

13. DEFINITIONS

In these District Rules, unless the context otherwise requires:

‘The Act’ means the Resource Management Act 1991, and its amendments and **‘Resource Management Act’** shall have the same meaning.

‘Access’:

‘All Weather Access’ means a carriageway constructed in accordance with standard engineering practice, surfaced with thoroughly compacted crushed metal, gravel, or sand, and adequately drained; but may also include **paved** or **sealed access**.

‘Paved Access’ means a carriageway constructed in accordance with standard engineering practice, surfaced with paving slabs, interlocking concrete blocks, portland cement concrete or asphaltic concrete.

‘Sealed Access’ means a carriageway constructed in accordance with standard engineering practice and surfaced with two coats of sprayed bitumen and stone chips.

‘Access leg’ in relation to a **rear site** means an area of land whether part of the site or not extending from the street frontage to that site, of a minimum specified width for the permanent and legal use of that site for ingress and egress only.

‘Access strip’ shall have the same meaning as in the Act.

NOTE: This is a strip of land created by the registration of an easement for the purpose of allowing public access.

‘Accessory building’ means a domestic, subordinate detached building within any site used for residential purposes, and includes a **carport**, **garage**, swimming pool, or other structure if:

- a) The use of that accessory building is clearly incidental to the site of the principal building on the land, or to any permitted use of the land if not built upon, and
- b) The use is customary in connection with the principal building or permitted use of the land, and
- c) The use is located on the same site as the principal building.

An accessory building includes a freestanding garage, but not a garage which is structurally

part of or attached to the principal building on a site.

Accessory buildings shall not include implement sheds on farm properties.

‘Advertising’ in relation to **signs** means advertising a proprietary product or a service or an event.

‘Agro-Forests’ means pasture with trees growing at a final tree crop stocking of not more than 100 stems per hectare and which permit grazing or cropping.

‘Area’ of **signs** shall be the panel or panels on which lettering or other design appears except that when the lettering or design is on a wall or window, the size in relation to the **sign** is the area enclosed by a line drawn around the perimeter of the lettering or design.

‘Boardinghouse’ means a **residential building**, not being **licensed premises**, in which board and/or lodging is provided or is intended to be provided for five or more persons for reward or payment; and includes a guest house, a private or unlicensed hotel and a private residential club.

‘Boundary Adjustment’ means an adjustment of boundaries between two or more allotments that will result in each of the allotments having substantially the same area, shape, and access as before but does not include an adjustment of boundaries which:

- i) results in a dwellinghouse becoming part of a different allotment; or
- ii) results in there being any non compliance with any of the Rules of this plan; or
- iii) results in there being any increase in any degree of existing non compliance with any of the Rules of this plan.

‘Boundary Relocation’ means a substantial alteration to the boundaries between two or more allotments that will result in the location of the internal boundaries, area, shape or access of the allotments being significantly changed and does not result in or increase the degree of any non-compliance.

‘Building’ means any structure or part of a structure, whether temporary or permanent, movable or immovable, but does not include:

- Fences or walls (other than a retaining wall) of 2.0m in **height** or less not used for advertising or for any purpose other than a fence or a wall;
- Any retaining wall that retains not more than 1.5 metres depth of ground and that does not

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support any surcharge or any load additional to the load of that ground, such as the load of vehicles on a road;

- A fence for the containment of stock;
- Residential chimneys and television aerials associated with a [dwellinghouse](#);
- Any power pole, telephone pole, pylon, motorway sign, or similar simple structure owned or controlled by any network utility operator or other organisation;
- Structures less than 5m² in area and less than 1.8m in height; or
- Any vehicle, trailer, caravan or boat which is not used for permanent or long-term residential purposes.

‘Building Line Restriction’ means a restriction imposed on a site to ensure that when new buildings are erected, or [existing](#) buildings relocated, altered or substantially rebuilt no part of any such building shall stand within the area specified.

‘Building Platform’ means an area of land created by filling an area subject to flooding and/or ponding which after filling is suitable for the [erection](#) of a building in accordance with this District Plan and has a minimum height at least equal to the 100 year return flood or ponding level for that land.

Note: For the purpose of administering this definition in relation to Rule 1.7.2, ‘building platform’ shall be deemed to extend only to the edge of a building’s foundations.

‘Byproduct’ shall mean any animal or vegetable matter whether a solid or liquid or a combination of both which is or which includes:

- material produced as a result of the processing or manufacture of animal or vegetable material (including milk); or
- cowshed or pig effluent, poultry manure or other animal or bird effluent or manure.

Notwithstanding that such matter may have capacity to fertilise or irrigate the soil.

‘Cambridge North Residential Zone’ shall mean that area of land zoned for Residential purposes located between the town belt, Victoria Road, the northern limit of the Residential Zoning and Thornton Road.

‘Cambridge Park Residential Zone’ shall mean that area zoned for residential purposes contained by Cambridge Road, the Town Belt and the Gully Reserve.

‘Camping Ground’ means any area of land, including any buildings thereon, used or designed or intended to be used (whether free of charge, or for rent, hire or reward) for the purposes of temporary living places. Temporary living places are tents, caravans, cabins or other similar structures, shelters or vehicles for temporary human habitation by two or more families or parties (whether consisting of a single person or of more persons than one) living independently of each other, irrespective of whether such families or parties enjoy the use in common of entrances, water supplies, cook house, sanitary conveniences, or other premises and equipment.

The definition shall also include any camping ground within the meaning of the Camping Ground Regulations 1985 and any [motor camp](#), caravan camp or site containing holiday cabins.

‘Carport’ means a shelter for vehicles, boats or caravans used in conjunction with a [residential building](#). Such shelter shall have no doors or walls on at least 50% of its perimeter.

‘Commercial Garage’ means land or a building on or in which:

- a) Self-propelled vehicles not belonging to the occupier of that land or building or the occupier’s family are serviced, overhauled or repaired; or
- b) Three or more self-propelled vehicles used for any commercial or business purpose are housed or cared for.

‘Comprehensive Residential Development’ means any integrated residential development scheme which may include other uses which comply with the Rules of the zone in which it is located.

‘Contaminant’ shall have the same meaning as in the Act.

‘Controlled Activity’ shall have the same meaning as in the Act.

‘Corner Site’ - see [‘Sites’](#).

‘Council’ means the Waipa District Council or any committee, subcommittee, or person to whom the Council’s powers, duties, and discretions under the Act have lawfully been delegated.

‘Coverage’ means that portion of a site which may be covered by buildings, including [accessory buildings](#), and parts covered by overhangs or cantilevered structures. The eaves of a [dwelling unit](#) up to a width of 800mm, fences, terraces, retaining walls, or uncovered

swimming pools are not included in any calculations of coverage.

‘Development Contribution’ shall have the same meaning as in Section 197 of the Local Government Act 2002.

‘Development Impact Fee’ (DIF) means a financial contribution imposed at the time of a permitted development or at the time of granting a subdivision or landuse consent to provide funds for Council to develop infrastructural services. Such services include the provision of sufficient water supply, sewage disposal, stormwater disposal and roading infrastructure so as to enable orderly land use and development to occur.

‘Discretionary Activity’ shall have the same meaning as in the Act.

‘District’ means the District of Waipa.

‘Dwellinghouse’ shall have the same meaning as in the Act, as follows:

Any building, whether permanent or temporary, that is occupied, in whole or in part, as a residence; and includes any structure or outdoor living area that is accessory to, and used wholly or principally for the purposes of the residence; but does not include the land upon which the residence is sited.

‘Dwelling Unit’ or **‘Dwelling’** shall have the same meaning as **‘Dwellinghouse’**.

‘Electric line or lines’ means an electric line as defined in the Electricity Regulations 1993. References to the undergrounding of electric lines within this Plan include wires but do not include electricity distribution substations and apparatus for connection of supply to individual consumers.’

‘Elderly Persons’ Housing’ means dwellinghouses developed by a Local Authority, the Crown, or a charitable institution for the accommodation of elderly persons, and **‘Pensioner Flats’** shall have the same meaning.

‘Encroachment Plane’ shall have the same meaning as **‘Recession Plane’**.

‘Erection’ in relation to any building, includes the re-erection or structural alteration of, or the making of any addition to the building, or the placing of the building on a site, or the placing of the building from one position on a site to another position on the same site; and **‘erect’** and **‘erected’** have corresponding meanings.

‘Excavation’ means the removal of any soil, earth or rock from any point of any site.

‘Existing’ in relation to buildings and uses, means lawfully in existence at the time when the Rule first became enforceable, and lawfully continuing in existence until the time of interpretation.

‘Exploration’ means any activity undertaken for the purpose of identifying mineral deposits or occurrences and evaluating the feasibility of mining particular deposit or occurrences of one or more mineral; and includes any drilling, dredging, or excavations (whether surface or subsurface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence; and **‘to explore’** has a corresponding meaning.

‘(Extensive) Pig Farming’ means all stock is in paddocks with ground cover maintained.

‘Factory Farming’ means a farming activity either involving a high energy input per unit area or which is not dependent on the fertility of the soil on which it is located, or which takes place substantially within buildings or other structures. Factory farming will include poultry farming, rabbit farming, mushroom farming, pot grown nursery, and glasshouses which have other than an earth floor. The keeping of up to 10 poultry shall be deemed to be a use accessory to dwellings and not ‘factory farming’. The keeping of not more than 12 pigs older than 8 weeks at any one time of which not more than 5 are breeding animals shall be deemed to be a use accessory to farming and not ‘factory farming’.

‘Farming Activities’ shall mean an activity, and any structure required for the conduct of that activity except a dwellinghouse which complies with all of the following criteria:

- it is land based;
- it has a primary purpose the production of livestock or vegetative matter or agricultural produce or honey and/or bee products; and
- the livestock, vegetative matter or agricultural produce is produced as a result of the fertility of the soil of the holding on which the activity is located.

Beekeeping and associated activities (including extraction, processing, production of honey and bee products, packaging, storage and distribution), stud farming, outdoor (extensive) pig farming, horse training and riding schools shall be deemed to be farming activities.

Notwithstanding that they may otherwise comply with the above definition the following activities shall be treated as non-farming activities:

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- factory farming, [intensive pig farming](#);
- all types of [forestry](#) as defined in Rule 13;
- the storage or disposal of waste other than wastes produced by the farming activities on that holding; and
- the storage on any holding of more than 100m³ of any [byproduct](#) as defined by Rule 13 other than a byproduct wholly produced by the farming activity on that holding.

‘Farm Park’ means a development in a rural residential area as shown on the District Planning Maps under the Unit Titles Act 1972 or the Land Transfer Act 1952 using the cross lease or company lease method which provides a common area or areas available for use for farming activities.

‘Financial Contribution’

1. A financial contribution as defined by Section 108(9) of the Resource Management Act 1991; and
2. Includes a contribution made in relation to the same development for the same purpose as 1. above, under:
 - (a) a Development Contributions Policy (as defined by Section 197 of the Local Government Act 2002); or
 - (b) a development agreement (being an agreement between Council and a developer in respect of the developer’s contributions in respect of a particular development).

‘Floor Space’ means the sum of the total areas of several floors of a building or buildings (including any void area in those floors such as service shafts or lift or stair wells) measured from the exterior faces of exterior walls or from the centre lines of walls separating two buildings. For assessing [parking](#) requirement it excludes the floor space allocated to car parking or vehicular access to car parking.

‘Forest’ means any plantation or group of trees on any land for any purpose covering an area greater than one hectare, and which is not incidental to farming or [residential activities](#).

‘Forestry’ means the management of forests for soil conservation, regulation of water, production of timber or other forest produce, recreational, scenic or scientific purposes.

‘Fortified Site’ means a site characterised by the erection of a look-out platform, tower or structure, or the placement of a wall, barricade, fence, electrified fence, barbed wire fence or similar structure which precludes or inhibits

access by the police or any authorized officer, or the erection of a monitoring system such as a surveillance camera to enable monitoring of persons beyond the boundaries of the site, provided that normal domestic residential or commercial security systems are excluded.

‘Garage’ means a building or land used for the housing or care of self-propelled vehicles but does not include **‘Commercial Garage’**.

‘Habitable Room’ means any room apart from a room used solely for the purposes of an entrance, passageway, toilet, bathroom, laundry, garage or storeroom.

‘Handcrafts’ means a craft [industry](#) which can be conducted using natural resources and with most of the work in the finished article being done by hand or with simple hand tools.

‘Heavy Motor Vehicle’ means a motor vehicle with a gross laden weight exceeding 4,500 kilograms as specified by the vehicle’s manufacturer, excluding private recreational vehicles, and emergency vehicles.

‘Height’ in relation to a building means the vertical distance between the highest point of the building and the mean ground level.

For the purpose of calculating height:

- a) GROUND LEVEL shall be deemed to be the lowest of such of the following levels as are appropriate to the site in question:
 - The natural level of the ground or the finished level of the ground as a result of an approved subdivision;
 - The finished level of the ground as a result of excavation for building construction works; or
 - The finished level of the ground as a result of any subsequent works.
- b) MEAN GROUND LEVEL shall be the average ground level at the external foundation of the building.
- c) In determining whether any building or structure or part thereof is contained within the permitted height, the following shall not be taken into account:
 - Lift wells, elevator and stair bulkheads, roof water tanks and cooling towers (together with their enclosures), **provided that** the maximum dimension thereof shall not exceed 6m;
 - Chimneys and Flues **provided that** the maximum dimension thereof parallel to

the street shall not exceed an aggregate of 4.5m for any 30m of frontage;

- Dipole antennas and other telecommunications antennas, **provided that** the maximum dimension does not exceed 1.5m; and
- Flagpoles, aerials and wire, chain, link or other open or transparent fences, and such finials and similar parts as constitute only decorative features.

‘Height plane’ in relation to a building is a plane parallel to ground level through which a building may not project except as may be prescribed in these Rules. **‘Ground level’** shall have the same meaning as in the definition of **‘Height’**.

‘Hire Pool’ means land or buildings used for the hire of heavy or bulky items such as vehicles, power tools, and machinery, and includes the sale of items for use with items for hire, and facilities for the repair and maintenance of items for hire.

‘Hoarding’ means any building, wall, fence, structure, or erection or part thereof which is erected or used for the purposes of exhibiting or displaying any advertisement, placard or inscription; and also any building, wall, fence, structure, erection upon or against which any advertisement, placard or inscription is displayed, and includes any [sign](#) used to advertise anything not sold on the premises where the [sign](#) is situated.

‘Holding’ means a property or a collection of properties under common occupancy or in a single certificate of title which are farmed in conjunction with one another, and are contiguous.

‘Home Occupation’ means a business, craft, trade or profession which:

- a) is carried out entirely within a dwellinghouse, a building accessory to a dwellinghouse or a farm building, and
- b) is carried out by at least one person living permanently on the site unless otherwise specified in a rule, and
- c) involves no more than one third of the total floor space of buildings on the site and is in all respects, secondary to the principal uses of the site, and
- d) does not generate more than an average of ten motor vehicle trips per working day, including a maximum of two heavy vehicle trips per working day on average, and

- e) does not involve any exterior display (apart from [signs](#) in accordance with these Rules) or any other exterior indication that buildings are used for other than normal domestic or farm purposes.

‘Home Occupation’ includes the storage of plant and materials in connection with a business, craft, trade or profession carried out away from the site, provided that all the applicable conditions above are met.

NOTE: The following activities will normally not be able to meet the criteria of the Rules: panel beating, spray painting, motor vehicle repair, or wrecking, fibreglassing, activities involving heavy vehicles, sheet metal work, wrought iron work, activities involving scrap metal or demolition materials, activities involving fish or meat, breeding or boarding of dogs, funeral parlours.

(Refer to Policy CO23)

‘Hostel’ - see **‘Travellers’ Accommodation’**.

‘Hotel’ - see **‘Travellers’ Accommodation’**.

‘Household Equivalent (HE)’ means the amount of water usage generated by an average household with 2.74 persons during the summer peak period.

‘Household Unit’ means the self-contained house or residence of a single household and the word ‘unit’ shall have the same meaning.

‘Implement Shed’ means a shed accessory to farming activities, including the storage of rural based equipment and the workspace associated with rural activities, on the subject property.

‘Improvement Fee’ means a financial contribution as defined in this District Plan.

‘Indigenous’ in relation to a species of flora or fauna means a species that arrived in New Zealand without human assistance.

‘Indigenous Tree’ means any tree which is indigenous to New Zealand and includes any shrub, or group of trees or shrubs, or any bush or plant or group of bushes or plants.

‘Industry’ except where excluded by any provision of these Rules means any use of land or building where people use material and physical effort to:

- a) extract or convert natural resources;
- b) produce goods or energy from natural or converted resources;
- c) repair goods, and/or

d) store goods (ensuing from the industrial process)

being functions carried on in the course of a trade or a business and shall be deemed to include only such storage areas, offices and showrooms as are accessory to (a), (b), (c) and/or (d), and residential or caretaker's accommodation for persons whose employment is such that they are required to live on the premises.

'Intensive Pig Farming' means the keeping of pigs mainly within buildings, or outdoors without groundcover being maintained.

'Institution' means a building administered by an organisation for the purposes of public health, education or culture.

'Internal Site Boundaries' means any boundary of a site other than a road boundary.

NOTE: Refer to the definition of 'Site'.

'kV' means thousands of volts (which are a measure of electric pressure).

'Landscaped' means laid out and maintained with features such as trees, shrubs, lawns, paving, walls and screens so as to enhance the amenities of the site and surrounding area.

'Licensed Premises' means the land or buildings for which any licence has been issued or has been authorised in terms of the Sale of Liquor Act 1989 and its amendments.

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

'Loading Space' means that portion of a site including buildings, used for loading vehicles as required under this code and includes a loading dock.

'Local Needs' means the needs of the population of an area less than that of the District as a whole.

'Manoeuvre Area' means that part of a site used by vehicles to move from the vehicle crossing to any [parking space](#) or [loading space](#) and includes all driveways and aisles and may be part of an [access strip](#).

'Marae' means any marae site or pa site owned or administered by legally appointed trustees, a trust body or a hapu or whanau group for the common use of, or benefit of, a group of Maori people, or a community of people, containing a

significant area of open ground and which may include a Maori meeting house or hall and buildings used in conjunction therewith.

'Mineral Extraction' means mineral excavation, blasting, processing (crushing, screening, washing and blending), storage, distribution and sales; ancillary earthworks, deposition of overburden, treatment of waste water, rehabilitation works including cleanfilling; ancillary buildings and structures and residential accommodation providing primarily for security purposes.

'Motel' - see **'Travellers' Accommodation'**.

'Motor camp' - see **'Camping Ground'**.

'Multi-Unit Residential Development' means any [residential building](#) or group of residential buildings containing two or more [household units](#) and includes all residential buildings containing a single household unit if such single separate household unit is part of a housing development contained within the boundaries of a single site.

'MVA' means millions of volt amperes (which are units of electric power).

'Natural Features or items of value to the Community' means;

- areas of native bush listed in Appendix 14 of this District Plan and other areas of bush that may be identified from time to time which are of regional significance, as defined by the Waikato Regional Policy Statement "Criteria for Determining Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna".
- lakes, wetlands, waterways, areas of native bush and other ecologically or scientifically valuable features which are of regional significance, as defined by the Waikato Regional Policy Statement "Criteria for Determining Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna" or other relevant Regional Council Criteria.
- areas, sites, and structures of archaeological, historical or cultural significance identified in Appendices 10, 11 or 12 and are of significance in accordance with New Zealand Historic Places Trust and ICOMOS guidelines.
- significant landscape features.

'Net Site Area' means the difference in area between the area of the site and the area of its [access leg](#), and for a front, corner, or [through site](#) means the total area of the site.

'Non-Complying Activity' means an activity (not being a prohibited activity) which:

- a) contravenes a rule in a plan or proposed plan; and
- b) is allowed only if a resource consent is obtained in respect of that activity.

‘**Non-Residential Activity**’ means all activities, other than [Residential Activities](#).

‘**Non-notified Application**’ means any application which may be made without public notice pursuant to the Act, and Rule 1.5.5.

‘**Notional Boundary**’ means a line 20 metres from the most exposed external walls of a dwellinghouse, or the legal boundary of the site on which the dwellinghouse is located where the boundary is closer to the dwellinghouse than 20 metres. For the purpose of Rule 7.4.21 only, ‘dwellinghouse’ shall be read as ‘dwellinghouse, public or community facility’.

‘**Old People’s Home**’ means a home licensed under the Old People’s Homes Regulations 1987 and amendments.

‘**Outdoor (Extensive) Pig Farming**’ means where all stock is in paddocks with groundcover maintained.

‘**Pa**’ means any pa site or [marae](#) site owned or administered by legally appointed trustees, a trust body or a hapu or whanau group for the common use of, or benefit of, a group of Maori people, or a community of people, containing a significant area of open ground and which may include a Maori meeting house or hall and buildings used in conjunction therewith.

‘**Papakaianga Development**’ means any pa or marae site and other settlement where more than half the land is held in some form of communal Maori ownership.

‘**Parking**’ in relation to any vehicle includes the stopping or standing of the vehicle in approximately the same place, whether the driver is with the vehicle or not, whether the engine is running or not, and whether the vehicle is capable of moving under its own power or not.

‘**Parking area**’ means that part of a site within which vehicle parking spaces are accommodated, and includes all parking spaces and [manoeuvre areas](#).

‘**Parking space**’ means an area of land formed and set aside exclusively for the parking of a motor vehicle.

‘**Pensioner Flats**’ has the same meaning as [‘Elderly Persons Housing’](#).

‘**Permeable**’ for the purposes of this Plan means capable of being entirely permeated by rainwater

at a rate that avoids ponding or run off. Permeable surface shall include (but is not limited to) grass, soil, planting or similar such natural landscaping, but shall not include pavements, gobi-blocks, grasscrete, gravel or metalled driveways or hard-surfaced materials, or other similar materials.

‘**Permitted Activity**’ means an activity that is allowed by this District Plan without a resource consent if it complies in all respects with conditions specified in these Rules for Permitted Activities.

‘**Places of Assembly**’ means any building used primarily for worship, recreation, education or deliberation and includes any church, church hall, funeral director’s chapel, clubrooms, gymnasium, pavilion, indoor sports facility, community centre, or marae buildings.

‘**Primary Road**’ means a road in which the traffic function is dominant and includes national routes, regional arterials and district arterials as shown on Planning Map No. 39 and s described in Appendix 18. Refer also to ‘**Road**’.

‘**Prime Agricultural Land**’ means land having high actual or potential value for agricultural production. It includes all Class I, II, or III land shown on the New Zealand Land Inventory Resource Worksheets except when detailed investigation demonstrates that the particular site does not qualify as Class I, II or III land or where previous use has rendered the site unsuitable for agricultural use or has otherwise significantly reduced the productive potential of the land.

(Refer to Policies RU39, RU40)

‘**Principal Living Room**’ means any lounge, dining room, family room or kitchen.

‘**Private Hotel**’ means temporary accommodation (being unlicensed in terms of the Sale of Liquor Act 1962 and its amendments) for persons required generally to share service facilities.

‘**Production Forests**’ means land used and developed primarily for the utilisation of [forest](#) produce.

‘**Professional Office**’ means the office or rooms of a person or persons who:

- a) belong to an institution or association of similarly qualified people; and
- b) provide legal, medical, design, financial or other similar consultancy services which are not part of an industrial or [retail activity](#).

‘**Property**’ means adjoining land in the same ownership held in one or more Certificates of

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Title. Land shall be regarded as adjoining other land notwithstanding that it is separated from the other land only by a road, railway, drain, water race, river or stream.

‘Prospecting’ means any activity undertaken for the purpose of identifying land likely to contain exploitable mineral deposits or occurrences; and includes:

- a) Geological, geochemical, and geophysical surveys;
- b) The taking of samples by hand or hand-held methods; and
- c) Aerial surveys

and ‘to prospect’ has a corresponding meaning.

‘Protection Forestry’ means the planting, replanting, cultivation and management of trees for river protection, erosion control, soil stabilisation, water conservation, biological and other domestic (non-commercial) purposes, and the sale of timber from thinning or replacement operations.

‘Rear Site’ - see **‘Site.’**

‘Recession Plane’ in relation to a building means a plane inclined at an angle to the horizontal and extending from points above each [site boundary](#) over the whole site through which a building may not project except as may be prescribed in these Rules. **‘Encroachment Plane’** shall have the same meaning.

‘Recreational Activity’ shall mean any indoor or outdoor passive or active sports or games or recreational pursuits for participants and/or spectators whether or not they are undertaken for profit or reward or for which no charge is made and shall include such activities on or in water, land or in the air.

‘Regulations’ - Reference to **‘The Regulations’** or to a particular Regulation means a reference to the Resource Management Regulations and any amendments.

‘Relocation of Subdivision Entitlement’ means the transfer of the entitlement to create an additional allotment from one property to another property, whether the properties are in the same ownership or not and whether the properties are adjoining or not.

‘Removal of topsoil’ means removal of topsoil from the site.

‘Reserves contribution’ means a financial contribution as defined in this District Plan.

‘Residential Activity’ means a use of lands and buildings by people for the purpose of permanent living accommodation in a household unit where the majority of occupiers intend to live at the site for a period of one month or more of continuous occupation per annum and will generally refer to the site as their home and permanent address. It includes [accessory buildings](#) and leisure activities associated with needs generated principally from living on the site.

‘Residential Building’ means any building or part of a building used or intended to be used for human habitation.

‘Residential Site’ means a site occupied by one or more dwellings.

‘Retail Activities’ means land or buildings used for the display and/or sale of goods but does not include **‘wholesale shops’** as defined below.

‘Riparian vegetation’ means vegetation on land close to the banks of any water body which preserves the natural character of the water body and its margins.

‘Road’ includes **‘Street’** and means an area of land dedicated as road in accordance with the provisions of the Local Government Act 1974 and its amendments.

‘Secondary Road’ means a road in which the traffic function is dominant and includes collector roads and local roads as shown on Planning Map No.39 and as described in Appendix 18. Refer also to **‘Road’**.

‘Service Lane’ means land dedicated as service lane used from time to time for the vehicular servicing of adjacent properties.

‘Service Station’ means any site used for the retail sale of motor fuels and lubricating oils and includes:

- the sale of kerosene, tyres, batteries and other accessories normally associated with motor vehicles;
- cleaning of vehicles;
- mechanical and electrical servicing and repair of vehicles and light machinery such as lawn mowers; and
- the sale of other general goods provided the area given over to the display and sale of such goods (including both indoor and outdoor areas) does not exceed 150 m² in the Town Centre Zone, General Zone and Industrial Zone, and 50m² in all other Zones.
- but does not include panelbeating, spray painting, or heavy engineering such as engine reboring and crankshaft grinding.

(Refer to Policy C019)

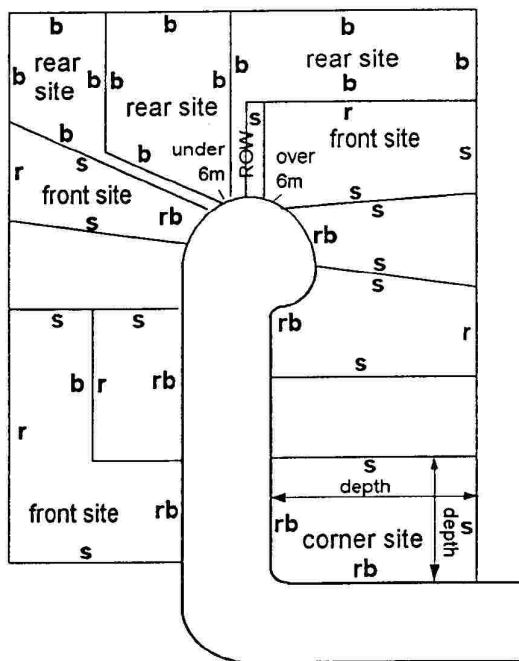
‘Shelter Belt’ means a row of trees not more than 4 deep planted for the purpose of providing wind shelter and screening.

‘Sign’ shall mean any name, figure, character, outline, spectacle, display, delineation, announcement, poster, handbill, advertising device or appliance, or any other thing of a similar nature to attract attention which is visible from some public place and shall include:

All parts, portions, units, and materials composing same, together with the frame, background, structure and support or anchorage thereof, as the case may be, and shall also include any of the foregoing things when displayed on a hoarding.

‘Site’ means an area of land permitted by these Rules and by the general law to be used as a separate site of one or more specified or ascertainable uses, and except as otherwise provided herein held in one Certificate of Title (other than a Certificate of Title for a principal or accessory unit issued pursuant to the Unit Titles Act 1972, or any leased area pursuant to a company lease or cross lease in respect of any part of an allotment) and includes all related buildings and curtilages. The issue of separate titles pursuant to the Unit Titles Act 1972 or a leasehold/tenancy in common scheme shall not be deemed to create a new site for the purposes of these Rules.

Any land required to be dedicated for road or road widening shall be excluded as a part of any site for the purposes of these Rules.



s side boundary)
 r rear boundary) internal site boundaries
 b boundary)
 rb road boundary

Where any land held in one Certificate of Title is crossed by any zone boundary that zone boundary shall be deemed to be a site boundary and there shall be deemed to be more than one site.

‘Site’ includes any corner site, front site or rear site.

‘Corner site’ means a site having a frontage of not less than 6m to each of two or more roads if the angle within the site between two such minimum frontages is not greater than 135 degrees.

‘Front site’ means a site having one frontage of not less than 6m to a road, and includes any ‘through site.’

‘Rear site’ means a site which is situated generally to the rear of another and has access to a road by means of an access leg, or which has a frontage to a road of less than 6m.

‘Through site’ means a site other than a corner site, with frontage of not less than 6m to each of two or more roads. A through site shall be deemed to be a front site for the purpose of these Rules.

‘Site Area’ means the total area of the site, excluding any part of the site subject to any proposed road widening, or any designation for a public work, excluding the area of any access strip or right of way.

‘Site Boundary’ means any boundary of a site and includes any rear boundary, road boundary, side boundary, or zone boundary which crosses within the site (see diagram).

‘Storage Warehouse’ means a building or part of a building used for the storage and display of materials, goods or articles prior to sale or disposal, but does not include a shop, provided that:

- a) The display of goods shall be incidental to and be a part of the principal use of the building for storage and shall be conducted in such a manner that it is not readily visible from the road by members of the public; and
- b) The warehousing activity has the object of serving retailers and wholesalers only.

‘Street’ means ‘Road.’

‘Structure’ shall have the same meaning as in Section 2 of the Act.

‘Telecommunication line or lines’ 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

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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.

‘Temporary Military Training Activity’ means a temporary military training activity undertaken for defence purposes in accordance with the Defence Act 1990.

‘Transfund Price Adjustment Formula’ (TPAF) means the application of the Cost Adjustment factor for construction produced by Transfund New Zealand for the construction industry to measure changes in the cost of an item or group of items from one point in time to another.

‘Travellers’ Accommodation’ means any land or buildings used for transient accommodation, and includes [motels](#), boarding-houses, hostels, [private hotels](#), holiday flats, motor and tourist lodges and all rented residential accommodation which is offered for a daily tariff but excludes any buildings or parts of buildings used as restaurants or other ancillary non-residential facilities available for use by members of the general public, and excludes any [camping ground](#).

‘Tree Planting, Management and Harvesting’ means the planting, replanting, cultivation and management of trees and the harvesting of trees.

‘Upgrading Fee’ or ‘Upgrading Levy’ means a financial contribution as defined in this District Plan.

‘Utility Service’ means the provision of electricity, street lighting, gas, telephone and telecommunication services or water supply to districts and consumers and the provision of drainage systems for the removal of storm and foul water, and the provision of meteorological services and information, and includes all lines, wires, pipes, structures and associated works and equipment for those purposes.

‘Utility Structure’ means any structure associated with a utility service excluding the generation of matter or energy transmitted by the utility service and includes any aerials, antennae and satellite dishes, [electric lines](#) and [telecommunication lines](#), transformers, substations, compressor stations, pumping stations, navigational aids, meteorological installations, telephone booths, and similar structures, whether for private or public purposes.

‘Vehicle’ shall have the same meaning as in the Transport Act 1962.

‘Waipa District Council Code of Practice for Land Development and Subdivision’ means

the code of practice included in the following documents:

1. Waipa District Council Code of Practice for Urban Land Subdivision based on NZS 4404:1981 amended where necessary to incorporate local requirements.
2. Waipa District Council Code of Practice for Rural Land Subdivision.

‘Wholesale Shop’ means an area within a site used for industrial activities where goods are displayed for direct sale to the public provided that the total [floor space](#) used for such purposes, together with any outdoor display area, shall not exceed 10% of the total floor space of the associated industrial buildings on the site, and provided that the goods sold are manufactured on the site.

‘Woodlot’ means an area of trees not exceeding 10% of a holding or 5 hectares, whichever is the greater, which is incidental to a farming use of land

