

ABBREVIATIONS

The following abbreviations shall apply wherever used in this District Plan:

ha	means hectare
km	means kilometre
m	means metre
m ²	means square metre
m ³	means cubic metre
mm	means milometre
AEP	means Annual Exceedence Probability
CMA	means Coastal Marine Area
GIS	means Geographic Information Systems
HDC	means Horowhenua District Council
MHWS	means Mean High Water Springs
NES	means National Environmental Standard
NPS	means National Policy Statement
NZCPS	means New Zealand Coastal Policy Statement 2010
NZTA	means New Zealand Transport Agency
Proposed One Plan	means Horizons Regional Council combined Proposed Regional Policy Statement and Regional Plan
RMA	means Resource Management Act 1991

DEFINITIONS

The following definitions shall apply wherever the words and phrases are used in this District Plan:

Access Leg means an area of land intended to provide access from the street frontage to one (1) or more rear sites.

Accessory Building means any detached building which is accessory to the principal activity on the site; and includes a garage housing vehicles used in association with a residential activity, a garden or implement shed, studio, or sleepout, but excludes a family flat.

Advertising Sign means any advertising device or appliance, or any other thing of a similar nature used to advertise a product, service, event or location. This includes all parts, portions, units and materials composing the same, together with the frame, background, structure and support anchorage.

Advertising Signs do not include local and central government election signs or freestanding footpath signs on the road reserve which are controlled by a Council By-law.

Aerial 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.

Aggregate Extraction Activities means the use of land, buildings and plant for the primary purpose of extracting and processing aggregates, including but not limited to rock, gravel and sand. Processing includes associated on site crushing, screening, washing and blending of aggregates.

Allotment has the same meaning as in the Resource Management Act 1991.

Alteration (only applicable to the heritage provisions) means any change to the physical fabric of a historic heritage building or structure that varies its size, style or composition. This includes the partial destruction of a historic heritage building or structure required to realise any such change, and includes the removal and replacement of external walls, windows, roofs, verandahs, parapets and balustrades. Alteration does not include maintenance, redecoration, repair or restoration.

Amenity Values has the same meaning as in the Resource Management Act 1991.

Ancillary Activity means any activity involving operational, construction, demolition or maintenance work directly associated with the principal permitted activity and/or a principal activity that has been granted consent.

Antenna means any telecommunication apparatus used for transmission or reception of signals including the antenna mounting and shroud but not including any supporting mast, pole or similar structure. This definition includes satellite dishes.

Archaeological Site has the same meaning as specified in the Historic Places Act 1993.

Area/Site of Cultural Significance means an area or site recognised by Tangata Whenua for its special cultural significance and identified on the Planning maps. These may include geographic features (such as waterways, mountains and coastlines), wāhi tapu, wāhi tūpuna, taonga and other places of spiritual and historical significance to Tangata Whenua.

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Bed has the same meaning as in the Resource Management Act 1991.

Boundary Adjustment means a subdivision intended to adjust the boundaries of certificates of title which does not create additional allotments.

Building means any temporary or permanent or movable or immovable structure; and includes any structure intended for occupation by people or animals or machinery but does not include any of the following:

- (a) Any fence or wall which has a height of 2 metres or less.
- (b) Any structure which has a height of 2 metres or less and having a floor area of less than 5.5m² which is located at least 1 metre from any adjoining property boundary.
- (c) Any vehicle, trailer, tent, caravan, or boat.
- (d) Any swimming pool or tank which has a height of less than 1 metre above ground.
- (e) Any part of a deck, terrace, balcony, or patio which has a height less than 1 metre above ground.
- (f) Any electricity poles and towers~~pylons~~.
- (g) Any pergola, crop structure or vertical crop protection structure~~or similar structure of a substantially open nature~~.
- (h) Scaffolding or falsework erected temporarily for maintenance and construction purposes.
- (i) Lightning rods and their mountings where they do not exceed 2 metres above the building or structure to which it is attached.

Building Coverage (or Site Coverage) means the portion of the net site area, when viewed in plan, which is covered by buildings, expressed as a percentage.

Bund means an embankment which may be used as a mitigation measure for different effects, including but not limited to, limit-noise effects, provide a visual effects screen (e.g. screening), or as a liquid containment system for hazardous substances, and for sediment erosion control. ~~designed to prevent the dispersal of hazardous substances from accidental on-site discharges.~~

Childcare Facility means a facility for the care and/or education of children with five (5) or more children under the age of seven (7), including but not limited to creche, day care centre, kindergarten, Kohanga Reo, playgroups and day nurseries; such facilities shall not provide for overnight stays, but excludes home-based childcare services.

Clean Fill means any earthwork operating to deposit material that when buried will have no adverse effect on people or the environment. Clean fill material includes virgin natural materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of any of the following:

- Combustible, putrescible, degradable or leachable components.
- Hazardous substances.

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- Products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices.
- Materials that may present a risk to human or animal health such as medical and veterinary waste, asbestos or radioactive substances.
- Liquid waste.

Commercial Activity means any activity providing commercial or administrative services, and includes retail trade premises, offices, and banks, but excludes premises or activities involving industrial manufacture or production, vehicle service stations, and commercial garages/vehicle sales yards.

Commercial Garage/Vehicle Sales Yard means land or any premises where motor vehicles are sold, leased, hired, repaired, maintained, cleaned, re-fuelled, panelbeaten, overhauled, painted, or housed; and includes the retail sale of motor vehicle accessories ancillary to that activity, but excludes any garage or building used for the storage of any vehicles which is incidental to and secondary to the principal activity on the site and which is not operated for commercial reward.

Community Activity (also community facility) means the use and development of any land or premises for any activity or service providing for the social and cultural needs of the community including community health, welfare, care, educational purposes and includes childcare facilities.

Community Entrance Sign means a sign advertising the district, or the towns, or settlements within Horowhenua.

Community Wellbeing Sign means any sign advertising a public education, health or safety matter.

Contaminated Land means land that has a hazardous substance in or on it that:

- (a) has significant adverse effects on the environment, or
- (b) is reasonably likely to have significant adverse effects on the environment.

Controlled Activity has the same meaning as in the Resource Management Act 1991.

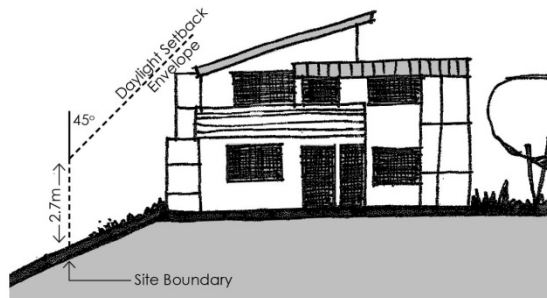
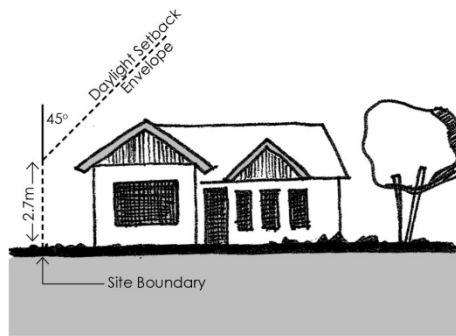
Council means the Horowhenua District Council or any committee, sub-committee, commissioner or person to whom the Council's powers, duties and discretions under this District Plan have lawfully been delegated pursuant to the provisions of any Act.

Daylight Setback Envelope means an envelope shape, measured at ground level at each site boundary, which is imposed to control the distance of buildings from boundaries so as to maximise daylight to adjoining properties; except that the following building structures or features shall be permitted to encroach beyond the standard Daylight Setback Envelope for the site:

- Eaves and spouting which projects from the building at a horizontal distance no greater than 1 metre.
- Chimneys, ventilation shafts, water storage tanks, lift towers, machinery rooms.
- Ornamental turrets, steeples, finials and other decorative features.

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- Radio and television aerials.



Deferred Zone means the Residential and Greenbelt Residential Areas identified in the Planning Maps as future growth areas. For the deferred zoning area the Rural Zone provisions apply until such time as the Deferred zoning status is uplifted.

Demolition (only applicable to the heritage provisions) means the total destruction of a historic heritage building identified in Schedule 2: Historic Heritage.

Designation has the same meaning as in the Resource Management Act 1991.

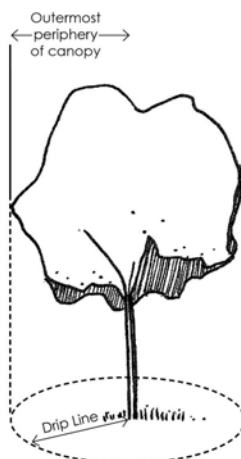
Development means carrying out any work or ancillary activity on any land including the construction, alteration, or demolition of any building or any excavation of land or any deposit of materials on land.

Discretionary Activity has the same meaning as in the Resource Management Act 1991.

Domestic Scale Renewable Energy Device means a small scale renewable energy device providing energy supply capacity to a single dwelling or business premises. This includes renewable energy sources such as solar and photovoltaic panels, wind turbines and microhydro.

Note: Any energy produced shall be used primarily for a single dwelling or business. However, this does not prevent the sale of electricity back to an energy supplier, so long as the electricity produced is primarily for the use of the dwelling or business to which it relates.

Dripline is the outermost periphery of a trees canopy spread where the longest side of the trees canopy shall be taken as the radius.



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Earthworks means any alteration to the existing natural ground level including re-shaping, re-contouring, excavation, backfilling, compaction, stripping of vegetation and top soil and depositing of clean fill. Earthworks does not include Aggregate Extraction.

Earthquake Strengthening (only applicable to the heritage provisions) means any work that improves the structural performance of a historic heritage building, particularly with respect to withstanding the effect of an earthquake.

Emergency Work is any work undertaken by Council on a Registered Tree in order to safeguard life and property or for containing the spread of disease.

Entertainment Activity means any land or buildings used for the purpose of entertainment, or social or cultural enjoyment; and includes any licensed hotel/club, casino, cinema, theatre, electronic games facility and premises controlled by the Prostitution Reform Act 2003.

Esplanade Reserve has the same meaning as in the Resource Management Act 1991.

Esplanade Strip has the same meaning as in the Resource Management Act 1991.

Existing, in relation to subdivision, land use or activities, means those legally authorised and existing at [Operative date].

External Sound Insulation Level (DnT, w + Ctr) means the standardised level difference (outdoor to indoor) and is a measure of the airborne sound insulation provided by the external building envelope (including windows, walls, ceilings and floors where appropriate) described using DnT, w + Ctr as defined in the following standards:

- ISO 717-1:1996 Acoustics - Rating of Sound Insulation in Buildings & Building Elements using spectrum No. 2 (A-weighted traffic noise spectrum).
- ISO 140-5:1998 Acoustics - Measurement of Sound Insulation in Buildings & of Building Elements - Part 5: Field Measurements of Airborne Sound Insulation of Facade Elements and Facades.

Face Area (of a sign) means the total visible area of the sign which is exposed or displayed for view excluding the supporting structure.

Family Flat means any detached building which shall be capable of being a self contained residential unit with kitchen and bathroom facilities, and shall be secondary in scale to any principal residential dwelling unit on the site.

Within the Greenbelt Residential Zone, a Family Flat shall be no more than 50m² in maximum gross floor area (plus a covered verandah up to 10m²).

Gross Floor Area means the sum of the gross area of the floors of all buildings on the site, measured from the exterior faces of exterior walls, or from the centre lines of walls separating two (2) abutting buildings or, in the absence of walls, from the exterior edge of the floor but excluding the following:

- Car parking, vehicle access and manoeuvring areas/ramps.
- Pedestrian facilities approved by the Council which are open to the public, are accessed directly from a public place and have an overhead clearance of not less than 3 metres.

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- Space for stairs, ramps, walkways, escalators and elevators.
- Plant and equipment enclosures on the roof.
- Mezzanines not available to the public.

Ground Level means the level of the ground based on the natural contours of the land or the finished level of the ground as a result of an approved subdivision, and shall not include earthworks which have resulted or will result from work undertaken as part of the construction of any building or development of the site.

Habitable Building means any building containing at least one (1) habitable room.

Habitable Room means any room in a building which is, or is likely to be, used as a rumpus or games room, study, lounge, living room, bedroom, dining room, kitchen or a room used for general amusement purposes.

Hapu means sub-tribal units which are comprised of several whanau which descended from an eponymous (common) ancestor.

Hazardous Facility means any activity involving hazardous substances and the sites where hazardous substances are used, stored, handled or disposed of, and any installations or vehicles parked on site that contain hazardous substances. ~~Hazardous facility does not include any of the following:~~

- ~~• The incidental use and storage of hazardous substances in domestic quantities.~~
- ~~• Fuel in motor vehicles, boats and small engines.~~
- ~~• Retail outlets for domestic usage of hazardous substances (e.g. supermarkets, hardware shops, pharmacies, home garden centres).~~
- ~~• Gas and oil pipelines.~~
- ~~• Trade waste sewers.~~

Hazardous Substance means, unless expressly provided otherwise by regulations, any substance -

- (a) with one (1) or more of the following intrinsic properties:
- an explosive nature;
 - flammability;
 - an oxidising nature;
 - a corrosive nature;
 - acute or chronic toxicity;
 - ecotoxicity, with or without bioaccumulation; or

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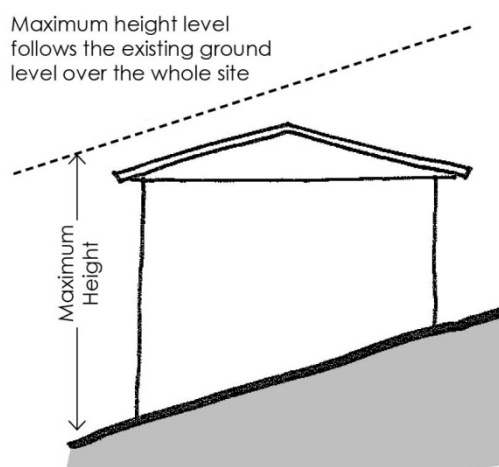
- (b) which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one (1) or more of the properties specified in paragraph (a).

Health and Safety Sign means any warning of health and safety hazards, including but not limited to those required under any legislation such as Health and Safety in Employment Act 1992 and Hazardous Substances and New Organisms Act 1996.

Height means, in relation to a building, the vertical distance between the highest part of a building and the ground level immediately beneath that point of the building or structure; except that the following features or structures shall not be included in the measurement of a building's height:

- Chimneys, ventilation shafts, water storage tanks, lift towers, machinery rooms.
- Ornamental turrets, steeples, finials and other decorative features.
- Radio and television aerials, and telecommunication antennas.
- Masts, other support structures and antennas associated with network utilities and domestic scale renewable energy device.

Provided that these projections do not measure more than 2 metres in a horizontal plane or project more than 1.5 metres above the maximum permitted height of the building.



Heritage Setting (only applicable to the heritage provisions) means, for historic heritage buildings, the area between the building and the legal boundary of the site on which it is located. For historic heritage sites, means the area contained within the legal boundaries of the site.

Historic Heritage Building/Structure(s) (only applicable to the heritage provisions) means a building or structure contained in the Historic Heritage Schedule.

Historic Heritage has the same meaning as in the Resource Management Act 1991.

Historic Heritage Site(s) (only applicable to the heritage provisions) means a site contained in the Historic Heritage Schedule that has important archaeological and/or Māori cultural heritage values. Unless specifically identified in the Historic Heritage Schedule, historic heritage sites exclude existing buildings or structures located within the site.

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Home-based Childcare Service means the provision of education and/or care to fewer than five (5) children under the age of seven (7) in their own residence, or the residence of the person providing the education or care, or any other residence nominated by the parents of the children.

Home Occupation means an occupation, business, trade, craft, or profession; the primary purpose of which is to derive income and which:

- (a) is incidental and secondary to the residential use of the property;
- (b) is undertaken or operated by a member of the household residing on the property on or in which the home occupation occurs plus one (1) other person (full time equivalent) who reside off the property and employed in the activity;
- (c) involves no exterior storage, display, or other indication of the home occupation (other than an advertising sign permitted by this Plan);
- (d) involves no delivery or collection of goods, materials, or wastes or visits for the home occupation outside the hours of 7.00 am to 8.00 pm;
- (e) gives rise to no significant effects including noise, smell, electrical interference, or traffic movements compared with the ambient conditions in the neighbourhood; and
- (f) includes administrative and professional offices, home-based childcare service, internet-based activity, telephone sales, and franchise distribution.

The following activities are specifically excluded from this definition:

- Childcare facilities, vehicle panel beating, automotive wreckers' and scrap yards, motor vehicle repairs, vehicle spray painting, sheet metal work, waste/recycling collection service, and any other industrial process or trade which involves the use of power tools or drilling or hammering machinery or activities.

Indigenous Vegetation means any flora occurring naturally in New Zealand, or belonging naturally to New Zealand. Indigenous vegetation does not include flora that has been introduced by people, and only exists in New Zealand because it was introduced by people, and does not include trees specifically planted by people for the purpose of timber production, or domestic amenity.

Infill subdivision means the subdivision of an existing residential site and would usually involve a site that has already been developed.

Industrial Activity means the use of land or premises for the purpose of manufacturing, fabricating, processing, repair, packaging, storage, collection, or distribution of goods; and includes the wholesale or retail sale of goods manufactured on the site.

Intensive Farming means any farming activity which predominantly involves the housing or raising of animals, plants or other living organism within buildings or in closely fenced enclosures where the stocking density precludes the maintenance of pasture or ground cover, ~~and which is substantially provided for by food or fertiliser from off the site~~; and includes intensive pig farming, poultry farming, and mushrooms farms; but excludes:

- horticulture undertaken in greenhouses,
- shearing sheds; and dairy milking sheds;

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- keeping, rearing or breeding of poultry of 20 or fewer birds; and
- the keeping, breeding or rearing of five (5) or fewer pigs that have been weaned, or more than two (2) sows (with progeny until weaned).

Internal Alteration (only applicable to the heritage provisions) means any change to the physical fabric of the interior of a historic heritage building or structure. This includes the removal and replacement of internal walls, ceilings, floors and doors; internal plumbing and rewiring; and replacement of minor fittings and fixtures.

Iwi a grouping comprised of several hapū, each recognising descent from an eponymous (common) ancestor. The hapū not only recognise genealogical ties but geographical, political and social ties. Iwi may be represented by many organisations including trust boards, runanga and Iwi authorities, but only in specific areas where the mandate to do so has been given by the constituent hapū or Iwi membership.

Iwi Authority means the authority which represents an Iwi and which is recognised by that Iwi as having authority to do so.

Iwi Management Plan means a relevant planning document recognised by an Iwi authority and formally lodged with the Horowhenua District Council.

Kaitiakitanga means the exercise of guardianship by the Tangata Whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship.

LAeq(t) has the same meaning as in NZS6801:2008 Acoustics - Measurement of Environmental Sound.

Lot has the same meaning as 'Allotment' as in the Resource Management Act 1991.

Maintenance (only applicable to the heritage provisions for historic heritage buildings and structures) means routine work that is required to ensure the continuous protective care of the fabric, and is to be distinguished from redecoration and restoration. Maintenance includes planned measures such as clearing debris from gutters, corrective measures such as treatment of dry rot or fixing obvious leaks and emergency measures such as storm related roof repairs and replacing broken glass.

Maintenance (only applicable to the heritage provisions for historic heritage sites) means mowing grass and lawns, general gardening, tree trimming, but excludes new earthworks, landscaping or fencing. For existing buildings, structures and signs within a historic site, it means the continuous care, repair and/or reinstatement of the building, structure or sign, where any disturbance of land does not extend beyond the area or depth of land previously disturbed.

Mana Whenua means customary authority exercised by an Iwi or hapū in an identified area.

Marae and Marae-Based Facilities and Activities include:

- wharehui and halls, hui, meetings, and social gatherings;
- accommodation, kitchen, dining, and ablution facilities associated with any marae;
- churches and church activities;
- kaumatua flats or elderly persons' housing or kainga housing for people associated

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with the marae;

- education and training facilities and activities;
- childcare and kohanga reo facilities and activities;
- community, Social, Health and Medical services; and
- urupa and burial services and activities.

Mast means any mast, pole, tower or similar structure designed to carry antennas to facilitate telecommunications. This definition excludes any arm supports.

Mauri means the essential essence of all being; the life force or principle. A metaphysical quality inherent in all things, both animate and inanimate.

Medium Density Development means three (3) or more residential units, designed and planned in an integrated manner, where all required land use and subdivision resource consents are submitted concurrently, or where the required land use consent for comprehensive residential development is submitted and approved prior to the subdivision consent submitted for the same site.

Minor Fittings and Fixtures (only applicable to the heritage provisions) include light fittings, switches, metal railings, window panes, hinges and latches, door handles and locks.

National Grid Corridor means a corridor either side of the assets used or owned by Transpower NZ Limited as part of the National Grid. The measurement of setback distances from National Grid electricity lines shall be taken from the centre line of the electricity transmission line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span as depicted on the diagram below.

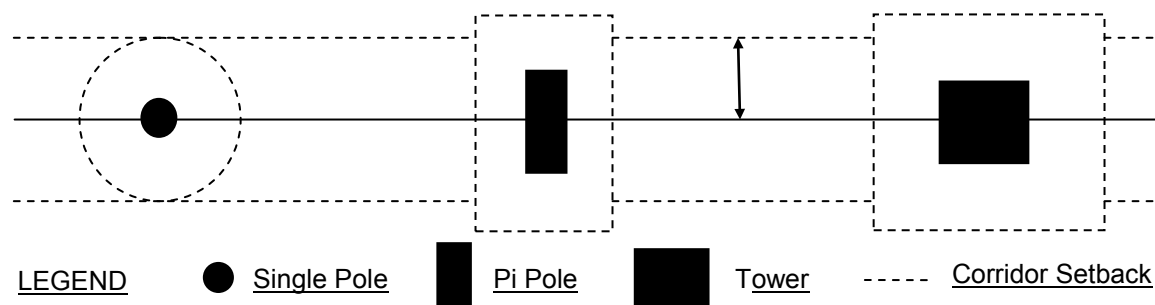


Diagram not to scale.

Net Site Area means the total area of the site excluding any part of an access leg and/or any strip of land 6 metres or less in width.

Network Utility includes any:

- aerial or mast or antennae or dish antennae;
- tower or pole, including any wind turbine;
- pole-mounted street light;

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- (d) line for telecommunication, cable television, transmission, sub-transmission, or any distribution line for conveying electricity, including associated pole, or ground mounted switch gear;
- (e) transformer, substation, compressor station, or pumping station;
- (f) water supply or irrigation race, drain, or channel;
- (g) pipeline for the distribution or transmission of natural or manufactured gas and any necessary incidental equipment, including compressors and gate stations;
- (h) pipe, including any pipe for conveyance or drainage of water or sewage and other wastes or natural gas;
- (i) navigational aid, lighthouse, or beacon;
- (j) survey peg or survey monument;
- (k) meteorological installation;
- (l) telephone booth;
- (m) Equipment incidental to the household or commercial or industrial connections to such utilities; and
- (n) Roding and railway lines.

Whether these are for private or public purposes; and includes routine maintenance of these network utilities.

Noise Sensitive Activity means any:

- Residential Activity,
- Visitor Accommodation,
- Conference Centre,
- Community Activity,
- Residential Dwelling Unit,
- Childcare Facilities,
- Medium Density Development,
- Residential Centre, or
- Retirement Village.

Non-complying Activity has the same meaning as in the Resource Management Act 1991.

Notional Boundary means, with regard to the measurement of noise, the legal boundary of the site property on which any dwelling is located or a line 20 metres from the dwelling whichever point is closer to the dwelling.

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Office means any commercial, professional, or administrative office; and includes any bank and premises offering financial services.

Official Sign means all regulatory traffic and official signs approved by a road controlling authority or provided for under any legislation and which are erected on a legal road or motorway.

Open Space means any land (whether or not zoned Open Space) which is developed for recreation or amenity activities that do not take place in buildings, public or private area of substantially unoccupied space or vacant land; and includes parks, reserves, playgrounds, landscaped areas, gardens, together with any ancillary seating and vehicle parking and pedestrian shelters and conveniences; but excludes any recreation facilities. It need not specifically be zoned as Open Space.

Papakāinga housing means communal housing developed by Tangata Whenua and often based around a marae.

Permitted Activity has the same meaning as in the Resource Management Act 1991.

Plantation Forestry means the commercial production of trees for wood products and includes woodlots, large scale plantations, a mix of pastoral and forest uses, and firewood lots, provided any area is contiguous planting over 1 hectare, but does not include shelterbelts and trees planted for horticultural purposes.

Poultry includes fowls, ducks, geese, turkeys, parrots, canaries and pigeons.

Primary Production Activity includes any agricultural, horticultural, floricultural, arboricultural, plantation forestry or intensive farming activity but does not include aggregate extraction, mineral extraction or mineral processing or the harvesting clearance or modification of indigenous vegetation.

Private Outdoor Living Area means an area of outdoor space directly related to the living area of a household unit, and for the household's exclusive use. It does not include parking, manoeuvring areas and buildings, but does include swimming pools, pergolas and similar open-framed structures.

Prohibited Activity has the same meaning as in the Resource Management Act 1991.

Recreation Activities means active and passive recreation activities and associated buildings and facilities, structures and landscaping required to enable these activities; and includes (but not limited to) gymnasiums, grandstands, stadia, clubrooms, halls, toilets, viewing platforms, night lighting, sealed courts, turf, swimming pools, campgrounds, playground equipment, boardwalks, cycleways and gardens.

Redecoration (only applicable to the heritage provisions) means the renewal, restoration, or new applications of: surface finishes, coatings, painting, decorative elements, minor fittings and fixtures, and floor coverings, excluding paint on previously unpainted surfaces. Includes the application of finishes and coatings to repaired fabric and preparation of surfaces for redecoration (e.g. washing but excludes sandblasting).

Re-located Building means any previously used building which is transported in whole or in parts and re-located from its original site to a new site; but excludes any pre-fabricated building which is delivered dismantled to a site for erection on that site.

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Remote Advertising Sign means any sign advertising a business or activity that does not take place on the same site on which the sign is located and is not a Community Sign, an Official Sign, a Temporary Sign, or a real estate sign of 2m² or less.

Repair (only applicable to the heritage provisions) means to improve the long-term condition of a building by using identical or closely similar materials to make good any damaged or decayed fabric. Repairs include re-pointing deteriorated brickwork, putting right damaged timberwork and replacing corroded or deteriorated roofing material.

Requiring Authority means any Minister of the Crown, Local Authority or Network Utility Operator approved under Section 167 of the Resource Management Act 1991.

Residential Activity means the use, occupation, or inhabitation of any land or buildings by people for the purpose of residential accommodation; and includes domestic occupations and pastimes and activities undertaken which are usually associated with residential accommodation; and includes any refuge or health care for up to five (5) persons, plus support staff.

Residential Dwelling Unit means a building which accommodates one (1) household unit, and can include a dwelling house, a flat, ~~a home unit~~, an apartment, or a town house, but excludes a family flat.

Restricted Discretionary Activity has the same meaning as in the Resource Management Act 1991.

Retail Activity means the use of land or premises for the retail sale or hire of goods to the public; and includes any café, restaurant, take-away food outlet, or other eating establishment, but excludes vehicle service stations and commercial garages/vehicle sales yards.

Road has the same meaning as in the Resource Management Act 1991.

Road-Side Sales Activity means the use of land or premises for the retail sale of goods or foods produced or grown on the property from which they are offered for sale and generally intended for purchase by passing traffic.

Rohe means a tribal territory or boundary.

Sensitive Activities means any of the following activities:

- Residential activities
- Visitor accommodation
- Community activities
- Recreational facilities and activities
- Camping grounds
- Educational facilities
- Places of assembly
- Marae and papakainga housing

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- Cafes and Restaurants
- Hospitals, rest homes or medical facilities.

Scheduled Notable Tree is any tree listed on the Register of Notable Trees in Schedule 3: Notable Trees, in the District Plan.

Shelterbelt Planting means the planting and maintenance of trees for shelter.

Sign has the same meaning as "advertising sign".

Site means an area of land ~~held in~~ ~~comprised wholly of~~ one (1) computer register (certificate of title); or the area of land contained within an allotment on an approved plan of subdivision; or the area of land which is intended for the exclusive occupation by one (1) residential unit; ~~or an area of land held in one (1) computer register.~~

Sleepout means a habitable room(s) separate from the primary dwelling which does not contain a kitchen and a bathroom.

Standard Tree Evaluation Methodology (STEM) is a nationally recognised method used to assess the significance of trees. A tree must score 150 points or more through the criteria which is available for perusal at the office of the Council.

Structure Plan means a framework to guide the subdivision, development or redevelopment of a particular area by defining the broad future form, areas of open space, layout and nature of infrastructure (including links), and other key features for managing the effects of development.

Subdivision has the same meaning as in the Resource Management Act 1991.

Tangata Whenua in relation to a particular area refers to the lwi or hapū that holds mana whenua over that area.

Taonga means all things prized or treasure both tangible and the intangible, treasures. The term carries deep spiritual meaning.

Temporary Activity means any short term activity and any buildings and structures associated with that activity and includes, but is not limited to:

- any event such as a gala, a sports event, a festival, a market or an outdoor music event; or
- any short term filming activities.

It does not include Temporary Military Training Activities.

Temporary Military Training Activity means a temporary military training activity which may include an activity on the surface of any water body, undertaken for Defence purposes. Defence purposes are those in accordance with the Defence Act 1990. The Defence Act also enables access to Defence areas which include areas utilised for temporary military training activities, to be restricted.

Temporary sign means any sign advertising any forthcoming event which is continuously displayed for no longer than two (2) calendar months in any one (1) year and removed within seven (7) days after the event.

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Tikanga Māori means Māori customary values and practices.

Treaty of Waitangi (Te Tiriti o Waitangi) has the same meaning as the word Treaty as defined in Section 2 of the Treaty of Waitangi Act 1975.

Vehicle Service Station means any land or premises used principally for the retail sale of motor vehicle fuels and for the re-fuelling and servicing of vehicles; incorporating activities which are incidental to the principal re-fuelling activity including the retail sale of motor vehicle accessories, oils, spare parts, and the retail sale of convenience goods; and ancillary services including mechanical repairs, warrant of fitness testing, tyre servicing, the mechanical washing of vehicles, and the hire of vehicles.

Versatile Land means Rural zoned land identified on Planning Maps as containing LUC Class I or II soil.

Visitor Accommodation means the use of land or premises for short-term living accommodation; and which may include some ancillary services and facilities such as dining hall, restaurant, conference and meeting rooms, and recreational facilities for the use of guests and visitors.

Wāhi Tapu refers to sites, areas or localities of special cultural, spiritual or historical significance to Tangata Whenua and associated with tapu. May include (but is not limited to) urupa, places where baptismal rites are performed and historic battlegrounds.

Wāhi tūpuna refers to sites, areas or localities of special cultural, spiritual and historical significance to Tangata Whenua but not necessarily tapu. May include (but is not limited to) village sites, pathways and boundary indicators.

Wastewater Works (for the purpose of sewage and waste-water designations) means any construction, operation and/or maintenance of facilities, buildings and structures for the purpose of receiving and treating sewage; and managing effluent, sludge and odour discharges from the processes. This includes, but is not limited to site management, fencing, landscaping, earthworks, monitoring, liquid storage facilities, buildings, pipework and structures.

Wholesale Trade means business engaged in sales to businesses, and may include sales to general public, but wholly consists of sales in one (1) or more of the following categories:

- (a) Automotive and marine supplies
- (b) Buildings supplies
- (c) Garden and landscaping supplies
- (d) Farming and agricultural supplies
- (e) Hire services (excluding hire of books, DVD and video)
- (f) Office furniture, equipment and systems supplies.

Wind Energy Facilities means the land, buildings, turbines, structures, substations, underground cabling, earthworks, access tracks and roads associated with the generation of electricity by wind ~~force~~ and the operation and maintenance of the wind energy facility. This does not include domestic scale renewable energy device or any cabling required to link the wind energy facility to the point of entry into the electricity network, whether transmission or distribution in nature.

27. MONITORING

27.1 STATUTORY REQUIREMENT TO MONITOR AND REPORT

The Council has a duty under the RMA to gather information, monitor and keep records on resource management matters. Performing these duties will enable the Council to evaluate the appropriateness, effectiveness, and efficiency of the content of the District Plan, and to provide an indication of the performance of the District Plan.

Section 35 of the RMA lists the monitoring requirements for local authorities and as a result, the Council is to undertake the following different types of monitoring:

- The state of the whole or any part of the environment of the District to the extent that it is appropriate to enable the Council to effectively carry out its function under the RMA.
- The efficiency and effectiveness of policies, rules, or other methods in this District Plan.
- The exercise of any functions, powers or duties delegated or transferred by the Council.
- The exercise of resource consents that have effect in the District.

The Council is required to report on the efficiency and effectiveness of the District Plan at five yearly intervals. This type of monitoring is often combined with State of the Environment Monitoring to give an overall understanding of how well the District Plan is working.

27.2 MONITORING PROGRAMME

In response to these statutory requirements, the monitoring programme that will be carried out by the Council is based on the following matters:

- Monitoring the efficiency and effectiveness of the District Plan as it manages current and emerging resource management issues.
- Monitoring compliance with the District Plan and resource consent conditions. Monitoring the Council's internal processes and delegations to ensure they are efficient and effective.
- Monitoring the state of the urban and rural environments of the district.
- Monitoring relevant legislation changes, proposed national policy statements, proposed national environmental standards, proposed regional policy and plan changes, and proposed cross-boundary district plan provisions.

The collection and analysis of information to carry out the monitoring programme will be integrated as each type and subject of monitoring helps inform another. These monitoring expectations are detailed below.

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27.2.1 Plan Efficiency and Effectiveness Monitoring

Plan efficiency and effectiveness monitoring is a key step in the overall planning process. This type of monitoring reviews whether the objectives, policies, methods and rules are resulting in the environmental outcomes sought. The collective results of monitoring are important and contribute to an understanding of the District Plan and what improvements need to be initiated through Council lead plan changes or reviews.

Section 79 of the RMA requires the Council to have commenced a review of a provision in the District Plan, if the provision has not been a subject of a proposed plan, a review, or a change by the Council during the previous 10 years. The Council is required to report on plan efficiency and effectiveness monitoring every five years.

The plan efficiency and effectiveness monitoring programme will be determined on an annual basis, according to the results of Compliance Monitoring, State of the Environment Monitoring, legislation and policy monitoring, and a review of the emerging issues. Aside from the outputs of the other types of monitoring there are key actions required for the Plan Efficiency and Effectiveness Monitoring, and these will involve:

- (i) The progressive review of the Anticipated Environmental Results against the results recorded in the state of the environment monitoring;
- (ii) Review a range of land use and subdivision consent decisions (notified and non-notified) determined by the Council, Boards of Inquiry and the Environment Court, to understand how effective the provisions were to reach a determination.
- (iii) Workshops with consent and compliance staff and other regular District Plan users outside of the Council (e.g. surveyors and architects) to understand key administration issues.
- (iv) Review of national and regional level policy documents to understand the implications for the District Plan and potential changes necessary to ensure statutory documents are given effect too.
- (v) Review the consent applications where there was significant public opinion expressed through submissions and the matters raised by individuals and organisations.

27.2.2 Compliance Monitoring

This section relates to the degree to which new land use, development, or subdivision complies with the District Plan and/or resource consent conditions.

This type of monitoring enables feedback on how well the permitted activity standards are to administer. Monitoring the impact of permitted activities on the environment provides a snapshot of the appropriateness of the permitted thresholds. This information and analysis is important for both efficiency and effectiveness and state of the environment reporting and informs decision making on future Council plan changes.

Monitoring consent conditions is intended to determine whether the conditions issued on resource consents have been set at an appropriate level. Are the conditions necessary and reasonable to achieve the outcomes sought, are they enforceable, do they enable relevant information to be collected from the consent holder.

The Compliance Monitoring programme will be undertaken throughout the year and will be based on random checking of compliance, regular follow up action on resource consents, as well through responding to public complaints and enquiries.

Compliance Monitoring will involve:

- (i) Monitoring the compliance with relevant permitted activity standards for a range of permitted buildings and activities.
- (ii) Monitoring the compliance of conditions of resource consent.
- (iii) Monitoring the performance of District Plan administration against statutory timeframes.
- (iv) Monitoring overall compliance with the Plan with respect to activities where:
 - complaints are received and keeping a record of the number and frequency of complaint and type of activity or building generating the complaints; and
 - any unauthorised activities reported; and
 - any abatement and infringement notices issued and the type of follow-up procedures undertaken; and
 - the findings of routine observations and inspections by staff; and
 - records kept in response to conditions that require self-monitoring by a consent holder and where Council approval is required to satisfy conditions.

27.2.3 State of the Environment Monitoring

The first State of the Environment Report for the Horowhenua District was prepared and published in 2001. The state of the environment (SoE) monitoring that provided the information and analysis for the 2001 report was based on the Pressure-State-Response framework, as adopted by the Ministry for the Environment. The reporting was linked to the Council's first District Plan under the RMA and based on the following nine key topics:

- Water
- Natural Features
- Rural Environment
- Urban Environment
- Coastal Environment

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- Cultural and Heritage Values
- Open Space
- Natural Hazards
- Transport

Each topic has a series of monitoring indicators and the 2001 report provides a synopsis on each.

In 2006 the Council produced a targeted SoE Report on subdivision and development. A key aim of this report was to focus on the urban rural and coastal environments and to document the change since 2001 as a result of subdivision and development. This SoE report generated additional monitoring indicators relating specifically to subdivision and associated development in rural and urban environments.

The 2001 and 2006 topics are still relevant for future SoE monitoring and reporting. In addition SoE monitoring on the topics listed below are also important:

- Energy Provision and Transmission
- Utilities Provision and Coverage
- Reverse Sensitivity (the management of the interface of different zones, and the proximity between industry, infrastructure and sensitivity activities).

SoE monitoring requires an ongoing collection of information so that trends can be established and analysed and should refer to the indicators established in the 2001 and 2006 SoE reports to guide information and data collection.

Future SoE reports will provide the snapshot in time and give an account of the environment as it is against the 2001 and 2006 baseline.

Recording and compiling the following information would assist in future SoE Monitoring:

- Recording land use and subdivision consent information (date, the non-compliance(s), activity status, notification, decision).
- Analyse the urban and rural development trends on an annual basis using information from Building Consent applications.
- Maintaining the Council's Geographic Information System with up-to-date information.
- Aerial photography at regular intervals to visually and accurately record change over time.
- Maintain a complaints register that follows the investigation process and resolution.

27 GENERAL PROVISIONS: Monitoring

27.2.4 Legislation and Policy Monitoring

As part of monitoring the efficiency and effectiveness of the District Plan there is a continual need to keep abreast of legislative changes to the RMA, national policy statements and environmental standards, to monitor proposed changes to the regional policy statements or plans, as well as proposed changes to district plans that may have cross boundary implications. The Council has an obligation to give effect to any operative National Policy Statements and Regional Policy Statements.

Legislation and Policy Monitoring could involve:

- The analysis of notified Regional and District Plans, and proposed changes to Regional Policy statements and Regional and District Plans.
- The analysis of proposed National Policy Statements and National Environmental Standards.
- The preparation and lodgement of submissions in response to draft or proposed national, regional or district policy/plan documents, sent out for public consultation pursuant to Schedule 1 of the RMA. This process will enable Council to monitor and keep abreast of potential changes in the RMA policy framework and respond to new or changing resource management issues that affect the District.
- The review of applicable new land use planning methods and emerging case law relevant to the District context.
- Liaison with other district councils to learn from their experience where applicable for the Horowhenua context.

27.2.5 Emerging Issues Monitoring

The District Plan is a 'living' document and must reflect current and emerging resource management issues so land use planning can be effective. The District Plan reflects the significant resource management issues of the Horowhenua District and an understanding of land use trends and the external influences (environmental, economic, social and technological) are necessary. The timeframe for collating information and trends is likely to differ

Emerging Issue Monitoring could involve:

- Meeting with rural and urban industry representatives and infrastructure providers on an annual basis to discuss issues and trends;
- The analysis of national and regional state of the environment reporting.
- Collating and reviewing submissions on the Council's Long Term Plan and Annual Plan processes which relate to resource management issues.
- Use statistics and trends from census data to provide an overall understanding of the population.
- Monitoring changes and improvements in the technology and practices used by different activities.

27 GENERAL PROVISIONS: Monitoring

27.3 THE MONITORING STRATEGY AND REPORTING

A five yearly report on the District Plan efficiency and effectiveness is a statutory requirement under the RMA. The outcome of the monitoring programme will ensure that the analysis and reporting can be achieved.

A Monitoring Strategy will be prepared in the near future, and then every three years (or every year) after that, a District Plan Monitoring Report will be produced. It is envisaged that the District Plan Monitoring Report will be a summary document. Research undertaken specifically in order to monitor the performance of the District Plan will either be referenced in the report or attached as appendices to the report.

27.4 CONCLUSIONS

The RMA contains an obligation to monitor and report on the efficiency and effectiveness of the District Plan. The monitoring programme outlined above is intended to ensure that this responsibility is met.

The different types of monitoring are integrated and all provide information that enables the analysis of the effectiveness and efficiency of the district plan policies, methods and rules. It may be that the Council is unable to carry out the entire monitoring approach every year, but will need to carry out the high priority tasks. Monitoring priorities and resources would be determined through the Council's Long Term Plan / Annual Plan processes.

There are variable timeframes and regularity over the monitoring approach. For example, the level of legislation and policy monitoring will vary from year to year depending on the release of statutory documents from the Government or Horizons Regional Council. Conversely, compliance monitoring on consents and responding to public enquiries and complaints is an ongoing requirement for the Council, as is the recording of consent information and the maintenance of a complaints register.

28. GENERAL PROVISIONS

28.1 NOTIFICATION OF RESOURCE CONSENTS

The decision on whether an application will be processed non-notified, limited notified or publicly notified will be determined in accordance with the provisions of Sections 95A - 95F of the RMA notwithstanding any other provision of the District Plan. Where a rule in this District Plan identifies a specific notification process to be followed this will take precedence over the provisions of the RMA.

If public notification of an application is not required under the first test. (i.e. effects are not likely to be more than minor, the applicant has not requested public notification, a rule or National Environmental Standard does not require public notification and Council does not require an application to be notified), then the second test is applied. This second test is whether the proposed activity would cause adverse effects of a minor or more than minor nature on any persons. The Fourth Schedule of the RMA sets out matters that should be included in an assessment of environmental effects on the environment and requires an applicant to identify "*persons affected by the proposal, the consultation undertaken, if any and any response to the views of any person consulted*".

Where written consent is to be obtained from affected persons for resource consent applications, this consent should be provided using the prescribed Form 8A from the RMA Forms and Regulations. This form is available at the Council Offices and can be downloaded from the Council website. If the written consent of all affected parties is provided with an application that has met the first test, it will be processed on a non-notified basis.

28.2 INFORMATION TO BE SUPPLIED WITH APPLICATIONS FOR RESOURCE CONSENT AND OTHER PLANNING RELATED APPLICATIONS

28.2.1 General Requirements for Applications

An application for resource consent must contain sufficient information to enable Council and any person affected by the proposal to understand what is proposed and to assess the likely effects on the environment.

All applications must be in the form prescribed by the RMA (Form 9). Copies of the appropriate forms are available from Council.

Information requirements for five different planning application types are listed in Table 28-1. Any other planning related application not detailed in the table below will require adequate information supplied with it to allow Council to process the application including information requirements specified under the RMA. Where there is any doubt, applicants should discuss the information requirements with a Council planning officer.

The details of each of the ~~four~~^{six} information requirements identified in the Table 28-1 are outlined below.

		Information Requirements					
		1.	2.	3.	4.	5.	6.
Application Type	Certificates of Compliance	✓					
	Land Use	✓	✓				
	<u>Subdivision</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>			
	Urban Subdivision	✓	✓	✓	✓		
	Rural Subdivision	✓	✓	✓		✓	
	Right of Way	✓					✓

Table 28-1 Application Information Requirements

28.2.2 Information Requirement 1: General Information

(a) Description of Proposal

- (i) A description of the type of activity or process proposed to be undertaken including the size and nature of any buildings and works. The proposal shall also show how the proposed activity is to dispose of sewage wastes and surface water, and how and in what form the development will be supplied with water supply, roading, vehicular access and parking.

(b) Description of Site

- (i) A description of the site of the proposed activity including:
 - Size of the site
 - Topography
 - Presence of any waterway or water body
 - Presence of any heritage feature
 - Existing buildings
 - Existing vehicle access points or access roads
 - Presence of any sites or features of significance to Tangata Whenua, including evidence of consultation and discussions held with Tangata Whenua and the outcome of such.

- Details of any historic or current land use activities undertaken on the site that may have resulted in contamination.
 - Presence of any potential archaeological sites, where evidence of these can be identified such as burnt and fire cracked stones, charcoal, rubbish heaps including shell, bone and/or glass and crockery, ditches, banks, pits, old building foundations, artefacts of Māori and European origin or human burials. A record of any consultation with the New Zealand Historic Places Trust is to accompany this information.
 - Presence of any network utilities or community infrastructure.
- (ii) A statement describing any significant natural hazards affecting, or likely to affect, the proposal including flooding, land instability, coastal hazards and fire. (Note: Refer to the “Risks and Responsibilities: Report of the Manawatu-Wanganui Regional Lifelines Project” (No. 2005/EXT/622) prepared by the Manawatu-Wanganui CDEM Group for information about natural hazards that may be relevant to the subject site).
- (iii) A plan of the proposed layout of the proposed activity on the site, drawn to a metric scale not less than 1:500, showing the north point, site boundaries, location of all components of the proposed activity, proposed access points and access roads, proposed earthworks, vehicle parking spaces, loading and manoeuvring areas (if applicable), and any proposed site development or landscaping works; and
- (c) Certificate of Title (including all encumbrances, consent notices, easements, covenants etc).
- (d) Drawings, plans or elevations, drawn to a metric scale sufficient to show any proposed buildings, structures, hard surfaces or significant earthworks.
- (e) Applicants details: address for service, address for invoicing, phone number and email address.
- (f) Application fee as listed in the relevant schedule of fees on the Council website.
- (g) For certificates of compliance an assessment against all relevant rules.

28.2.3 Information Requirement 2: Assessment of Environmental Effects and Technical Information

- (a) Assessment of Environmental Effects
- (i) Every application shall include an assessment of any actual or potential effects that the activity may have on the environment. The assessment of effects shall include a statement of the ways in which any adverse effects may be mitigated.
- (ii) For controlled activities, the assessment of effects need only address the matters over which Council has reserved its control.
- (iii) For restricted discretionary activities, the assessment of effects shall address matters over which Council has restricted the exercise of its discretion.

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- (iv) Every assessment of effects shall be in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment.
 - (v) A statement is to be provided describing any consultation or discussions held with persons likely to be affected by the application and a statement of the outcome of that consultation or discussion.
 - (vi) Every assessment of effects shall be prepared in accordance with the requirements of the Fourth Schedule to the RMA.
- (b) Other Consents Required
- (i) A statement specifying all other resource consents that the applicant may require under the RMA either from Council or from other authorities (i.e. Horizons Regional Council); and
 - (ii) A statement specifying whether or not the applicant has applied for or obtained such other consents.
- (c) Building Inspection report and photos (for relocated buildings).
- (d) Earthworks and foundation development.

Where significant earthworks are proposed, Council will require all applications to be accompanied by a report from a Registered Engineer, with expertise in soils, and detailing the following:

- (i) the nature of any site inspections and findings;
- (ii) certification that any proposed earthworks or foundations are suitable for their intended purpose;
- (iii) the extent of any particular requirements or further investigations required. In particular the report should specify that the land will, following the earthworks proposed, be stable in terms of expected settlement, bearing capacity, soil shrinkage and expansion, slope, and compaction; and
- (iv) if the earthworks are likely to affect any site of significance to Tangata Whenua (whether or not it is identified on the Planning Maps) (if earthworks are proposed near a waterway, in coastal areas or near known areas of historical habitation by Māori) the relevant Iwi will be considered to be affected and consultation is encouraged. An Archaeological Assessment and Cultural Impact Assessment may be required.

Note: Any subdivision or development which involves bulk earthworks, changes to the slope of land, the cutting or filling of land, or the construction of foundations for roads, services, or other works may be subject to the requirements of the Horizons Regional Council relating to vegetation clearance (land disturbance).

(e) Hazardous Substances

Any application for a resource consent which involves the use or storage of any hazardous substance shall supply the following information:

- (i) The nature and volume of any hazardous substance to be stored or used on the site and specifically:
 - The physical and chemical properties of any hazardous substance.
 - The intrinsic properties of any hazardous substance (including its flammability, explosiveness, toxicity).
 - Proposed site design and handling and storage methods.
 - Proposed location of any storage tanks and distances of these from site boundaries.
 - (ii) Details of the transportation routes and vehicle types expected for delivery and supply of any hazardous substances.
 - (iii) A qualitative or quantitative assessment of likely risks of any hazard arising from the use or storage of hazardous substances on the site particularly in relation to:
 - The location and nature of surrounding land use.
 - Proximity to any water ways or community stormwater system.
 - The nature of the site's soil and geology.
 - Proximity to ecologically sensitive areas or wildlife areas.
 - Proposed transportation supply and delivery routes.
 - Proposed disposal of hazardous wastes.
 - (iv) Proposed emergency response plans or procedures of the effectiveness of on-site procedures for the management of hazardous substances.
- (f) Contaminated Land
- (i) Any application for a resource consent which involves removing or replacing fuel storage system, sampling soil, disturbing soil, subdivision of land or changing the use of land on a piece of land that has or had or it is more likely than not that an activity or industry described in the *Hazardous Activities and Industries List* (HAIL) is being or was undertaken on the site (please refer to the *National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (Regulations 2011)* for detail), requires the following information:
 - (ii) A detailed site investigation for the piece of land detailing the soil contamination levels.
- (g) Heritage
- (i) Where the application affects any historic heritage site, building or structure in Schedule 2 of this District Plan, a statement describing the effects of the proposal on that site, building or structure and the proposals for mitigating any such effect; and

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- (ii) Where a site is subject to a heritage protection order the consent of the relevant authority may be required.
- (h) Notable Trees
 - (i) Where the application affects any notable tree listed in Schedule 3 of this District Plan, a statement describing the effects of the proposal on that tree and the proposals for mitigating any such effect.
- (i) Buildings or earthworks within High Amenity Landscapes, Outstanding Natural Features and Landscapes.

Any resource consent application which involves a building or earthworks within Domains of High Landscapes Amenity or Outstanding Natural Features and Landscapes, requires the following information:

- (i) The extent to which the proposal would adversely affect the landscape values of the landscape in which it is located.
- (ii) The extent to which there are cumulative effects on landscape values.
- (iii) The extent to which the proposal would lead to buildings structures and earthworks being highly visible.
- (iv) Where the application involves a building the reflectivity value of any exterior colour the proposed building would be clad in (40% or under reflectivity value is acceptable for roof paint and 60% or less for exterior walls).
- (v) The extent to which the proposal would provide for the rehabilitation and restoration of landscape and associated values (e.g. landscape planting plan) where appropriate.

28.2.4 Information Requirement 3: Subdivision

Format of Information Supplied

Every application for subdivision consent shall comply with the following format requirements:

- (a) Plan Size: All plans should be on standard metric sheets. Preferred size is A3.
- (b) Copies: All plans must be capable of being photocopied in black and white and three copies are to be provided.
- (c) Scale: Every plan should be drawn at a scale to clearly illustrate the proposal. A minimum scale of 1:500 is preferred for urban subdivision proposals. Where photofoil presentation is used an approximate scale will be accepted. All plans shall show a north point and New Zealand Grid Reference (at centroid of largest parent parcel).
- (d) Applicant's Reference Number: The plan shall show the reference or identification number used by the applicant with version control and date.

Site Details to Accompany Applications for Subdivision Consent

The Subdivision and Development Principles and Requirements (2012) set out information requirements to accompany subdivision scheme plans and should be referred to when compiling a subdivision consent application and drafting a subdivision plan. All applications shall show the following details where applicable:

- (a) Titles: The following details shall be endorsed on the plan:
 - (i) Legal description
 - (ii) Certificate of Title reference
 - (iii) Land district, survey district and block number, local authority districts and their boundaries where applicable
 - (iv) Registered Owners' name
 - (v) Total area
 - (vi) Name of Surveyor or firm (where applicable)
- (b) Buildings: The location of all existing buildings, structures, and fencelines.
- (c) Topography: Adequate contour information to illustrate the existence on each allotment of a suitable building platform and to enable the gradients proposed for streets, rights of way and access ways to be assessed. For two or three lot subdivisions, Council may accept spot levels in terms of mean sea level datums.
- (d) Vegetation and Habitat: The location, nature, and extent of any significant trees or areas of vegetation and habitat for indigenous fauna within the site.
- (e) Archaeological and Cultural: The location nature and extent of any significant cultural and archaeological areas within the site. An Archaeological Assessment and/or Cultural Impact Assessment may be required.
- (f) Waterways: The location and width of any streams and the limits of any tidal influence.
- (g) Drainage: The location and dimensions of any piped or open drains.
- (h) Wetlands: The location and extent of any wetland areas or swamps.
- (i) Flooding: Any areas subject to inundation by any waterway or the sea.
- (j) Natural Hazards: A description of any areas known to be subject to land instability or other significant hazard, together with a statement of any proposals for mitigating, or remedying any adverse effects or the hazard(s). (Note: Refer to the "Risks and Responsibilities: Report of the Manawatu-Wanganui Regional Lifelines Project" (No. 2005/EXT/622) prepared by the Manawatu-Wanganui CDEM Group for information about natural hazards that may be relevant to the subject site).
- (k) HAIL sites: A preliminary site investigation stating that it is unlikely that there will be a risk to human health or a detailed site investigation.

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- (l) Existing Road Condition: A description of the formation and construction type of the road providing access to the subdivision and all existing accessways adjoining the proposed subdivision.
- (m) Property Identification: Any house or property identification number or street number.
- (n) Other Details: A description of any other physical feature of the site which is or may be relevant to the consideration of the subdivision application.

Any services that may affect or are near proposed boundaries. ie show that all services are contained within the new boundaries. Therefore existing services have to be located and show where they cross boundaries.

Details of the Proposed Subdivision to be Provided

- (a) Boundaries: The position of all proposed new boundaries shall be clearly shown.
- (b) Allotment Areas: The metric area of all allotments and balance areas shall be shown on the plan. Every allotment shall be given a number.
 - (i) For multi-lot subdivisions (of more than five (5) allotments) a schedule of areas and numbers of allotments shall be shown on the face of the plan.
- (c) Schedules of jointly owned access lots and details of the proposed shared ownership should be shown in a panel on the plan.
- (d) Amalgamation: In the case of any subdivision which requires an amalgamation condition to be included in its approval, the Surveyor shall show this on the survey plan and indicate which provision in Section 220 (1)(b) of the RMA will apply to those circumstances.

It is essential that underlying lots and titles are shown on the face of the subdivision plan to assist in formulating appropriate conditions of amalgamation. Titles marked as "Limited as to Title or Parcels" cannot be amalgamated.

- (e) Land Area: All the land comprised in the certificate or certificates of title to the land proposed to be subdivided shall be shown on the scheme plan. Any land held in the same ownership, if comprised in a separate certificate of title and abutting the land being subdivided, shall be indicated as such on the plan.

Where the extent of the land or the detail to be illustrated makes it necessary, a diagram shall be drawn on the plan or on a separate sheet.

- (f) Roads: New roads shall be shown as "road to vest". No new road name should be shown on any subdivision plan unless it is a natural extension of a road already named. Council will determine the necessary names for new roads on any proposed subdivision. The applicant shall submit a list of names for any new roads to vest in accordance with Council's Road Naming Policy.

Service lanes and access ways shall be shown simply as "service lane to vest" or "access way to vest" as the case may be. The nominal width of all roads, service lanes and access ways shall be shown.

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- The position of any road formation in relation to boundaries shall be shown on the plan along with full engineering details of road formation, footpath and signs.
- (g) Reserves: The purpose of every existing or proposed reserve shall be shown on the plan. All land below Mean High Water Springs and the beds of rivers and lakes required to vest in the Crown shall be clearly identified.
 - (h) Land to Vest: Any allotment to be vested in Council or in the Crown shall be clearly shown.
 - (i) Easements: Every existing or proposed easement shall be shown on the plan. In addition a Schedule of Easements shall be endorsed thereon. Easements which are of a voluntary nature shall be headed by the words "Optional Easements". Easements essential to the whole concept of the subdivision and which will become mandatory in nature shall be headed "Memorandum of Easements". The purpose of any easement, the lots that are appurtenant and subject to it, or in the case of an easement in gross, the name of the grantee shall be shown in panel form below the appropriate heading.
 - (j) Proposed Services: Details of proposed water supply, stormwater collection and disposal, sewage collection and disposal, and the location and dimensions of any new vehicle entrance way.
 - (k) Stormwater design: A stormwater design is to be provided including consideration of on-site soakage, ground water mounding, and overland flow paths. Full details must be provided to ensure that no nuisance is created for others. Catchments are to include whole of catchment designs. An assessment of stormwater contamination may be required.
 - (l) Special Works: Details of any landscape works proposed on road reserves including the location and species of trees.
 - (m) Building Line Restrictions: The position and details of any existing or proposed building line restriction(s).
 - (n) Lighting and Other Services: Road lighting and the proposed location and type of electricity, gas power and telephone services as well as details of any easements necessary for the protection of utility services.
 - (o) Reserves and Other Contributions: The details of any proposed reserves or other financial contribution.
 - (p) Suitable Building Site: Each proposed allotment must provide for a practicable potential building site. A practicable building site must be indicated for each allotment capable of accommodating a residential dwelling.
 - (q) Structure Plans: Features of a structure plan must be shown on the proposed scheme plan for any urban subdivision involving a site on which a structure plan is shown. The application must detail how the proposal is in accordance with the requirements of the structure plan.
 - (r) Building Area and Effluent Disposal Area: For rural subdivisions where no sewer connection is proposed to available Council reticulation, a building area and effluent disposal and reserve disposal area must be shown in compliance with the specifications detailed in Rule 19.7.2(f).

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Assessment of Effects for Subdivision Application

The assessment of effects required for every application for subdivision consent shall, in addition to information required by the RMA and this District Plan, address the following matters:

- (a) Proposed services, reticulation and connections (stormwater, water supply and sewage disposal).
- (b) Any effects on or discharges to streams and tidal waterways expected to arise in the course of development and works or services required for the subdivision.
- (c) Traffic safety effects resulting from new vehicle entrance ways or crossings.
- (d) Road construction effects (both temporary construction effects and long term effects).
- (e) Impacts on water supply expected to result from increased demand caused by the subdivision.
- (f) Any potential effects on any natural habitat of indigenous species.
- (g) Any encumbrances on potential building sites.
- (h) The suitability of the land for occupation and building.
- (i) Any effects on any special site features or buildings.
- (j) Any effect on any high amenity landscape, outstanding natural landscape or outstanding natural feature.
- (k) Any effect of reverse sensitivity.
- (l) Effects on cultural values.
- (m) Details of how any adverse effects will be monitored and by whom.
- (n) Mitigation measures to address the above.

~~Engineering Drawings to be Supplied~~

~~Where it is proposed to connect any development to any reticulated Council service or road the following documents are required to be supplied to Council:~~

- ~~(a) Engineering drawings, specifications and calculations where required, covering the following sections of the work to be carried out:
 - ~~(i) Site regrading.~~
 - ~~(ii) Roading and access.~~
 - ~~(iii) Drainage (stormwater and sanitary).~~
 - ~~(iv) Water supply and other services.~~~~

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- ~~(v) — Soils engineer's report on the suitability of the land for subdivision, or other reports as considered necessary by the local authority.~~
- ~~(b) — "As built" plans, to a minimum scale of 1:500, as and when the various aspects of the work on the subdivision have been completed.~~
- ~~(c) — A certificate stating that the works have been carried out under the control of and to the satisfaction of, the Certifying Engineer.~~
- ~~(d) — Engineering drawings detailing the following earthworks proposals:
 - ~~(i) — Original and final contours.~~
 - ~~(ii) — Areas of cut and fill.~~
 - ~~(iii) — Subsoil drainage.~~
 - ~~(iv) — Silt control.~~~~
- ~~(e) — Plans showing the streets including everything that is to be located within the street or within the subdivision (i.e. carriageways, footpaths, berms, trees, watermains and fittings, sanitary sewers, pump stations, stormwater drains, manholes, sumps, electric power, streetlights, telecommunications cables and junction boxes and transformer sites. Plans shall also show the limit of all work proposed to be done by the Developer and its relationship to adjacent existing works or property.~~
- ~~(f) — Longitudinal sections of every street including levels, longitudinal sections of sanitary sewers and stormwater drains including pipe sizes, types, grades, design flows, manholes and also underground services that are to vest in Council which cross the line of the longitudinal section to show calculated clearances.~~
- ~~(g) — Detailed typical road cross sections showing the location of all features described in this document including engineering services, road formation, subgrade drainage, metalling, kerb and channelling, sealing or paving, footpaths and other walkways, berms and planting areas.~~
- ~~(h) — Details showing how streets and services are to be connected to existing streets and services.~~
- ~~(i) — Details showing underground cabling and services provided by others.~~
- ~~(j) — Plans shall provide levels to the recognised local datum.~~
- ~~(k) — Upon completion of construction, copies of "as built" plans are to be submitted by the owner showing the following details as constructed: —
 - ~~(i) — Sanitary drainage reticulation — including the measured positions of manholes, manholes depth and lid levels (where required by Council); measurements to house connections, referred to the centre of the downstream manhole cover and the length and position of laterals.~~
 - ~~(ii) — Stormwater drainage reticulation — detailed as for (a). The plans shall also show subsoil drainage and floodpath level information.~~
 - ~~(iii) — Water reticulation — including the position of mains, location of hydrants, valves, tees and connections.~~~~

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- ~~(iv) Areas of filling showing the total depth of fill, in the form of lines joining all points of equal fill depth.~~
- ~~(v) Ducts measurements to ducts installed for telephone, power and gas reticulation.~~
- ~~(vi) Street names as suggested by the Owner and as approved by Council.~~
- ~~(l) Details as required by Council's Subdivision and Development Principles and Requirements.~~

28.2.5 Information Requirement 4: Urban Subdivision

- ~~(a) Topographical Detail: Generally topographical detail needs to show how stormwater from or to neighbouring properties will be managed and potential building platform.~~
- ~~(b) Contours or spot heights shall be shown where possible in terms of the Lands and Survey datums. If that is not practicable, then assumed datums should be used.~~
- ~~(c) Where a subdivision plan forms only part of the future potential development of a larger block of land, whether or not held in the same ownership and zoned residential, Council may require the subdivision plan to show the total development. In such cases detail should include roading, drainage, water supply and the number of sections, so as to ensure that the initial subdivision plan application does not prejudice full and future development. The extended development may be shown to a smaller scale as an insert on the initial application.~~
- ~~(d) Structure Plans: Features of a structure plan must be shown on the proposed scheme plan for any subdivision involving a site on which a structure plan is shown. The application must detail how the proposal is in accordance with the requirements of the structure plan.~~

28.2.6 Information Requirement 5: Rural Subdivision

- ~~(a) Locality Diagram: For rural properties, a locality diagram shall be shown on the plan to assist in identifying the property's location.~~
- ~~(b) Topography: Generally topographical detail needs to show how stormwater from or to neighbouring properties will be managed and potential building platform.~~
- ~~(c) Sufficient data of the same nature as the categories listed under Rule 24.2.4 should be shown if relevant to the task of identifying proposed boundaries on the ground and establishing any necessary conditions of approval.~~

~~Aerial photographs, where available, may be used to supply topographical data provided they are of sufficient scale and clarity to be readily interpreted and shall have the boundaries of the proposed subdivision clearly indicated thereon. A plan cadastral print shall be submitted for use by Council where an A4 size copy would lack clarity.~~

~~The circumstances of each case will determine the extent and the detail of topographical information which should be shown but Council may ask for more information where it is necessary to assist the processing of any application.~~

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- (d) ~~Building Area and Effluent Disposal Area: A building area and effluent disposal and reserve disposal area must be shown in compliance with the specifications detailed in Rule 19.7.2(f).~~

28.2.7 Information Requirement 46: Applications for Rights of Way

Applications for Council's consent to the creation of rights of way which are independent of any subdivision should be presented to Council in a form similar to that of a subdivision consent application. Plan size, scales, relevant topographical details, dimensional accuracy, Schedule of Easements, plan title details etc, shall be, with necessary adjustments, as required for applications for subdivision consent.

A report explaining the proposal should accompany the submission of the plans to Council. In rural areas the purpose of the right of way should be indicated so that Council can determine whether or not any construction conditions should be included.

The following details of the proposal should be indicated on the plan or in the report:

- (a) Gradient
- (b) Width of easement
- (c) Width of carriageway
- (d) Proposed earthworks (if any)
- (e) Stormwater disposal details
- (f) Intersection details with existing legal road in public use including where appropriate, sight distances
- (g) Other details as requested by Council staff.

28.2.8 Information Requirements: Noise Management Plan for Temporary Military Training Activities

The Noise Management Plan required under Rules 15.6.33, 16.6.24, 17.6.25, 19.6.30 and 20.6.23 shall contain the following:

- (a) State the objectives of the Management Plan (i.e. comply with a peak sound pressure level of 120 dBC (daytime) and 90 dBC (night time) when measured at the notional boundary of any residential dwelling unit or noise sensitive activity, or any site boundary in the Residential Zone or Greenbelt Residential Zone).
- (b) A description of the site including but not limited to any characteristics which may mitigate noise and a map showing potentially affected noise sensitive activities.
- (c) A description of the activity, including times, dates, nature and location of the activity and noise sources and a map showing the predicted peak sound pressure levels (noise contour map).
- (d) Methods to ensure the emission of noise does not exceed the noise level specified in Rules 15.6.33, 16.6.24, 17.6.25, 19.6.30 and 20.6.23, including but not limited to, location and orientation of dwellings, location of activities and hours of operation.

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- (e) Detail on the programme for notification and communication with the occupiers of affected noise sensitive activities prior to the activities commencing, including updates during the event.
- (f) Detail procedures for receiving and deciding on complaints.
- (g) Detail procedures for noise monitoring and reporting.

28.3 PROVISION OF SERVICES

The developer shall make all arrangements with the appropriate authorities for the supply and installation of electric power, and where available gas, street light reticulation and lamps, and telecommunication services.

Provision is to be made for ducts or conduits to be installed across roads and vehicle crossings if the authorities are unable to install their cables/pipes at the appropriate time.

Any case where the subdivision or development of land gives rise to the necessity to obtain easements for access or servicing over adjoining land, the developer or subdivider shall obtain all the necessary consents and have these consents registered on the respective certificates of title.

The developer will be responsible for maintaining all new engineering works within the subdivision or development until they are formally taken over by Council as public works for the final stage of any staged subdivision or to a date specified in a bond for completion of uncompleted works. (Refer to Bonds for Uncompleted Works or Future Maintenance below)

All damage to existing roads, services or private property, or any disturbance of survey boundary marks due to or caused by any new works, shall be the liability of the developer. All damage must be repaired by the developer as soon as reasonably practicable. Where damage is considered by Council in respect of Council infrastructure or the New Zealand Transport Agency in respect of State Highways, to be a serious hazard to the public, Council or the New Zealand Transport Agency may arrange for the necessary work to be carried out and charged to the developer. Such work includes the removal of mud and debris from existing roads in the vicinity of the subdivision and may include daily removal of such debris where necessary in the interests of traffic safety.

28.4 BONDS FOR UNCOMPLETED WORKS OR FUTURE MAINTENANCE

Where, in the opinion of Council it is desirable, Council may approve a request from a subdivider to complete any required works after approval of a survey plan provided a bond is lodged with Council as guarantee against completion of the outstanding works.

The subdivider shall forward to Council a schedule of the quantities and three quotes confirming the costs for completion of the works. Council will make its own assessment of the value of the uncompleted work and will require a bond guarantee against completion of the required work, to be registered against the certificate(s) of title for the affected land.

All works to be taken over by Council will be subject to a defects liability period for a minimum of two years from completion of the final stage and shall apply for the entire development and may be bonded to ensure compliance.

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28.5 CONDITIONS OF RESOURCE CONSENT

Where Council grants consent to an application for resource consent, Council may impose any conditions on that consent which are considered to be necessary to avoid, remedy, or mitigate any adverse environmental effects under Sections 108 and 220 of the RMA. Such conditions may include requirements for works including those set out in Chapter 24 of this District Plan.

28.6 ADVICE NOTES

Advice Notes are commonly included on resource consents to inform applicants of requirements relating to compliance, fees/charges and requirements/obligations under other legislation.

Applications involving Archaeological Sites

Notwithstanding any resource consent that may be granted by this Council, where any person wants to destroy, damage, or modify the whole or any part of any archaeological site, consent shall be required from the New Zealand Historic Places Trust (NZHPT) for an archaeological authority pursuant Section 11 or 12 of the Historic Places Act 1993.

28.7 GENERAL DUTIES APPLYING IN ALL ZONES

In addition to, and notwithstanding the requirements stated elsewhere in this District Plan, the following general duties, which are specified in the RMA, shall also apply:

28.7.1 Duty to Avoid Unreasonable Noise

In accordance with Section 16 of the RMA, every occupier of land and every person carrying out an activity on the surface of any water body shall ensure that the noise emitted from that land or activity does not exceed a reasonable level.

28.7.2 General Duty to Avoid, Remedy, or Mitigate Adverse Effects

In accordance with Section 17 of the RMA, every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of that person, whether or not the activity is in accordance with a rule in this District Plan, or a resource consent, or is an activity which lawfully existed before this District Plan became operative.

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