

## **Section 4: Definitions**

**Note:** A glossary of Maori words and terms is contained in Section 3 of this Plan.

In this District Plan, unless the context otherwise requires it:

<b>1% or 2% Annual Exceedence Probability Rainfall Event</b>	Means two rainfall events of different magnitudes which have a 1% or 2% chance of being equalled or exceeded in any given year. These rainfall events are equivalent to a 1 in 100 year event and a 1 in 50 year event.  <b>Note:</b> This does not mean that such events may occur once or twice in any given year, or once every 100 years or once every 50 years, it is possible they may occur more or less often in that year. The effect of any such rainfall on a stormwater drainage system will differ dependent upon the size and topography of the system's catchment
<b>Access</b>	means property access direct to a public road, or access to a public road from another road (i.e. intersection).
<b>Access Strip</b>	means a lot (used for access), access leg or right of way providing access to a public road for one or more lots.
<b>Accessory Building</b>	means a building not being part of the principal building, the use of which is incidental to that of any other building or buildings on the site. In the case of a site on which no building has been erected, it is a building incidental to the use of the principal building permitted on the site. This includes a garage, carport, tool shed, playroom, recreation room, glasshouse, swimming pool, spa pool and sleepout.
<b>Accommodation Motel</b>	means land and/or buildings used for transient residential accommodation and includes the provision of playgrounds, spa pools and swimming pools. It does not include restaurants, bars or conference facilities.
<b>Acoustical Consultant</b>	Means a person or persons normally engaged in the field of acoustical consultancy or noise control engineering and with a relevant tertiary qualification and with sufficient experience in the role.
<b>Adjusted Threshold</b>	means the amount (mass in tonnes or m <sup>3</sup> , at 101.1 kPa and 20°C, for compressed gases) of a substance that has been assessed as generating no significant off-site effects in a heavy industrial area after site- and substance-specific considerations have been taken into account.
<b>Adjustment Factor</b>	means the product of the individual factors for each Effects group (i.e. Fire/Explosion, Human Health, and Environment) that increase or decrease the likelihood and consequences of the release of a hazardous or environmentally damaging substance.
<b>Advertising Device</b>	means any device, excluding those defined as an <b>Advertising Sign</b> , <b>Temporary Sign</b> or <b>Official Sign</b> used to advertise a product, service, event or location. This includes, but is not limited to, blimps, flags, laser light displays, searchlights, or supergraphics on buildings.
<b>Advertising Sign</b>	means any <b>sign</b> erected for the purposes of advertising a product, service, event or location. Advertising signs do not include footpath signs erected on the road reserve, which are controlled by the by-law.  Advertising signs are permanent, but can be fixed or portable in nature. Refer to <b>Temporary Signs</b> for advertising signs of a temporary nature.
<b>Aerial</b>	means the part of a radiocommunication facility or telecommunication facility used for transmission or reception including the aerial mountings but not any supporting mast or similar structure. This definition excludes any antenna dish.

<b>Aircraft Engine Testing</b>	Means the testing of aircraft engines, whether in stationary aircraft or remotely mounted, for and related to the purposes of engine maintenance, and does not include normal aircraft operation engine run-ups such as aircraft warming up on the apron or the movement of aircraft to and from the engine testing location.
<b>Aircraft Operations</b>	(when used in relation to aircraft activity at Palmerston North Airport) means the operation of aircraft during, or immediately before or after flight.
<b>Allotment</b>	means the same as the definition in the Resource Management Act 1991.
<b>Ambience</b>	means those characteristics which provide individuals and the community with positive feelings of the particular value and character of an environment which leads to an enjoyment of their environment through a sense of pleasantness and harmony.
<b>Ancillary Institutional Activity</b>	means an activity which is incidental to and associated with the primary institutional activity which is undertaken on the site and which has the sole purpose of providing a necessary service to enhance the overall functioning of the institution.
<b>Animal Boarding Establishment</b>	means any land or building where board and lodging is provided or intended to be provided for more than two animals, or where shelter is provided for stray or unwanted animals. This does not include dog kennels, calf rearing sheds, stables and similar shelter for private and farming uses.
<b>Animation</b>	(in the context of signs) means any method of a sign or other advertising device to generate a perception of movement or change. This includes, but is not limited to, rotating signs, flashing lights, changing displays and/or messages, laser light shows, or searchlights.  It does not include the displays of digital clocks alternating with temperature with a time interval between each change of 10 seconds or more.
<b>Antenna Dish</b>	means any flat, concave, circular, parabolic or similar-shaped radiocommunication or telecommunication apparatus used for transmission or reception including the antenna dish mounting but not any supporting mast or similar structure. This definition includes any satellite dish.
<b>Available</b>	means in respect of any essential service, that the service is in a location, of a nature and capacity to supply the subdivision in accordance with the relevant policies.
<b>Automotive &amp; Marine Supplier</b>	means a business primarily engaged in either the servicing and/or selling of automotive vehicles, marine craft, accessories to and parts for such vehicles and craft, and without limiting the generality of this term, includes suppliers of: <ul style="list-style-type: none"> <li>• boats and boating accessories;</li> <li>• cars and motor cycles;</li> <li>• new auto parts and accessories;</li> <li>• trailers and caravans; and</li> <li>• tyres and batteries.</li> </ul>
<b>Base Threshold</b>	means the amount (mass in tonnes or m <sup>3</sup> , at 101.1 kPa and 20°C, for compressed gases) of a substance that has been assessed as generating no significant off-site effects in a heavy industrial area after site- and substance-specific considerations have been taken into account.
<b>Blind Aisle (refer to Explanatory Diagram 4)</b>	A parking aisle closed at one end.

<b>Building</b>	means any structure made by people and which is fixed to land but, for the purpose of this Plan, excludes: (i) Any retaining wall not exceeding 1.5 metres in height measured from the lowest adjoining ground level. (ii) Any wall (other than a retaining wall) or fence of a height not exceeding 2 metres measured from the lowest adjoining ground level.
<b>Building Supplier</b>	means a business primarily engaged in selling goods for consumption or use in the construction, modification, cladding, decoration or outfitting of buildings (other than businesses where the processing and machining of timber and other construction materials and products is carried on) and without limiting the generality of this term, includes: <ul style="list-style-type: none"><li>• glaziers;</li><li>• locksmiths; and</li><li>• suppliers of:<ul style="list-style-type: none"><li>- awnings and window coverings;</li><li>- bathroom, toilet and sauna installations;</li><li>- electrical and plumbing supplies;</li><li>- heating, cooling and ventilation installations;</li><li>- kitchen and laundry installations;</li><li>- paint, varnish and wall coverings;</li><li>- permanent floor coverings;</li><li>- power tools and equipment;</li><li>- safes and security installations; and</li><li>- building materials.</li></ul></li></ul>

<b>Circulation Route (refer to Explanatory Diagram 4)</b>	A route which is used solely for circulation, and to gain access to parking aisles and on which there is no parking.
<b>Commercial Service Activity</b>	means a business providing personal, property, financial, household, private and business services to the general public from shop-front premises and includes, but is not limited to: <ul style="list-style-type: none"> <li>• airline and entertainment booking services;</li> <li>• copy and quick printing services;</li> <li>• customer banking facilities;</li> <li>• customer postal services;</li> <li>• counter insurance services;</li> <li>• credit unions, building societies and investment co-operatives;</li> <li>• dry-cleaning and laundrette services;</li> <li>• electrical goods repair services;</li> <li>• footwear and leather goods repair services;</li> <li>• hairdressing and beauty salons and barbers;</li> <li>• key cutting services;</li> <li>• money lenders;</li> <li>• real estate agents and valuers; and</li> <li>• travel agency services.</li> </ul>
<b>Communal Activities</b>	for the purpose of applying Rule 10.7.1.1(h) Air Noise Controls, includes but is not limited to rooms used for education and child supervision purposes, assembly of persons for such purposes as worship, deliberation, entertainment, dining, research, education, recreation, or similar purposes and includes, but is not limited to restaurants, conference centres, churches, health centres, hospitals and residential centres.
<b>Community And Leisure Facilities</b>	means land and/or buildings used for public or private recreation, entertainment, meetings or social events.
<b>Community and Leisure Activities</b>	means activities associated with public or private recreation, entertainment, meetings or social events.
<b>Community House</b>	means land and/or buildings in which board and live-in health care or support is provided for more than five people. This includes homes for the elderly and halfway houses.
<b>Conservation</b>	means the protection or preservation of a heritage resource (building, site, vegetation or habitat) in order to maintain the natural or cultural heritage values associated with the resource, and to safeguard its potential for future generations.
<b>Corner Site</b>	means a site within a general change of direction of the abutting street or streets, such change of direction being 45° or more.
<b>Council</b>	means the Palmerston North City Council or any committee, sub-committee or person to whom the Council's powers, duties and discretions under the Plan have lawfully been delegated pursuant to the provisions of any Act.
<b>Crossing Place</b>	means that portion of the property boundary where there is safe vehicular access to a legal road.
<b>Cultural Heritage Value</b>	means possessing historical, archaeological, architectural, technological, aesthetic, scientific, spiritual, social, traditional or other special cultural significance, associated with human activity.
<b>Demolition</b>	means the complete or partial destruction of a scheduled building or object, but excludes the partial destruction of a scheduled building which is associated with an approved external alteration or addition.
<b>Dependent Dwelling Unit</b>	means any self-contained dwelling unit with a maximum gross floor area of 100 m <sup>2</sup> on the same site and in the same ownership as the principal dwelling unit for the purposes of providing accommodation for family relatives, elderly or infirm people.
<b>Developable Land</b>	means any land in Aokautere identified as developable on Map 10.1 or for which a valid, restructured land resource consent exists.

<b>Development</b>	Development means: (a) Any erection, reconstruction, placement, alteration, extension, removal, or demolition of any structure in, on, under, or over the land; or (b) Any excavation, drilling, tunnelling, or other disturbance of the land; or (c) Any destruction of, damage to, or disturbance of, the habitats of plants or animals in, on, or under the land; or (d) Any deposit of substance in, on, or under the land;  except where these activities are carried out as part of a subdivision which is subject to the rules of the District Plan and the provisions of the Resource Management Act 1991.
<b>Display Window</b>	means windows which permit the public to view display space within a building.
<b>Domestic Pig Farming</b>	means the keeping of not more than 5 grower pigs or 2 breeding pigs provided the progeny are not retained beyond 25 kg or 70 days of age.

<b>Dripline</b> <i>(refer to explanatory diagram 1 at the end of this section)</i>	means the line formed when a vertical line from the outermost extent of a tree's branches or canopy meets the ground.
<b>Dwelling and Dwelling Unit</b>	means the self-contained home and includes buildings where board and lodging is provided for up to and including five people.
<b>Early Childhood Facilities</b>	means facilities providing for the care and/or education of children, which are licensed by the Ministry of Education.
<b>Earthworks</b>	<p>Any movement of earth, including the excavation or deposition of earth or cleanfill, that results in changes to the existing ground level.</p> <p>This includes, but is not limited to, earth movement associated with subdivision and siteworks as defined by the Building Act 2004.</p> <p>Note: The District Plan contains exclusions to the earthworks provisions of Rule 6.3.6.1. Refer to Section 6 of the District Plan.</p>
<b>Ecotoxicity</b>	means adverse toxic effects on ecosystems or other ecological communities.
<b>Education Facility</b>	means land and/or buildings used as a primary, intermediate or secondary school or tertiary institution.
<b>Effects Ratio</b>	is a dimensionless number representing the proposed quantity of a substance or group of substances to be used or stored, divided by the Adjusted Threshold.
<b>Effects Ratio Trigger Level</b>	means the value of the Effects Ratio (R) which is used in the Consents Status Matrix to define whether a proposed development requires a land use resource consent. The Effects Ratio Trigger Level differs for different land use zones to account for the difference in acceptable levels of risk within these areas.
<b>Emergency Plans</b>	means a document serving as an emergency response guide by identifying and cataloguing the elements required to respond to an emergency, and defining responsibilities and specific tasks in an emergency.
<b>Environmental Design</b>	means the design and treatment of a site or part of a site, for the purposes of protecting the character and enhancing the amenities of the site and adjacent areas. Such works will include ground formation, earthworks and attendant drainage; the use of paving materials, planting of trees, shrubs, ground covers, grass or natural materials; and the use of walls, screens, fences and other amenity features.
<b>Essential Services</b>	<p>means</p> <ul style="list-style-type: none"> <li>• The Palmerston North City Council reticulated sewage and reticulated water supply systems</li> <li>• Stormwater systems</li> <li>• Electrical power and telecommunication networks</li> </ul>
<b>Essential Unscheduled Engine Testing</b>	means engine testing undertaken whilst maintaining or repairing an aircraft other than as part of planned scheduled engine maintenance and where the postponement of the testing would delay any pre-arranged or scheduled, or emergency flight operations.
<b>Extended Temporary Military Training Activities</b>	means all temporary military training activities undertaken by the New Zealand Defence Force, but excludes those activities defined by this Plan as 'Minor Temporary Military Training Activities'.
<b>Exterior "A" Weighted Aircraft Noise Levels</b>	used in any assessment of aircraft noise insulation shall be calculated using those "A" weighted relative band levels as defined by Table G1 "Australian Standard AS2021 – 1994 Acoustics – Aircraft Noise Intrusion – Building Siting and Construction. [Information on AS2021 is contained at the end of the Definitions Section].

<b>Farming &amp; Agricultural Supplier</b>	<p>means a business primarily engaged in selling goods for consumption or use in the business operations of primary producers or in animal husbandry and without limiting the generality of this term, includes:</p> <ul style="list-style-type: none"> <li>• equestrian and veterinary suppliers;</li> <li>• farming and horticultural equipment suppliers;</li> <li>• seed and grain merchants; and</li> <li>• stock and station outlets.</li> </ul>
<b>Foodcourt</b>	<p>means two or more restaurant businesses and/or businesses selling refreshments and meal components, sharing a common area or areas for the serving, seating and circulation of customers and for table clearing and cleaning stations. Foodcourts must be integrated or associated with other retail premises and do not include stand alone foodcourts. For the purposes of calculating parking requirements, the foodcourt GFA must be measured so as to aggregate the leased GFA of kitchens, storage areas and serveries only i.e. excludes common seating and circulation areas.</p>
<b>Front Site</b>	<p>means a site which directly abuts a street for the full length of one boundary.</p>
<b>Garden &amp; Patio Supplier</b>	<p>means a business primarily engaged in selling goods for permanent exterior installation or planting and without limiting the generality of this term, includes:</p> <ul style="list-style-type: none"> <li>• garden centres;</li> <li>• landscape suppliers; and</li> <li>• suppliers of: <ul style="list-style-type: none"> <li>- bark and compost;</li> <li>- clothes hoists and lines;</li> <li>- conservatories, sheds and other outbuildings;</li> <li>- fencing, gates and trellises;</li> <li>- outdoor recreational fixtures and installations;</li> <li>- patio furniture and appliances;</li> <li>- paving and paving aggregates;</li> <li>- statuary and ornamental garden features; and</li> <li>- swimming and spa pools.</li> </ul> </li> </ul>
<b>Gross Floor Area</b>	<p>Is the sum of the gross area of all 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.</p> <p>In particular, gross floor area includes:</p> <ol style="list-style-type: none"> <li>(a) Elevator shafts, stairwells, and lobbies at each floor;</li> <li>(b) Floor space in interior balconies and mezzanines;</li> <li>(c) All other floor space not specifically excluded.</li> </ol> <p>The gross floor area of a building shall not include:</p> <ol style="list-style-type: none"> <li>(1) Uncovered stairways;</li> <li>(2) Floor space in terraces (open or roofed), external balconies, breezeways, porches;</li> <li>(3) Roof vehicle parking, lift towers and machinery rooms on the roof, having a floor area of not more than 200 m<sup>2</sup>;</li> <li>(4) Public thoroughfare areas in malls (this does not include foodcourt areas);</li> <li>(5) Areas used exclusively for fire egress;</li> <li>(6) Switchboard areas / Plant rooms;</li> <li>(7) Public Toilets.</li> </ol>

<b>Ground Level</b>	<p>In relation to earthworks means the original contour level of land prior to any modification, or</p> <p>Where a subdivision or land use consent for earthworks has been approved, the contour level following that development, as per the approved engineering plans.</p>
<b>Habitable Room</b>	<p>means any room in a dwelling which is used or which can be used as a sitting room, a living room, a bedroom, a dining room, or a family room.</p>
<b>Habitable Room</b>	<p>for the purposes only of Rule 10.7.1.1(h) Air Noise Controls, means a room used for activities normally associated with domestic living, but excludes any bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, clothes drying room or other space of a specialised nature occupied neither frequently nor for extended periods.</p>
<b>Hazardous Facility</b>	<p>means any activity involving hazardous substances; any site where hazardous substances are used, stored or handled and installation containing hazardous substances including vehicles parked on site laden with hazardous substances. Hazardous facility does not include:</p> <ul style="list-style-type: none"> <li>• the incidental use and storage of hazardous substances in minimal domestic scale quantities;</li> <li>• fuel in motor vehicles, boats and small engines;</li> <li>• retail outlets for domestic scale usage of hazardous substances (i.e. supermarkets, hardware shops, pharmacies, home garden centres);</li> <li>• gas and oil pipelines;</li> <li>• trade waste sewers and sewerage waste treatment and disposal facilities.</li> </ul>
<b>Hazardous Sub-Facility</b>	<p>For the purpose of this District Plan, applies only within the Institutional Zone and means:</p> <p>Any activity involving hazardous substances, within a site including vehicles for their transport and the land or building on or within which hazardous substances are used, stored, handled or disposed of, , where that activity is more than 30 metres from any other activity involving the use, storage, handling or disposal of hazardous substances within that site. For the purpose of this definition, ‘any activity’ and ‘any other activity’</p> <p>a) includes separate institutional activities and individual departments, sections, units or faculties of an institutional activity and</p> <p>(b) does not include those activities which are excluded from the definition of Hazardous Facility.</p> <p><u>Explanatory note:</u>  <i>For the purpose of applying the Hazardous Facility Screening Procedure, any activity which involves the use, storage, handling, transportation or disposal of hazardous substances which is not covered by the definition of Hazardous Sub-Facility shall be treated as a Hazardous Facility.</i></p>
<b>Hazardous Substance</b>	<p>shall have the meaning within Section 344 of the Resource Management Act 1991 and shall also include any substance —</p> <p>(a) with one or more of the following intrinsic properties:</p> <ul style="list-style-type: none"> <li>• an explosive nature;</li> <li>• an oxidising nature;</li> <li>• a corrosive nature;</li> <li>• flammability;</li> <li>• acute and chronic toxicity;</li> <li>• ecotoxicity with or without bioaccumulation.</li> </ul>

	(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) of this definition.
<b>Hazardous Substances Bulk Store</b>	refers to the storage of hazardous substances in a purpose-built facility which is separated or protected (either by separation or appropriate safety features) from other facilities and amenities to prevent any adverse effects on property, the environment, or people in the event of an accidental release, loss of control, or interaction of hazardous substances.
<b>Health Centre</b>	means premises used by those involved in health care and diagnosis which involves more than three health practitioners. In the Residential Zone this does not include veterinary clinics and gymnasiums.
<b>Health Facility</b>	means premises used by those involved in health care and diagnosis which involves three or less health practitioners. In the Residential Zone this does not include diagnostic laboratories, veterinary clinics, and gymnasiums.
<b>Height</b> <i>(refer to the explanatory diagram 2 at the end of this section)</i>	<p>in relation to a building means the vertical distance between actual ground level and the highest part of the building above that point. For the purposes of calculating height:</p> <p>(a) Actual ground level will be the level of the ground after completion of all subdivisional earthworks or where a landuse consent has been approved for earthworks pursuant to Rule 6.3.6.1, and before commencement of any subsequent earthworks for landscaping or erection of buildings on the site.</p> <p>(b) For residential buildings the top portion of any gable or hip roof, measured from a position mid-way between a point 2.5 metres above the floor level of the highest habitable room and ridge line shall be excluded.</p> <p>(c) Account shall be taken of signs, except signs affixed or incorporated on the walls of a building, lift tower, machinery room or water tower, where such signs do not extend beyond the walls to which they are attached, and would be contained within the silhouette of the building.</p> <p>(d) Account shall be taken of parapets, but not of chimneys, aeriels, antennas, architectural appurtenances (such as ornamental towers, turrets, finials, spires, flagpoles, gargoyles), lift towers, machinery rooms or water towers, provided such structures:</p> <p>(i) do not exceed a height of 5 metres above the height otherwise permitted on any part of a site;</p> <p>(ii) and in the case of any rooms or towers do not exceed a floor area equal to 10% of the area of the roof of the storey immediately below.</p>

<b>Home Occupation</b>	means an occupation, craft, profession or service for direct or indirect commercial gain and/or carried out on a repetitive basis in a dwelling unit or a building accessory thereto and ancillary to the use of that site for residential purposes. Such a use shall not include restaurants, service stations, the repair, painting, panelbeating or wrecking of motor vehicles and crematoria.
<b>Horse Aquatic Facilities</b>	means swimming pools and other water based facilities intended for training or therapeutic purposes, for horses. This includes businesses offering the service to others.
<b>Horse Cartage Depot</b>	means any buildings and/or land used for the parking, repair or maintenance of vehicles involved in the transport of horses and related equestrian equipment. This includes the short term accommodation of horses on the site.
<b>Horse Walkways</b>	means pathways provided specifically to allow the movement of horses to and from training facilities and the Racecourse Zone.
<b>Illuminance</b>	means the luminous flux incident on a surface per unit area. The unit is the lux (lx) where 1 lux = 1 lumen per m <sup>2</sup> .
<b>Individual Retail Activity</b>	means any retail activity carried on under a distinct, single store brand or trading logo.
<b>Industrial Activity</b>	means any activity which involves the manufacture, fabrication or processing of materials, or the servicing and repair of goods, vehicles or materials, but excludes any workrooms and/or storage areas in the Inner Business Zone where these are ancillary to a Permitted Activity in that Zone provided: <ul style="list-style-type: none"> <li>(a) those workrooms and/or storage areas do not occupy an area greater than 35% of the gross floor area occupied by that activity.</li> <li>(b) those workrooms and/or storage areas are not situated at the street frontage of any building or part of a building occupied by that activity.</li> </ul>
<b>Institutional Activity</b>	means any activity which has as its primary function the provision of education and health services and/or research and development, and also includes any activity which is ancillary to an education, health or research and development related activity. It also includes the New Zealand Fire Station activities on Lot 3 DP 35156, known as the Palmerston North Fire Station, and other emergency services including the St John Ambulance.
<b>Institutional Campus</b>	means the grounds and buildings allied with an institutional activity.
<b>Institutional Zone Retail Activity</b>	means any activity which entails the use of a building or buildings for the direct sale of goods or services to any person associated with the institution (but not the public in general), and which also meets the definition of an Ancillary Institutional Activity. This excludes those activities located within the Massey University Student Centres located on the Turitea and Hokowhitu Campuses.
<b>Intensive Farming</b>	means the production of plant and animal produce, where the predominant productive processes are carried out within buildings. It includes, but is not limited to, poultry farming (where more than 50 poultry are farmed), intensive feedlot farming, fitch farming, rabbit farming, and mushroom production. It does not include Domestic Pig Farming, glasshouse horticulture or hydroponic growing of plants.
<b>Intensive Feedlot Farming</b>	means the breeding or rearing of livestock where the predominant productive processes are carried out within buildings or closely fenced outdoor runs where the stocking intensity precludes the maintenance of pasture or ground cover and where the primary purpose of the activity is the commercial production of livestock for sale or slaughter. Intensive Feedlot Farming does not include Intensive Pig Farming or Domestic Pig Farming.

<b>Intensive Pig Farming</b>	means the keeping of pigs mainly within buildings, or outdoors without groundcover being maintained, but does not include Domestic Pig Farming.
<b>Interpretive Structures</b>	Means structures used for informal recreation. Includes boardwalks, shelters, viewing platforms, information kiosks, information/notice boards, etc.
<b>LC<sub>50</sub></b>	stands for the concentration of a substance at which 50% of the test organisms die in a given period.
<b>LD<sub>50</sub></b>	Stands for the dose of a substance at which 50% of the test organisms die in a given period.
<b>Licensed Premises</b>	any premises, or any part of any premises, on which liquor may be sold pursuant to a licence; and includes any conveyance, or any part of any conveyance, in which liquor may be sold pursuant, to a licence.
<b>Line</b>	means a wire or wires or a conductor of any other kind (including a fibre optic cable) used or intended to be used for telecommunication; and includes any pole, insulator, casing, minor fixture, tunnel, or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any such wire or conductor; and also includes any part of a line.
<b>Livestock</b>	includes cattle, sheep, goats, emus, ostriches and other animals or birds (excluding poultry) kept for agricultural purposes.
<b>Living Court</b>	means an area which is required by this Plan to be unoccupied and unobstructed from the ground upwards and for the exclusive use of the dwelling unit provided that such structures as will enhance the use and enjoyment of the court will be permitted. For the purposes of this definition, eaves and overhanging upper storey projections not exceeding 0.6 m are permitted.
<b>Locality</b> <i>(refer to the explanatory diagram 3 at the end of this section)</i>	means, in relation to the Local Business Zone, two or more sites in immediate proximity to each other and which meet any of the following conditions: (i) are contiguous; or (ii) are contiguous but dissected by a roadway or roadways.
<b>Main Living Area</b>	means a living room, dining room or family room.
<b>Marae Tourism</b>	means land and / or buildings in which Maori education or entertainment is provided, and from which souvenirs may be sold, to tourists, by prior arrangement, as an ancillary activity to a Marae.
<b>Mast</b>	means any mast, pole, tower or similar structure designed to carry aerials or antennae dishes to facilitate radiocommunication or telecommunication.
<b>Merchandising Area</b>	means that part of the Gross Floor Area of a premise devoted to display sales and/or consumption of goods, commodities and related services and used by the customers, including in the case of a trader using yard/external space such additional area is also devoted to display or consumption of goods and commodities (whether or not the activity qualifies as a yard-based supplier).
<b>Meteorological Activities</b>	means the establishment and operation of facilities, installations or equipment to measure, collect and distribute meteorological information. This includes telecommunication, radio and satellite links.
<b>Minimum Lot Area</b>	means the total area of the lot less the area used for access where the lot concerned is linked to a public road via a single or shared access strip.
<b>Minor Temporary Military Training Activities</b>	means military training activities which are temporary in nature but which are restricted to orienteering exercises, communications training, tactical exercises, escape and evasion exercises, and which are undertaken by the New Zealand Defence Forces, provided that these activities do not involve the discharge of explosives, guns or other weapons, or the use of explosive simulators.
<b>Minor Trimming or Maintenance of a Scheduled Tree</b>	Means work undertaken by hand-operated secateurs or pruning shears.

<b>Minor Upgrading</b> (for the purposes of Rule 23.7.2)	<p>means an increase in the carrying capacity, efficiency or security of electricity and associated telecommunications lines, utilising the existing support structures or structures of a similar scale and character, and includes:</p> <ul style="list-style-type: none"> <li>(i) the addition of circuits and conductors;</li> <li>(ii) the reconductoring of the line with higher capacity conductors;</li> <li>(iii) the resagging of conductors;</li> <li>(iv) the addition of longer or more efficient insulators;</li> <li>(v) the addition of earthwires which may contain telecommunication lines, earthpeaks and lightning rods.</li> </ul> <p>Minor upgrading shall not include:</p> <ul style="list-style-type: none"> <li>(i) an increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage;</li> <li>(ii) anything that will have any more than minor adverse effects on the environment.</li> </ul>
<b>Motel Conference Centre</b>	means land and/or buildings used to provide transient residential accommodation while associated with conference/training facilities and dining and drinking facilities.
<b>Multiple Retail Development</b>	means more than one retail tenancy sharing vehicle access and/or parking. Tenancy, for the purpose of this rule, means one retail trading activity occupying building space by way of freehold, leasehold, licence or any other arrangement to occupy, irrespective of whether or not the activity is bounded by walls or partitions.
<b>Multi-Unit Residential Development</b>	Means two or more dwellings that are located on one site. This includes buildings where board and lodging is provided for up to and including five people in any one dwelling. A multi-unit residential development includes but is not limited to conjoined dwellings, apartment buildings, retirement villages, housing for the elderly and terrace housing.
<b>National Grid</b>	The assets used or owned by Transpower NZ Limited as defined in the National Policy Statement on Electricity Transmission 2008.
<b>Natural Heritage Value</b>	means possessing historical, ecological, aesthetic, scientific, spiritual, social, intrinsic or other special significance; and includes, but is not limited to, landscapes, habitats, sites, individual trees, groups of trees, and other vegetation.
<b>Net Floor Area</b>	<p>means the sum of the floor areas of a building, each measured to the inside of the exterior walls, but excluding any floor areas used for:</p> <ul style="list-style-type: none"> <li>• lift wells, including the assembly area immediately outside of the lift doors for a maximum depth of 2 m;</li> <li>• stairwells (including landing areas), tank rooms, boiler and heating rooms, machine rooms;</li> <li>• those parts of any basement not used for retail, office, residential or industrial activity;</li> <li>• toilets and bathrooms, provided that in the case of any hotel, accommodation motel or motel conference centre the maximum area permitted to be excluded for each unit shall be 3 m<sup>2</sup>.</li> <li>• 50% of any pedestrian arcade or ground floor foyer which is available for public thoroughfare;</li> </ul> <p>internal parking areas provided to comply with the requirements of the District Plan.</p>
<b>Net Site Area</b>	means the total area of the site less the area used for access via a single or shared access strip.
<b>Network Utilities</b>	means those works undertaken by network utility operators as defined in Section 166 of the Resource Management Act 1991 and for the purpose of the District Plan also includes navigation and survey aids, beacons and meteorological activities, and services reticulation networks of local authorities.

<b>Notional Site</b>	(With respect to earthworks provisions in the North East Industrial Zone) the extent of land within which the development is contained, as identified on the site development plans required for any resource consent or building consent.
<b>Offensive Activities</b>	means any activity which is predominantly concerned with any of the activities below, and which, by reason of the manufacturing method or the nature of materials used or produced, adversely affects the amenities of the surrounding environment. These activities are limited to: (i) blood or offal treating; (ii) bone boiling or crushing; (iii) dag crushing; (iv) fellmongering; (v) fish cleaning and curing; (vi) flax pulping; (vii) flock manufacturing or teasing of textile materials for any purpose; (viii) gut scraping and treating; (ix) refuse collection and disposal (excluding the day-to-day removal of refuse, by Council or an authorised contracting agency); (x) storage, drying or preserving of bones, hides, hoofs or skins; (xi) tallow melting; (xii) tanning; (xiii) wood pulping; (xiv) wool scouring; (xv) slaughtering of animals (excluding the on-farm slaughtering of animals for personal use, to feed the stock owner's animals and/or for animal welfare reasons).
<b>Office Activity</b>	means an activity which involves the use of land or buildings or part of a building for an administrative or professional activity.
<b>Office Product Supplier</b>	means a business primarily engaged in selling goods for office use or consumption (in which context the term "office" is not confined to the definition in this Plan) and without limiting the generality of this term, includes suppliers of: <ul style="list-style-type: none"><li>• computers and related equipment;</li><li>• copiers, printers and facsimile machines;</li><li>• integrated telephone systems and equipment;</li><li>• office furniture, equipment and utensils; and</li><li>• office stationery and software applications.</li></ul>
<b>Official Sign</b>	means any <b>sign</b> erected or approved by a road controlling authority for the purposes of regulating, warning, or informing road users (including pedestrians) of road conditions, locations, activities, traffic control, or other such information relative to the use of the road, including tourist and essential service facilities.  This definition includes other road controlling devices, such as traffic lights, railway crossing lights and barrier arms.
<b>Parking Aisle (refer to Explanatory Diagram 4)</b>	An area of pavement used by vehicles to gain access to, and to manoeuvre into and out of parking spaces.
<b>Places of Worship</b>	means land and/or buildings used for religious meetings, gatherings and worship. It also includes office, counselling or community facilities associated with but ancillary to the place of worship.
<b>Portable Sawmill</b>	means a small scale sawmill not permanently established on a site and which is capable of being removed from the site, on wheels or via a trailer unit.

<b>Prepared Food &amp; Beverage Outlet</b>	means a business primarily engaged in the preparation and serving of food and beverages for immediate consumption and without limiting the generality of this term includes: <ul style="list-style-type: none"><li>• restaurants; and</li><li>• takeaway food outlets.</li></ul>
<b>Production Forestry</b>	means the planting, replanting, cultivation, management and extraction of exotic trees in forests or tree plantations and indigenous forestry specifically planted and grown for harvest. This includes the processing of the timber on the site by use of a portable sawmill provided this does not occur for a period exceeding 6 months in any calendar year. This does not include shelter belt planting.
<b>Public Service Corridors</b>	means land vested or proposed to be vested in the Council, servicing or capable of servicing, public purposes such as roads, Council drains, recreation areas and walkways.
<b>Quarrying</b>	means the excavation of any kind of material from earth, and includes any works, machinery and plant used in connection with quarrying operations and the storage and processing of materials quarried on site.

<b>Radiocommunication</b>	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 (kHz) and 3000 gigahertz (GHz), propagated in space without artificial guide.
<b>Radiocommunication Facility</b>	means any mast, aerial, antenna dish or other structure, facility or apparatus used or intended for the purpose of facilitating radiocommunication.
<b>Radiofrequency Transmitting Equipment</b>	Means equipment which is capable of transmitting or emitting electromagnetic energy for communication purposes with frequencies in the range of 3 KHz to 300 GHz but excluding (1) common residential based radiofrequency devices such as baby monitors, radio controlled toys, electronic door openers, cell phones, and mobile phones; and (2) hand held amateur radio transceivers operating on the amateur UHF and VHF bands.
<b>Restaurant</b>	means a business primarily engaged in the preparation and serving of food and beverages for consumption on the premises and without limiting the generality of this term includes: <ul style="list-style-type: none"> <li>• catering establishments;</li> <li>• coffee bars and tearooms;</li> <li>• food courts; and</li> <li>• fully licensed, BYO licensed and unlicensed restaurants and/or cafés.</li> </ul>
<b>Residential Centre</b>	means land and/or buildings where long term accommodation is provided for more than five people. This includes hostels associated with tertiary and secondary educational institutions.
<b>Restructuring of Land</b>	means the reshaping or remodelling of the existing land, but excludes siteworks associated with building on an existing site.
<b>Retail Activity</b>	means a business primarily engaged in selling or hiring displayed or offered goods to the general public and unless provided otherwise in this Plan, does <b>not</b> include: <ul style="list-style-type: none"> <li>• commercial service activities;</li> <li>• prepared food &amp; beverage outlets; or</li> <li>• trade suppliers.</li> </ul> <p><b>Note to Plan Users</b> This definition is only applicable to the assessment of activities within the Fringe Business Zone.</p>
<b>Retirement Village</b>	means a comprehensive development which may include housing, recreational, welfare, and medical facilities which is intended principally or solely for retired persons or people with disabilities.
<b>Risk</b>	means within the hazardous substances section of the Plan, the likelihood of occurrence of an adverse effect from a substance combined with the magnitude of the consequence of that adverse effect.
<b>Roadside Stalls</b>	means the use of a site, building or part of a building for the purposes of selling direct to the public, farm produce (including that associated with nurseries), provided that all goods for sale are produced on the site. This shall include rural packing sheds from which sales are made direct to the public.
<b>Routine Maintenance</b>	means the minor repair of buildings where minor repair means the repair of materials by patching, piecing-in, splicing, and consolidating existing materials and including minor replacement of minor components such as individual bricks, cut-stone, timber sections, tiles and slates where these have been damaged beyond reasonable repair or are missing. The replacement should be of the original or similar material, colour, texture, form and design as the original it replaces and the number of components replaced should be substantially less than existing.

<b>Rural Areas</b>	means any land zoned rural or race training.
<b>Rural Fence</b>	means those fences described under "Rural" in the Second Schedule (Specimen Types Of Fence) of the Fencing Act 1978.
<b>Rural Industry</b>	means land and/or buildings used for industry which processes agricultural goods and/or is better located in the rural area because of the need to achieve a separation from other activities; and land and/or buildings used by rural contractors, including but not limited to agriculture, aerial topdressing, forestry, earthmoving and construction, and transport.
<b>Sand/Sawdust Roll</b>	means land or structures intended to provide an area for horses to roll.
<b>Scheduled Building or Object</b>	means any building or object included on the Schedule of Buildings and Objects of Cultural Heritage Value identified in Appendix 17A.
<b>Scheduled North East Industrial Zone Site (SNEIZ)</b>	means the following sites which are Zoned North East Industrial and are subject to additional development and subdivision requirements: <ul style="list-style-type: none"> <li>• Lot 1 DP 81319.</li> </ul>

<b>Schedule P</b>	a schedule of materials and description of general construction techniques for building elements that, for the purposes of this Plan, are deemed to reduce the exterior 'A' weighted aircraft noise levels (defined separately) by 20 decibels with respect to the interior 'A' weighted sound levels
<b>Schedule Q</b>	a schedule of materials and description of general construction techniques for building elements that, for the purposes of this Plan, are deemed to reduce the exterior 'A' weighted aircraft noise levels (defined separately) by 25 decibels with respect to the interior 'A' weighted sound levels.
<b>Schedule R</b>	a schedule of materials and description of general construction techniques for building elements that, for the purposes of this Plan, are deemed to reduce the exterior 'A' weighted aircraft noise levels (defined separately) by 30 decibels with respect to the interior 'A' weighted sound levels.
<b>Scheduled Site or Object</b>	means any site or object included on the Schedule of Objects and Sites or of Cultural Heritage Value to Tangata Whenua as identified in Appendix 17B.
<b>Scheduled Tree</b>	means any tree or group of trees included on the Schedule of Notable Trees and areas of significant vegetation identified in Appendix 17C.
<b>Separation Distance</b>	<p>Separation Distance means the distance from the outer wall of a building to:</p> <p>(a) the outer wall of another building;</p> <p>(b) the boundary of a site.</p> <p>In the case of hazardous facilities and hazardous sub-facilities, Separation Distance means:</p> <p>(a) the distance from the edge of a hazardous facility to the boundary of the site on which that activity occurs;</p> <p>(b) within the Institutional Zone:</p> <ul style="list-style-type: none"> <li>• the distance from the edge of a hazardous facility to the boundary of the site on which the activity occurs and;</li> <li>• the distance from the edge of a hazardous facility to the boundary of the Institutional Zone and;</li> <li>• the distance from the edge of a hazardous sub-facility to the edge of another hazardous sub-facility where more than one institution occupy the same legal site(s) or one institution occupies one or more legal site(s) and contains more than one sub-facility.</li> </ul>
<b>Service Rooms</b>	means those rooms such as the bathroom, laundry and the kitchen.
<b>Service Station</b>	means a business primarily engaged in the fuelling of motor vehicles. This may also include mechanical repairs and servicing of motor vehicles. Retail sales for the convenience of the travelling public may also be included, provided such sales remain incidental and ancillary to the principal use of fuelling motor vehicles.
<b>Shelter Belt</b>	means trees planted to provide shelter for stock and/or crops and which are not primarily intended for the production of timber.
<b>Sign</b>	means any text, graphics or lighting effect designed or intended to attract attention. This includes any materials used on the sign, as well as any additional structure, support, frame, or anchorage.
<b>Site</b>	means an area of land capable of being disposed of separately.

<b>Site Coverage</b>	means that portion of the net site area, expressed as a percentage, which may be covered by all buildings and storage space, including eaves, balconies and verandas in excess of 0.6 of a metre in width, but excluding uncovered swimming pools, decks of 0.5 of a metre in height or less, and ramps of 0.5 of a metre in height or less with handrails of an additional 0.9 of a metre in height or less. Where no garage is shown at the construction of a dwelling, an allowance for a garage of 18 m <sup>2</sup> will be added to the total building coverage.
<b>Sitework</b>	means work on a building site, including earthworks, preparatory to or associated with the construction, alteration, demolition, or removal of a building as defined within Section 2 of the Building Act 1991.
<b>Sky Signs</b>	any advertising sign, temporary sign or advertising device which projects either above the parapet level of the building or which is located on the roof of the building (including signs painted onto the roof itself).
<b>Sound Transmission Path</b>	means any possible sound path from outside the building to inside the room of interest but where the building construction option is both part of the outside envelope of the building and also part of the room itself.
<b>Special Entertainment Event</b>	means any sporting, entertainment or performance event or series of events occurring on any one day. If events have a duration of more than one day then each additional day shall be treated as a separate event.
<b>Spill Containment System</b>	A permanent structure which will contain liquids or solids in the event of a spill, and prevent them from entering the stormwater system or a natural water body.
<b>Storage</b>	means, in terms of the hazardous substances section , the containment of a substance or mixture of substances, either above ground or underground, which is not being used for manufacturing or for the alteration of substances to another substance, but does not include substances used as a cooling or heating medium. Storage does include the filling or emptying of the container.
<b>Street Furniture</b>	means sculptures, works of art, road signage, bus shelters, parking meters, seating and other such amenity enhancement works.
<b>Structural Maintenance of Flood Protection Works or Structures</b>	means the structural repair, upkeep, or repainting of an existing flood protection structure or work, including stopbanks, guide banks, groynes, linear bank protections (including live bank protection works), and other associated flood protection structures. Maintenance does not include additions to or alteration or redevelopment of an existing flood protection work or structure beyond its original size, form, or design.
<b>Substation</b>	means any building, structure, enclosure, either above or below ground, confined to a given area, incorporating electrical equipment operating at a voltage greater than 11KV, which may include electrical switch gear, control gear, transformers or protection devices, but excludes those installations which contain only isolation equipment or fuses or relays and where such electrical equipment is not contained in a building, structure or enclosure and the electrical equipment itself is in the substation.
<b>Supergraphics</b>	means any large-scale application of colour, texture, words or designs to a building to the extent that the building itself becomes a sign. The use of supergraphics, in applying the rules of this Plan, are considered as an advertising device.

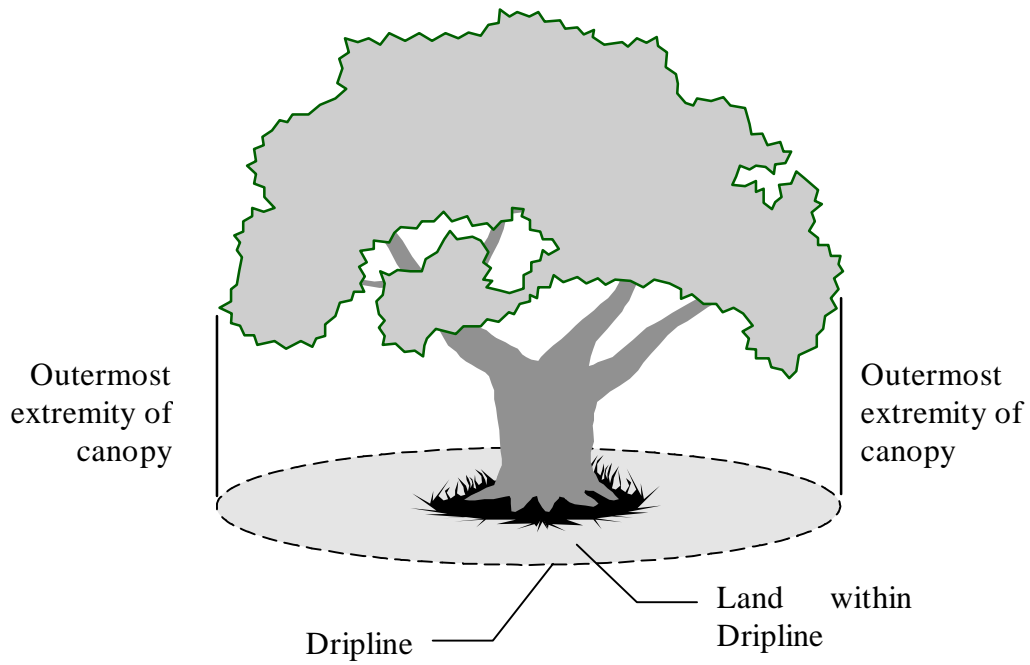
<b>Telecommunication</b>	means the conveyance from one device to another of any sign, signal, impulse, writing, image, sound, instruction, information, or intelligence of any nature.
<b>Telecommunication Facility</b>	means any mast, aerial, antenna dish, line, or other structure, facility or apparatus intended for the purpose of facilitating telecommunication.
<b>Telecommunications Link</b>	means any line, radio frequency, or other medium used for telecommunication, and for the purposes of the Plan includes satellite dishes.
<b>Telecommunications Works</b>	includes: (a) A line and any instrument, furniture, plant, office, building, machinery, engine, excavation, or work, of whatever description, used in relation to, or in any way connected with a line; (b) A fixed radio station
<b>Temporary Sign</b>	means any <b>sign</b> erected for the purposes of advertising a product, service, person, event or location. Temporary Signs cannot be permanent, but can be fixed or portable in nature. Temporary signs do not include footpath signs erected on the road reserve or election signs, both of which are controlled by the <i>Palmerston North Signs and Use of Public By-Law 2004 (and subsequent amendments or updates)</i> .
<b>Theatre</b>	means a building, or part of a building, with seating facing a stage, and used principally for entertainment purposes.
<b>Tourist Facility</b>	means land and/or buildings in which activities oriented to transient, domestic or international visitors are undertaken to provide education or entertainment.
<b>Trade Supplier</b>	means a business substantially engaged in sales to businesses and institutional customers as well as to the general public and without limiting the generality of this term, includes: <ul style="list-style-type: none"> <li>• automotive &amp; marine suppliers;</li> <li>• building suppliers;</li> <li>• farming &amp; agricultural suppliers;</li> <li>• garden &amp; patio suppliers; and</li> <li>• office product suppliers.</li> </ul>
<b>Training Facilities</b>	means land and/or buildings used for educational and/or vocational training of a post-secondary nature.
<b>Training Tracks</b>	means land developed as a private training track to exercise and/or educate race horses. This includes tracks for training horses for hurdling and steeple chasing.
<b>Undevelopable Land</b>	means any land in Aokautere which is not identified as developable land on Map 10.1.
<b>Urban Areas</b>	means any land zoned Residential, Business, Industrial, Institutional, North East Industrial, Recreation, Caccia Birch.
<b>Use</b>	means, in the application of the Hazardous Facility Screening Procedure (HFSP), the manufacturing, processing or handling of a substance or mixture of substances for a particular activity, without necessarily changing the physical state, or chemical mixing, blending and packaging operations, but does not include the filling or drawing of substances from bulk storage tanks unless the processing is permanently connected to the bulk storage, and does not include loading out and dispensing of petroleum products.
<b>Warehouse</b>	means any building or part of a building used for the receipt, dispatch, breaking down or consolidation of goods owned or held on consignment by the occupier of the building pending sale or distribution.
<b>Wind Farm</b>	means land, buildings or structures used to generate electricity from the wind.

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<b>Yard-based Supplier</b>	<p>means a retail activity or trade supplier where more than 50% of the area devoted to display of goods and commodities is located within any or all of the following types of business environment:</p> <ol style="list-style-type: none"><li>1) an open or partially covered but not enclosed yard, accessible to shoppers for inspection and selection and to vehicles for the direct loading of stored and displayed product;</li><li>2) an open or partially covered but not enclosed yard, accessible only to pedestrian shoppers for inspection and selection of stored and displayed product; and/or</li><li>3) separately partitioned space within an enclosed structure, used for the storage, display and selection of product for direct internal loading onto vehicles entering and exiting the space via drive-through lanes.</li></ol> <p>Note: Parking generation in relation to yard space is not pro-rata to enclosed retail or trade supply space and in the case of 1 and 3 above, is provided (for customers) within the yard.</p>
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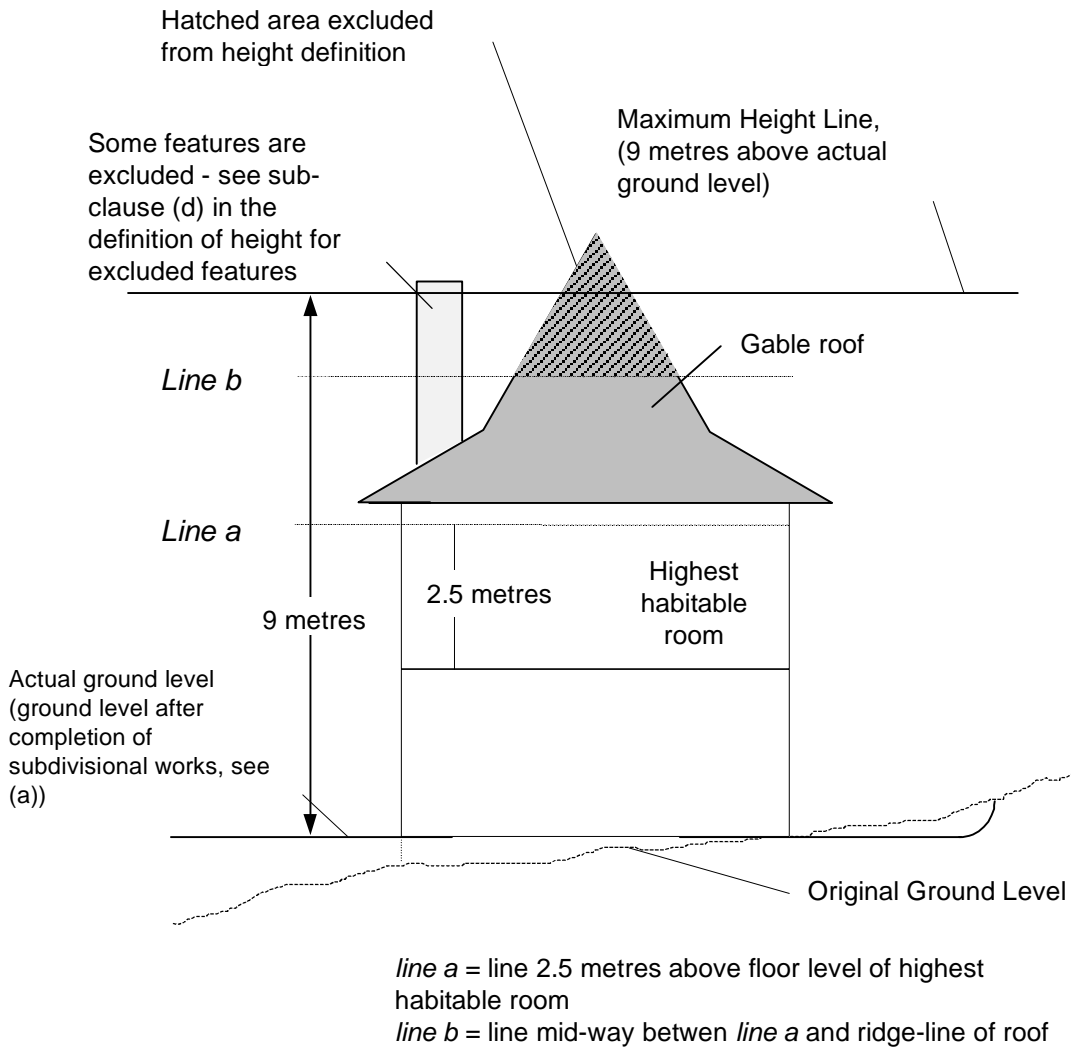
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# Explanatory Diagram 1: Dripline



# Explanatory Diagram 2: Height

## RESIDENTIAL BUILDING HEIGHT (Diagram NOT TO SCALE)



**NOTE TO PLAN USERS:** This diagram must be read in conjunction with the definition of 'height'. This diagram relates only to the definition of height, it does not provide any exclusion from any height recession line or other District Plan requirement

# Explanatory Diagram 3: Locality

Figure Locality Def. (i): Contiguous Local Business Zone

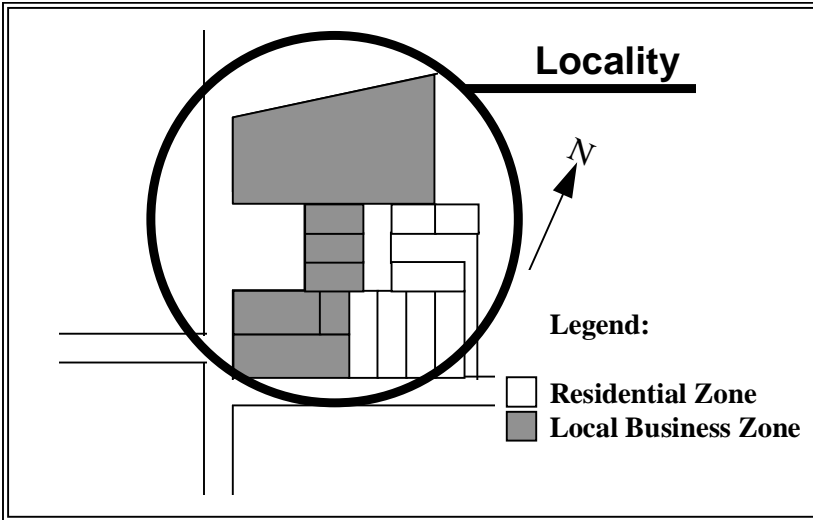
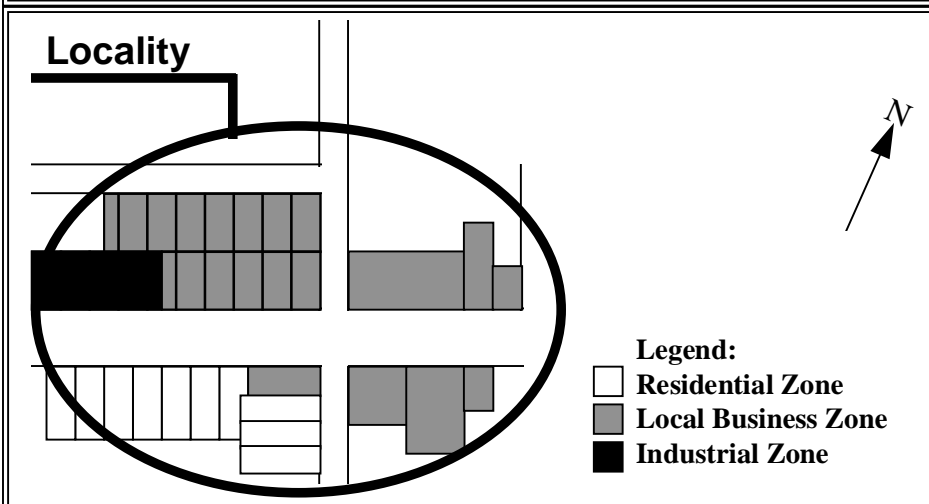
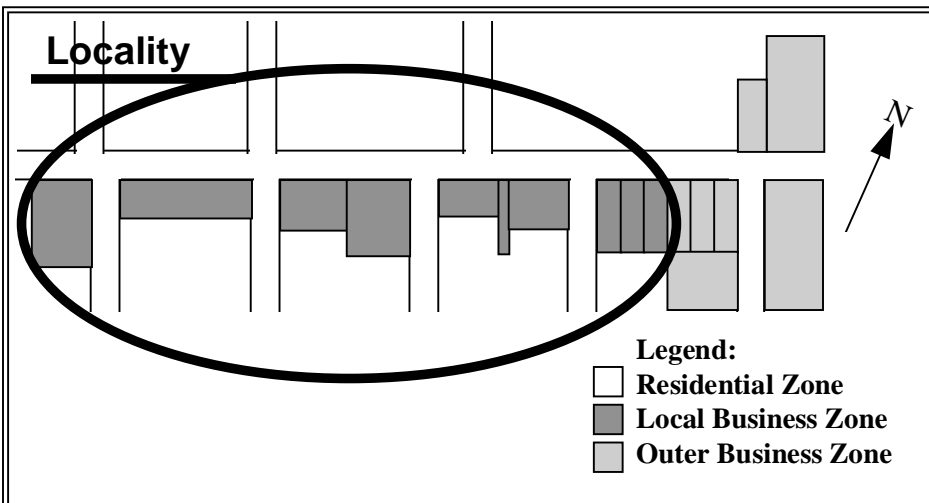
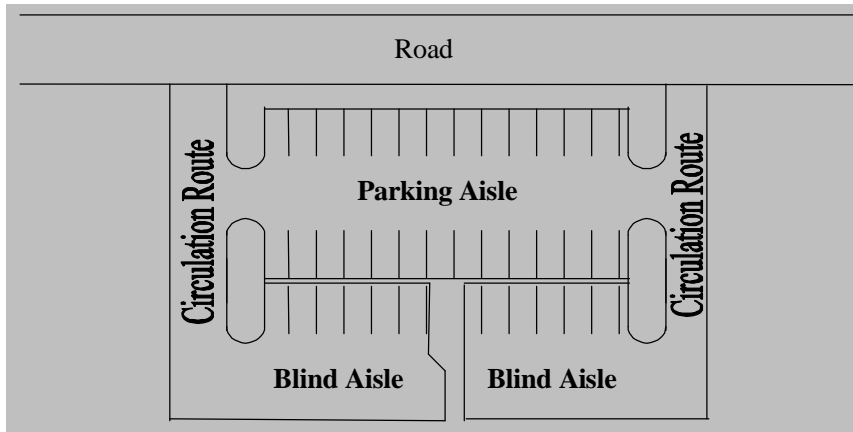


Figure Locality Def. (ii): Contiguous Local Business Zone but dissected by roadway or roadways.



# Explanatory Diagram 4: Circulation Routes, Parking Aisles and Blind Aisles



*(NOT PART OF PLAN – FOR INFORMATION PURPOSES ONLY)*

**TABLE G1 – AUSTRALIAN STANDARD AS2021  
1994 ACOUSTICS – AIRCRAFT NOISE INTRUSION –  
BUILDING SITING AND CONSTRUCTION**

**AVERAGE SHAPE OF SPECTRUM FOR DOMESTIC  
OR INTERNATIONAL JETS LANDING OR TAKING OFF**

Centre frequency of one-third octave base $f$ Hz	Unweighted relative band level $L_1$ DB	A-weighted relative band level ( $L_1 + C_1$ )
100	-10.0	-24.0
125	-10.0	-21.0
160	-10.0	-18.3
200	-10.0	-15.8
250	-10.0	-13.5
315	-10.0	-11.5
400	-10.0	-9.7
500	-11.3	-9.4
630	-12.5	-9.3
800	-13.8	-9.5
1000	-15.0	-9.9
1250	-16.3	-10.6
1600	-17.5	-11.4
2000	-18.8	-12.5
2500	-20.0	-13.6
3150	-25.0	-18.7
4000	-30.0	-23.9
5000	-35.0	-29.4