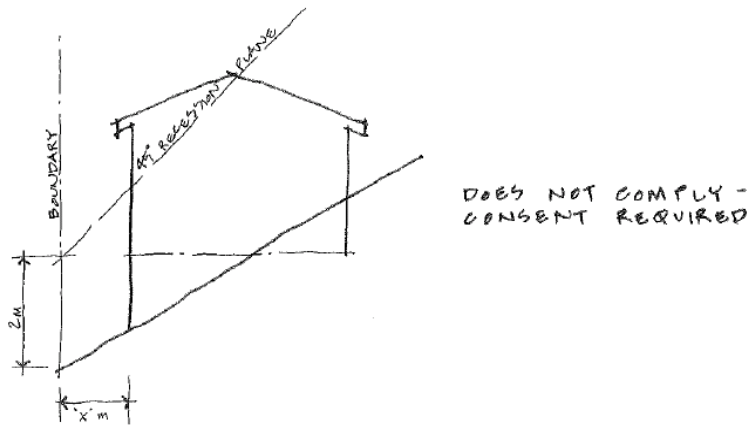
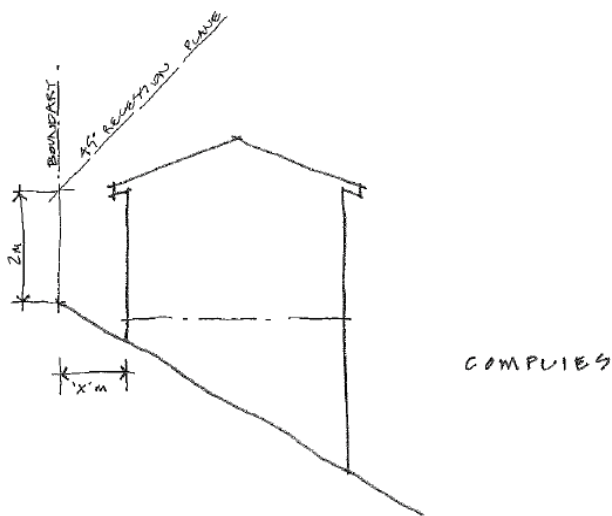
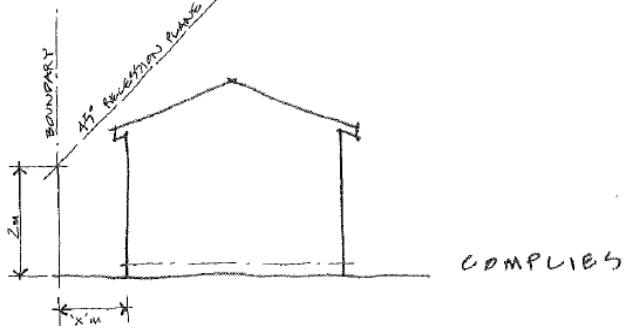
RADIOCOMMUNICATION, TELECOMMUNICATION AND ANCILLARY PURPOSES AND LAND USES

Includes installing, operating, maintaining, upgrading, removing and replacing radiocommunication or telecommunication facilities and ancillary land uses.

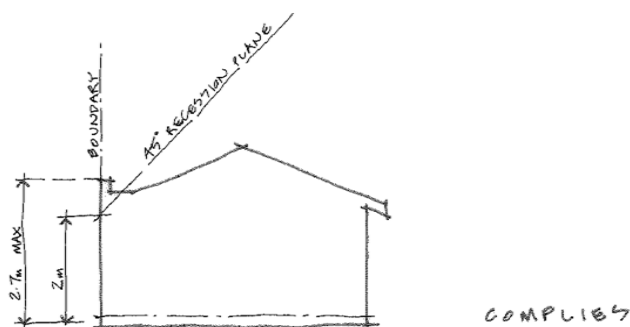
RECESSION PLANE

Means a plane inclined at a 45 degree angle from a site boundary towards the interior of a site through which no part of a building, unless otherwise specified, may protrude subject to the relevant 'Sunlight Rule' (see Diagram).

Recession Plane Diagram:



Recession Plane Diagram B (Sunlight Rules 7.6.5.1.5; 10.8.5.1.5 and 10.9.5.1.6)



RECREATIONAL VESSEL

A yacht or boat under 10m in length.

REFLECTIVITY

Means in reference to light, the ratio of the amount of light reflected from a surface to the amount of light falling on that surface. The approximate reflectance value (RV) of a colour indicates the amount of light that a colour will reflect. Flat black has a reflectance value of 0% and absorbs most light. In contrast white has a reflectance value of 100% and reflects 100% of the light that falls on it. All colours fit between these two extremes. Colours have measured RVs and this information is available from most paint companies.

RELOCATED BUILDING

A used building more than 2 years old that has been removed from a site, from within or from outside the District, and transported to another site. The definition includes used buildings that have been divided into sections for the purpose of transport and reassembly on the new site. The definition also includes alterations or additions to such buildings that occur concurrently with their initial establishment on the new site.

REMNANT FOREST

A remnant forest is any indigenous natural area which has never been clear-felled.

RENEWABLE ELECTRICITY GENERATION DEVICE

A device associated with the generation of renewable electricity for transmission to the local distribution network and/or the national grid.

RENEWABLE ENERGY

Energy produced from solar, wind, hydro, geothermal, biomass, tidal, wave and ocean current sources.

RESIDENTIAL UNIT / DWELLING

A building, a room or a group of rooms, used, designed or intended to be used by one or more persons as a self contained single, independent and separate household. Any *accessory* building providing sleeping accommodation and bathroom facilities but no cooking or dishwashing or laundry facilities will be treated as forming part of a residential unit / dwelling.

RIVER

A continually flowing body of water with a bed of an average width of 3m or more 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).

ROAD

Has the same meaning as in s315 of the Local Government Act 1974, and includes a motorway as defined in s2(1) of the Government Roading Powers Act 1989. All roads, regardless of ownership and responsibility, carry the same zoning as the adjoining land. If a boundary between zones follows a road, the zone boundary is located on the centre line of the formed road, or where unformed, the centre line of the legal road. Far North District Council Engineering Standards and Guidelines 2004 updated March 2009 (Part 3) further classifies roads:

ARTERIAL ROAD

Primary arterial roads provide interconnections between major sectors of a large area linked with external areas and distribute traffic from major inter city links. Secondary arterial roads provide access to primary arterial roads. They have a dominant through vehicular movement and carry major public transport routes. Access to property may be restricted and rear servicing facilities may be required.

COLLECTOR ROAD

A road that leads traffic from local roads or sections of neighbourhoods to key centres within communities.

STRATEGIC ROAD

A road that provides access to a number of important centres and is a major corridor for transport operations, and includes State Highways, motorways, main trunk roads.

ROAD BOUNDARY

A boundary of any site contiguous to the boundary or proposed final boundary of any legal road or private road (as defined by s315 of the Local Government Act).

SENSITIVE ACTIVITIES

Means the following activities where they occur within National Grid corridors: residential unit, early childhood centres, papakainga housing, retirement village, schools and hospitals.

SETBACK

Is the horizontal distance between any activity or development and any relevant boundary, or waterbody or significant natural area or feature.

- (a) Where any building or part of a building is required to be set back from any site boundary no part of that building shall be closer to the site boundary than the minimum distance specified, except that the eaves of any building and any roof, gutter or downpipe may project over any setback by not more than 600 mm, provided that where any building line restriction has been imposed or any road widening is required by this Plan or otherwise in accordance with the Local Government Act 1974, and its amendments, the setback shall be determined from the proposed final site boundary.
- (b) Where an activity or development is required to be set back from a water body (other than the coastal marine area), the setback shall be measured from the bank of a river or margin of a lake or wetland.
- (c) Where an activity or development is required to be set back from any heritage or resource feature identified in the Plan, the setback shall be measured from the boundary of the heritage or resource feature as shown in the *District Plan Maps*.

SEWERED

Shall mean land which is either:

- (a) able to connect to an existing lawfully established reticulated sewage disposal system, or
- (b) able to be provided with, as part of the subdivision, a reticulated sewage disposal system, whether publicly or privately owned, for which all necessary approvals have been granted.

SHADOW FLICKER

Alternating changes in light intensity caused when the sun passes behind the wind turbine and casts a shadow on the ground or stationary objects. As the rotor blades rotate, shadows pass over the same point causing an effect called shadow flicker.

SIGN

Includes every advertising and informative device of whatever nature, whether painted, electronically displayed, written, printed, carved, inscribed, endorsed, illuminated, projected onto or otherwise fixed to or upon any building, wall, pole, structure or erection of any kind whatsoever, or onto any rock, stone, tree or other object, if such device is visible from any public place. For the purposes of this Plan "sign" shall include any hoarding and any tethered inflatable sign. A sign does not include material placed within a window, provided it is non-flashing and does not contain a moving message. However, permanently engraved advertisements on windows are considered a sign. A sign does not include 'official signs'. The area of the sign shall be calculated by measuring the rectangular area which encloses all symbols or letters which make up the sign surface and which are differentiated from its background if affixed to a wall. Where a sign is an uneven shape, the area shall be calculated by measuring a rectangle around all symbols or letters which make up the sign surface to enclose the uneven shape. Support structures or the façade on which the sign is attached/affixed is not included in such calculations.

SITE

- (a) An area of land which is:
- (i) composed of one allotment in one certificate of title or two or more contiguous allotments held together in one or more certificates of title in such a way that the allotments cannot be dealt with separately without the prior consent of the Council; or
 - (ii) contained in a single allotment on an approved survey plan of subdivision for which approvals under s223 and/or s224 of the Act have been obtained and for which a separate certificate of title could be issued without further consent of the Council.
- (b) Except that in the case of:
- (i) land subdivided under the Unit Titles Act 1972, or stratum subdivision, "site" shall be deemed to be the whole of the land subject to the unit development or stratum subdivision; and
 - (ii) land subdivided under the cross lease or company lease systems (other than strata titles), "site" shall be defined as an area of land containing:
 - any building, accessory buildings, plus any land exclusively restricted to the users of those buildings; or
 - a remaining share or shares in the fee simple creating a vacant part of the whole for future cross lease or company lease purposes.
- (c) In the case of Maori land within the meaning of Te Ture Whenua Maori Act 1993:
- (i) includes a parcel of land created by a partition under s289, provided that its area complies with the Residential Intensity rule for the zone in which the land is located; or
 - (ii) parcels of land partitioned and given effect to, by approval of the Maori Land Court, before 28 April 2000.

EXISTING SITE

A site that exists on a survey plan for which a s224 Certificate has been issued by the Council.

SITE AREA

GROSS SITE AREA

The total area of any site.

NET SITE AREA/NET AREA

In relation to a site or allotment, means the total area of the site or allotment less any easements, and/or any strip of land 6m or less in width, and/or any strip of land where that land is the shared access for more than one site. For the purpose of calculating the net area of a site or allotment for subdivision or building density, 30m² of the excluded land described above (other than easements) which is used for access for the site will be included in the net area.

SOLAR ENERGY

Energy derived or sourced from the sun, and includes the use of Concentrated Solar Energy technology, photovoltaic panels and the direct transmission of heat from the sun for the heating of water and/or building spaces.

SOLAR PHOTOVOLTAICS

A technology that converts solar energy directly into electricity.

STRUCTURE (as defined in s2 of the Act including any amendments) refer to **Glossary**.

SUBDIVISION (as defined in s218 of the Act including any amendments) refer to **Glossary**.

SUBSTATION

Those parts of works or electrical installations, being a building, structure, or enclosure exceeding 10m² in area and having equipment rated at over 22 kV, and incorporating fittings that are used for the purposes of the control of the transformation, transmission, or distribution of electricity.

SUPPORT STRUCTURE

Any pole, mast or building designed or used for bearing the weight of or keeping a safe distance above the ground any aerial, sign, scaffolding, or reticulation network owned or operated by a network utility operator, and includes any support structures necessary for the transformation, transmission or distribution of electricity, including bridges, power poles, lines, conductors and transformers.

SURFACE WATER BODY

Any water body the surface of which is above ground and includes wetlands.

TANGATA WHENUA

In relation to a particular area, means the iwi, or hapu that holds mana whenua over the land (refer to **Glossary** in **Chapter 2**).

TELECOMMUNICATION (as defined in s2 of the Telecommunications Act 1987 and including any amendments) refer to **Glossary**.

TEMPORARY EVENTS

A temporary event is an infrequent event held outside a dedicated venue such as a showground or sports field which occurs no more frequently than once in any twelve month period on a particular site . It can encompass entertainment, cultural, educational and sporting events. It includes temporary removable structures associated with the event but does not include permanently licensed premises or Temporary Military Training Activities.

TEMPORARY MILITARY TRAINING ACTIVITY

Temporary Military Training Activity means a temporary military activity, which may include an activity on the surface of any waterbody, undertaken for Defence purposes. Defence purposes are those in accordance with the Defence Act 1990.

TERABEQUEREL

Is a unit of measurement of radioactivity.

UNSEWERED

Shall mean land which is neither:

- (a) able to connect to an existing lawfully established reticulated sewage disposal system, nor
- (b) able to be provided with, as part of the subdivision, a reticulated sewage disposal system, whether publicly or privately owned, for which all necessary approvals have been granted.

UTILITY SCALE RENEWABLE ENERGY

Commercial scale electricity generation facility but does not include domestic or community scale facilities.

UTILITY SERVICES

Utility Services include:

- (a) the distribution or transmission by pipeline of natural or manufactured gas, petroleum or geothermal energy;
- (b) the operation of a network for the purpose of telecommunication and radio communication as defined in s2(1) of the Telecommunications Act 1987 (including amateur radio networks);
- (c) the transformation, transmission, or distribution of electricity, including all poles, lines, structures and support structures;
- (d) the distribution of water for supply including irrigation;
- (e) the operation of a drainage or sewerage system;
- (f) the construction and operation of a road network or railway line;
- (g) lighthouses, meteorological activities, navigational aids and beacons and ancillary structures and includes:
 - (i) all ancillary structures; and
 - (ii) any incidental activity in relation to the network utility including without limitation, the operation, maintenance and upgrading of the network utility.

VEGETATION CLEARANCE

The removal of living flora or its alteration or damage which is likely to lead to its death by whatever means; but does not include clearance of plantation forestry activity, or vegetation removal associated with the clearance of plantation, , the removal, alteration or damage of plants which are defined in other statutory instruments as pests, or the removal of living flora for the purposes of rongoa Maori (Maori medicinal purposes) or the trimming of trees, or the harvesting of crops or vegetation clearance for visibility and road safety, or normal gardening activities which result from the maintenance of lawn and gardens.

VETERINARY VACCINE

A biological compound controlled by the Agricultural Compounds and Veterinary Medicines Act that is used to produce or artificially increase immunity to a particular disease and has been tested and approved as safe to use by a process similar to that conducted for approval and use of medical vaccines.

VIABLE GENETICALLY MODIFIED VETERINARY VACCINE

A genetically modified veterinary vaccine that could survive or replicate in the environment or be transmitted from the inoculated recipient.

WATER BODY (as defined in s2 of the Act including any amendments) refer to **Glossary**.

WIND ENERGY

Energy that can be derived or sourced from wind, including energy used to generate electricity through the use of wind powered turbines or other structures.

WIND ENERGY FACILITY

A cluster of turbines each capable of generating more than 500kW of energy and the land, buildings, substations, structures, underground cabling, earthworks, access tracks and roads associated with the construction and operation of a utility scale facility and includes:

- (a) switchyards and overhead transmission lines, and
- (b) any roading upgrades or traffic improvements outside the wind farm site, and
- (c) the transmission of the energy generated to the local network or the national grid, and
- (d) all related and ancillary activities.

It does not include community scale renewable energy.

ZONE RULE

Includes zone standards and means a rule contained in the specific zone provisions relating to a site.

GLOSSARY

AIRPORT *(as defined in s2 of the Act including any amendments)*

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.

ACCESS STRIP *(as defined in s2 of the Act including any amendments)*

Means a strip of land created by the registration of an easement in accordance with section 237B for the purpose of allowing public access to or along any river, or lake, or the coast, or to any esplanade reserve, esplanade strip, other reserve, or land owned by the local authority or by the Crown (but excluding all land held for a public work except land held, administered, or managed under the Conservation Act 1987 and the Acts named in Schedule 1 of that Act)

ALLOTMENT *(as defined in s218 of the Act including any amendments)*

- (a) any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not:
 - (i) the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or
 - (ii) a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or
- (b) any parcel of land or building or part of a building that is shown or identified separately:
 - (i) on a survey plan; or
 - (ii) on a licence within the meaning of Part I of the Companies Amendment Act 1964; or
- (c) any unit on a unit plan; or
- (d) any parcel of land not subject to the Land Transfer Act 1952.

AMENITY VALUES *(as defined in s2 of the Act including any amendments)*

Those natural or physical qualities and characteristics of an area, that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

ARCHAEOLOGICAL SITE *(as defined in the Heritage New Zealand Pouhere Taonga Act 2014 including any amendments)*

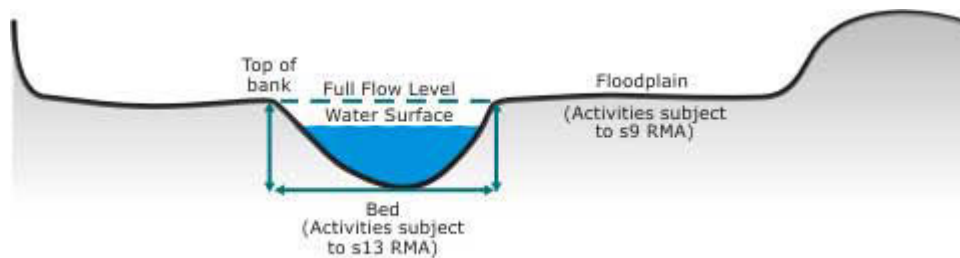
Means any place in New Zealand that:

- (a) either:
 - (i) was associated with human activity that occurred before 1900; or
 - (ii) is the site of the wreck of any vessel where that wreck occurred before 1900; and
- (b) is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand.

BED *(as defined in s2 of the Act including any amendments)*

Means

- (a) In relation to any river –
 - (i) For the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks;
 - (ii) In all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and
- (b) In relation to any lake, except a lake controlled by artificial means, –
 - (i) For the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin;
 - (ii) In all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and
- (c) In relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level.
- (d) In relation to the sea, the submarine areas covered by the internal waters and the territorial sea.



COASTAL MARINE AREA (as defined in s2 of the Act including any amendments)

The foreshore, seabed, and coastal water, and the air space above the water:

- (a) of which the seaward boundary is the outer limits of the territorial sea;
- (b) of which the landward boundary is the line of mean high water springs, except where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of:
 - (i) one kilometre upstream of the mouth of the river; or
 - (ii) the point upstream that is calculated by multiplying the width of the river mouth by five.

Note: The statutory definition of a river mouth includes the provision that it can be as agreed between the Minister of Conservation, the Regional Council and the territorial authority.

CONTAMINANT (as defined in s2 of the Act including any amendments)

Includes any substance (including gases, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy or heat:

- (a) when discharged into water, changes or is likely to change the physical, chemical or biological condition of water; or
- (b) when discharged onto or into land or into air, changes or is likely to change the physical, chemical or biological condition of the land or air onto or into which it is discharged.

ENVIRONMENT (as defined in s2 of the Act including any amendments)

Includes:

- (a) ecosystems and their constituent parts, including people and communities; and
- (b) all natural and physical resources; and
- (c) amenity values; and
- (d) the social, economic, aesthetic and cultural conditions which affect the matters stated in paragraphs (a) and (c) of this definition or which are affected by those matters.

ESPLANADE RESERVE (as defined in s2 of the Act including any amendments)

Means a reserve within the meaning of the Reserves Act 1977—

- (a) which is either—
 - (i) a local purpose reserve within the meaning of section 23 of that Act, if vested in the territorial authority under section 239; or
 - (ii) a reserve vested in the Crown or a regional council under section 237D; and
- (b) which is vested in the territorial authority, regional council, or the Crown for a purpose or purposes set out in section 229

ESPLANADE STRIP (as defined in s2 of the Act including any amendments)

Means a strip of land created by the registration of an instrument in accordance with section 232 for a purpose or purposes set out in section 229

FINANCIAL CONTRIBUTIONS (as defined in s108(9) of the Act including any amendments)

Means a contribution of:

- (a) money; or
- (b) land, including an esplanade reserve or esplanade strip (other than in relation to a subdivision consent), but excluding Maori land within the meaning of the Te Ture Whenua Maori Land Act 1993 unless that Act provides otherwise; or
- (c) a combination of money or land.

INDUSTRIAL OR TRADE PREMISES *(as defined in s2 of the Act including any amendments)*

- (a) any premises used for any industrial or trade purposes; or
 - (b) any premises used for the storage, transfer, treatment or disposal of waste materials or for other waste-management purposes, or used for composting organic materials; or
 - (c) any other premises from which a contaminant is discharged in connection with any industrial or trade process
- but does not include any production land.

INDUSTRIAL OR TRADE PROCESS *(as defined in s2 of the Act including any amendments)*

Includes every part of a process from the receipt of raw material to the dispatch or use in another process or disposal of any product or waste material, and any intervening storage of the raw material, partly processed matter, or product.

IWI AUTHORITY *(as defined in s2 of the Act including any amendments)*

The authority which represents an iwi and which is recognised by that iwi as having authority to do so.

LAND *(as defined in s2 of the Act including any amendments)*

- (a) includes land covered by water and the airspace above land; and
- (b) in a national environmental standard dealing with a regional council function under section 30 or a regional rule, does not include the bed of a lake or river; and
- (c) in a national environmental standard dealing with a territorial authority function under section 31 or a district rule, includes the surface of water in a lake or river

MINING *(s2 of Crown Minerals Act 1991 including any amendments)*

Means to take, win, extract by whatever means a mineral existing in its natural state in land, or a chemical substance from that mineral, for the purpose of obtaining the mineral or chemical substance, but does not include prospecting or exploration.

RADIOCOMMUNICATION *(as defined in s2 of the Telecommunications Act 1987 and including any amendments)*

Means any transmission, emission, or reception of signs, signals, writing, images, sounds, or intelligence of any nature by electromagnetic waves of frequencies between 9 kilohertz and 3,000 gigahertz, propagated in space without artificial guide.

STRUCTURE *(as defined in s2 of the Act including any amendments)*

A building, equipment, device, or other facility made by people and which is fixed to land; and includes any raft.

SUBDIVISION *(as defined in s218 of the Act including any amendments)*

- (a) The division of an allotment:
 - (i) by an application to a District Land Registrar for the issue of a separate certificate of title for any part of the allotment; or
 - (ii) by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or
 - (iii) by a lease of part of the allotment which, including renewals, is or could be for 20 years or longer; unless that part of the allotment is in the coastal marine area, and that lease is allowed for a term of 20 years or longer by a coastal permit or by a rule in a regional coastal plan; or
 - (iv) by the grant of a company lease or cross lease in respect of any part of the allotment; or
 - (v) by the deposit of a unit plan, or an application to a District Land Registrar for the issue of a separate certificate of title for any part of a unit on a unit plan; or
- (b) An application to a District Land Registrar for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by s226, and the term "subdivide land" has a corresponding meaning.

TELECOMMUNICATION *(as defined in s2 of the Telecommunications Act 1987 and including any amendments)*

Means the conveyance from one device to another of any sign, signal, impulse, writing, image, sound, instruction, information, or intelligence of any nature whether for the information of any person using the device or not.

WATER BODY *(as defined in s2 of the Act including any amendments)*

Fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.